



# Regional Guidelines

for the Formalisation of the Artisanal  
and Small-Scale Mining Sector

EDITION II



Funded by  
the European Union

Implemented by:

**IMPACT**  
Transforming natural resource management  
Empowering communities

# Regional Guidelines

for the Formalisation of the  
Artisanal and Small-Scale  
Mining Sector

---

*2nd Edition*

---

November 2025 | Originally published in June 2022

© International Conference on the Great  
Lakes Region November 2025

International Conference on the  
Great Lakes Region (ICGLR) is an inter-  
governmental organization of 12 Member  
States: *Angola, Burundi, Central African  
Republic, Republic of Congo, Democratic  
Republic of Congo, Kenya, Uganda, Rwanda,  
South Sudan, Sudan, Tanzania, and Zambia.*  
It was created in 2006 in response to  
the recognition that political instability  
and conflicts in these countries have a  
considerable regional dimension and  
require a concerted effort to promote  
sustainable peace and development.  
The headquarters of the ICGLR are in  
Bujumbura, Burundi.

[www.icglr.org](http://www.icglr.org)

This publication of the International  
Conference on the Great Lakes Region  
(ICGLR) was funded by the European  
Union, as part of the Regional Project on  
Peace and Security in the Great Lakes  
Region – Phase II: Regional action to  
contribute to the improvement of mineral  
resources governance in the Great Lakes  
Region implemented by IMPACT. The  
publication and its contents are the sole  
responsibility of the ICGLR and IMPACT and  
do not necessarily reflect the views of the  
European Union.

# Table of Contents

Acronyms .....	7
List of Tables .....	9
Acknowledgments .....	10
Foreword .....	11
About the Regional Guidelines .....	13
Executive Summary .....	14
Introduction .....	16
Objective of the Revised Regional Guidelines .....	17
Scope .....	17
Methodology .....	18
Findings .....	21
Approaches to Improving Formalisation in ASM .....	21
<b>1. Political Will and Institutional Capacity .....</b>	<b>25</b>
1.1. Practical Steps .....	26
1.1.1. High Level Government Engagement and Involvement .....	26
1.1.2. Multi-Stakeholder Collaboration .....	28
1.1.3. Strengthening Institutional Capacity .....	29
1.2. Key Takeaways .....	30
<b>2. Supportive Policies, Laws, and Regulations .....</b>	<b>32</b>
2.1. Practical Steps .....	34
2.1.1. Review and Reform of Existing Laws .....	34
2.1.2. Simplification of Licensing Procedures .....	36
2.2. Considerations for Gender Mainstreaming in Regulatory Review and Licensing Procedures .....	38
<b>3. Data Collection and Tracking ASM Production .....</b>	<b>39</b>
3.1. Practical Steps .....	40
3.1.1. Significance of Collecting Baseline ASM Data .....	40
3.1.2. Capacity building for Data Collection .....	42
3.1.3. Considerations for Gender Mainstreaming in ASM Data Collection .....	42
3.2. Key Takeaways .....	42
<b>4. Fiscal Regime .....</b>	<b>43</b>
4.1. Practical Steps .....	44
4.1.1. ASM Friendly Tax Systems .....	44

