



ProMESS

PROJET MINES - ENVIRONNEMENT
SANTÉ ET SOCIÉTÉ
(PHASE II)

Mapping of integrity
deficits in the mining
value chain in
Cameroon



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List of Abbreviations

ASM	Artisanal and Small-scale Mining
CAPAM	Artisanal Mining Support Framework Unit
CCPCQVP	Coalition Camerounaise Publiez Ce Que Vous Payez
CIMEC CONAC	Cameroon International Investment Mining and Exhibition Conference National Anti-Corruption Commission
CONSUPE	Supreme State Control
GESP	Growth and Employment Strategy Paper
FODER	Forêts et Développement Rural
EITI	The Extractive Industries Transparency Initiative
MINEPDED	Ministry of Environment, Protection of Nature and Sustainable Development
MINFI	Ministry of Finance
MINMIDT	Ministry of Mines, Industry and Technological Development
PK	Kimberley Process
PRECASEM	Projet de Renforcement de Capacités du Secteur Minier
NDSD	National Development Strategy Document
ProMESS	Projet Mines Environnement-Santé et Société
RELUFA	Réseau de Lutte contre la Faim
SNPPK	Secrétariat National Permanent du Processus de Kimberley
TI-C	Transparency International Cameroon

PREFACE

To attract investors to the mining sector and improve sustainable exploitation of mineral resources, the State of Cameroon has undertaken several reforms. Thus, a new mining code was adopted on December 14, 2016. This new code incorporates elements of attractiveness (stability clauses, tax exemptions); the transparency requirements of EITI (identity of all parties with interests in the mining Permit, publication of assigned mining permits in the official journal); carrying out environmental studies prior to any operation, rehabilitating exploited sites, etc. The implementing text of this new code has unfortunately not been promulgated, despite almost four (4) years (2016-2020) since its adoption. The study on the mapping of integrity deficits in the mining value chain in Cameroon, by Transparency International Cameroon (TI-C) reveals important issues in ensuring integrity in the mining sector in Cameroon. This study identifies existing rules, standards and mechanisms, diagnoses corruption risks and helps to understand the main relationships with stakeholders in the mining sector. In the context of this study, the integrity deficit refers to both a moral posture and a professional attitude. These are acts which go beyond corruption and which are likely to create a negative impact directly or indirectly on the mining value chain.

What we have done

In the framework of the implementation of phase 2 of the Mines-Environment-Health and Society Project (ProMESS2), the organization Transparency International Cameroon (TI-C) in collaboration with Forêts et Développement Rural association (FO- DER), analyzed the data collected in the field through interviews and Focus group discussions, while comparing them with the legal and regulatory frameworks that govern the mining sector in Cameroon. This provided an overview of the illicit practices that occur in mining activities in the field. In addition, the veil on sources of integrity deficits that cover all mining activities, services and operations carried out in the mining value chain in Cameroon has been lifted. Data collected within the



framework of this study enabled the identification of shortcomings or misunderstandings of the legal framework of the mining value chain (attribution of mining permits, production, revenue collection, distribution and management of revenues and marketing) which are likely to

thrive integrity deficits

What we found

Some analyzes and observations according to the mining value chain phase were made within the framework of our study. Several illicit practices (influence peddling, favoritism, corruption, fraud, etc.) were observed at these different phases. These practices persist because of the influence peddling of the authorities and other political elites (deputies, senators, mayors), administrative (ministers, Senior Divisional officers, Divisional officers) and sometimes the military. It was noted that there is an increasing influence of the presidency of the Republic in obtaining mining permits. The absence of the 2016 mining code implementing decree also favors this type of practice. As part of this activity, the study focused on the attribution of permits, artisanal and semi-mechanized mining. Overall, four illegal practices were observed, namely: the use of prohibited substances, the non-recording of the quantities produced, the exploitation without authorization and the non-compliance with the allocated spaces:

- ***The granting and renewal of cards, authorizations and permits***
 - The absence of the implementing decree for the 2016 mining code to define the person empowered to issue the individual artisanal mining card creates a cacophony between the central and the local authorities. This situation is likely to lead to a lack of traceability of the income collected,
 - The absence of the implementing decree for the 2016 mining code favors illicit practices (influence peddling, favoritism, corruption, fraud, etc.). The «high-level» personalities have taken ownership of obtaining the authorization for artisanal mining, thus opening the door to trafficking of all kinds
 - Almost 95% of companies operating in the mining sector are of foreign nationality, in particular (South Korean and Chinese). Behind each of these companies are believed to be Cameroonian personalities, hence the term used in the sector «the Chinese of».
 - All the companies met during the survey and which respond to this regime do not have any authorization to renew semi-mechanized artisanal mining, yet the nature and logistics of their activity require it. When questioned, officials justify this situation by the lack of the implementing decree. It has been observed that the absence of this text is an open door to transactions between administration officials and operators in the sector.
 - The vast majority of research permit holders do not meet the technical and financial capacity requirements, much more their research permit is regularly renewed after expiry of the deadlines.
 - The illicit practices noted in the context of obtaining and renewing the research permit are: influence peddling, corruption, fraud etc. These practices have a strong influence on mining activity, moreover the phenomenon is recurrent tending to become a norm hence its level of seriousness high.
 - The communication deficit maintained around contracts or permits awarded in the mining sector reflects a lack of transparency.
- ***Production***
 - More than 60% of semi-mechanized exploiters operate with impunity without any authorization or at least

their only document is the telephone number of an influential person in the country who is ready to intervene in the event of an inspection.

- Off-limit mining exploitation is a deliberate practice because it allows companies to mine out of the space that was allocated to them prior to the arrival of a possible control with the excuse of error. Although these practices are not regular, they have a serious impact on mining activity because they are blessed by high-ranking personalities who deploy to neutralize all the efforts of the public authorities to improve the governance of this sector.

- **Revenue Collection**

- During revenue collection, the following illegal practices were observed: night washing of products/minerals», fraudulent channeling, concealment of quantities, swindling and crookery of certain CAPAM and gendarmerie detachment officers. These practices are likely to create losses in the public treasury for the benefit of crooked individuals.

- **Distribution and management of income**

- All the municipal authorities and traditional leaders met said they had never received a share of the mining activity that takes place in their territory.

- **Marketing**

- More than 90% of collectors do not hold any individual collector's card and / or a buying and selling office authorization, yet they practice in full view of state officials.
- These rogue collectors supply informal channels for the purchase of mineral substances. These practices are dangerous because these activities can be capitalized by "chaos" companies thus creating socio-political crises. This could jeopardize the positive impacts expected from Cameroon's entry into the Kimberly process.

Me NJOH MANGA BELL Henri
Président de TI-C

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INTRODUCTION

The National Development Strategy document (NDS) which replaces the Growth and Employment Strategy Paper (GESP) defines Cameroon's development policy for the period 2020-2030 and includes the mining sector among the foundations of the pillar 'Structural transformation'. Mining exploratory activities carried out in Cameroon from 1960 to 1990 and supplemented by the results of the Mining Sector Capacity Building Project (PRECASEM) revealed that Cameroon has a strong mining potential. Thanks to this project of the Cameroonian government and financed by the World Bank, the excavations carried out from 2014 to 2019 on nearly 18,000 rock samples, revealed that Cameroon has more than 300 new anomalies and indices, particularly in iron, Bauxite, Diamond, Nickel, Cobalt, Titanium, Tin, Gold, Uranium, Rutile, quarry substances (limestone, pozzolan, marble, granite, clay, sand) and even rare earth. These mining substances are scattered throughout the national territory, thus making Cameroon a true mining destination.

