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Terms of Reference

FORUM ON MINING GOVERNANCE (FGM)

THEME:

**“Artisanal and small-scale mining: opportunities
and challenges for local development”**

Yaounde, 18 to 20 January 2023

Forêts et Développement Rural (FODER)

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These Terms of Reference are the sole responsibility of FODER and may not be regarded as reflecting the opinion of the European Union

Background and rationale

Artisanal and small-scale mining (ASM) refers to mining by individuals, groups, families or cooperatives with minimal or no mechanisation, often in the informal sector of the market (Hentschel et al. 2002). (Hentschel et al 2003). ASM is known to be a significant source of income for millions of people throughout the world (World Gold Council 2017). In many developing countries with significant natural resources, artisanal mining provides livelihoods for millions of people and is a major source of economic development. In 2017, the number of people relying on ASM for subsistence reached 40.5 million in more than 80 countries globally, thereby contributing to about 12–15% of global gold production (IGF 2017; UNEP 2013; World Bank 2013). ASM produces 80% of sapphire, 20% of gold and 20% of diamonds globally. However, artisanal mining is still poorly regulated, resulting in limited information on production, income generated, employment and operations along the product marketing chain.

The Congo Basin sub-region is extremely rich in mineral resources. In Cameroon, about 100,000 people¹ work in artisanal gold mining, mostly concentrated in the East region. There are a few sites in the Adamawa, Centre, South and North regions. Mining is the main source of income for families in the mining communities and helps to curb rural exodus by promoting the development of several related activities. However, this sector is poorly structured and accounts for only 0.1% of GDP, despite being an essential pillar for the Government's 2035 vision to become an emerging country (EITI 2019; The World Bank 2017).

In 2019, gold production from artisanal and small-scale mining was estimated at 319.603 kg (EITI Cameroon, 2019). This quantity was produced in the East (65%) and Adamawa (35%) regions. However, it should be noted that barely 10% of the gold produced by artisanal miners is sold legally. Most of the gold miners sell their products illegally and are highly dependent on the collectors and semi-mechanised miners.

The situation of ASM in countries producing gold and gemstones in the Congo Basin is more or less similar.

Gold and gemstones actually produced in Central African Republic are mined by artisanal and small-scale miners on hundreds of small sites in the West and Centre regions of the country. In Central African Republic, ASM provides important livelihoods for approximately 400,000 women and men and accounts for over 60% of export earnings in the country (Levin, 2010). Official figures indicate that the mining sector only contributes 4–7% of the Central African Republic's GDP, but over 95% of the country's alluvial diamond production goes to artisanal miners.

¹ (Ministry of Mines, Industry and Technological Development, 2018), *Annual report of activities of the East regional delegation*

Meanwhile, the Democratic Republic of Congo hosts 66 million people, of which about 16% (approximately 10 million people) rely on artisanal and small-scale mining (ASM) for subsistence. The World Bank has therefore considered the ASM sector in the Democratic Republic of Congo as “the most important branch of the mining sector” (*World Bank, 2008*). Although the DRC government defined a policy for diversification, establishing mining as a key sector, much needs to be done to enhance the climate for investment (*World Bank, 2012*). According to a UN Security Council expert panel, 98% of artisanal gold production in DRC is not declared.

In the Republic of Congo, the small-scale industrial production of gold stopped decades ago, but artisanal miners still mine (mostly informally) precious minerals such as gold or diamonds. Figures relating to artisanal mining of gold, diamonds and other minerals are scarce and probably incorrect. When gold is smuggled out of the country, governments lose significant revenues. In the artisanal mining sector of the Congo Basin, sales are mostly neither taxed nor recorded in official export statistics resulting in a lack of transparency.

The artisanal and small-scale mining subsector faces serious challenges, notably in obtaining loans from craftsmen or bigger investments from financial traders. Most of the gold in the sub-region is illegally mined, hidden from the authorities and illegally exported. Due to insufficient monitoring and reliable statistics, the Congo Basin States are unable to have a proper understanding of the phenomenon, resulting in the exploitation of gold by organised criminal groups. Artisanal mining in the Congo Basin is subject to security, health and environmental problems such as encroachment on protected and fragile ecosystems (*Hollestelle 2012; Lahm 2002*). The main problems include deforestation and the pollution of water, soil and groundwater by toxic substances such as mercury or cyanide.

For several years, legislators, governments, multilateral and civil society organisations have been taking various actions to legalise artisanal and small-scale mining in several African countries. Stakeholders in the mining chain, including artisanal miners, local traders and exporters, are not encouraged to join the formal sector. Insecurity, tax burden, lack of state investment and the scarcity of formal artisanal mining areas are common reasons justifying the unwillingness of miners to operate formally. As a result, a significant amount of mining production is being lost in the informal circuit. According to Interpol (2021), gold is transported illegally across the sub-region’s borders by land or air in hand luggage while travelling. Illegal gold mining in Congo Basin is increasing due to corruption and poor control capacities at regional airports.

