

Organizing Stakeholders: Legal Issues, Technical Guidelines and Collection of Data to Support Local Priorities

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Organizing Stakeholders – Some Experiences...

Risk Education, Promotion of New Guidelines



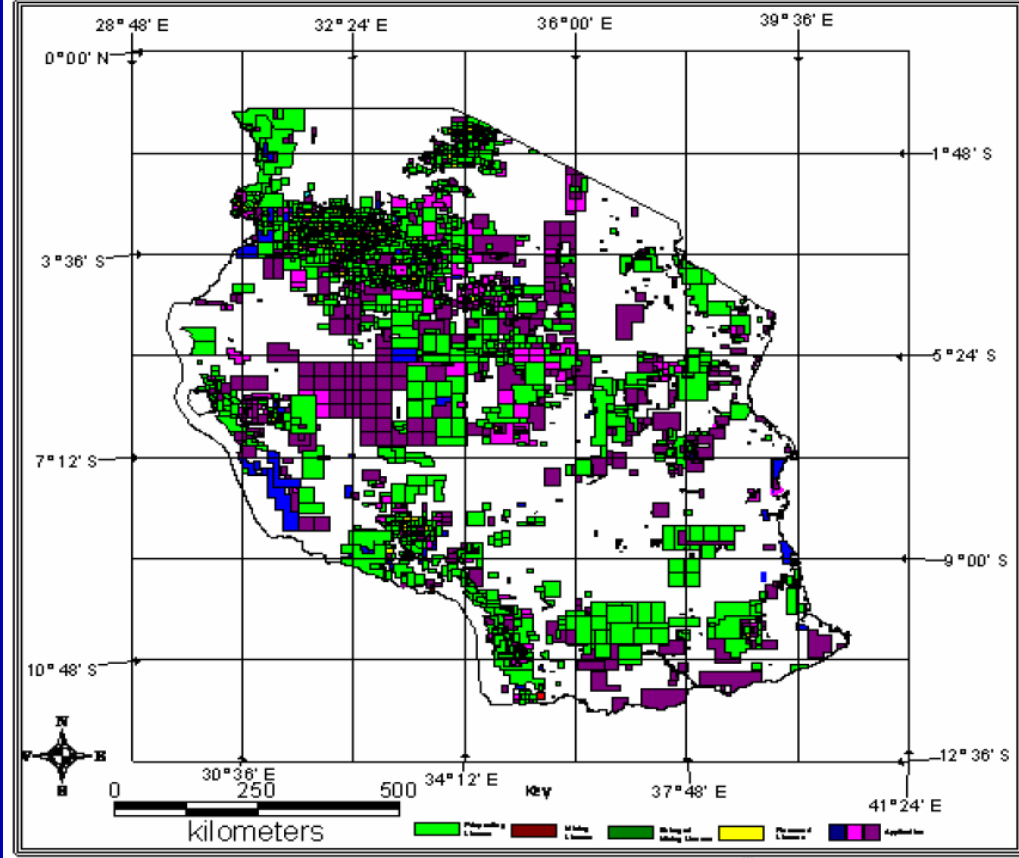
Sudanese Nurse discusses Hg health awareness with the Head of the Gugub Village

Training Artisanal Miners in Tanzania



Examining Local Implications of Licensing System/Resource Access

Tanzania Mineral Rights Map (mostly large & medium size companies)



- Are there "legal spaces" where artisanal miners may work? Government has begun a process of designating special artisanal mining areas; and developed mercury management guidelines
- Need concrete actions and commitments from companies to support artisanal miners
- Major study findings: improving local access to micro-finance and technology assistance is key

In Zimbabwe, Small-Scale Miners Associations Reaching Out to Miners Nationwide (Integrating Themes: Hg and Social Empowerment)



National ASM Sector Policy: A Pro-Poor, Livelihoods Approach?



