

AFRICAN MINERALS DEVELOPMENT CENTRE

POLICY GUIDANCE

ARTISANAL AND SMALL-SCALE MINING POLICY GUIDANCE FOR THE COUNTRY MINING VISION





Artisanal and Small-scale Mining: All activities related to low-scale prospecting, mining, processing and selling of minerals with basic equipment and minimal investment



Abbreviations

ACHPR	African Charter on Human and Peoples' Rights
AIDS	Acquired Immune Deficiency Syndrome
AMDC	African Minerals Development Centre
AMV	African Mining Vision
ASM	Artisanal and Small-scale Mining
AU	African Union
CMV	Country Mining Vision
CSO	Civil Society Organisation
HIV	Human Immunodeficiency Virus
ILO	International Labour Organisation
LSM	Large Scale Mining
OHS	Occupational Health and Safety

Glossary

Artisanal and Small-scale Mining: All activities related to low-scale prospecting, mining, processing and selling of minerals with basic equipment and minimal investment

Fiscal regime: A set of laws, regulations, instruments and agreements, which a country can use to derive economic benefit from the production of mineral resources

Large-scale mining: Mining at an industrial scale using large amount of capital and employing a large workforce with activities using substantial capital, and heavy and sophisticated equipment.

Royalty: Payment to owner of mineral rights for the privilege of mineral extraction; usually a percentage of the value of the minerals

Value addition: Increasing the value of a raw mineral product by beneficiation and transforming into a more finished product with higher export sales value, and this may be done through intermediary products

This Guidance Note is a reference framework for the development of an Artisanal and Small-scale Mining (ASM) Policy that is aligned to the aspirations of the Africa Mining Vision (AMV).

“... Harnesses the potential of artisanal and small-scale mining to stimulate local/national entrepreneurship, improve livelihoods and advance integrated rural social and economic development ...” AMV, 2009¹

“A viable and sustainable ASM sector that contributes to growth and development.” AMV Action Plan (2013)²

In Africa, the number of people associated with ASM activities is estimated to be more than 9 million and about 50% of these are women (Hayes, 2008).

There are many reasons why the rural poor end up in ASM. These include historic traditional practices, seasonal income augmentation, and coping strategies for economic shock resulting from amongst other things drought, conflict, retrenchments, and low commodity prices.

The definition of ASM is often fraught with controversy. This is because the understanding of the term ASM is heavily influenced by varied contexts. However, the most broadly accepted understanding of ASM is that it includes all activities concerning the prospecting, mining, processing and trading of mineral commodities when done with basic equipment and low levels of technology and capital (Mutemeri et al., 2016).

This understanding only refers to the level of operation, and does not impart legality or illegality, which refers more to how the ASM activities are conducted with respect to the laws of a particular country.

1.1 The Need for the ASM Policy Guidance Note

For this guidance note, a good ASM policy focuses on solving problems that the country's citizens, state and non-state actors encounter while creating a livelihood in artisanal mining. The policy must encourage investment and sustainability and introduce efficiency and equity while improving the social welfare of communities who derive their livelihood from the sector.

The policy should also direct the State towards its obligations and service delivery towards the sector. Given the multi-faceted nature and complexity of ASM, the policy should provide an integrated and holistic framework that speaks to ASM through the entire value/supply chain, socio-economic issues and legal framework.

¹ <https://www.uneca.org/publications/africa-mining-vision>

² <https://www.uneca.org/publications/draft-action-plan-implementing-amv>

The ASM Policy Guidance Note is required to support the development of ASM Policy as part of AMV domestication through the Country Mining Vision process (CMV). It can also be seen as a recognition of the importance of ASM in Africa with respect to socioeconomic development on the continent.

ASM is generally undercapitalised and labour intensive.