Unlike the mining industry, which is slow to take off, the artisanal sub-sector has experienced considerable development, due in part to the Lom-Pangar dam impoundment project which has favored semi-mechanization of mining. Technical and financial partners with the collaboration of foreign operators have introduced modern machinery and techniques to extract large quantities of gold. Semi-mechanized gold mining in Cameroon is marked by flagrant viola-

tion of laws and regulations

The behavior of most of the actors involved in the mining decision-making chain does not favor the conditions for improving governance. The Natural Resources Governance index of the Natural Resources Governance Institute (NRGI, 2017) indicates that the general condition of governance in Cameroon is poor (33/100) and the Transparency International corruption perception index indicates a score of 25/100 for Cameroon in 2019, a score well below the average. The comparison of the results of the Natural Resources Governance Index, and the Corruption Perception Index (CPI), carried out by NRGI, shows that there is a very clear link between lower levels of transparency in the extractive sector and higher levels of corruption. These results also demonstrate that improving extractive governance has positive leverage effects beyond natural resource management.

Studies carried out by civil society organizations such as FODER, DMJ, RELUFA, and CCPCVQP indicate that the exploitation and commercialization of mineral substances resulting from artisanal and small scale operation takes place in great opacity and in blatant violation of the legislation in force to corruption.

This gloomy picture justifies the realization of the study on the «Mapping of integrity deficits in the mining value chain in Cameroon». This study is done in the framework of phase 2 of the Mines - Environment - Health and Society

1. *Announcement of the Minister of Mines, Industry and Technological Development during a press briefing Thursday June 11, 2019*

(ProMESS 2) project implemented by FODER and TI-C in the Eastern and Adamaoua regions. Data collection methodology included the qualitative and descriptive approaches. In essence it has to do with describing illicit practices as they occur on the ground. This study allows us to shed some light on the sources of integrity deficits that cover all the activities, services and operations carried out in the mining value chain in Cameroon. The study produces reliable results that can be used in the decision-making process in favour of integrity both within the public administration in charge of the mining sector and in the private sector operating mining. This tool also provides useful information for awareness raising among populations living around mining areas. This involves analyzing the legal framework of the mining value chain (the allocation of mining titles, production, revenue collection, revenue distribution, management and marketing) in order to identify any shortcomings or misunderstandings which are likely to make integrity deficits flourish.

Integrity refers to behavior and actions that comply with a set of ethical and moral principles, which prevent corruption. This has to do with an essential dimension of the ethics of mining management, although the concept is more widely used in the ecological framework.



Presented through the prism of governance, integrity must be understood from its converse of corruption. Corruption is defined as the perversion or misappropriation of a process or an interaction with one or more persons for the purpose, of the corrupter, to obtain particular advantages or prerogatives or, for the corrupt, to obtain retribution in exchange for his complacency.

Transparency International defines corruption as « ***the abuse of delegated power for private gain*** ».

In the context of this study, integrity deficit refers to both a moral posture and a professional attitude. These are acts beyond corruption that are likely to create a direct or indirect negative impact on the mining value chain

2. TI, *Combating Corruption in Judicial Systems* (Berlin: TI, 2007). www.transparency.org/content/download/27437/413264/file/Judiciary_Advocacy_ToolKit.pdf; TI and UNHabitat, *Tools to Support Transparency in Local Governance (Kenya and Berlin: TI and UN-Habitat, 2004)*. TI «National Integrity System Assessments: Background & Rationale»

1. ANALYSIS OF THE LEGAL AND REGULATORY FRAMEWORK OF THE MINING VALUE CHAIN IN CAMEROON FROM 2001 TO 2016

The first texts governing mining activity in Cameroon are *federal law n° 64 / LF / 3 of April 6, 1964 on the regime of mineral substances and law n° 78/24 of December 29, 1978 fixing the base, the rates and the mode of collection of fixed rights, royalties and mining taxes.*

Since the advent of Law No. 001 of April 16, 2001 on the mining code and its implementing decree No. 2002/840 / PM of March 26, 2002, Government's efforts to provide better legal framework for mining activity, whose echoes point to an all-out development, have intensified and are reflected in successive legislative and regulatory reforms, particularly the promulgation of law n° 2010/011 of July 29, 2010, amending and supplementing certain provisions of the Law n° 001 of April 16, 2001 relating to the mining code, the signing of decree n° 2014/1882 of July 04, 2014, amending and supplementing certain provisions of decree n° 2002/840 / PM of March 26, 2002 and its amendment n° 2014 / 2349 of 01 August 2014 and, more recently, the promulgation of law n° 2016/017 of 14 December 2016 on the mining code.

Actually, the aforementioned changes in the legal framework for the development of mining activities, with the added advantage being the Mining Code of December 14, 2016, which confirms government's desire to improve governance and mining transparency, still allows some loopholes in the area, thus extending the



lifespan of procrastination in this sector of activity, at least with regards to the allocation and renewal of mining titles and permits (I), mining production (II), collection of revenue (III), income distribution and management (IV) and marketing (V).

A. ALLOCATION AND RENEWAL OF TITLES AND MINING PERMITS

In the mining value chain, the first thing is the allocation and renewal of mining titles and permits, particularly the artisanal mining authorization, the semi-mechanized artisanal mining authorization, research, small mine operating permit, industrial mine operating permit. Until now, mining activity has mainly been reduced to artisanal and semi-mechanized artisanal mining as well as research activities.

The stumbling block, when it comes to the allocation of mining titles and permits, revolves around the cohabitation between mining exploration permits and artisanal exploitation permits, with the major issues at stake being the death or survival of mining research activity. Indeed, these two types of activities must be carried out separately. Fortunately, it is this option that received legal recognition from 2001 to July 2014 as stated in the following texts:

- 44 (3) of decree n ° 2002/840 / PM of March 26, 2002 specifying the modalities of application of law n ° 001 of April 16, 2001: “when an exploration or an exploitation permit is granted within a perimeter containing an artisanal mining authorization, the area of the artisanal mining authorization does not form part of the granted perimeter. Holders of such permits must respect the perimeter as well as the rights of the holder of the artisanal mining authorization «;
- 41 (2) new of decree n ° 2014/1882 of July 04, 2014, modifying and supplementing certain provisions of decree n ° 2002/840 / PM of March 26, 2002: “no artisanal authorization may be granted within the perimeter of a valid exploration permit or operating permit ”.

However, an unfortunate reversal was observed in August 2014 with the consecration of the coexistence of these two types of exploitation in the same space, to the humiliation of compliance with previous provisions, as illustrated below, article 41 (2) new decree n ° 2014/2349 of August 01, 2014, modifying and supplementing certain provisions of decree n ° 2014/1882 of July 04, 2014: “no artisanal authorization may be granted within the perimeter of a valid exploration or operating permit, without the consent of the holder of the said research or operating permit. ”.