4.2. Considerations for Gender Inclusion in Fiscal Regimes .....	46
<b>5. Access to Mineral and Mining Rights .....</b>	<b>47</b>
5.1. Practical Steps .....	48
5.1.1. Security of Tenure.....	48
5.1.2. Geological Mapping and Land Allocation.....	49
5.1.3. Co-existence and Engagement with Large-Scale Miners (LSMs).....	50
5.1.4. Considerations for Gender Inclusion in Access to Mineral Rights .....	52
5.1.5. General Considerations .....	52
<b>6. ASM Organisation .....</b>	<b>53</b>
6.1. Practical Steps .....	54
6.1.1. Facilitate the Formation of Cooperatives and Associations .....	54
6.1.2. ASM Governance and Capacity-Building.....	55
<b>7. ASM Technical Services .....</b>	<b>56</b>
7.1. Practical Steps .....	57
7.1.1. Geo-Prospecting and Equipment Support.....	57
7.1.2. Decentralisation of Technical Services.....	58
<b>8. Business Development .....</b>	<b>61</b>
8.1. Practical Steps .....	62
8.1.1. Developing Strategic Plans for ASM Businesses .....	62
<b>9. ASM Access to Finance .....</b>	<b>65</b>
9.1. Practical Steps .....	66
<b>10. ASM Access to Markets .....</b>	<b>69</b>
10.1. Practical Steps .....	70
10.1.1. Domestic Mineral Purchasing Programs .....	70
10.1.2. Value Addition.....	72
10.2. Key Takeaways .....	73
<b>11. Access to Equipment and Technology Transfer .....</b>	<b>74</b>
11.1. Practical Steps .....	75
<b>12. Employment Creation and Skilling .....</b>	<b>77</b>
12.1. Practical Steps .....	78
<b>13. Environmental, Social, and Governance .....</b>	<b>80</b>
13.1. Practical Steps .....	81
<b>14. Gender Inclusion .....</b>	<b>85</b>
14.1. Practical Steps .....	86

<b>15. Community Participation and Stakeholder Engagement .....</b>	<b>90</b>
15.1. Long-term Collaborative Planning.....	91
15.2. Feedback Loops and Non-linear Relationships .....	92
15.3. Promote Transparency and Accountability .....	92
15.4. Encourage Community Engagement in Data Initiatives.....	94
15.5. Decentralisation of Technical Services .....	95
15.6. Collaboration with Civil Society Organisations .....	96
15.7. Engagement with International Markets.....	96
<b>Recommendations and Conclusion.....</b>	<b>99</b>
Key Recommendations.....	99
Conclusion .....	101
<b>Annex A: Bibliography .....</b>	<b>102</b>
<b>Annex B: Survey Partners .....</b>	<b>105</b>
<b>Annex C: Formalisation Status Across the Region - 2025 ICGLR Survey.....</b>	<b>106</b>
<b>Annex D: Individual Country Status .....</b>	<b>132</b>
C1. BURUNDI .....	132
C2. CENTRAL AFRICAN REPUBLIC.....	141
C3. REPUBLIC OF CONGO.....	143
C4. DEMOCRATIC REPUBLIC OF CONGO.....	146
C5. KENYA .....	156
C6. SOUTH SUDAN .....	159
C7. TANZANIA.....	161
C8. UGANDA.....	171



## Acronyms

<b>ACE</b>	Congolese Agency for the Environment
<b>ACFPE</b>	Central African Agency for Vocational Training and Employment
<b>ACPE</b>	Congolese Employment Agency
<b>AfDB</b>	African Development Bank
<b>AFESMICA</b>	Central African Women in Mining Association
<b>AFESMICO</b>	Congolese Women in Mining Association
<b>AMDC</b>	African Minerals Development Centre
<b>AMP</b>	artisanal mining permit
<b>ANE</b>	National Environment Agency
<b>ANM</b>	National Mining Agency
<b>ASM</b>	artisanal and small-scale mining
<b>ASGM</b>	artisanal and small-scale gold mining
<b>BEEC</b>	Bureau of Expertise, Evaluation, and Certification
<b>BRASM</b>	Biometric Registration of Artisanal and Small-Scale Miners
<b>CAR</b>	Central African Republic
<b>CEEC</b>	Citizens Economic Empowerment Commission
<b>CIP</b>	Carbon-in-Pulp
<b>CPE</b>	Permanent Evaluation Committee
<b>CSO</b>	civil society organisation
<b>DGSM</b>	Directorate of Geological Survey and Mines
<b>DPMAM</b>	Directorate of Small-Scale Mining and Artisanal Mining
<b>DPEM</b>	Directorate of Environmental Protection in Mining
<b>DRC</b>	Democratic Republic of Congo
<b>EEP</b>	environmental protection plan
<b>EIA</b>	environmental impact assessment
<b>EITI</b>	Extractive Industries Transparency Initiative
<b>ESG</b>	environmental, social, and governance
<b>EU</b>	European Union
<b>FIGA</b>	Guarantee Impulse Support Fund
<b>FON</b>	Friends of the Nation
<b>FONEA</b>	National Fund for Employability and Apprenticeship
<b>FPR</b>	Fidelity Printers and Refiners
<b>FSP</b>	formalisation subcontracting process