It is also often associated with poor safety, health and environmental practices, conflict and civil strife, and is also sometimes linked to socially unacceptable practices such as child labour. The sector is beset with many other challenges, which prevent it from reaching its full developmental potential. These include, but are not limited to, inadequate policy and regulatory frameworks; limited technical capacity of miners; constrained access to geological information; lack of access to finance and appropriate technologies; negative environmental effects and release of toxic chemicals harmful to health; and child labour issues. If these challenges are adequately addressed through appropriate policies and well-targeted interventions, the ASM sector can be transformed into an engine for sustainable development and growth, particularly in rural livelihoods.

Because of the scale of the challenges outlined above, as well as the complexity of those challenges, there is a strong need for state intervention. The role of the State is to facilitate and regulate the mineral exploration, mining, and mineral processing activities by investors and entrepreneurs, and to initiate provision of infrastructure. African national governments must therefore, develop policy in order to guide and regulate the activities of ASM operation as part of the mining sector. The policies should provide for appropriate frameworks for investment in the subsector, particularly the nature of investments in mining; the enhancement of institutional, administrative and operational capacity and governance issues in this field.

An enabling policy and legislative environment is important for ASM sector development. Firstly, the overall mining regimes in Africa must provide for ASM—as it is a legitimate and widely practiced economic activity on the continent. In addition, the legislative provisions must be supportive and not create barriers. Most African countries have mining regimes that provide for ASM. However, the extent to which the provisions can be considered supportive of the development of the ASM sector needs scrutiny. It is imperative that these be reviewed and amended to ensure a supportive environment.

THE AMDC APPROACH

“ Harnessing minerals resources for Africa’s transformation ”



A major gap has been the absence of data and information on the real economic contribution of ASM, and thus policy making is aligned to the industrial sector. Therefore, evidence of ASM economic inputs to country development needs to be a priority to inform policy making.

1.2 How the Guidance Note will be used

The Guidance Note may be used by policy makers in scoping the development of an ASM Policy. It may also be used by development practitioners to assess the alignment of ASM policies with good practice and the provisions of the AMV. Even though the Guidance Note contains a policy template it is not meant to be prescriptive but rather to only provide general guidance. The ASM Policy of each country must reflect the local conditions in its specific provisions.

2. REFERENCE DOCUMENTS

A good ASM policy must be aligned with all the related policies and strategies of the country. For the policy to be effective, it must “talk to” all other relevant legislative, regulatory and policy instruments whose provisions are directly and, in some cases, indirectly impacted by ASM activities. Most importantly, it must fall within the main minerals policy. Below are listed some of the related policy and legislative areas which are found in most countries with which the ASM policy must link and relate.

2.1 Main Minerals Policy

It is expected that a country with significant or potential for mining activities would have a national minerals policy. In Africa, because of the prevalence of ASM, this main minerals policy should provide for ASM.

ASM usually targets mineral value that is not viable for industrial mining and thus increases resource extraction efficiency and mining based economic development.

This provision serves as the reference framework for an ASM Policy. If this policy has been developed with good practice and aligned to the AMV provisions, then it would be good practice for the ASM policy to cross-reference all relevant sections to ensure that there is provision for the subsector to contribute to the socioeconomic development of the country. This can be expected to include general promotion of the minerals sector including the promotion of linkages to other sectors of the economy, including as it relates to the diversification of the economy so that ASM can also contribute to mineral-based industrialisation.

2.2 Environmental Management

Most jurisdictions provide for environmental management and ASM policy should promote responsible environmental practices. Such policies would also incorporate mechanisms for stakeholder consultation, which is particularly key for ASM as it tends to have close ties with communities, and impacts a large variety of stakeholders. Issues of environmental protection, ecosystems management, chemical wastes, rehabilitation and restoration of land must be appropriately cross-referenced.

The ASM Policy must also cross-reference any provisions for access to energy as well as strategies for addressing issues of climate change. The policy should align the sector with existing international and regional Treaties and covenants that relate to environment and the sector.