Speaking specifically of the consent given in this provision, it would not be rude to point a finger at it as being the source of the validation of all the illicit practices observed in this sector of activity, particularly in the bargaining of spaces which ends up killing the research for the benefit of chaotic semi-mechanized exploitation. However, it should be noted that the desired choice of overlapping industrial research permits and semi-mechanized artisanal mining permits is due to the fact that the last two forms of activity have a limiting depth which does not prevent future industrial exploitation. Nevertheless, it should be noted from this superposition that the mineral reserves of a site vary depending on whether artisanal and / or semi-mechanized mining activities have been carried out in the place. On a completely different level, the consecration of the superposition of the research permit and the artisanal and / or semi-mechanized artisanal authorizations makes it possible to question on the effective beneficiary (or real owner) of the permits and authorizations granted in the same zone. « Does the authorization of the holder of the research permit», which the legal framework now allows to, escape the risk of corruption?

In other words, can it guarantee the integrity of the process of granting overlapping permits and authorizations?

This weakness was almost taken up in the reform of the mining code of 2016, despite a more or less blend literature with the provisions of article 27 (2) of law n ° 2016/017 of December 14, 2016 on the mining code, which state that: «the semi-mechanized artisanal authorization of precious and semi-precious substances can only be granted in a research permit by the Minister in charge of Mines, after the prior approval of the President of the Republic, in the conditions and according to the methods set by regulation”.



The aforementioned shortcomings have a negative influence on the production component.

B. PRODUCTION

Production takes place in the post prospection, post research or post exploration phase, distinguished by mining scale which can be artisanal, semi-mechanized artisanal, small mine and industrial mine respectively. Due to the consecration of the superposition of research permits with artisanal authorizations, one or the other form of production can be observed on the condition that the technical criteria of the artisanal and / or semi-mechanized mining are respected. Thus, several processes, including rudimentary methods or techniques, modern or advanced technologies, surround the chain of activities leading to the concentration of products of the said operations.

However, the ambiguity maintained by the legislative and regulatory texts of the mining sector from 2001 to 2016 concerning the granting of artisanal authorizations and the exercise of said activities, does not promote a good perception of the issue of production. Article 40 of Decree No. 2002/840 / PM of

March 26, 2002, specifying the terms of application of Law No. 001 of April 16, 2001, reserved the granting of artisanal authorizations only to natural persons of Cameroonian nationality. On the other hand, with regard to semi-mechanized mining, although the texts authorize legal persons under Cameroonian law to be able to operate, it has not prohibited foreigners from carrying out ASM activity, thus opening the door to the incursion of foreign technical and financial partners. The massive arrival of foreign partners in a context where the capacities for control, monitoring and social and environmental surveillance are limited has exploded the negative impacts of artisanal mining and semi-mechanized mining in mining communities. This is what justifies the disorder observed here and there in the mining areas (non-compliance with environmental clauses, lack of site rehabilitation, poor ecological and wildlife practices, no measures put in place to reduce pollution, etc.).

Hopefully, the implementation of the provisions of Law n ° 2016/017 of December 14, 2016 on the mining code may put an end to this imbroglio, because indeed, this text has an advantage in that the exercise of artisanal mining is meant only to natural persons of Cameroonian nationality. Also, the exercise

of semi-mechanized mining is authorized exclusively to Cameroonian companies justifying that at least fifty-one percent (51%) of the shares are reserved for nationals. Also, the above wish could constitute a springboard for the optimization of revenue.

C. COLLECTION OF MINING REVENUE

Situated almost at the base of the value chain of mining activities, collection generally includes the collection of duties, taxes and royalties from mining operators.

The problem concerning the collection of revenue stems from article 28 of law 2016/017 of December 14, 2016 on the mining code. This article establishes the levy of a synthetic mining tax with full discharge of twenty-five percent (25%) of the gross production of each site in the context of semi-mechanized artisanal mining. This method of collection is, without doubt, the carrier of the seeds of distraction or dispersion of income, in the sense that the product collected from the operators is devoid of any value, the mass remaining the only criterion for evaluating the quantities. However, the value of the material taken is exclusively deducted

after the smelting operations intended for purification, not without related losses, which operations take place in Yaoundé. In fact, there is no means of certifying the gold taken from the operator, only the declaration of the agent of the Artisanal Mining Support Framework Unit (CAPAM) is authentic. This entails that, the CAPAM agent could freely speculate on the degree of purity of the gold, including the consequent loss rates, while retaining the mass.

Also, could it be wise for each site to be sampled to specify the average degree of purity of the gold present, thus opening the way to an optimization of income and, consequently, their better distribution and management. in accordance with the requirements of the EITI 2019 standard.

D. DISTRIBUTION AND MANAGEMENT OF REVENUES

This phase, which follows the collection of income, concerns the distribution of these among the beneficiaries, in particular the State, decentralized local authorities, local populations or natives. The way in which said revenues are used is a major concern for governance in the mining sector and the well-being of neighboring populations.

The central issue here revolves around the allocation and management of income intended for municipalities and neighboring populations. Order n ° 003950 / MINFI / MINMIDT of June 01, 2015 authorizing CAPAM to collect the ad valorem tax on mineral substances and the monthly corporate tax deposit due by companies engaged in low-mechanized artisanal

mining activities, on behalf of the Directorate General of Taxes and specifying the terms of execution of its mission, indicates in its article 8, that the form dedicated to the declarations of payment of the taxes concerned, must specify, among other things, the beneficiary municipalities with the exact locations of operating sites and the amounts allocated. However, this text is silent on the issue of communicating this document to the municipalities concerned. This is something that creates a lack of traceability in the allocation of the said resources to the beneficiary municipalities. It would therefore be important that the document be communicated to the municipalities concerned.

In addition, another legal curiosity appears with the decree n ° 005356 / MINMIDT / CAB of August 11, 2014, on the creation, organization and functioning of the Committee for monitoring and evaluation of small mechanized artisanal activities, whose role among others was, to collect income intended for neighboring populations and transfer them in the form



of project, in violation of the principles of decentralization. It should be noted that this Committee was suspended in the course of 2018. The aforementioned dispersion in the distribution and management of income intended for the neighboring populations, favoured their distraction. It would therefore be better to recommend that the distribution and management of revenues be centralized at the level of the decentralized territorial collectivities.

E. MARKETING

This step, which consists of bringing mining products to the market, both locally and internationally, relates in particular to the possession, transport, and sale itself. In addition to the aforementioned headings, the processing activities of mining products, in this case, the smelting, cutting or refining units, which supply jewelry stores and other jewelry spaces, are essential determinants for marketing.

Law 2016/017 of December 14, 2016 relating to the mining code has found a better framework for the activity of holding, transporting,

processing and marketing mineral substances. However, modalities for the implementation of certain related provisions within the framework of decree of application is still in the process of finalization are still being expected,

Law No 2016/017 of December 14, 2016 has finally, brought out a few exceptions that are on the path of improving supervision of mining activity. However, the delay observed in the signing of the relevant implementing decree as well as other texts provided for by this law has handicaps the hopes that this

reform already brought and so there is more of disorder observed in this sector of activity is still relevant today and wealth distraction in question continue thrive.