<b>FSSMAZ</b>	Federation of Small-Scale Miners Association of Zambia
<b>GBV</b>	gender-based violence
<b>GCPP</b>	Consultation Group of Stakeholder Parties
<b>GDP</b>	gross domestic product
<b>GST</b>	Geological Survey of Tanzania
<b>ICGLR</b>	International Conference of the Great Lakes Region
<b>IIED</b>	International Institute for Environment and Development
<b>IGF</b>	Intergovernmental Forum on Mining, Minerals, Metals and Sustainable Development
<b>ILO</b>	International Labour Organisation
<b>IMCIM</b>	Inter-Ministerial Committee on Illegal Mining
<b>INSD</b>	National Institute of Statistics of Burundi
<b>ITSCi</b>	International Tin Supply Chain Initiative
<b>LSM</b>	large-scale mining
<b>MBT</b>	Mining for a Brighter Tomorrow
<b>MMMD</b>	Ministry of Mines and Minerals Development
<b>NAELP</b>	National Alternative Employment Livelihood Programme
<b>NAP</b>	National Action Plan
<b>NCM</b>	National Coordination Mechanism
<b>NEP</b>	Burundi National Employment Policy
<b>NBS</b>	National Bureau of Statistics
<b>NGO</b>	nongovernmental organisation
<b>OBM</b>	Burundi Office of Mines and Quarries
<b>OSH</b>	occupational safety and health
<b>PAEEJ</b>	Youth Economic Empowerment and Employment Project
<b>PGA</b>	Portfolio Guarantee Agreement
<b>PML</b>	Primary Mining Licence
<b>PPE</b>	personal protective equipment
<b>RCM</b>	regional certification mechanism
<b>RINR</b>	Regional Initiative Against Exploitation of Natural Resources
<b>RMB</b>	regional mining bureau
<b>RMO</b>	resident mines office
<b>SAEMAPE</b>	Service for Assistance and Management of Artisanal and Small-Scale Mining
<b>SEA</b>	sexual exploitation and abuse
<b>SME-CGS</b>	Small and Medium Enterprises Credit Guarantee Scheme
<b>SNDR</b>	National Strategy for Development of Rural Areas

<b>UGAASM</b>	Uganda Association for Artisanal and Small scale Miners
<b>UNDP</b>	United Nations Development Programme
<b>UNEP</b>	United Nations Environment Programme
<b>UNITAR</b>	United Nations Institute for Training and Research
<b>ZEA</b>	Artisanal mining zone

## List of Tables

<b>Table 1:</b>	Drivers for ASM Formalisation	22
<b>Table 2:</b>	Examples of Mining Regulation Reviews	35
<b>Table 3:</b>	Examples of Tax Incentives	46
<b>Table 4:</b>	Examples of Decentralised Technical Services Structures	58
<b>Table 5:</b>	Summary of Factors Contributing to Law Reviews	107
<b>Table 6:</b>	Involvement of Policy-makers and ASM Operators in Review Processes	108
<b>Table 7:</b>	Licensing Training and Capacity Building	110
<b>Table 8:</b>	Challenges Encountered in ASM Service Provision	112
<b>Table 9:</b>	Data Collection Systems in Place	113
<b>Table 10:</b>	Fiscal Payments Due for ASM	117
<b>Table 11:</b>	Value Addition Strategies	124
<b>Table 12:</b>	Effect of Critical Minerals on Formalisation	129
<b>Table 13:</b>	Tanzanian Mining Laws Reviews	161

## Acknowledgments

The updated Regional Guidelines for the Formalisation of the Artisanal and Small-Scale Mining Sector builds on the original version developed by the International Conference of the Great Lakes Region (ICGLR) in 2022.