As African governments and Technical and Financial Partners (TFPs) attempt to organise a predominantly informal chain, key elements need to be addressed not only to professionalise the small-scale mining sector, but also to reorganise the artisanal subsector in order to contribute effectively to local and national development.

Against this background, FODER, as part of Phase 2 of the Mines-Environment-Health and Society Project (“ProMESS 2”) with the financial support of the European Union (EU), is organising the forum on mining governance. This forum is an opportunity for stakeholders from the Congo Basin to

exchange experiences on the mining sector, on the one hand, and to discuss the challenges and opportunities of artisanal and small-scale mining, on the other hand, in order to make relevant proposals aiming to make this sub-sector a tool for growth and decent jobs, socio-economic development, poverty reduction, and for achieving the Sustainable Development Goals. The issues and challenges of the environmental liabilities resulting from this exploitation and the mitigation/management mechanisms will be tackled during this forum. The forum will gather administrations, artisanal miners, buying offices, ASM supervisory and regulatory bodies, CSOs, and development partners from the Congo Basin countries, notably CAR, Congo and DRC. It will focus on the formalisation of artisanal mining as a tool for developing and improving local communities' livelihoods.

1- Objectives

The overall aim is to share experiences on the mining sector, on the one hand, and to discuss the challenge and opportunities of artisanal and small-scale mining, on the other hand, in order to make relevant proposals aiming to make this sub-sector a tool for growth and decent jobs, socio-economic development, poverty reduction, and for achieving the Sustainable Development Goals.

More specifically, this forum aims to:

- Assess the current state of informality/formalisation of artisanal and small-scale mining in the Congo Basin;
- Identify obstacles and levers to formalising and/or professionalising artisanal and small-scale mining;
- Thinking about strategies for optimising ASM.

2- Expected results

- An assessment of the efforts of state and non-state stakeholders to formalise ASM will be carried out;
- Lessons and experiences for formalising or professionalising ASM will be shared and explored;
- Guidelines to professionalise or formalise ASM will be provided;
- The mechanisms for managing health risks and environmental liabilities will be shared.

3- Topics

The general theme will be discussed under the following four (4) sub-themes:

- 1- *Formalisation of ASM,*
- 2- *Optimising the collection of revenues from ASM.*

- 3- ASM's contribution to local development,
- 4- ASM's environmental and health challenges.

4- Methodology

The forum will consist of plenary sessions with face-to-face and videoconference participants. “B to B” sessions between artisanal miners, collectors and gold buyers will be organised. Stands will be set up for exhibitions and sales of mining products as well as to bring together stakeholders of the supply chain (buying office, jewellers...) and academic institutions of the mine.

Plenary Sessions

They are a framework for dialogue and organised discussions between all stakeholders concerned by the forum's topics. They will involve theme-based presentations and discussions that will lead to practical and relevant recommendations to develop strategies and methods to make artisanal mining a powerful tool for local development. Panels will be set up for this purpose.

Session 1: Formalisation of ASM

Description

This session will present an overview of artisanal mining from the production chain to commercialisation in the Congo Basin countries (Cameroon, CAR, DRC, Congo). It will also assess the level of supervision of the stakeholders and the obstacles related to the supervision process. This session will also focus on the constraints and difficulties relating to the formalisation process by various stakeholders, the formalisation experiences of other countries and the professionalisation of stakeholders.

Session 2: Optimising the collection of revenues from ASM

Description

The aim is to understand the difficulties faced by states in collecting revenues from ASM from allocation of titles to commercialisation. Solutions will be found to maximise the contribution of the artisanal and small-scale mining sector to local development.

Session 3: ASM's contribution to local development

This session aims to assess the role of ASM in the socio-economic development of communities in mining areas. In a specific way, the stakeholders of the artisanal and small-scale mining subsector will have the opportunity to discuss strategies and approaches for an effective and efficient contribution of ASM to local development.

Session 4: ASM's environmental and health challenges

This session will review the environmental, health and safety problems caused by ASM. Good practices in managing environmental impacts related to ASM will be shared.

Session 5 : CEMAC Mining Policy

This session will present illicit financial flows from ASM between Cameroon and neighbouring countries. An update will be made on the challenges and progress of the current CEMAC mining code. The changes that this code will bring to the small and industrial mine will also be presented.

Virtual format

A virtual format is being planned for this 2nd Edition of the Forum on Mining Governance. The sessions will be recorded and broadcast online on zoom platform, YouTube and Facebook.

Sessions will be conducted mostly in French with simultaneous interpretation provided in English.