Actually, the implementing decree is intended to define specifically:

- The modalities of issuance, renewal, renunciation and withdrawal of mining titles and other authorizations in the mining sector;
- The collection of the contribution of mining companies under local content included among other programs and intended for the social development of the local population and the indigenous population, where applicable surrounding mining and quarrying activities;
- The distribution of mining revenues between the State, municipalities and neighboring populations);
- The terms of participation of companies incorporated under Cameroonian law in the performance of certain services provided to mining companies.

Alongside the implementing decree, it is also important to mention the various funds and special accounts established by the aforementioned law, namely:

- The special local capacity development account intended to finance economic, social, cultural, industrial and technological development,
- The funds for the restoration, rehabilitation and closure of mining and quarry sites meant for the preservation and rehabilitation of the environment,

- The mining sector development fund for inventory activities in the mining sector.

This implies that in the absence of this normative and institutional device, it is obvious that the mining value chain in Cameroon is severely cut off. Since the aforementioned points cannot be respected in the management of mining titles, the expectation of seeing mining revenues impact the lives of populations can undoubtedly only constitute a way to the cross. The same is true for the issue of the rehabilitation or restoration of mining sites which, in the absence of the funds provided for this purpose, remains a major concern.

It should be noted to deplore this that mining titles are issued and managed on the basis of anachronistic application texts. It can therefore be understood, for example, that the artisanal authorization is still used for semi-mechanized artisanal mining while this document is only transferred to traditional artisanal mining. Yet it is this type of exploitation that is at the root of all the illicit practices observed in mining areas. The same applies to questions of rehabilitation of mining sites, collection and distribution of mining revenues whose modalities are still being awaited.



2. MAPPING OF INTEGRITY DEFICITS

1. Presentation of the mapping tool

Mapping of integrity deficits is a systematic process which consists of identifying and evaluating the events (risks and / or opportunities) that could have a positive or negative influence on the objectives sought, namely: on the one hand increasing integrity civil servants and put in place effective and transparent mechanisms for the suppression of corruption and, on the other hand, draft legislation which allows civil servants to operate in complete independence in accordance with the purposes of this study.

The mapping of integrity deficits is therefore a tool (diagnostic) which aims to identify weaknesses in a system that could present opportunities likely to promote integrity deficits; with the understanding that exposure to corruption is particularly considered as one of the criteria for assessing the integrity deficit of public officials.

Specifically, this involves assigning an impact level to an event or action and multiplying it by the corresponding probability of exposure to this event or action (i.e. severity = the impact x probability).

One of the main advantages of mapping integrity deficits is that it can present integrity deficits to give a better understanding of the integrity situation in a given context. In addition, it can be used to visualize the relationships between different households and actors and subsequently identify specific areas where resources can be more effectively channeled. It could also serve as a working basis for institutions (CONAC, CONSUPE, PNG, etc.) fighting against the integrity deficit specializing in monitoring changes and evolution of risks over time.

In general, the mapping of deficits starts with the identification of integrity deficits, considered as indicators. It continues with an impact analysis and estimation of the probability of the integrity deficit. By transforming the identification of the deficit into information (manifestation), other stages of the mapping can take into account the prioritization of risks, the identification of tools to prevent the identified risks, and guidance on development strategies against the integrity deficit. In detail, the stages involved in mapping of integrity deficits are presented as follows:

3. Catherine Jourdan and Joe Atkinson « A practical guide to risk assessment: how principles-based risk assessment enable organizations to take right risks », *Princewaterhousecoopers*, 2008, p 7. Catherine Jourdan and Joe Atkinson « A practical guide to risk assessment: how principles-based risk assessment enable organizations to take right risks », *Princewaterhousecoopers*, 2008, p 7.

4. Andy McDevitt, « *Corruption Risk Assessment Topic Guide* », *Transparency International*, 2011, p 1.

5. « *Analysing Corruption in the Forestry Sector* », *Transparency International*, 2010, P 93.

6. *Op.Cit 2.*

a. Identification of activities

The first step in mapping integrity deficits consists of presenting in detail all the activities that are carried out (specifications or Job description) within the framework of a position, a service or a given sector.

b. Identification of concerned actors

Actors taken into account in the mapping exercise of integrity deficits are identified according to the relationship they have with a given position, service or sector. For each activity, it is possible to identify several actors having a direct or indirect relationship with the manager, the service, the sector being the subject of the study. This exercise also helps identify actors at both national and local level.

c. Identification of integrity deficits

The identification of the integrity deficit is made in relation to clearly defined activities within the framework of a given position, service or sector. This exercise makes it possible to identify integrity deficits which put or could further jeopardize good governance in a given function / service or sector. In the context of this study, it is about integrity deficits likely to undermine good mining governance in Cameroon.

d. Manifestations of integrity deficit

Each integrity deficit is explained in detail. It also presents the way in which it manifests itself or could manifest itself in a given environment. For example, assuming that the integrity deficit in a given environment is «the bribe», then it will be necessary to explain precisely how it is or could be paid, by whom and for what purpose.

e. Rating of integrity deficit

Each integrity deficit is scored on the basis of two aspects: impact and likelihood. Impact refers to the question «what would be the impact



of this integrity deficit in a given environment if it is real / real?» «. Probability, on the other hand, brings out the question: «What is the probability that this integrity deficit can be effective or occur?». The impact of an integrity deficit and the likelihood of its occurrence are rated on a scale from 0 to 5.

f. Prioritization of integrity deficit

The level of the integrity deficit in a given environment is the product of the impact and the likelihood of the integrity deficit (ie Impact (I) x Likelihood (L)). Deficit prioritization is done by ranking the highest risk deficit to the lowest risk deficit (this ranking is determined by the final result of I x L operation).

g. Identification of instruments to fight against integrity deficit

This identification follows the prioritization of integrity deficit thus making it possible both to take cognizance of the tools missing in the fight against the scourge in a given environment and to assess the changes to be made in relation to the integrity deficits at a higher risk.

7. *Op. Cit 2.*

8. *Rapport de l'atelier sur la mitigation des risques de corruption dans la mise en œuvre de l'APV-FLEGT au Cameroun », Foret et Développement Rural, 2012, P 9.*



h. Information gathering strategy for the study

This study is essentially qualitative. It is carried out within the framework of ProMESS II implemented by TI-C and FODER. It required the mobilization of ten volunteers deployed in central services, in the regions of Adamawa and the East, more precisely in: Yaoundé, Bertoua, Batouri, Kete, Ngoura, Colomine, Bétaré-Oya, Meiganga, and Ngaoundere. The role of these volunteers was to observe, document and analyze illegal practices in the affected localities. However, given the nature of the information sought, the team turned more towards the «focus group Discussions» and direct interviews. Focus groups Discussions were used in localities with a high concentration of actors.

“ Focus groups ” are informal meetings which allow groups of actors (previously selected) from a given sector to be put around a table in order to allow them to exchange freely on the

realities of their sector. In this context, «focus groups» of collectors, artisanal miners and local administration were formed in each of the localities visited. This tool has the advantage of being confidential, so participants have no fear of sharing information in their possession. Given the confidential nature of the information collected, no participant is mentioned in this study.

Interviews on the other hand were organized with the staff of the central and decentralized services of the Ministry of Mines, Environment, CAPAM and certain mining company officials. For the sake of information balance, the investigating team spoke with the authorities occupying different levels of responsibility (from the rank of director to the simple guard). This approach made it possible to combine the information collected in order to consolidate it. For mining companies, the interview was done at the sites with the support of a translator (for Chinese companies).