2.3 Land Use & Planning

ASM activities compete with other land uses, hence the ASM policy must be aligned with national land policies. These will include issues of land tenure, compensation for lawful land rights holders, dynamics of surface and sub-surface rights and any other impact which may result from mining. Such practices should aim to ensure equitable treatment, social and ecological balance as well as biodiversity restoration modalities of post-mining land use. The policy should be specific on trans-boundary land access and use to mitigate land use conflict through migratory practices.

2.4 Labour Conditions and Occupational Health & Safety

The labour policy and legislative framework should provide for minimum conditions of employment including standards for occupational health and safety. The cross-referencing of these provisions is particularly important given the commonly poor quality working conditions in the ASM sector. This provides an opportunity to mainstream and bring corrective action. These should also be aligned to International Treaties and guidances such as the ILO if the county has ratified the Treaties. Countries should however ensure to reflect local conditions and context.

2.5 Gender and social inclusions

The ASM Policy should make reference to policy and legislative frameworks concerned with gender and social inclusion, assuming such a framework exists. It should recognise that women tend to be more disadvantaged in the mining sector, hence there may need to provide for affirmative action to bring equity.

The ASM sector also tends to expose women to specific hazards because of gendered roles. Other hazards that women get more exposed to in mining situations particularly ASM include exposure to HIV and AIDS and gender-based violence amongst other inimical conditions to the productive and conducive participation of women in mining activities. The ASM Policy in line with national gender frameworks should also provide for address of such issues.

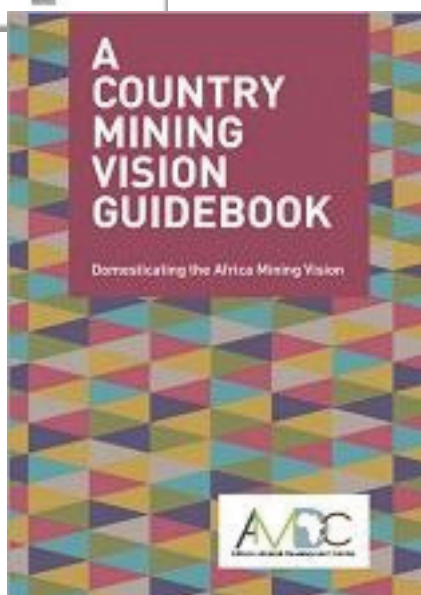
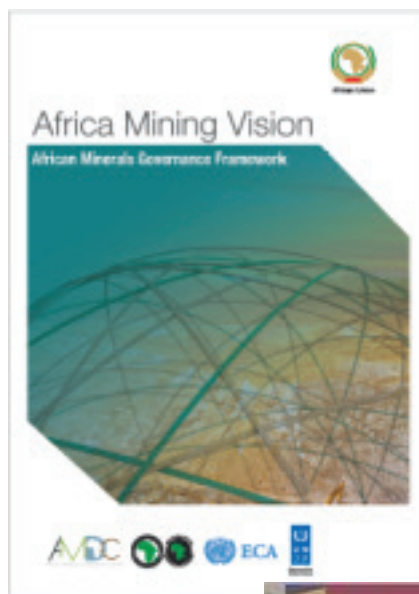
Exclusion of vulnerable persons (i.e. the aged, the ill, disabled and children) from benefiting from mining needs to be addressed and any policy frameworks dealing with the issues should be appropriately cross-referenced. The principles of addressing vulnerable people also apply to children. However, given the prevalence of child labour in ASM and taking into account that it is one of the worst forms of child labour, a good ASM policy should make special provision for the address of this. Most jurisdictions have ratified the relevant International Labour Organisation (ILO) protocols and domesticated them into their policy and legislative frameworks.