SIDE EVENT

➤ B to B session (Golden Nuggets Fair)

This session will be organised along with the Gold Marketing session. It will bring together artisanal miners, collectors and gold buyers. This is an excellent opportunity for the different stakeholders to forge or even seal commercial links. Each meeting will last 20 minutes. The “face-to-face” sessions with the participants should not be chosen randomly. For this reason, FODER will carefully select the partners according to their needs, subject to the document issued *from a study on the supply circuit of gold and precious stones derived from artisanal mining for the local market, in order to better inform the stakeholders on the sales circuits of gold and precious stones on the local market*. Supervised artisanal miners and cooperatives created under ProMESS 2 will be invited to showcase the gold from their artisanal mining operations. Anyone wishing to exhibit his products should register as soon as possible using this form.

➤ Auction of gold grams and jewellery session

This session should ease commercial transactions of gold (jewellery, gold grams etc.). Artisanal miners supported by FODER will be selected and will be able to sell their gold grams. For jewellers, only jewellery and other golden beauty items presented in a catalogue will be shown to the public in the hall. Sales will be concluded with the buyer by appointment. Exhibitions will run during the three days of the Forum, from 10: am to 12: pm and from 2:30 to 6: pm.

➤ Awarding of the “MINING REPORTAGE AWARD”

The “MINING REPORTAGE AWARD” is an initiative of the Forêts et Développement Rural (FODER) organisation dedicated to written journalistic reports and investigations, in French and English, that tackle issues related to mining governance and to practical solutions for the sustainable management of mining resources in Cameroon. The awards for the best productions of Cameroonian journalists working on mining issues will be given at the closing ceremony of the Forum on the third day.

Protocol session

An opening ceremony will be organised and will bring together the Minister in charge of mines, the head of the EU Delegation and a FODER representative. They will deliver messages for the occasion.

The same personalities will also attend the closing ceremony as they did at the opening, and they will also deliver a message during the closing ceremony. The closing communiqué of the forum will be read by a participant.

Participants

About **a hundred participants are expected** to attend the forum, including representatives of the various stakeholders involved in the mining sector in Cameroon, CAR, DRC and CONGO. Other participants will be able to join the Forum by streaming via the digital platforms that will be created for this purpose.

Duration and venue

The sub-regional forum will take place from 18 to 23 January 2023 and will be hosted in one of the conference rooms of La Falaise Hotel, Yaoundé.

Agenda of the forum

January, 18 th 2023		
Time	Activity	Responsible
8h – 9h	Welcome and registration of participants	
9h- 9h30	Opening Ceremony <ul style="list-style-type: none"> • Speech by the Representative of FODER • Speech by the Head of the EUD or his representative • Speech by the Minister of Mining or his representative • Family photo 	Protocol
9h30-10h	Coffee break	
	Plenary session	

	Session 1: Formalizing ASM	Moderator
10h-12h30	Panel 1: Status of ASM in Congo Basin countries (Cameroon, DRC, CAR, Congo) <ul style="list-style-type: none"> • Presentation 1: State of art of the formalization of ASM in Cameroon (15 min) • Presentation 2: State of art of the formalization of ASM in CAR (15 min) • Presentation 2: State of art of the formalization of ASM in Congo (15 min) 	Mr. KOUAKEP Clotaire, Deputy Director Mining Activities/Cameroun <i>Mr N’GBATOUKA SYLVAIN Marius, Missions Officer</i> <i>Mr. KOUNKOU GHYNEL REAGAN FRYDARIUS: Director of Artisanal Small- & Scale Mining, Focal Point Formalization, CIRGL/Congo</i>
	Panel 2: Constraints encountered by different actors in the ASM supply chain <ul style="list-style-type: none"> • Presentation 1: Congolese challenges of formalizing the ASM sector (15 min) • Presentation 2: Responsible gold trading and challenges of traceability (15 min) • Presentation 3: Challenges and constraints of the formalization of artisanal gold miners in Cameroon (15 min) 	<i>Mr Jean -Paul KAPONGO KADIOBO / General Manager of SAEMAPE</i> <i>Ir Thomas IDOLWA TCHOMBA: Provincial Director of SAEMAPE / N-K_ Ir Théo BASOSHI IUBWE, Provincial Director of SAEMAPE / S-K</i> <i>Mr. TAKOU Martin, Cooperative Support Manager, FODER</i>
	Panel 3: Sharing experiences <ul style="list-style-type: none"> • Presentation 1: Experiences from Ghana on formalizing ASM (30 min) • Presentation 1: Challenges and opportunities for women's empowerment in gemstone value chain (case of Madagascar) 30 min 	<i>Mr Nelson AHEDOR, Director of small-scale mining and industrial minerals-Minerals commission (Ghana)</i> <i>Dr Lynda Lawson, Senior Research Fellow Development Minerals/University of Queensland)</i>
12h30-13h30	Discussion	Moderator
13h30-14h45	Lunch break	Hotel
	Session 2: Optimizing revenue collection from ASM	Moderator