External and internal actors were interviewed.

The internal actors consist of:

- i. The internal actors consist of:
- ii. The Ministry of Mines, Industry and Technological Development and its branches;
- iii. The Ministry of the Environment, Protection of Nature and Sustainable Development;
- iv. Administrative authorities;
- v. Capam, agents, Kimberly Process (KP) and EITI agents;
- vi. Gendarmerie detachment.

As external actors we have:

- i. Artisanal miners and collectors;
- ii. The holders or not of mining titles;
- iii. The neighboring populations;
- iv. Mining companies workers;
- v. Mayors and municipal councilors;
- vi. Traditional leaders

Considering that the study is qualitative, 10 focus groups were constituted and organized as follows: 05 per group of actors (internal and external), in Yaoundé, Batouri, Bétare and Colomine.

However, the individual interviews were carried out with an interview guide on the two types of actor groups mentioned above, namely internal and external actors.

Thus, 300 questionnaires were administered as follows:

• ***External actors 225***

- Artisans 110
- Artisanal miners 110
- Local populations 40
- Managers of companies 05
- Collectors 35
- Company workers 18
- Municipal councilors 10
- Traditional leaders 05
- Mayors 02

• ***Internal actors 75***

- Directors 3
- Sub-directors 5
- Staff 20
- Capam agents 20
- Mine brigades 10
- Gendarmerie detachment 03
- Administrative authorities 03
- Focal points of the Kimberly process 05
- Members of EITI 06

i. Mapping of integrity deficits (tables)

MINING VALUE CHAIN

STEPS	ACTIVITIES	INVOLVED ACTORS		SERVICE TO BE DELIVERED / VALIDITY OR PROCESSING PERIOD	ILLIGAL PRACTICES	OBSERVATIONS	IMPACT	LIKELIHOOD	SEVERITY
		INTERNAL	EXTERNAL						
1. GRANTING AND RENEWAL OF CARDS, PERMITS AND AUTHORIZATIONS									
Formalities for obtaining cards, authorizations and permits	<ul style="list-style-type: none"> • Identification of the department in which the applicant wants to practice • Identification of the mineral to prospect • deposit of a stamped application at the approved rate 	Administration in charge of mines	Physical person of Cameroonian nationality	Individual mining artisan card (for the grant, pay 10,000 CFA francs, for the renewal 20,000 CFA francs) (prospect)	Exercise in all illegally, (More than 95% of artisanal miners work without a card).	<p>It was noted that in the absence of the implementing decree that should define the person authorized to issue the artisanal mining card in practice, the issue is made by the Divisional Delegate, resulting in a lack of traceability of the revenues collected.</p> <ul style="list-style-type: none"> • Those who work without a card consider the mining substances of their village or locality as a family heirloom. However, great complacency has been noted on the part of the mini-ng administration, which does not carry out regular checks. This irregularity <p>in control could be explained by a lack of logistics and staff in the Regional and Divisional Delegations.</p>	2	4	8 (Low)

	<p>Identification of the area using a topographic map at a scale of 1 / 50,000</p> <ul style="list-style-type: none"> • Identification of the mineral to be exploited • Request stamped at the current rate 	Administration in charge of mines	Physical persons of Cameroonian Nationality	<ul style="list-style-type: none"> • The authorization for artisanal mining (to operate) (for the granting of 30,000 FCFA, renewal of 50,000 FCFA) <p>renewable term of two (02) years</p>	<ul style="list-style-type: none"> • Influence peddling, corruption, fraud • The exercise of artisanal mining activity by people of foreign nationalities in violation of article 22 of the law of 14 December on the mining code. <p>In the absence of a text setting out the modalities of application that should define the authority empowered to issue artisanal mining authorization, artisanal mining authorizations are used for the practice of semi-mechanized artisanal mining.</p>	<ul style="list-style-type: none"> • It was found that in the absence of the implementing decree to define the person authorized to issue the authorization for artisanal mining, it is, Regional Delegates are seen to be granted them. <p>In practice, artisanal miners are subject to payment of an amount of 550,000 CFA francs distributed respectively as follows: 500,000 CFA francs for the surface royalty and 50,000 CFA francs for fixed rights.</p> <p>The applicants and holders are mostly authorities and political elites (parliamentarians, senators, mayors), administrative (ministers, Senior Divisional officers , Divisional officers) and sometimes the military (according to field sources). --The position of the aforementioned actors constitutes in most cases a source of influence on peddling, collision, opacity concerning the real identity of the holders of these titles, thus bypassing the legal framework of mining activities.</p>	5	4	20 (high)
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						<ul style="list-style-type: none"> • There has been a growing influence of the presidency of the republic in obtaining mining titles. • Truthfully, applicants are exclusively Cameroonian, but the exploitation is carried out by foreign operators, mostly Asians, notably Chinese and South Korean (95%). Reason why there is the expression «the Chinese of ..» expressing the collisional link between the personalities who own the permits and the companies (operational arm) on the ground. In reality there is an addict in the mining sector that behind a «Chinese» hides an influential personality. 			
<ul style="list-style-type: none"> • Identification of the department in which the applicant wants to practice • identification of the mineral to be exploited • Identification of the area using a topographic map (must not exceed 21ha) • Presentation of a stamped application at the authorized rate 	<ul style="list-style-type: none"> • Divisional, Regional Delegation, • Central services (Department of mines, sub-Department of mining survey) • Presidency of the Republic • lors que la zone demandée est dans un permis de recherche 	Any moral person under Cameroonian law	<p>The authorization for semi-mechanized artisanal mining is (,1 500,000 FCFA for granting , 3,000,000 FCFA for renewal),</p> <p>Duration of two (02) years</p>		<p>This informal change generates various and multifaceted consequences, notably fiscal, environmental and social. It also neutralizes the work of the controllers who sometimes find themselves face with a legal vacuum, a situation favorable to all forms of corruption among the actors.</p>	5	5	25 (very high)	