2.6 Regional and International protocols and frameworks

Almost all African governments are signatories to several regional, continental and international agreements and protocols. A good national ASM policy must take into account these key agreements and protocols. These include but are not limited to:

- The Africa Mining Vision of 2009
- International Labour Organisation (ILO) Minimum Age for Employment Convention of 1973
- African Charter on Human and Peoples' Rights
- The Minamata Convention on Mercury Pollution
- Protocol to the ACHPR on the Rights of Women in Africa
- Universal Declaration of Human Rights
- International Covenant on Civil and Political Rights
- International Covenant on Economic, Social and Cultural Rights



3. MAIN TOPICS OF AN ASM POLICY

The challenges and proposed solutions with respect to good practice are not exhaustive. They are only meant to provide guidance. The process of development of each ASM policy must include further in-depth analysis to identify more of these.

3.1 Mineral Development in ASM

Most of the African countries have ASM exploiting a variety of mineral resources. This includes precious metals, precious and semi-precious stones, base metals, industrial minerals and construction materials. Therefore, the ASM policy needs to recognise that ASM is in many different commodities and hence provisions may need to be tailored to the requirements of each. Some commodities such as gold, diamonds, tin, tungsten and tantalite are associated with social challenges that may need special provisions, for example with respect to illegal mining, illicit trade, cross-border smuggling and the effective handling of conflict minerals. A good ASM policy should provide for the address of such challenges.

The ASM policy should recognise that ASM activities tend to be livelihood activities as well as business operations. Therefore, it should provide a framework where the activities can be managed accordingly and provide for a growth and development trajectory in the transition from artisanal to small and up to medium scale.



3.1.1 Legal framework (mining rights)

Description of challenges	<p>In many countries the policy and legislative frameworks do not appropriately provide for the regulation of ASM. In addition, because the people that tend to get involved in ASM particularly at the artisanal level have lower levels of education, their capacity to comply is diminished unless the law is made accessible to them.</p> <p>Another challenge is that the rights and obligations provided for in the ASM categories of licensing often make it difficult to make a business case of the operation. This is usually because they are scaled down versions of the provisions for large scale mining without due consideration for what would work for ASM.</p> <p>Institutional arrangements are often controlled by central government, which does not always understand the ASM needs from a local perspective. The regulations are often one sided, spelling out the requirements to be fulfilled by ASM and yet less demanding on State obligations and services.</p>
Good Practice	<p>A good ASM Policy must provide a framework for legislation that is easily understood by people who participate in ASM. The unique challenges of the ASM sector must be reflected in the provisions.</p> <p>License categories should be workable with respect to tenure, duration and rights and obligations. The licensing processes should be simple to understand.</p> <p>Institutional arrangements should be accessible, for example, decentralisation.</p>

“ A good ASM Policy must provide a framework for legislation that is easily understood by people who participate in ASM. The unique challenges of the ASM sector must be reflected in the provisions. ”

3.1.2 Sector organisation

<p>Description of challenges</p>	<p>Contrary to popular belief, the ASM sector players can be quite organised even though often this tends to be informal and in very unique ways. The actors have an appreciation of the benefits of being organised. However, because this is often not acknowledged in policy frameworks, regulators are unable to take advantage of this.</p> <p>Policy regimes often do not go far enough to provide for cooperative arrangements, and oftentimes the arrangements are not responsive to the real needs on the ground.</p> <p>Lack of regional or national associations often make it difficult for regulators, private sector and other development practitioners to interface with the ASM sector.</p> <p>Another manifestation of sector organisation challenges is the often-contentious relationship between ASM and (large scale mining) LSM operators, which limits the potential socio-economic benefits provided by both groups. Most of the conflict arises from a lack of trust and collaboration between operators, and ASM operators illegally trespassing licensed LSM concessions. Peaceful coexistence of both groups will be enhanced by policy that helps bring ASM into the mainstream by facilitating legal, well-managed ASM operations.</p>
<p>Good Practice</p>	<p>A good ASM policy should be able to provide flexibility in operating entities, from individuals, to small and large groups as well as the usual business entities. This should apply to all stages of the mining value chain.</p> <p>There should also be provision to support the establishment or recognition of regional and national associations of ASM, which provide an interface with sector, for initiatives such as capacity building. These should also be gender sensitive.</p> <p>The ASM policy should provide for opportunities for collaboration between ASM and LSM operations and encourages co-existence.</p>



