

14th IGF AGM Highlights: Tuesday, 16 October 2018

The 14th AGM of the Intergovernmental Forum on Mining, Minerals, Metals and Sustainable Development (IGF) opened today at the Palais des Nations in Geneva, Switzerland, with participants from more than 80 countries. Isabelle Durant, Deputy Secretary-General, UN Conference on Trade and Development (UNCTAD), and Scott Vaughan, President, International Institute for Sustainable Development (IISD), made opening remarks.

Delegates met in plenary in the morning, and in four sessions in the afternoon, on mining law, gender issues, geological information, and mine inspection systems.

Presentations took place over lunchtime. Ruth Thomas, Global Agribusiness Alliance, put forward a case for collaboration between the agriculture and mining sectors, and the IGF Secretariat and IISD presented a report on standards and the extractive economy.

At the end of the day, delegates attended an opening reception hosted by the UN Development Programme (UNDP) and the Swedish Environmental Protection Agency (Swedish EPA).

Session 1: Opening Plenary

Alexander Medina, Chair, IGF, commended the role of the IGF in encouraging governments to share their experiences in the mining sector and consider how best to share the benefits of mineral resources. He emphasized the meeting as a unique opportunity for collaboration among governments, mining companies and civil society, to ensure the establishment of mining legal frameworks that are “accountable, equitable and innovative.”



Alexander Medina, Chair, IGF, and Isabelle Durant, Deputy Secretary-General, UNCTAD



Scott Vaughan, President, IISD

Isabelle Durant, UN Conference on Trade and Development (UNCTAD), noted growth in demand for lithium, a key component in smartphone and electric vehicle batteries. Lithium production, she flagged, poses questions of governance, environment, corruption, regulation, human rights and child labor. She called for a more coherent governance framework to relieve pressure on supply chains, emphasizing that action by all stakeholder groups is needed, and highlighted UNCTAD’s readiness to support this.

Vaughan noted that over 70% of the governments around the globe have adopted or are in the process of adopting mining policies. He highlighted that IGF is the only international platform to support government efforts in this area, and called for multi-stakeholder partnerships to achieve progress on the implementation of SDGs in relation to mining.

Greg Radford, Director, IGF Secretariat, expressed appreciation for the support of the Executive Committee, donors and partners. He reported that 14 countries have joined IGF over the past two years, and five new members have undertaken Mining Policy Framework (MPF) assessments in their countries, bringing the current total of completed MPF assessments to 11.

Session 2: Modern Mining Law and Policy - Global Trends

Moderator Kojo Busia, UN Economic Commission for Africa (UNECA), emphasized that technology will affect not only economic areas such as efficiency, productivity and competitiveness, but will also influence safety and sustainability, and will increasingly shape future mining policies. He highlighted the need to redefine partnerships between governments and industry, and create a new social contract with communities.



Hilary Morgan, Natural Resources Canada, and Kojo Busia, UNECA

Hilary Morgan, Natural Resources Canada, outlined the proposed Impact Assessment Act currently under consideration by the Canadian Senate, noting that the Act relies on collaboration between the federal government and provinces and territories, adopts a broad definition of sustainable development beyond environmental impact, and introduces a new assessment process for proposed mining activities. She introduced two initiatives with potential to promote sustainable mining: the Impact Canada Initiative, and Responsible Business Conduct.

Tom Butler, CEO, International Council on Mining and Metals (ICMM), noted the social contract has evolved from being mainly focused on paying taxes and dividends towards a more complex environment in the current era of the SDGs. He explained ICMM's role in developing equitable societal norms through improving mining regulation.

Mutuso Dhliwayo, Zimbabwe Environmental Law Association, noted that some believe mining can be done responsibly, while others think it should not take place. Although identifying with the first group, he stated that poorly-drafted laws can lead to mismanagement of minerals and natural resources.

Panelists agreed that all policies should be based on the principles of transparency, participation, shared benefits, accountability, and sustainability, and that multi-stakeholder consultation and collaboration is important in developing stronger legislation. Butler suggested countries and companies help local mining communities prepare for technological changes, by providing training for new jobs and developing supply chains in parallel to mining activities. Morgan highlighted the importance of education and training, especially for indigenous peoples. Dhliwayo stressed that the mining industry should be aware of the negative impacts of technological change, and should create job opportunities for local communities.