	<ul style="list-style-type: none"> • Identification of the area using a topographic map at the scale of 1 / 200,000th of the permit area • Solicited • Identification of the mineral to be prospected • Drop an application at the authorized rate • Renewal of Licence 	Minister in charge of mines	Any Moral person under Cameroon law (company)	<p>The research permit</p> <p>Duration of three (03) years and renewable 3 times for a period of 2 years each (for the granting of 3000 FcFa / km², renewal of 4000 FCFA / km² and 7,500 Fcfa / km</p>	<ul style="list-style-type: none"> • influence peddling, corruption, fraud; • Diversion of research activity in favor of semi-mechanized artisanal mining. • Attribution of research permits in the absence of technical and financial capacity • Non-compliance with the specifications 	<ul style="list-style-type: none"> • Holders of research permits do not have the technical and financial capacities, yet their permits are regularly renewed. • The aforementioned operators tend to engaged in the sale of spaces for semi-mechanized artisanal mining purposes instead of research activity which was intended. <p>In some cases the holders of research permits carry out semi-mechanized exploitation under another company name belonging to the same subsidiary</p> <p>The applicants and holders are mostly authorities and political elites (parliamentarians, senators, mayors), administrative (ministers, Senior Divisional officer, Divisional officer) and sometimes the military (following source from the field). The position of the aforementioned actors constitutes in most cases a source of influence to peddling, collision, opacity concerning the real identity of the holders of these titles</p> <p>The presidency of the republic has been found to have some influence in obtaining research permits.</p>	4	4	16(High)
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	<p>Identification of the area in a research permit</p> <ul style="list-style-type: none"> • Environmental and Social Impact study • pre-feasibility study • feasibility study • mining convention 	<p>Presidency of the Republic</p> <p>Minister's Cabinet</p> <p>Department of Mines</p> <p>Sub-Department of mining survey</p> <ul style="list-style-type: none"> • Mining Title Service • Mining mapping and Survey documentation service 	<p>Moral Person of Cameroonian origin</p>	<p>Operating permit for small mining</p> <p>Initial term of five (05) years renewable for periods of three (03) years</p>						Nothing to Signal
	<p>Identification of the area in an exploration permit</p> <ul style="list-style-type: none"> • pre-feasibility study • Environmental and Social Impact Study • Feasibility study • Mining convention 	<p>Presidency of the Republic</p> <p>Minister's Cabinet</p> <p>Department of Mines</p> <p>Sub-Department of mining survey</p> <ul style="list-style-type: none"> • Mining Title Service • Mining mapping and Survey documentation service 	<p>Moral Person of Cameroonian origin</p>	<p>Operating permit for the industrial mine</p> <p>Initial period of twenty (20) years renewable for one or more periods not exceeding ten (10) years each (for the granting of 2,000,000 FCFA, renewal of 3 4,000,000 FCFA, transfer 7,500,000 FCFA)</p>						Nothing to Signal

2. PRODUCTION

STEPS	ACTIVITIES	INVOLVED ACTORS		SERVICE TO BE DELIVERED / VALIDITY OR PROCESSING PERIOD	ILLEGAL PRACTICES	OBSERVATIONS	IMPACT	PROBABILITY	SERVERITY
		INTERNAL	EXTENAL						
Artisanal	-control and monitoring of mining activity	National Brigade for the control of mining activities and its Regional branches <ul style="list-style-type: none"> • Department of mines; • Department of Geology • CAPAM; • SNPPK. • Regional and Divisional Delegations 	Mayor; Representatives of the security and defense forces for Artisan miners Traditional chef	The authorization for artisanal mining	Systematic use of mercury Failure to record the quantities of mineral substances extracted by producers	90% of the mercury used by artisans is supplied by individuals posing as collectors to whom artisans will return to sell their fruit from their «harvest». <ul style="list-style-type: none"> • The absence of a declaration of production from artisanal mining results is a major deficit in traceability. 	3	5	15(High)
						60% of businesses operate in complete impunity <ul style="list-style-type: none"> • Ay control moments, the people encountered at the sites appeal to their «godfathers» to dissuade the mission. cases have occurred during a mission whereby controllers received phone calls, either from their hierarchy or from ``influential '' public figures (civilians and soldiers) ordering them to leave the area as soon as possible. 			

Semi mechanized	<p>Production monitoring</p> <ul style="list-style-type: none"> • respect the environment • -follow-up of artisanal and semi-artisanal authorizations • administrative surveillance and control of the activities of the mining industry <p>Monitoring of restoration, rehabilitation and closure of mining and quarries sites</p>	<p>CAPAM and SNPPK;</p> <p>Regional delegate and Divisional Delegate MINEPDED</p> <p>-Divisional Delegate</p>	Mining title holder		<p>Operating without authorization</p> <p>Non-respect of allocated spaces</p> <p>Non-rehabilitation of operated sites</p>	<ul style="list-style-type: none"> • In another case, the companies refused to open the portal on the pretext of working for influential people. After persistence from the controllers, dogs were detached in order to dissuade the latter. In another case, the companies refused to open the portal on the pretext of working for influential people. After persistence from the controllers, dogs were detached in order to dissuade the latter. • Geospatial delimitation does not always correspond to the space granted. We have had data that relates to areas beyond the borders of Cameroon (CAR) • In addition, most often in the field, some operators start their activities outside the assigned. • We regularly see the overlapping of logging titles, thus creating conflicts with neighboring populations. • Exercise of mining activity in rivers and protected areas • The companies do not carry out Environmental Impact Studies on the pretext of the non-existence of the implementing decree • More than 90% of companies abandon sites after operation. A few try to close the holes either through insistence of state officials or simply to clear a path to move forward on the site. 	5	4	20 (High)
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						<ul style="list-style-type: none"> Some companies choose to remit money to local administrative authorities and / or decentralized technical entities. This money is then diverted to the detriment of neighboring populations, leading to deaths in the abandoned holes. (A company claimed to have remitted the sum of 3 million francs to an administrative authority, this sum was unfortunately not used for what it was intended for although it was insignificant for the work requested) 			
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3.REVENUE COLLECTION

STEPS	ACTIVITIES	INVOLVED ACTORS		SERVICE TO BE DELIVERED / VALIDITY OR PROCESSING PERIOD	ILLEGAL PRACTICES	OBSERVATIONS	IMPACT	PROBABILITY	SEVERITY
		INTERNAL	EXTERNAL						
Revenue collection	Collection of extraction taxes <ul style="list-style-type: none"> Daily joint signing of production reports In charge of securing income Security of taxes collected in the form of gross products Support for Material production <ul style="list-style-type: none"> Technical support 	<ul style="list-style-type: none"> CAPAM Kimberly process Unit for the promotion and monitoring of mining revenue National Gendarmerie detachment	Artisanal and semi-mechanized artisanal title holder	Tax collection report Monthly collection	<ul style="list-style-type: none"> Companies sometimes do night washing Fraudulent channeling Concealment of quantities 	<ul style="list-style-type: none"> Sometimes this washing is done with the help of CAPAM and Kimberly agents Some CAPAM agents receive money from mining economic operators «Aladjj» to buy mining substances on their behalf 	5	4	20 (High)

	<ul style="list-style-type: none"> • Channeling of production from artisanal exploitation to formal State circuits • Security of mining products, mining sites and actors <p>Training and capacity building of mechanized actors</p> <ul style="list-style-type: none"> • Monitoring of production, transport and marketing activities of substances relating to artisanal mining 				<ul style="list-style-type: none"> • Fraud and swindling of some agents of CAPAM, Gendarmerie detachment and even the customs 	<ul style="list-style-type: none"> • Quantities are sometimes concealed with the complicity of certain ITIE and Kimberly agents under the leadership of CAPAM agents. At the end of the operation, the different parties distribute it according to the roles assigned to each. This sharing is sometimes the subject of disagreement between the parties that delay in the production of the minutes • - Some CAPAM agents carry out checks on mining sites without authorization and extort from artisanal miners and collectors who do not hold any documents the sum of two thousand (2000 f CFA) per person. The same thing is done by Gendarmes assigned to CAPAM. • In the eastern region, Custom officials raided construction sites to scam businesses, under the pretext of checking documents on machinery. 			
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4. DISTRIBUTION AND REVENUE MANAGEMENT