3.1.3 Technical assistance and promotion

<p>Description of challenges</p>	<p>It is generally acknowledged that for ASM to realise its full potential for positive developmental outcomes, a lot of support is required. Unfortunately, there are many different players with competing agendas in the same arena. This often results in duplication of effort, wastage of limited resources and even exploitation by middlemen.</p> <p>Oftentimes, the interventions are ill-conceived because there is a lack of understanding of the issues that need to be addressed. This usually results from not putting the ASM operators at the centre of the solutions to their challenges.</p> <p>The technical challenges faced by ASM vis-a-vis the whole mining value chain are from geological data and exploration to mining, mineral processing, environmental management, business development and marketing of their products. As well as issues ranging from lack of skills to appropriate equipment and technology, and limited access to finance.</p>
<p>Good Practice</p>	<p>The ASM Policy should provide a framework for coordinated technical support through a sector-wide platform to enable the implementation of the “Golden Triangle of support (CMV, 2015).</p> <p>The policy should provide for improved knowledge of the sector through appropriate research and partnerships with relevant institutions. This will set the scene for collecting evidence that informs optimisation of policy provisions.</p> <p>Examples of where ASM has been successful has been through provision of support services. The ASM Policy should also provide for extension services at local level. This can be either government-driven or in partnership with other organisations, including the private sector.</p> <p>A good ASM policy will also recognise the need to develop the skills of ASM operators to provide linkages with appropriate institutions such as vocational education and training colleges.</p> <p>The ASM policy could also provide for the development of local capacity for fabrication of ASM appropriate equipment.</p> <p>The ASM policy should also consider facilitating access to markets. This could be linked to responsible mineral supply chain in jurisdictions where this is required.</p> <p>A good ASM policy should address the issue of access to finance by supporting initiatives that facilitate ASM operators get needed loans. This could be support for improved understanding of ASM by financial institutions and potential investors. The ASM policy could also provide for improved business operating standards that allow operators to make a better business case to financial institutions; this could be facilitated through partnership with training institutions.</p>

3.1.4 Linkages

Description of challenges	<p>In most mining jurisdiction in Africa, the focus is on production and export of raw mineral products. There is very limited beneficiation and value addition. African mineral production is merely feedstock for industries in the developed world. This is particularly true for countries dominated by ASM.</p> <p>The countries are missing out on the benefits of diversifying their economies and developing capabilities that can outlive the life of mineral deposits. In effect, countries are losing out on retaining more of the value of produced minerals in-country include manufacturing, human resources, research capabilities and infrastructure development.</p>
Good Practice	<p>A good ASM policy should provide for value addition where possible from the minerals produced. Some commodities such as precious and semi-precious stones and dimension and industrial minerals lend themselves very well to this.</p> <p>With new and innovative methods of production it should be possible to have some local value addition even for minerals that were not considered amenable in the past.</p> <p>The ASM Policy should provide for the sector to develop all linkages (i.e. backward, forward, spatial, fiscal and knowledge linkages). After all, ASM is mining, and opportunities from the perspective of broad-based socioeconomic impact should not be missed. In fact, ASM is more likely to be more amenable to linkages into the local economy, e.g. the creation of local capital which is essential for localising more value from the entire processes of mineral production.</p>