Our special thanks to the team at IMPACT who supported this project, as well the staff of the ICGLR's Technical Unit on Natural Resources who supported its progress with insight and guidance.

The ICGLR wishes to extend a sincere thanks to its Member States for participating in the research used to inform the guidelines, particularly the Technical Working Group on the Formalisation of the Artisanal and Small-Scale Mining Sector and the Technical Working Group on Gender in Mining, as well as to all the participants in relevant meetings—both during the development of the first and second editions—who participated in the review and validation of the guideline contents.

The ICGLR is grateful to the African Development Bank (AfDB) for its financial support in the development of the initial version of the guidelines, as well as the European Union in the updating and publication of the revised guidelines presented here. We thank all our implementing partners on this project.

## Foreword



In the Dar-es-Salaam Declaration signed on 20th November 2004, the Heads of State and Governments of the International Conference on the Great Lakes Region (ICGLR), namely Angola, Burundi, Central African Republic, Democratic Republic of Congo, Kenya, Republic of Congo, Rwanda, Uganda, Sudan, Tanzania and Zambia agreed to seal a Pact on Security, Stability and Development, which confirms their determination and commitment to “transform the Great Lakes Region into a space of sustainable peace and security for States and people, political and social stability, shared growth and development.”

In the spirit of the Pact, it is of paramount importance to translate the Great Lakes Region’s rich endowment of natural resources from sources of conflict into resources for development. This necessity has been recognised explicitly in the ICGLR’s Protocol against the Illegal Exploitation of Natural Resources, adopted as part of the Pact. The Protocol constitutes the legal framework for the Regional Initiative on Natural Resources (RINR) launched at the Lusaka Special Summit held in December 2010. The RINR must be understood as the central element that translates the Protocol’s principles into action through six tools that, together, provide a comprehensive response to the issue of illegal exploitation and trade in conflict minerals in the Great Lakes Region. One of these tools is the formalisation of the artisanal and small-scale mining (ASM) sector.

The objective of formalising the sector is to encourage the transformation of ASM into an engine of sustainable development. Effective formalisation increases transparency and helps reduce fraud, thereby facilitating the implementation of the Regional Certification Mechanism in the ICGLR’s Member States. In line with its mandate to support Member States in implementing the RINR, the ICGLR Secretariat conducted operational research in Member States on the ASM sector, resulting in these Regional Guidelines on the Formalisation of the ASM Sector in the Great Lakes Region.

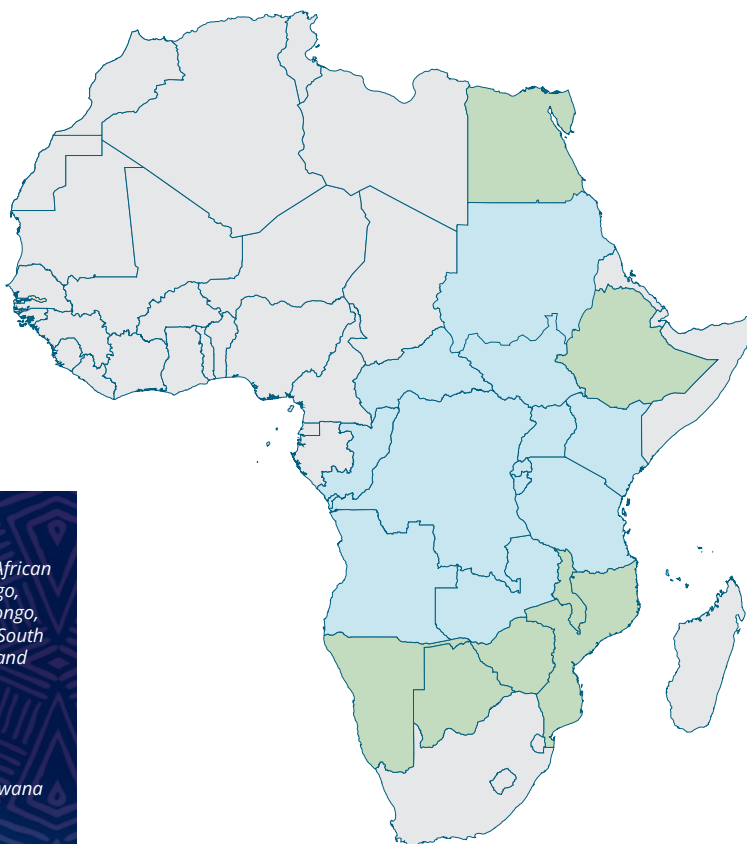
The first version of these Guidelines was developed through an inclusive and consultative multi-stakeholder process, including in-depth engagement from ICGLR Member States, with a view to providing them with guidance on formalising their ASM sectors. This process benefited from intensive consultations with experts on natural resources, including ASM and gender experts.