A participant questioned whether introducing top-down policies would accelerate or constrain transformation in the mining sector, and a Latin American delegate observed that some issues such as participation by indigenous peoples might require constitutional change. An African participant urged IGF to empower countries rather than establish 'ineffective policies', and another lamented the increase in conditionalities imposed by foreign investors. Butler affirmed the need for

companies to engage with communities to find solutions, noting that performance on some indicators, such as childhood mortality, had improved most in African countries with large mining sectors.

Session 3: Revision of Mining Codes and Laws – Case Studies

Session moderator Clémence Naré, IGF Secretariat, remarked that the political and legal environment had experienced significant reforms in recent years, with as many as 73% of IGF members declaring they have undertaken regulatory framework reforms in the past year. Emphasizing the need for compliance with these policies and mining codes, she invited three countries to share their experiences of legislative reforms.

Dione Macedo, Ministry of Mines and Energy, Brazil, discussed Brazil's mining code revision and revitalization program, noting that the industry produces 70 different minerals from approximately 8,400 mines, accounting for 4.2% of gross domestic product (GDP). Goals of the revision and initiative, she stated, include reduced dependence on mineral commodities markets, increased foreign investment, restoration of credibility and regulatory stability, and recovery of growth in the industry. Macedo highlighted actions to achieve these, including, *inter alia*, the creation of a national mining agency, changes to the calculation and distribution of royalties, and incorporation of social and environmental protections.

Sakamornsnguan Kridtaya, Ministry of Industry, Thailand, reviewed mining laws in the country, focusing on a new 16-chapter Minerals Act adopted in 2017, which builds on earlier policies. The law covers, *inter alia*, the creation of mining zones, new criteria for mining operations, participation of the community in decision-making, revenue collection and sharing, and land use compensation. Objectives for the revision, she outlined, include modernization of the industry, more systemic resource management, enhancement of operation quality and participation of stakeholders, and reduction of political influence and corruption. Acknowledging challenges, Kridtaya underscored issues of imbalanced negotiation power, impractical requirements, and excessively strict regulations or penalties.

Sylvain Some, Ministry of Energy, Mines and Quarries, Burkina Faso, provided an overview of his country's mining code reforms, introduced during 2015. He highlighted positive changes, such as withdrawal of permits from mines that are



Alexander Medina, Chair, IGF, and Sakamornsnguan Kridtaya, Ministry of Industry, Thailand

found to use child labor, or engage in fraudulent transactions. Other improvements, he noted, have been limiting the life span of mining permits, standardizing rates and taxes, reducing bureaucratic bottlenecks, and establishing a rehabilitation fund for mine closure.

Session 4: Generating and Accessing Geological Information: Innovative and Transparent Approaches

Rokhaya Samba, Director of Mining Prospection and Promotion, Senegal, displayed geological maps of Senegal showing the potential for mining of phosphates, heavy metals, gold and other minerals, as well as a hydrogeological map indicating water levels in vulnerable aquifers. She noted Senegal's establishment of the Directorate and a support fund for the mining sector, explaining that 20% of mining income goes to the support fund.

Natalia Amezcua Torres, Mexican Geological Survey, highlighted the value of generating geological information that is publicly available, stating that benefits include sensitizing society to issues around mining, contributing to decision-making processes, and enabling risk assessment. She commented that geological information is valuable not only for the mining sector, but also for suppliers seeking business opportunities in the mining sector, and for investors who could avoid starting projects in areas with vulnerable ecosystems.

François Prognon, French Geological Survey, introduced the Mineralinfo web portal, a public domain funded by the French government, and described its project in Cameroon, which created an information system for managing geological data.

Stacey Plummer, Ministry of Transport and Mining, Jamaica, presented her country's creation of a mineral information web map to disseminate geological information and ensure access to information.

In the ensuing discussion, panelists and participants stressed the importance of data dissemination in ensuring fair benefit sharing among companies, governments and local communities. They raised questions about how data is updated online, funding sources, and type of software used for mapping and data management. An African delegate proposed activities to build developing countries' capacity to collect and maintain geological data, including sponsoring students and professionals from developing countries to study geology in developed countries.



Stacey Plummer, Ministry of Transport and Mining, Jamaica



Uyanga Gankhuyag, UNDP

Session 5: Imagining the Future of Mining: Mapping and Considering Gender Impacts, Gaps and Policy Responses to Support Progress on the SDGs

Moderator Uyanga Gankhuyag, UNDP, said the main objective of sustainable development policy responses, based on the Rio Declaration, is to incorporate human rights into practices. She emphasized that human rights and environmental impacts are closely related.