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3.1.5 Fiscal Regime

<p>Description of challenges</p>	<p>In spite of the recognition that ASM has the potential to contribute to government revenues, it seems both elusive and illusive to optimally achieve this goal. This is largely due to the informal nature of the sector. ASM operators even those that are licensed, still do not operate as formal businesses, often cross-subsidising their mining operations with other businesses outside the sector.</p> <p>Some of the challenges include levies that are charged are interpreted as unnecessary costs pushing ASM operators into tax avoidance practices. They become de facto disincentives for compliance.</p> <p>One reaction to differentials in national royalties between neighbouring countries is smuggling of the commodity (usually precious minerals like diamonds and gold) into the neighbouring countries.</p> <p>The loss of revenues by government is made worse by prevalence of illegal taxes of unscrupulous government officials and in some jurisdiction, warlords and rebels.</p> <p>In situations where illegal mineral traders act as middlemen and also play the role of informal financier, they completely cut out the regulator and revenue collectors.</p>
<p>Good Practice</p>	<p>A good ASM policy should incentivise compliance and hence enable optimisation of government revenues.</p> <p>Taxes should not be too onerous; they should also be structured in a way that is responsive to the needs of ASM operators. There must be an attempt to harmonise with neighbouring countries through regional schemes and the tax collection should be simplified.</p> <p>The policy should also provide for a robust regulatory framework to cope with ASM fiscal specific issues.</p>

3.2 Environment, Health and Safety

3.2.1 Environmental management

<p>Description of challenges</p>	<p>Most ASM operations have a negative impact on the environment. The operators pollute the environment with chemicals like mercury and cyanide, cause deforestation, release processing waste into natural water bodies causing siltation etc. This is largely a result of ignorance and lack of the skills and capabilities for required environmental practices and this can be compounded by informality.</p> <p>Moreover, ASM operators often do not carry out the required rehabilitation measures; limited backfilling of disused open pits creates a moonscape and land that cannot be put to other uses. There appears to be no expectation for ASM to have mine closure plans.</p> <p>This is made worse by inadequate enforcement of mining environmental standards as well as a failure to provide ASM operators with training in environmental management.</p>
<p>Good Practice</p>	<p>The ASM policy will recommend the provision of environmental management that is aligned to the main environmental legislative framework.</p> <p>In acknowledgement of the lack of capacity for environmental management, the ASM Policy should provide avenues to give education and training to miners on how to take appropriate environmental management steps.</p> <p>The ASM policy may provide for more localised monitoring of environmental management giving a bigger role for oversight of compliance to local authorities. This includes monitoring of decommissioning and land rehabilitation.</p> <p>A good ASM policy will be responsive to issues of climate change, for example awareness of the vulnerability of ASM activities in low lying areas. Therefore, the ASM policy should include consideration for climate adaptation.</p>

3.2.2 Occupational Health & Safety

<p>Description of challenges</p>	<p>Most Occupational Health and Safety (OHS) problems persist due to poor practices. This is also made worse by poor regulation of the ASM sector.</p> <p>Informality of the ASM sector makes it difficult to attain good standards of occupational health and safety.</p> <p>There is little specific legislation on health and safety standards and lack of capacity to inspect and enforce standards</p>
<p>Good Practice</p>	<p>A good ASM policy should recognise that capacity of the different actors to support good OH practices is at the core of the solution and therefore provide for appropriate incentives and disincentives for the different actors in the sector.</p> <p>Since there is a direct link with formalisation of the ASM sector, a good ASM policy should support formalisation to improve OHS.</p> <p>The ASM policy should ensure that mining inspectors and ASM operators receive training in OHS standards.</p> <p>The policy should also provide a framework for the creation of mechanisms for regular monitoring and evaluation of ASM operations.</p>

3.3 Social impact

3.3.1 Gender equality

<p>Description of challenges</p>	<p>Despite their prominent role, women do not optimally benefit from mining. They face many challenges in the ASM sector, including limited access to financial, legal and technical assistance, and patriarchal cultural practices that discourage independence.</p> <p>Women face gender-based violence, and often there are disincentives to be in mining e.g., inadequate ablution facilities and poor ergonomics and gender-insensitive safety wear.</p> <p>The reproductive duties of women often put them at disadvantage of appropriating benefits from ASM.</p>
<p>Good Practice</p>	<p>A good ASM policy will provide the promotion of gender equality including affirmative action if need be.</p> <p>Gender participation in all processes will promote gender equality, this includes including a fair share of women participating initiatives, gender disaggregation of monitoring and evaluation frameworks</p> <p>The ASM policy should make provision for frameworks where the training of mining officials is possible to enable them to develop interventions addressing the particular needs of ASM and women working in the mining sector.</p>

