

EXECUTIVE SUMMARY

EEB/ZMWG African Regional Forum: Practical Considerations for the Development of National Action Plans for Artisanal and Small Scale Gold Mining May 23rd-24th, 2017, Nairobi, Kenya



Less Mercury More Gold Better Health

The Minamata National Action Plan to reduce mercury use in artisanal and small-scale gold mining:

*Government, business, miners
and communities working
together to create a path to a
zero-mercury future*



The Minamata Convention on Mercury is a global treaty whose objective is to protect human health and the environment from the adverse effects of anthropogenic releases of mercury and mercury compounds. It was adopted in 2013, and came into legal force on August 16th, 2017. The European Environment Bureau (EEB), together with partner organizations of the Zero Mercury Working Group (ZMWG), held an African regional forum in Nairobi, Kenya, on 23rd-24th May, 2017 to assist countries implement various aspects of the Convention.

The project and regional forum

To promote the effective implementation of the Convention, the EEB/ZMWG is carrying out a three year project¹ to assist four African countries with meeting some of their obligations. Work in Nigeria and Mauritius focuses on phasing out mercury-added products; in Tanzania and Ghana the project assists with developing the National Action Plan (NAP) on Artisanal and Small Scale Gold Mining (ASGM). The project team includes both international and African national NGOs.

In collaboration with UN Environment, the EEB/ZMWG organised a week-long series of workshops, to share project results and to facilitate regional capacity building. These workshops focused on phasing out mercury-added products and on reducing mercury use in ASGM. In total, 71 representatives from Environment and Mining ministries from 29 African countries and Jamaica, five UN bodies and special agencies, two intergovernmental organisations, 13 NGOs, as well as academics, private sector representatives and consultants took part in the workshops. This summary describes the results of the ASGM workshops.



The requirements of the Convention on Artisanal and Small Scale Gold Mining

The Convention places special emphasis on ASGM, which is currently the largest global source of mercury emissions and releases. All countries with ASGM are required to take steps to reduce, and where feasible eliminate, mercury use, emissions and releases. Countries with more than insignificant ASGM are required to develop a NAP. Annex C of the Convention specifies the required content of the NAP, including national objectives and reduction targets, actions to eliminate worst practices as well as steps to reduce mercury exposures, and steps to facilitate formalisation or regulation of ASGM, to manage mercury trade and to address public health.

Key outcomes:

The UN Environment – Global Mercury Partnership hosted a training workshop that presented a series of tools that can be used to develop a ASGM baseline mercury use estimate, and to create a country profile of the ASGM sector. More details can be found at <http://www.unep.org/chemicalsandwaste/global-mercury-partnership/reducing-mercury-artisanal-and-small-scale-gold-mining-asgm/meetings-8>

EEB/ZMWG followed with a related workshop covering practical considerations for the development of NAPs. In addition to providing an overview of NAP requirements, the EEB/ZMWG workshop focused on two of the most challenging aspects of the NAP development and implementation: **formalisation** and **technical approaches to reducing mercury use in ASGM**. Furthermore, the NGOs from Tanzania and Ghana shared their on-the-ground experiencesⁱⁱ working with miners and governments on the NAP processes in those countries.

Formalisation: Representatives of the governments of Tanzania, Kenya and Ghana, as well as a representative from a small mining cooperative in northern Kenya, participated in a panel addressing the challenges of formalisation in their respective countries and shared their experiences in formalising the ASGM sector. Several key points emerged from these discussions:

- Several countries stated that all of the NAP components hinge on formalisation, which can in turn allow for monitoring of the ASGM sector;
- To develop the ASGM sector, organization, formalisation and then legalization (in that order) need to be addressed;
- To facilitate formalisation, countries are encouraged to develop a long term vision of where they want the sector to be in 10 to 15 years;
- Miners should see clear benefits from formalising, for example through improved market access and better training and capacity building, in addition to access to technology and finance.
- Barriers to formalisation include the length of time required for a miner to obtain a mining license, as well as the cost;
- Civil society representatives recommended that governments should not outlaw the sector, as this makes dialogue and engagement with miners impossible.

Technical alternatives: Delegates also expressed the need for alternatives to mercury use in ASGM, as miners have noted willingness to use alternatives if they are available and affordable. International ASGM technical experts presented an overview of mining techniques and alternative methods to mercury in ASGM. Depending on the type of deposits (hard rock vs. alluvial) various steps can be used to improve gold liberation and gravity concentration (using spiral or vortex concentrators, improved sluices, centrifuges, shaking tables or even just panning), reducing and in some cases eliminating the need for mercury.

