International Guidelines on Mercury Management in Small-Scale Gold Mining

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Overview

Why have international guidelines at all? Are challenges with ASM/Hg beyond hope? Are international guidelines doomed to be ineffective?

GMP Policy and Governance Initiative

Lessons
Study Aim:
How to Remove Barriers to the Adoption of Cleaner/Better ASM Practices

TECHNICAL, SOCIAL, ECONOMIC & POLITICAL BARRIERS
(at local, national, regional & global levels)
Global Governance Challenges: ASM Population Growing

- ASM produces 20-30% of global gold production
- 13-15 million people involved in artisanal and small-scale gold mining (ASM) in > 55 countries
- Predictions that some African countries will see indigenous mining populations triple before the year 2015
**Governance Challenges**

- ASM can contribute to poverty alleviation
- Many governments have altered mining laws to promote ASM for poverty reduction (Ghana, Tanzania, South Africa)
- Government institutions are not generally equipped to deal with poor rural communities; and policing miners usually doesn’t work
- Environmental and health impacts are often extensive
Addressing the Sources of Mercury Pollution in ASM

- Point Sources: Tailings & Amalgam
- Root Sources: Social & Economic
From the Perspective of Miners Interviewed: Governance Challenges

- Government assistance programs are not accessible in rural areas
- ASMs lack financial resources or technical training
- ASMs often may not see incentives for participating in formal sector (e.g. registration costs, taxes, bureaucracy)
- Exploitative trade/labor markets (Au & Hg) create “poverty-environment traps” - Labour exploitation and mercury pollution often go hand in hand
- Lack of recognition of ASM/SSM rights and/or needs
- Lack of resources/commitment to register and assist ASM
Integrate Hg reduction into community development priorities

Build trustful relationships; continuous support for communities

Work with leaders - strengthen formal and informal governance

Seek out vulnerable groups (women amalgam burners, etc)

Improve women’s participation

Promote equitable distribution of resources and opportunities

Participatory diagnostic of community development plans
Aims

“...to remove barriers to the adoption of cleaner technologies of ASM, with emphasis on reducing mercury pollution, by strengthening policy and institutional measures to support and sustain better environmental management”
1. International Guidelines
2. Capacity-Building & Institutional Strengthening
3. Policies on Small-Scale Gold Mining & Mercury
   3.1) Mercury Use Policies
   3.2) Compliance Strategies
   3.3) Mercury Trade Policies
   3.4) ASM (Mining) Sector Laws & Policies
   3.5) Micro-Finance Initiative
   3.6) Fair Trade Gold Markets
4. Global Partnerships for Development
1. International Guidelines on Mercury Management in ASM

2 Potential Kinds of Guidance:

- Guidance on transitioning to Hg-free processes
- Guidance on minimum threshold requirements for eliminating Hg misuses and main hazards
2. Capacity-Building & Institutional Strengthening

Strengthening of Multi-Sector Cooperation with Government Agencies and other Organizations in Support of Capacity-Building, Technology, Training, Education & Mobilization of Resources to Facilitate/Assist in Project Aims

COMMITMENT FOR TRAINING TEAMS OF LOCAL TRAINERS
3.1. Law, Policy & Community Codes on Mercury

Assistance to Governments and Stakeholders in the Development of Legislation, Regulation and Community Codes on Mercury Management in ASM
Example: GMP Policy
Recommendations in Zimbabwe

- Focus on national policies to reduce Hg misuse & replace inequitable technology in mills
- Hundreds of milling centers nationwide (hundreds of thousands of miners)
- Milling centers are the major sites of mercury pollution
- Fixed centers, often near villages
Eliminating the 3 main pollution sources

1. Prohibit whole ore mercury-amalgamation (i.e. Hg must not be used until after the ore has been concentrated with a Hg-free method)

2. Prohibit the combined use of Hg and cyanide and the cyanidation of Hg-rich tailings

3. Prohibit the heating of Hg amalgam without the use of a retort to contain vapor
Protecting water bodies and homes

Do not use Hg near water body
Do not use of Hg near houses
Use concrete lining for amalgamation ponds

Other aspects

Standards for Storage and Disposal
Safety labeling and posters
Control of mercury burning in gold shops
Community-based monitoring through multi-actor accountability

Multi-Actor Responsibility: Mine owners, mine managers, and gold dealers are legally responsible (as well as miners)

- Mine owners also are responsible for informing about hazards and providing appropriate equipment
- Mine managers designate Amalgamation Centers
- Clear responsibilities for local authorities
Eliminating Major Hazards in Milling ("Centralized" / "Semi-Formal" ASM)
Discussions with miners
In the words of one miner…

“Mercury is our friend but it is also a danger …

… It is important for everybody that clear standards are created and followed.”
Policy review workshop with Mines Officers
New Mercury Policy in Kalimantan, Indonesia
3.2) Education and Promotion of Compliance

Reinforcement of Government Capacity to Promote Compliance in ASM Communities through Awareness-Raising about Hazards and Technical Efficiency - and Monitoring Strategies