STEPS	ACTIVITIES	INVOLVED ACTORS		SERVICE TO BE DELIVERED / VALIDITY OR PROCESSING PERIOD	ILLEGAL PRACTICES	OBSERVATIONS	IMPACT	PROBABILITY	SEVERITY
		INTERNAL	EXTERNAL						
Revenue management	Distribution and management of income from mining	<ul style="list-style-type: none"> -Unit for Mining revenue promotion and monitoring (MINMIDT) MINFI -Public treasure; -Development fund for mining Sector -Administration in charge of domains; -Administration of mines; -Tax Administration; 	<ul style="list-style-type: none"> Permit or authorization holder -Council -Traditional chef -Local development committee; -Civil society; -Operating company 	<ul style="list-style-type: none"> Extraction tax Superficial royalty Artisanal mining authorization Surface fee: 10 FCFA / m2 / year Authorization for semi-mechanized artisanal mining Surface charge: 50 FCFA / m2 / year The research permit Superficial royalty: <ul style="list-style-type: none"> 1st year 5000FCFA / m2 / year 2nd year 6000FCFA / m2 / year 3rd year 7000FCFA / m2 / year 4th year 14000FCFA / m2 / year 	Nothing to Signal	Mayors of localities met say they have never received a quota. This could explain their backing or their growing involvement in illegal exploitation. It is the same for the populations who expect the achievements of mining in their locality. On the contrary, CAPAM agents regularly receive their share.			

				<p>5th year 15000FCFA / m2 / year</p> <p>6th year 30000FCFA / m2 / year</p> <p>7th year 31000FCFA / m2 / year</p> <p>8th year 62000FCFA / m2 / year</p> <p>9th year 63000FCFA / m2 / year</p> <p>Operating permit for small mine</p> <p>Surface charge: 75,000 FCFA / m2 / year</p> <p>Operating permit for industrial mine Surface royalty: 100,000 FCFA / m2 / a</p>					
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5. MARKETING OF PRODUCTS

STEPS	ACTIVITIES	INVOLVED ACTORS		SERVICE TO BE DELIVERED / VALIDITY OR PROCESSING PERIOD	ILLEGAL PRACTICES	OBSERVATIONS	IMPACT	PROBABILITY	SEVERITY
		INTERNAL	EXTERNAL						
Marketing of mining products	<ul style="list-style-type: none"> From monitoring of production to transport and marketing activities for substances relating to artisanal mining and small-scale mining; Administrative and technical supervision of the exploitation to transport, processing and marketing of mining substances; 	<p>MINMIDT</p> <ul style="list-style-type: none"> Department of mines Sub-Department of mining activities Service of mining and small-scale mining 	<p>Permit or authorization of marketing and export of mineral substances holder from artisanal mining.</p> <p>Holder of an individual mineral substance collector card</p>	<p>Attribution and renewal of authorization to open a purchasing office and marketing of mineral substances from artisanal mining.</p> <p>Allocation: 750,000 FCFA;</p> <p>Renewal: 1,250,000 FCFA</p>		<p>More than 60% of the collectors met do not hold any document. Those who have say they got it without cash.</p> <ul style="list-style-type: none"> The sale of gold is mostly done in the informal circuit. Some traders said opening a buying office requires huge amounts of money, so they prefer to do without an office. They generally act with the complicity of certain police and customs officers to evacuate their product on the international market. 			

	<ul style="list-style-type: none"> • Issuance of the ad-valorem tax receipt relating to the quantity and type of mining product <p>In the case of the export of mineral substances from mining</p> <p>Contributes to the allocation and renewal of individual collector cards</p>	<ul style="list-style-type: none"> • Mining Monitoring Service <p>Administration</p> <p>Regional and Divisional Delegates</p>		<ul style="list-style-type: none"> • Attribution of an export authorization for mineral substances resulting from artisanal mining. <p>Allocation: 250,000 FCFA;</p> <p>Ad-valorem tax relating to the quantity and type of mining products</p> <p>- Individual collector card.</p> <p>Allocation: 25,000 FCFA;</p> <p>Renewal: 50,000 FCFA</p>	<ul style="list-style-type: none"> • Fraudulent activities by collectors <p>-unlawful marketing of gold</p>	<ul style="list-style-type: none"> • We can also note the fraudulent existence of fusion units held by influential personalities in the operating areas. These personalities have networks of collectors to whom they remit financial capital for substances purchased as close as possible to the exploitation areas. They are also the suppliers of white mercury used by artisanal miners. <p>As for foreign companies, it remains so far difficult to define their sales channel if they maintain close proximity to their country of origin.</p>	5	4	20 (High)
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Impact: 1 = Lesser, 2 = less severe, 3 = severe impact, 4 = fairly severe, 5 = very severe.

Probability: 1 = Impossible (never happened), 2 = Rare (expected to occur in a similar environment),

3 = unlikely (not regular, but not often), 4 = likely (occurs regularly), 5 = Very likely (occurs all the time).

Severity level 1-5 = very low, 5-10 = low, 11-15 = medium, 16-20 = high, 21-25 = very high

OBSERVATIONS

On reading the mapping of integrity deficits, a few analyzes and observations emerge depending on the phase of the mining value chain.

1. THE GRANTING AND RENEWAL OF CARDS, AUTHORIZATIONS AND PERMITS

This step is undoubtedly the one that generates more illegal practices, however the seriousness of these practices depends on the nature of the activity carried out and the service to be delivered.

- *Obtaining and renewing the individual artisanal mining card*

It should be noted that the absence of the implementing decree for the 2016 mining code to define the person empowered to issue the individual artisanal mining card creates a cacophony between central authorities and local authorities. This situation is likely to lead to a lack of traceability of income collected. It could also consolidate the position of artisanal miners on the need to hold the card, although for most of them mining is an ancestral heritage (they say to themselves that they do not need any administrative authorization to exercise it). Although the impact of the illicit practices observed here on mining activity is low, the probability of persistence of these practices is high (low rate of artisans holding the card) hence its low severity level.

- *Authorization and renewal of artisanal mining*

We observe in this case that the absence of the decree of implementation favors illegal practices (influence peddling, favoritism, corruption, fraud, etc.). «High-level» personalities have



appropriated the acquisition of this sesame, thus opening the door to trafficking of all kinds. Moreover, it was noted that 95% of companies operating in this sector are of foreign nationality, especially (South Korean and Chinese). Behind each of these companies are believed to be Cameroonian personalities, hence the term used in the sector «the Chinese of ...» The impact of the illicit practices observed at this stage on mining activity is very serious because it strongly influences the mining phase. Sponsorship of high personalities has given a free hand for companies to operate with impunity. The likelihood of the occurrence of these practices is high given the social position of the applicants for artisanal mining authorization, which leads to the high level of severity.

- **Authorization and renewal of semi-mechanized artisanal mining**

All the companies met during the survey and which respond to this survey do not have any authorization, yet the nature and logistics of their activity require them. When questioned, officials justified this situation by the lack of decree of implementation. It has been observed that the absence of this text is an open door to transactions of all kinds between administration officials and operators in the sector. The illicit practices observed here are almost systematic, resulting in a very high impact on general mining activity. The state of seriousness is therefore very high and suggests immediate actions by the competent authorities.

- **Obtaining and renewing the research permit**

Obtaining a research permit is subject to technical and financial capacity requirements, however, it must be noted that the vast majority of holders of this document do not meet

these requirements, oddly, their document is regularly renewed. The illicit practices noted here are: influence peddling, corruption, fraud etc. It was noted that these practices strongly influence mining activity hence its high level of severity.