3.3.2 Vulnerable people and child labour

<p>Description of challenges</p>	<p>Vulnerable persons (the ill, disabled, aged, children, women and youth) face special challenges related to mining. This includes discrimination, abuse and marginalisation.</p> <p>Child labour is a significant problem in ASM.</p> <p>Other vulnerable people include those affected by HIV and AIDS. The numbers are high in mining communities due to high transmission rates exacerbated by prostitution in and around ASM sites and a chronic lack of sexual health education. People affected by HIV and AIDS face stigma.</p>
<p>Good Practice</p>	<p>A good ASM policy should ensure that vulnerable peoples are protected from undue negative impacts of mining and that they benefit from mining activities.</p> <p>The policy should provide for development of frameworks to address the issues of child labour in mining.</p> <p>The ASM policy should support the promotion of HIV awareness campaigns and sexual health education.</p>

4. INSTITUTIONAL ARRANGEMENTS

4.1 Relevant Institutions

Various institutions and stakeholders play a role in the implementation of the ASM policy and any other related policies. Almost all the organisations and the role each organisation plays vary in each country. Among others, these institutions may include, but are not limited to the government ministries, government departments or quasi government departments described in the table below.

Mining	Mining Overall development and implementation of the policy
Environment	Regulation and enforcement of environmental standards
Health	Guidance on occupational health and safety issues including guidance on HIV and AIDS issues and other communicable and non-communicable diseases.
Lands	Responsible for enforcing land use management and regulation.
Gender	Supporting interventions aimed at removing barriers to women's participation in ASM and give attention to other gender issues in the sector.
Local Government	Has more interface with ASM than most departments. Responsible for such practical things like licencing etc. Probably responsible for more compliance than any other ministry.
Industry and Trade	Facilitation and promotion of industrial development and technology transfer, trading and development of business in ASM. Promotion of investments in the production and marketing of the ASM products. Ensuring that ASMs are protected from acts likely to disadvantage them in fair trade. Must work with international protocols and certification bodies.
Finance	Fiscal overview on income from ASM. Might also mobilise investment in the sector
Child Welfare People living with disabilities Youth	Safeguards the welfare of children and prohibition of child labour Promotion of the interests of physically challenged people plus interventions that improve their situation as participants in the subsector. Promotion and protection of youth interests
Justice and Constitutional Affairs	Guidance on legislation, policy and constitutional matters
Education, Science and Technology	Responsibility of provision of education facilities and enforce compulsory education. This authority may also be responsible for the development and dissemination of appropriate technologies for the ASM sector
Police Service	Enforcement of laws, especially gender based violence, human trafficking, illicit mineral trade as the most common and most serious
Training Institutions	Training provision and capacity building in all aspects of ASM work
Parliamentary Committee	Advocacy of policies, monitoring implementation, lobbyin
Civic Society Organisations	Advocacy at all levels in order to address social, economic and health related issues that are affecting various societal groups, in or affected by the ASM subsector. Also promotes well being

4.2 Implementation plan

In order to implement effectively so that the ASM policy achieves its objectives, it needs to be broken down into various elements. Some of these elements include, but are not limited to:

- Sending a clear message that the sub-sector is an integral part of the mining sector.
- Sending clear signals that the sector is now regulated and enforcement agencies now active in playing their role.
- Guidance on institutional mandates and obligations
- The promotion of private sector investment. The state role as a regulator must play an “enabler” function
- Introduction of equity and social welfare. Capital tends to be ruthless in its treatment of resource poor communities. Health, safety, gender, child welfare are also a priority here.
- Environmental considerations. ASM activities can be extremely destructive to the environment.
- Minerals marketing and linkages focused on economic development.