The adoption of the first edition by ICGLR Member States led to a regional policy document guiding the development of national plans and strategies for the harmonised formalisation of ASM activities. However, eight years after the first edition of the Guidelines was developed, new developments in the ICGLR Member States render the current version of the Guidelines out of alignment with the sector’s current realities. For example, the current first edition did not provide policy recommendations on the use of mercury in gold extraction. Yet, 11 out of 12 ICGLR Member States are signatories to the Minamata Convention, which aims to protect human health and the environment from the adverse effects of mercury by reducing its use in the mining sector.

The revised Regional Guidelines for the ASM Formalisation will be a regional policy guide document to advise Member States on the best practices. This second edition of the Guidelines was validated by the members of the ASM Formalisation and Gender in Mining Technical Working Groups and approved by the Regional Committee against the Illegal Exploitation of Natural Resources.

We believe that these Guidelines will provide well-informed directives on the ASM formalisation in the Great Lakes Region.

**Dr Mubita Luwabelwa**  
EXECUTIVE SECRETARY



MEMBER STATES

Angola, Burundi, Central African Republic, Republic of Congo, Democratic Republic of Congo, Kenya, Uganda, Rwanda, South Sudan, Sudan, Tanzania, and Zambia.

CO-OPTED STATES

Egypt, Ethiopia, Malawi, Zimbabwe, Namibia, Botswana and Mozambique.

## About the Regional Guidelines

The purpose of these guidelines is two-fold:

- i. To complement existing instruments and efforts of the ICGLR and its Member States to develop a sound and robust ASM sector in the Great Lakes Region.
- ii. To inform the development of country-specific policies, tools, and initiatives to support the formalisation and economic development potential of the ASM sector at both national and regional levels.

Focus is on the progress of policy, regulatory, and governance systems in supporting ASM activities and on the services provided to formalise operations and build responsible mining practices.

The guidelines address key drivers that enable ASM formalisation through a holistic, multi-stakeholder approach. These drivers include: political will; policy and institutional arrangements; data and evidence-based strategies; access to mining land; technical services; finance; business development; mineral supply chains and markets; value addition; responsible mining practices; inclusion of youth and women; and integration of regional and international mechanisms.

Guidelines serve as recommendations that Member States and stakeholders can contextualise to improve ASM formalisation in their area without a binding framework for ICGLR Member States. They provide a practical, how-to guide informed by research, inputs from Member States and ASM and gender experts, and the author's experiences.

## Executive Summary

The ASM sector is a source of livelihood for a great proportion of people within ICGLR Member States, providing employment, support for rural and urban enterprises, and a base for development of a domestic mining industry.

ASM provides an opportunity to operate marginal and smaller deposits that would otherwise not be viable for industrial scale operations. History shows that when artisanal gold rushes were appropriately managed in the past, it contributed to an organised mining sector and economic growth and development. Examples include California in 19th century and Brazil gold rushes of the 16th century.<sup>1</sup>

The ICGLR Secretariat developed guidelines for ASM formalisation in 2017 when most Member States were reforming their legal and regulatory frameworks to recognise and integrate artisanal mining within their national economies. Since 2017, significant progress has been made by Member States, with regulatory reforms and lessons learned on ASM formalisation and associated challenges.

