Policy Recommendations for Strengthening Regional Economic Communities for a Just Transition in Africa's Transition Minerals Sector

Summary

Africa's rich deposits of transition minerals (cobalt, lithium, manganese, graphite and rare earth elements) place the continent in a strategic position in the global green transition. However, weak governance, extractive dependency and unevenly distributed benefits jeopardise the transformative potential of this endowment. While the African Union has set out normative frameworks – such as the Africa Mining Vision and the African Green Minerals Strategy – the effectiveness of these frameworks depends critically on Regional Economic Communities (RECs) – including the Economic Community of West African States (ECOWAS), Southern African Development Community (SADC) and East African Community (EAC). RECs occupy a pivotal yet underpowered position: they promote harmonisation and safeguards but lack the authority and capacity to enforce accountability. This brief analyses institutional and normative gaps in relation to RECs and proposes targeted reforms to empower them as true guardians of a just transition, calling for strengthened mandates, enhanced adjudicatory powers and alignment with continental trade frameworks.

Introduction

Africa is a major global supplier of transition minerals critical to renewable energy technology and electric vehicles, which raises expectations of economic transformation and sustainable development in mineral-rich countries. Yet the extractive sector remains marked by governance deficits, external regulatory pressures and limited domestic value addition. While African Union frameworks articulate a shift towards inclusive, rights-based mineral governance, their implementation is largely delegated to Regional Economic Communities (RECs), whose capacity and effectiveness vary significantly across the continent.

Problem Statement

Despite Africa's vast endowment of transition minerals, its capacity to translate this wealth into inclusive and sustainable development remains constrained by structural, institutional and geopolitical challenges. RECs tasked with implementing frameworks such as the Africa Mining Vision and the African Green Minerals Strategy suffer from weak enforcement powers, fragmented and largely non-binding regulatory instruments, as well as limited political autonomy. These challenges contribute to an uneven application of human rights and environmental standards, weak community participation, and persistent rentier dynamics marked by socio-economic marginalisation and environmental harm. These internal weaknesses are exacerbated by external regulatory pressures – such as the EU Battery Regulation, OECD Due Diligence Guidance and US mineral-security regimes – which impose complex compliance requirements while potentially reinforcing Africa's role as a raw material supplier. The result is a governance landscape in which REC ambitions remain largely aspirational, sovereignty concerns and weak adjudication limit regional effectiveness, and the benefits of the green transition risk bypassing African populations rather than advancing equitable transformation.

Policy Options/Alternatives

The prevailing approach retains existing REC mandates and relies largely on voluntary harmonisation and national compliance. An alternative would be to strengthen African Union enforcement by shifting operational authority from RECs to the continental level. Other options include empowering RECs with binding compliance, monitoring and adjudicatory powers. This could be undertaken alongside integrating mineral governance into continental trade frameworks such as the African Continental Free Trade Agreement (AfCFTA) and mandating harmonised regional safeguards.

Analysis

REC governance frameworks remain fragmented and poorly enforced, with RECs lacking sufficient leverage over states and external actors, resulting in a loss of socio-economic benefits. While stronger AU oversight could improve coherence, it risks detachment from local realities and resistance from sovereignty-conscious states. Empowering RECs offers a more viable alternative given their proximity to mining activities and harmonisation experience, but success depends on capacity building, adequate financing, and legal reforms to establish binding human rights and environmental standards.

Recommendations

1. **Strengthen REC Mandates:** REC mandates could be significantly strengthened through mandating compliance reporting, monitoring and peer review of national mining codes.
2. **Institutionalise Human Rights Due Diligence (HRDD):** Responsible business conduct can be fostered by making HRDD obligations binding within REC instruments, requiring regular disclosures and setting clear remedies for human rights abuses associated with transition minerals development. Requiring financiers to adopt HRDD and the necessary environmental standards for transition minerals projects can further foster human rights and environmental protection in the mining sector.
3. **Codify Community Consultation and Partcipation:** Meaningful consultation and participation, including free, prior and informed consent (FPIC) for indigenous peoples, can be codified in REC protocols as a non-negotiable prerequisite for mining concessions.
4. **Enhance Regional Adjudication:** Responsible business conduct can be fostered by expanding REC court jurisdictions, reviving and shielding regional tribunals from political interference, and facilitating community and civil society access.
5. **Align Mineral Governance with AfCFTA:** Integrating mineral value chains into trade and investment protocols to support regional industrialisation can strengthen RECs and their bargaining power.

Conclusion

Africa's Regional Economic Communities stand at a crossroads: they can remain gatekeepers within a fragmented and weak governance regime, or be transformed into empowered custodians of a just transition. By strengthening their mandates, adopting binding normative frameworks and aligning mineral governance with continental trade strategies, RECs can play a decisive role in translating Africa's mineral wealth into equitable, sustainable development while providing meaningful protection for communities and the environment.

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