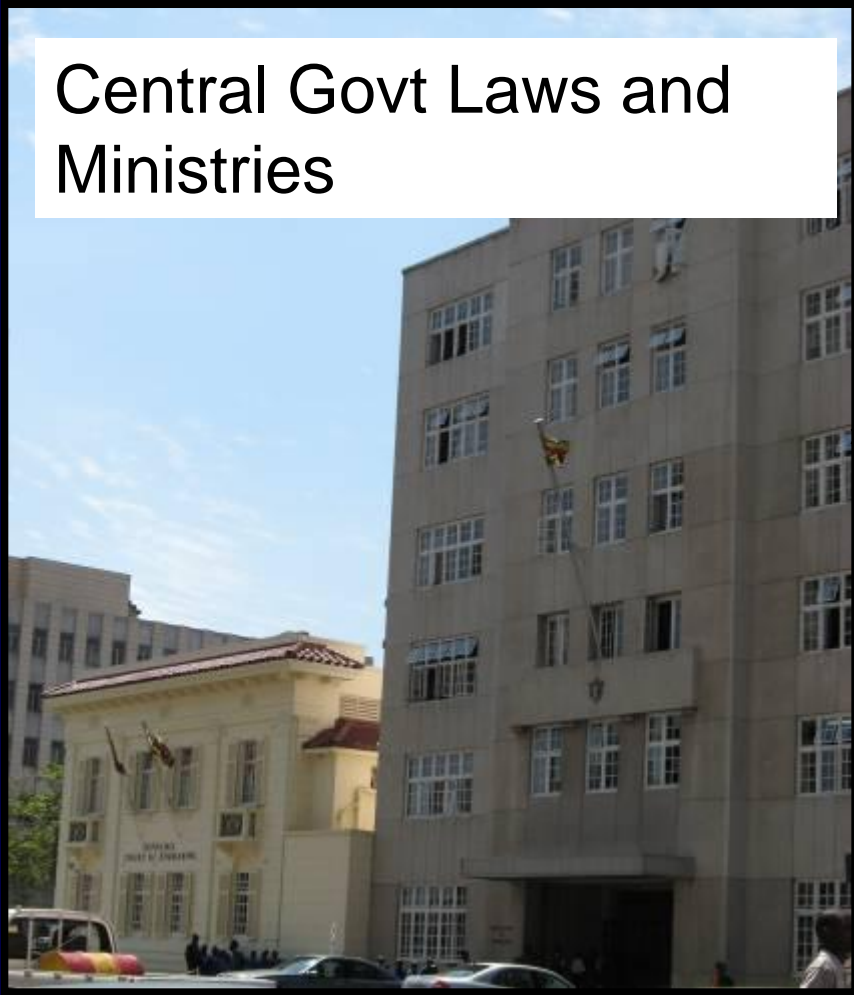
Improve organization of ASM sector



Improve environmental performance

Zimbabwe: Local Capacities to Assist and Monitor ASM

Central Govt Laws and Ministries



Mine Village



Local Government



Reforming Environmental Policy for ASM: EIA (Environmental Impact Assessment) Policy Protocols

Needs to be:

-Simple, Clear

-Comprehensive of all major risks – and needs to include mercury

-Streamlined, Not bureaucratic

-User-friendly

-Appropriate for subsistence workers



Indonesia

GMP legal proposals

NATIONAL GOVERNANCE LEVEL

- Create Special Provision on ASM in New Mining Law
- Facilitate legal framework for ASM recognizing value of formalization of informal ASM activity
- Create Regional Environment Act
(Empowering Local Authorities)
- Government Assistance Programs (and funds) to ASM

Local Government in Kalimantan, Indonesia – New Mining Law for Regulating Small-Scale Miners

- New law adopted in 2006 – “People’s Mining Law”

- one of the 1st local government laws to provide rights framework for indigenous miners in Indonesia

- establishes licensing framework for individuals and cooperative mining



New Law on “People’s Mining” Adopted in 2006 (Central Kalimantan, Indonesia)

The following provisions are included in the law:

- 1. The area that a people’s mining permit given to an individual may cover a maximum of 5 (five) hectares.*
- 2. A cooperative may be provided with a people’s mining permit covering an area of a maximum of 25 (twenty five) hectares.*
- 3. An individual that has already had a people’s mining permit is no longer allowed to have another permit unless his or her previous permit has expired [or is no longer effective].*
- 4. A people’s mining area shall be situated on land and shall be at least 200 meters away from the bank of a river.*

(Katingan District Regulation No. 3 of 2006)