In fact, obtaining this document poses a problem of integrity in environmental governance in general, and mining in particular. Indeed, in the effort to ensure their own economic and even ideological interests in a context where consensus is difficult to the limit impossible to achieve, some players in the sector, individually or collectively, use various strategies. By departing from officially established rules and choosing opaque approaches, these actors influence in a direction other than that sought by the community, the effective, efficient and equitable achievement of the objectives of sustainable development. This situation is also reflected in the communication deficit maintained around contracts or permits awarded in the mining sector, a situation which reflects a lack of transparency⁹.

2. PRODUCTION

As part of this activity, the study focused on artisanal and semi-mechanized mining. In all, four illegal practices were observed, namely: the use of prohibited substances, the non-recording of the quantities produced, the exploitation without authorization and the non-respect of the allocated spaces.

Regarding the use of banned substances, the survey reveals that mercury is used by most

mining operators in violation of conventions to which Cameroon is a party (case of the Minamata Convention). However, in the absence of an in-depth study of the impact of this practice on their user, we can say that its capacity to harm mining activity remains relative. The same could be said about the non-recording of the quantities produced by artisanal miners. These are at the mercy of the collectors who source their supplies as close as possible to the mining

⁹ Peter Rosenblum et Susan Maples, *contrats confidentiels : pour en finir avec les accords secrets dans le secteur extractif*, revenues warch institute, 2009, new york, P.18

holes, making it difficult to trace the production of craftsmen.

One of the major challenges facing mining authorities is unauthorized mining. It was found that more than 60% of operators operate with impunity without any document or at least their only document is the telephone number of an influential person in the country who is ready to intervene in the event of an inspection. In terms of out-of-bounds exploitation, the investigation shows that this practice is done

on purpose. Companies begin operations outside of the space allocated to them by the administration before a possible check for error occurs. Although these practices are not regular, they have a serious impact on mining activity as they create unprecedented disputes with communities. These companies are consolidated in these positions because they have the blessing of the high personalities who deploy to neutralize all the efforts of the public authorities in the event of a control mission.

3. REVENUE COLLECTION

Collection of revenues sets in motion several actors, namely: CAPAM, agents, the gendarmerie detachment, companies, Kimberly process agents etc. The study reveals that during the realization of this activity, the following illicit practices were observed: night washing, fraudulent channeling, concealment of quantities, crockery and swindling of

certain agents of CAPAM and Gendarmerie detachment. These practices, although not systematic, have a significant impact on mining activity in Cameroon. They are likely to wear the state from a large part of its income to the profile of crooked individuals.

4. DISTRIBUTION AND MANAGEMENT OF REVENUES

During data collection phase for the conduct of the study, all the municipal authorities met affirmed that they had never received a share of the mining activity that takes place on their territory, on the other hand CAPAM

agents affirmed they receive theirs regularly. Nevertheless some social achievements of CAPAM for the benefit of local populations were noted on the field

5. MARKETING

Gold marketing activity in Cameroon is subject to the holding of an individual collector card and /or an authorization from the buying and selling office. However on the ground, it was found that more than 60% of collectors do not hold any document yet they exercise in full view of State agents.. More so, these rogue collectors supply informal channels for the purchase of mineral

substances. These practices are dangerous for the mining sector in particular but also for the whole country because these activities can be capitalized by “Chaotic” companies” thus creating socio-political crises. This could jeopardize the positive impacts expected from Cameroon’s entry into the Kimberly proces.

RECOMMENDATIONS

- Return to non-cohabitation between research permits and artisanal mining authorizations;
- Apply the principle laid down by Law n ° 2016/017 of 14 December 2016 on the Mining Code, which reserves the exercise of artisanal mining stricto sensu to only natural persons of Cameroonian nationality and semi-mechanized artisanal mining exclusively for companies incorporated under Cameroonian law, justifying at least fifty-one percent (51%) of the shares reserved for nationals;
- Make an inventory of up-to-date permits in terms of their renewal;
- Specify, for each site being sampled, the average degree of purity of gold present, thus paving the way for optimization of revenues and, consequently, their better distribution and management;
- Communicate to the local councils the documents specifying the mining revenues which are directly allocated to them or which are allocated to their respective populations, in order to centralize information relating to their distribution or management;
- Finalize the implementing texts of Law No. 2016/017 of December 14, 2016 on the Mining Code;
- Build the capacities of stakeholders involved in the extractive industries value chain on the Mining Code, the Penal Code and any other text intended to limit integrity deficits;
- Apply the penalties provided for in the above-mentioned law against offenders.

CONCLUSION

On the occasion of the launching ceremony of CIMEC 2019, the Minister of Mines, Industry and Technological Development addressing the participants affirmed «the certainties on the determination of the Cameroonian Government to develop the industrial mine on its territory that 'have never been relevant, palpable and serene than today, a turning point has been considered since the promulgation of Law No. 2016/17 of December 14, 2016 on the Mining Code. » Inspired by this strong affirmation, or so in resonance with it, the study relating to the mapping of integrity deficits in the mining value chain has come at the right time to serve as an essential instrument in the approach taken by the public authorities to make Cameroon a benchmark in the sub-region in terms of good mining governance.

Initiated as part of the Mines - Environment - Health and Society Project (ProMESS) and implemented by Forests and Rural Development (FODER) and Transparency International - Cameroon (TI-C), this study was carried out on the basis of methodological tools whose relevance is recognized. Indeed, the mapping of integrity deficits is part of a descriptive approach with the aim of highlighting the existing shortcomings (or gaps) at the legal, institutional and political levels, which may favour the integrity deficits observed in the mining value chain.

The study revealed to us that from a legal standpoint, the absence of an implementing decree for Law No. 2016/17 of December 14, 2016 on the Mining Code opens the door to several illegal practices. The perfect illustration observed in the field is the fact that companies

which, though they are fully corresponding to the activity of semi-mechanized artisanal mining within the meaning of the law of 2016, continue to claim from the register of companies belonging to the artisanal mining. This situation leaves the door open to illicit transactions between state agents and companies, the state and the populations are respectively deprived of revenues and social achievements as provided for by the mining code.

It was also noted that the increasingly growing involvement of political, administrative and sometimes military personalities in mining activity is likely to neutralize the efforts of the public authorities to improve mining governance in Cameroon. From obtaining permits and exploitation titles to the marketing of mineral substances, several illegal practices have been observed, namely: influence peddling, corruption, fraud, etc. These practices are led and maintained by personalities who in some cases are in charge of protecting the interests of the state, municipalities and populations.

The study also found out that state officials have limited logistical and financial means to monitor mining activity, which could expose them to indecent offers from mining companies. Hence, there is need to offer these officers in charge of control special accommodation so that they escape pressures of all kinds in the performance of their duties.

Moreover, improving governance and transparency in the mining sector requires the establishment and application of a regulatory framework capable of ensuring optimal revenue collection and their equitable redistribution. It also involves the strengthening

of environmental protection measures and the promotion of the involvement of all honest actors, in their respective domain with regard

to ensuring implementation, control and monitoring of activities. of the mining value chain in Cameroon.

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