These revised guidelines address priorities emerging from: increasing demand for energy transition minerals; shifting toward increased mineral beneficiation and value addition; implementing of the Minamata Convention; increasing global demand for responsible supply chains; and the potential to develop domestic mining industries and provide a practical tool for stakeholders.

These guidelines draw from lessons learned from online literature searches and inputs from ASM and gender focal points among Member States through a survey and feedback discussions from the Regional Workshop for Validation of the Revised Regional Guide on the Formalisation of the Artisanal and Small-Scale Mining Sector. See Annex A.

To enhance ASM formalisation, the guidelines offer practical findings, lessons, and recommendations that Member States and stakeholders can implement based on their context and policy and regulatory frameworks, therefore should be considered inspiration for appropriate local solutions.

Key drivers for ASM formalisation are identified as: political will and governance; policy and regulatory reforms; data and institutional capacity; fiscal designs; mineral rights and technical support; market access and value addition; sustainable ASM enterprises; ESG and social inclusion; and regional and international frameworks.

Emerging recommendations, detailed in Section 4, cover eight categories.

- i. **Political and Governance:** Formalize ASM in national plans with dedicated government units.

---

<sup>1</sup> Britannica Editors, "California Gold Rush," Encyclopaedia Britannica, December 2, 2025, <https://www.britannica.com/topic/California-Gold-Rush>; "Historical impact of the Gold Rush," Norwich University, January 12, 2026, <https://online.norwich.edu/online/about/resource-library/historical-impact-california-gold-rush/>; and M.D. Rabiul Islam, Jakob B. Madsen, and Paul A. Raschky, "Gold and silver mining in the 16th and 17th centuries, land titles and agricultural productivity," European Journal of Political Economy, 39, September 2015, <https://www.sciencedirect.com/science/article/abs/pii/S017626801500052X>.

- ii. **Legal and Regulatory Reforms:** Simplify ASM-friendly licensing and regulations.
- iii. **Data and Institutional Capacity:** Use digital systems and training for evidence-based management.
- iv. **Fiscal Policies:** Apply progressive taxes and incentives to encourage formalisation.
- v. **Mineral Rights and Technical Support:** Designate mining zones and provide technical and geological aid.
- vi. **Market Access and Value Addition:** Facilitate mineral buying, local processing, and digital markets.
- vii. **Environmental, Social and Governance (ESG) and Social Inclusion:** Ensure gender equity, community voice, mercury elimination, and safety.
- viii. **Enterprise Development:** Offer business incubation, finance, and youth training.

Successful formalisation processes need appropriate legal and regulatory frameworks that recognise both ASM's root causes and potential to be directed towards positive development outcomes. Key root causes include unemployment, poverty, easy access to mineral deposits, global demands for minerals and attractive pricing, and opportunity for mining entrepreneurship amongst a select group of ASM actors.

ASM is generally associated with negative impacts on the environment, security, health, society, and governance. In areas of armed conflict, illegal groups link ASM with illicit financing. Addressing root causes of these impacts in regulatory frameworks rather than prohibition will result in a more organised ASM sector. Compliance to regulations should not demand more effort than accrued benefits. When the cost benefit analysis yields negative returns to ASM operators, formalisation trajectory tends to be negative as with any other investment. Adequate resource allocation enables appropriate technical service provision to ASM operators.

Literature suggests that governments and stakeholders already know much of what is needed to formalise the ASM sector.<sup>2</sup> However, there is a tendency to assume that best solutions will come from outside. Instead, stakeholders should be informed by solutions being developed within the country and regulate accordingly to promote growth, professionalisation, and responsible mining.

Reforming the ASM sector to stimulate local mining industries requires courage and boldness.