Key concerns raised in response to new regulation:

- Policies could be mainly irrelevant if ASM land areas are not designated
- Need to dedicate resources for educating miners about how to comply
- Legalization can create a basis for proactive environmental capacity-building programs; but harmonization between mining and environmental authorities is crucial
- companies also need to recognize the legitimacy of ASM

Sudan –legal proposals

- Legalize indigenous mining
- Develop a licensing process for indigenous ASM
- Improve licensing process of gold and Hg dealers
- Develop environmental standards
- Establish joint national/regional instrument for monitoring environmental management
- Commit government resources to encourage ASM to form associations/cooperatives



Laos –legal proposals

- Government has adopted ASM Regulatory Framework (including environmental health and safety standards)
- Re-evaluate the possibility of devolving administrative powers (and resources) to Local Government level



Micro-Credit

Need for Pilot Programs Enabling ASM Communities to Access Credit and Finances to Support Technology Transfer



Tanzania: Seminar on Micro-credit



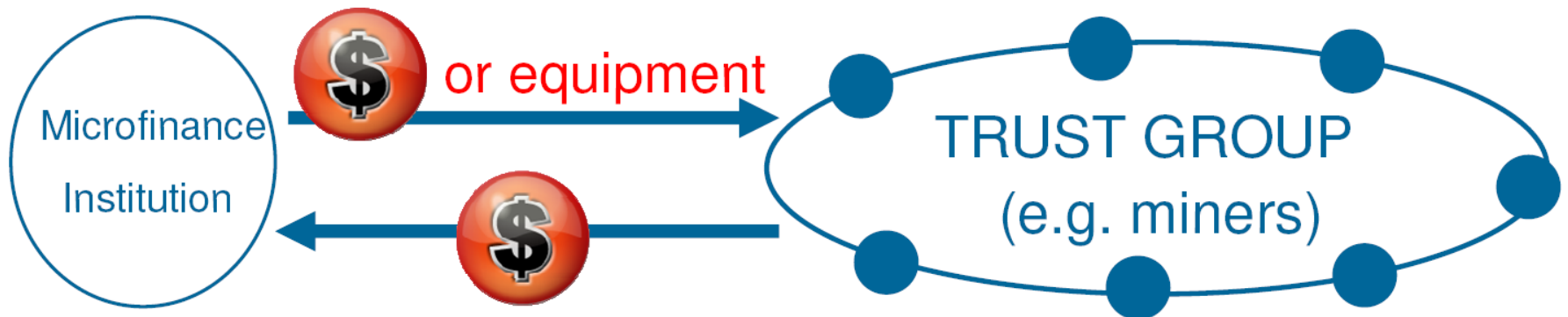
Sudan: Pilot Program - working with 5 groups of 20 miners to create “village-banking” for cleaner technology.



GMP Training on Cooperative Business Development

What is a “Trust Group”?

- Trust Groups meet on a regular basis and pool MONEY that each person contributes
- At first the money will be used to make deposits, through an umbrella group or an financial institution
- The Trust Group splits the loan among individuals
- ALL the members of the Trust Group are responsible for ALL its members credit; will collectively repay ANY money that is DEFAULTED (not paid back) by any member of the group



Lessons

- Removing barriers to cleaner & better ASM is possible
- Sustainable progress requires strengthening policies and governance at local, national, and global levels
- Local communities must be involved not merely as key partners in development – rather, they must be key drivers of development
- Priority must be on supporting community-based decision-making, management and monitoring
- Developing clear national law on Hg is vital
- Multi-actor accountability is key (miners, mine owners, mercury/gold dealers, etc)

Lessons (cont'd)

- Awareness of ASM sector challenges must be strengthened
- Improving environmental management requires strengthening ASM-sector law, policy and governance (institutional coordination; ASM licensing; inclusive and equitable trade markets; ASM integration in formal economy; etc)
- Commitments to restrict/phase-out international Hg trade must be accompanied by extensive efforts at local capacity-building
- Government commitments needed on ASM community outreach on training, capacity-building, technology support
- Microfinance and empowerment/training on cooperative organization and trust-building is key
- Broad stakeholder participation and innovation at all levels is vital