14h45-15h15	<p>Panel 4: Optimizing revenue from ASM</p> <ul style="list-style-type: none"> • Presentation 1: Constraints and niches for revenue collection in ASM (15 min) • Presentation 2: OECD Regulation for responsible sourcing of minerals from ASM: What contribution to increase the revenues of African States? (15 mins) 	<p><i>Prof Théophile NDOUGSA MBARGA,</i></p> <p><i>LOUIS MARECHAL, Senior Advisor Minerals and Extractive Sector, OCDE</i></p>
15h15-16h15	Group work: How to optimize income from ASM?	Moderator
16h15-17h	Restitution Group work	Moderator / All
17h	End of Day 1	
January 19th 2023		
08h-9h	Registration of participants	FODER
09h-09h30	First Day work Restitution	Moderator
09h30-10h	Coffee break	Hotel
10h-10h30	<p>Session 3: ASM Contributions to Local Development</p> <p>Panel 5: Status of the contribution of ASM to the socio-economic development of communities in the Congo Basin mining areas</p> <ul style="list-style-type: none"> • Presentation 1: Contribution of ASM to Local Development in the DRC (15 min) • Presentation 2: What levers can be use activate the contribution increase of ASM to local development (15 min) 	<p><i>Barrister Alexis MUHIMA SHINJA, Executive director of l'OSCM/ Coordinator of the Civil Society Mining Thematic Working Group</i></p> <p><i>Mr. Justin Landry CHEKOUA, programme Manager /FODER)</i></p>
10h30-11h30	Discussion	Moderator
11h30-12h30	Plenary: Reflection on strategies and approaches for an effective and efficient contribution of ASM in local development	All
12h30-13h30	Lunch break	Hotel
13h30-14h00	Restitution of work in plenary	Moderator and reporters
	Session 4: Environmental and Health Challenges of ASM;	
14h00-14h45	Panel 6: Environmental and Health Impacts of ASM	

	<ul style="list-style-type: none"> • Presentation 1: Reducing the use of mercury in ASM: What professional skills developed among artisanal miners (15 min) • Presentation 2: Impact of ASM on community livelihoods (15 min) • Presentation 3: Mechanisms for managing environmental damages caused by mining companies (15 min) 	<p><i>Mrs. Mbo Aline Clarisse, Researcher/Cameroon</i></p> <p><i>Mr NGAKOSSO NGOLO Jude, Head of Mining Artisanal Service, Congo</i></p> <p><i>Mrs LEUMAKO NONGNI Jeannette, University of Yaoundé 1 /Cameroon</i></p>
14h45-16h	Discussion	Moderator
16h-16h30	<p>Panel 7: Best practices in managing environmental impacts related to ASM</p> <ul style="list-style-type: none"> • Presentation 1: Best practices in managing environmental impacts related to ASM on mercury (15min) • Presentation 2: Best practices in the restoration of mining sites related to ASM (experiences from Ghana) 15 min 	<p><i>Mr. Barthélémy LAMBA, Expert in mining restoration sites / CAR</i></p> <p><i>Dr Ishmaël QUICOE, Lecturer University of Mines and Technology Tarkwa Ghana</i></p>
16h30	End of Day 2	
January 20th 2023		
8h – 9h	Welcome and registration of participants	
9h- 9h30	<p>Panel 8: CEMAC mining policy</p> <ul style="list-style-type: none"> • Presentation 1: Common mining policy in the CEMAC zone (15 min) • Presentation 2: Fight against fraud and cross-border flows in Cameroon (15 min) 	<p><i>Mr. EBODE 2 Nicaise Hervé, President of the CEMAC Commission, Head of BNCAM/Cameroon</i></p> <p><i>Mr. MINYEMECK Etienne Alain & Mr. MONEMVOMO Patrick Brice, Mining Controllers Cameroon</i></p>
09h30-10h	Coffee break	Hotel
10h-12h	<p>Journalists Awards Ceremony</p> <ul style="list-style-type: none"> • Speech by the president of the jury • Awards 	Moderator
12h-13h30	<p>Closing ceremony with the final statement reading</p> <ul style="list-style-type: none"> • Closing speech by the Coordinator of FODER • Speech by the Minister of Mines or his representative (Director of Mines/Technical Advisor) • Speech by the representative of the participants • Closing + Lunch break 	Moderator and All

- **Badges**

Badges will be produced for the event and handed to each participant. They will be used for identification purposes when entering the venue. You are requested to always wear yours, in order to facilitate the work of the organisers.