4.3 Monitoring and Evaluation

Monitoring and evaluation (M&E) is considered one of the best tools to measure the effectiveness of public policy in that it also measures performance. It would be important that a tailored M&E tool is developed for the ASM policy for each country. This tool must take account of a number of unique factors which include, but are not limited to:

- Market forces that impact on prices and therefore the returns which miners attract from investment (labour and capital) in a particular commodity
- Geographical locations which might change since resources are a diminishing asset
- The impact of climate change. Unpredictable weather patterns have now become the norm of the twenty first century. These can devastate mining production facilities in a matter of days, sometimes even hours.

The aforementioned factors confirm that to be effective, periodic reviews of the policies are essential component of their capacity to be effective.



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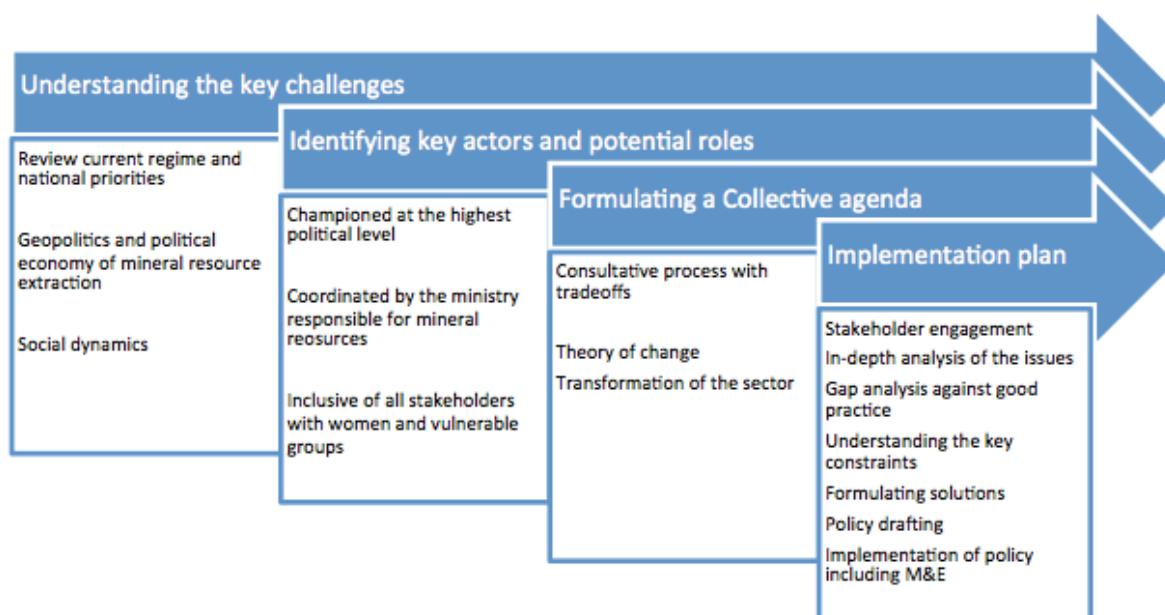
APPENDICES

Appendix 1 - Policy Development Process

The process of making policies differs widely from country to country which is influenced by the political dynamics of each country. The focus here is entirely on the ASM policy itself and how it can be made effective. Any effective ASM policy must be a product of consultations with all stakeholders including artisanal and small-scale miners, traditional leaders, government departments, parastatals, academic institutions, development partners, financial institutions, civil society organisations (CSOs), and exploration and mining companies. It is therefore a representation of aspirations of individuals, private entities and the public sector.

A good policy may also benefit from reviews of the mining policies in other countries, preferably countries of similar economic status. It must stimulate and guide ASM by administering, regulating and facilitating the growth of the sub-sector through a well-organized and efficient institutional framework and intensifying provision of technical extension services to the artisanal and small scale miners.

The process illustrated below should not be viewed as prescriptive but rather as a tool to align with Country Mining Vision (CMV) processes.



APPENDICES

Appendix 2 – ASM Policy Template

The ASM Policy template given below is not meant to be prescriptive but rather as guide for the structure of the final document to be produced

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