Christopher Sheldon, World Bank, presented the World Bank Group gender strategy for the period 2016-2023 and relevant activities in the mining sector. Noting the ambitious target set by the World Bank to address various gender gaps, he indicated that "one simple thing can make big differences to increase opportunities for women." He shared successful capacity building projects in Ghana and the Democratic Republic of Congo, and discussed the potential impacts of disruptive technologies on job opportunities for both men and women, suggesting that stakeholders identify strategies for job transition.

Rebecca Iwerks, Natural Resource Governance Institute, described the Institute's research into how men and women are impacted differently during the life cycle of a mine, noting that women tend to shift towards the service sector or leave the work force once mining replaces agriculture. She reported that women tend to be negatively affected during and after the extraction phase.

Teresa Macayo Marín, Ministry of Mining, Peru, presented several initiatives in her country to improve gender equality in the mining sector, including a six-month training program for



Teresa Macayo Marín, Ministry of Energy and Mines, Peru



Participants engage in interactive activities to map and consider gender gaps and impacts.

female leaders from both the public and private sectors and a project to increase the visibility of female miners and reduce gender inequality in artisanal and small-scale mining (ASM). She noted that these initiatives have empowered female leaders, reduced salary gaps, and improved health care for women in ASM.

The session concluded with interactive group discussions on how governments can strengthen the gender component of their policy assessments to improve development outcomes from the mining sector. Participants shared their views on the most challenging gaps to address, the best starting point for a policy response, and which policies would most affect the future of mining. Most groups concluded education and the role of women in decision making to be pivotal approaches, both now and in the future.

Session 6: Supervising Mining Practice: Reporting on Developing Mine Inspection Systems

Wolfgang Schirmmacher presented efforts by a Lao-German technical cooperation project to increase the institutional and technical capacity of Lao mining authorities. He highlighted the greatest challenge as being ‘the last mile’ after inspections take place, to ensure there is follow-up and enforcement. He suggested that future work should concentrate not only on technical training but also on organizational procedures and implementation, and proposed that a mining association could be set up as a ‘natural partner’ for mining authorities.

Obete Matine, Inspector General, Ministry of Minerals, Resources and Energy, Mozambique, presented activities to reduce river pollution caused by gold mining in Manica district, and human resource training to promote mine safety and reduce mine accidents, which successfully eliminated mining accidents by 2018. He described government action to bring stakeholders together, including local authorities, to explain how mining activities should be conducted. Other measures included temporary mine closure to enable mining companies to comply with requirements, and encouraging local authorities to compete among themselves for having the cleanest river.

Priscila Armijos Silva, Ministry of Energy and Non-Renewable Natural Resources, Ecuador, discussed noncompliance issues. She described the work of the Special



L-R: **Gudrun Franken**, Federal Institute for Geosciences and Natural Resources, Germany; **Priscila Armijos Silva**, Ministry of Energy and Non-Renewable Natural Resources, Ecuador; and **Obete Matine**, Ministry of Mineral Resources and Energy, Mozambique

Commission to Control Illegal Mining (CECMI), set up by Presidential decree in 2011, to take action on illegal mining and ultimately ensure minerals’ traceability. She lamented that the Commission, whose members include regulatory agencies, is unable to conduct its own intelligence gathering, and that problems persist due to legislative gaps, social conflicts, and the high profit margins and corruption that follow illegal mining.

In the ensuing discussion, participants engaged the panelists on topics, including, *inter alia*, the role and budget of mining associations, whether chemical processes or other practices were used to restore reclaimed land, health and safety, and the extent to which damages or reparations are paid by illegal operators. A Latin American participant highlighted lack of understanding and technical capacity in his country as a key issue, particularly because it results in accidents when operators seek to move from small- to medium-scale operations. He emphasized illegal mining as a problem, in part due to money being laundered through illegal mining activities, which presents difficulties for enforcement as it extends to other criminal activities that go well beyond the reach of the mining authorities.



Lunchtime event on “Agriculture and Mining: Exploring the Case for Closer Collaboration.” L-R: **Nick Cotts**, Newmont Mining; **Ruth Thomas**, Director, Global Agribusiness Alliance; and **Christopher Stewart**, Olam.