GMP Sudanese Nurse discusses Hg health awareness with the Head of the Gugub Village
In Zimbabwe, GMP Reaches Out to Miners Nationwide (Theme: Hg and Social Empowerment)
Bottom-Up & Top-Down Policy Perspectives

**requirements**
- laws and regulations
- Community-driven codes of conduct

**compliance**
- Community awareness
- Education
- Training
- Organizational capacity-building
- Incentive-based approaches

**enforcement**
- Monitoring and legal sanctions
- Community-based monitoring
- Self-enforcement

community capacity-building
3.3a) National Mercury Trade

Development of Knowledge and Tools for the Reinforcement of National Capacities to Track, Monitor and Regulate the Domestic Trade and Distribution of Mercury Used in ASM

Examples of main issues:
- Capacities to detect and halt illegal traffic in Hg
- Raise the legal classification of Hg to the class of Hazardous Substance (requires labeling, licensing, etc)
3.3b). Transboundary Mercury Trade

Assessment and Recommendations on the Transboundary Trade of Mercury with a View of Reinforcing Government Capacities for Regulating the Export and Import of Mercury Used in ASM

Example: EU and US policy commitments to phase-out Hg exports by 2012/13
3.4) National ASM Sector Policy

Development of Recommendations to Governments on Policy to Enhance Organization, Coordination and Pro-poor Empowerment in the ASM Sector

- Improve organization of ASM sector
- Improve environmental performance
Indonesia
GMP legal proposals

**NATIONAL GOVERNANCE LEVEL**

- Create Special Provision on ASM in New Mining Law
- Facilitate legal framework for ASM recognizing value of formalization of informal ASM activity
- Create Regional Environment Act
  (Empowering Local Authorities)
- Government Assistance Programs (and funds) to ASM
Kalimantan, Indonesia – New Mining Law to Support Rights of Indigenous Miners

- New law adopted in 2006 – “People’s Mining Law”

- one of the 1st local government laws to provide rights framework for indigenous miners in Indonesia

- establishes licensing framework for individuals and cooperative mining
Sudan – GMP legal proposals

- Legalize indigenous mining
- Develop a licensing process for indigenous ASM
- Improve licensing process of gold and Hg dealers
- Develop environmental standards
- Establish joint national/regional instrument for monitoring environmental management
- Commit government resources to encourage ASM to form associations/cooperatives
Laos – GMP legal proposals

- Government has adopted ASM Regulatory Framework (including environmental health and safety standards)

- Re-evaluate the possibility of devolving administrative powers (and resources) to Local Government level
Zimbabwe: Local Capacities to Assist and Monitor ASM

Central Govt Laws and Ministries

Local Government

Mine Village
GMP strongly recommends reforming EIA (Environmental Impact Assessment) Policy Protocols for ASM

Needs to be:

- Simple, Clear
- Comprehensive of all major risks (incl. Hg)
- Streamlined, Not bureaucratic
- User-friendly
- Appropriate for subsistence workers
3.5) Micro-Credit Initiative

Development of Pilot Programs Enabling ASM Communities to Access Credit and Finances to Support Technology Transfer

Tanzania: GMP Seminar on Micro-credit

Sudan: GMP Pilot Program - working with 5 groups of 20 miners to create “village-banking” for cleaner technology.
Development of Community Strategies to Encourage the Formation of ASM Cooperative Organizations and Programs for their Support

GMP Training on Cooperative Business Development
What is a “Trust Group”? 

- Trust Groups meet on a regular basis and pool MONEY that each person contributes.
- At first the money will be used to make deposits, through an umbrella group or an financial institution.
- The Trust Group splits the loan among individuals.
- ALL the members of the Trust Group are responsible for ALL its members credit; will collectively repay ANY money that is DEFAULTED (not paid back) by any member of the group.
3.6) Fair Trade Gold
Development of Criteria and Market Systems for Fair Trade Gold in ASM

**FAIR MARKETS**
(fair prices and equitable markets)

**FAIR STANDARDS OF PRODUCTION**
(social and environmental)

*Fair Trade = Incremental Progress*
4) Global Partnerships for Development

Strengthening and Expansion of Global Partnerships for Development - Joint Activities, Regional Network Capacity-Building, Global Awareness and Resource Mobilization
Lessons

- Removing barriers to cleaner & better ASM is possible
- Sustainable progress requires strengthening policies and governance at local, national, and global levels
- Local communities must be involved not merely as key partners in development – rather, they must be key drivers of development
- Priority must be on supporting community-based decision-making, management and monitoring
- Developing clear national law on Hg is vital
- Multi-actor accountability is key (miners, mine owners, mercury/gold dealers, etc)
Lessons (cont’d)

- Awareness of ASM sector challenges must be strengthened
- Improving environmental management requires strengthening ASM-sector law, policy and governance (institutional coordination; ASM licensing; inclusive and equitable trade markets; ASM integration in formal economy; etc)
- Commitments to restrict/phase-out international Hg trade must be accompanied by extensive efforts at local capacity-building
- Government commitments needed on ASM community outreach on training, capacity-building, technology support
- Microfinance and empowerment/training on cooperative organization and trust-building is key
- Broad stakeholder participation at all levels is vital
THANKS.