The forum also provided a platform for dialogue on those elements of the NAPs that can benefit from common regional approaches, particularly **mercury trade flows** among neighbouring countries. Delegates highlighted a number of priority issues related to mercury trade management, such as the development of policies and procedures for prior informed consent and wisdom of developing a regional strategy to control illegal mercury trade; consideration of different market based mechanisms to promote mercury-free mining; and increased awareness-raising.

One important challenge to creating a comprehensive NAP is the need for **collaboration among multiple stakeholders**. To help gain experience with this challenge, the delegates engaged in a **role playing exercise**, where delegates practiced what to say and do when faced with some potentially challenging situations and conflicts that may arise when developing and implementing their NAPs. Delegates found the activity fruitful and enjoyable.

The workshop concluded with a discussion of the importance of **miner consultations** when developing NAPs. Consultations with miners are critical to obtain buy-in and to support development of feasible policies for the ASGM sector; to inform miners of the requirements under the Convention; and to provide education on alternative technologies and health impacts linked to mercury. NGOs from Tanzania and Ghana shared their on-the-ground experiences working with miners, and presented a series of guidelines for conducting miner consultationsⁱⁱⁱ. Participants affirmed that working with NGOs with close trust relationships with the mining community can be very helpful in conducting outreach to miners, because the artisanal mining sector can be secretive and the establishment of trust takes time. Governments were encouraged to engage with NGOs that have existing relationships with this sector, to facilitate NAP development. NGOs stand ready to complement and aid the actions of the government; the closer the collaboration, the more successful the implementation of a NAP may likely be.

Conclusion:

Together, the UN Environment and EEB/ZMWG workshops raised awareness and provided practical tools and approaches for countries to prepare an ASGM national overview and baseline estimate of mercury use, and to address formalisation, trade and technical approaches for reducing mercury use. The workshop underscored the importance of collaboration among government, miners, and civil stakeholders within a country, as well as regional cooperation among countries in Africa, for the successful implementation of the ASGM obligations of the Minamata Convention.

ASGM workshops' Participants

Ministry of Mines: Ghana, Guinea, Kenya, Mozambique, Nigeria, Tanzania.

Ministry of Environment: Burkina Faso, Burundi, Central African Republic, Chad, Republic of Congo, Ivory Coast, Gabon, Gambia, Ghana, Madagascar, Niger, Nigeria, Senegal, Sierra Leone, Swaziland, Tanzania, Togo, Uganda, Zambia, Zimbabwe.

UN Bodies/ Regional center/ IGOS: UN Environment, UNDP, UNITAR, UNIDO & the Basel Convention Regional Centre for Training and Technology for the Caribbean, Africa Institute and the African Union.

NGOs: Agenda for Environment and Responsible Development (Tanzania), African Center for Environmental Health/Jeunes Volontaires pour l' Environnement (Cote d'Ivoire), Artisanal Gold Council (Canada), Center for Environmental Justice and Development (Kenya), European Environmental Bureau (Belgium), Friends of the Nation (Ghana), groundWork (South Africa), Natural Resources Defense Council (USA), Sustainable Research and Action for Environmental Development (Nigeria).

Other: Canadian International Resource and Development Institute (CIRDI), MICA Coop Ltd. (Kenya); Cordy Geosciences.

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ⁱ This project, *"Contributing to the preparation/implementation of the Minamata Convention on Mercury, with a focus on developing strategies for phasing out mercury-added products and on reducing mercury use in Artisanal and Small Scale Gold Mining through development of National Action Plans, in four African countries"* (July 2014-December 2017), is funded by the European Commission DG Development and Cooperation (EC DEVCO) via the Food and Agricultural Organization of the United Nations (FAO), as part of a program on Capacity Building Related to Multilateral Environmental Agreements (MEAs) in Africa, Caribbean and Pacific (ACP) countries, phase 2. (ACPMEAs2).

ⁱⁱ For more information about the ASGM sectors in Tanzania and Ghana from our project experience, see: Baseline information on the NAP for ASGM in Tanzania

(http://www.zeromercury.org/index.php?option=com_phocvdownload&view=file&id=231%3Abaseline-information-for-the-nap-on-asgm-tanzania&Itemid=70) and Ghana

(http://www.zeromercury.org/index.php?option=com_phocadownload&view=file&id=235:baseline-information-for-the-nap-on-asgm-ghana&Itemid=70)

ⁱⁱⁱ ZMWG publication – Engaging Artisanal and Small Scale Gold Miners in the NAP Development, http://www.zeromercury.org/index.php?option=com_phocadownload&view=file&id=233%3Aengaging-artisanal-and-small-scale-gold-miners-in-the-nap&Itemid=70