---

2 Zimbabwe Economic Policy Analysis and Research Unit (ZEPARU), Best practices for supporting artisanal and small-scale mining in Zimbabwe, October 2016, <https://elibrary.acbfpact.org/acbf/collect/acbf/index/assoc/HASHc1fa/f620577a/008e6800/8e.dir/BEST%20PRACTICES%20FOR%20ASM%20MINING%20IN%20ZIM.pdf> and Rene Roger Tissot, "The ASM sector doesn't need another study—It needs a new strategy," Artisanal Gold Council, March 25, 2025, <https://www.artisanalgold.org/blog/the-asm-sector-doesnt-need-another-study--it-needs-a-new-strategy>.

## Introduction

The **International Conference on the Great Lakes Region (ICGLR)** is an intergovernmental organisation of twelve member states established to promote security, stability, and development in the Great Lakes Region. Artisanal and small-scale mining (ASM) is prevalent across the region, extracting high-value minerals such as gold, tin, tantalum, and tungsten, energy transition minerals, precious and semi-precious stones and development minerals. The ASM sector is largely informal, challenging Member States' ability to effectively regulate and generate meaningful revenue from the activities. This limits the sector's prospects for growth and professionalisation as policies may not be informed by inherent potential.

ASM has been frequently associated with illegality, lack of responsible mining practices, conflict financing, human rights violations, and broader regional instability. To address these challenges, the ICGLR established the Regional Initiative against the Illegal Exploitation of Natural Resources (RINR) in December 2010. The RINR comprises six tools that collectively serve as the central framework for activating the principles of the ICGLR Protocol against the illegal exploitation of natural resources. The tools aim to improve governance in the mineral supply chain.<sup>3</sup> Review for these present guidelines focused on the tool regarding Formalising the ASM, as it is through this process that Member States can promote legal compliance, establish effective oversight, and ensure more sustainable and transparent mining practices.

Formalisation is the process of integrating ASM into the formal economy and regulatory systems.<sup>4</sup> It has potential to drive economic and social development by streamlining the sector and increasing transparency and accountability through the whole supply chain. This can lead to successful implementation of other beneficial mechanisms across ICGLR Member States like the Regional Certification Mechanism (RCM).

In 2017, the ICGLR Secretariat developed the original Regional Guide for ASM Formalization through a multi-stakeholder engagement process and input from Member States to serve as a practical tool to support countries in structuring and regulating their ASM sectors.

In 2023, with support from the European Union (EU) and implementation by IMPACT, the ICGLR received additional assistance to further its formalisation efforts and align the Guide with emerging challenges and national priorities. The Secretariat initiated a review process to revise the 2017 Guide into a more pragmatic and user-friendly resource.

Drawing on literature and inputs provided by ASM and gender focal points from Member States, the present revised Formalisation Guidelines highlight key drivers and enablers to

---

3 Fiona Irakoze, "The six tools of the ICGLR's Regional Initiative against illegal exploitation as key allies in boosting mineral trust in the Great Lakes Region," The International Conference on the Great Lakes Region (ICGLR), November 28, 2024, <https://icglr.org/the-six-tools-of-the-icglrs-regional-initiative-against-illegal-exploitation-as-key-allies-in-boosting-mineral-trust-in-the-great-lakes-region/>.

4 Sam Spiegel, Analysis of Formalization Approaches in the Artisanal and Small-Scale Gold Mining Sector Based on Experiences in Ecuador, Mongolia, Peru, Tanzania and Uganda: Tanzania Case Study, United Nations Environment Programme, June 2012, [https://www.pure.ed.ac.uk/ws/portalfiles/portal/12598249/Analysis\\_of\\_Formalization\\_Approaches\\_in\\_the\\_Artisanal\\_and\\_Small\\_Scale\\_Gold\\_Mining\\_Sector\\_Based\\_on\\_Experiences\\_in\\_Ecuador\\_Mongolia\\_Peru\\_Tanzania\\_and\\_Uganda.pdf](https://www.pure.ed.ac.uk/ws/portalfiles/portal/12598249/Analysis_of_Formalization_Approaches_in_the_Artisanal_and_Small_Scale_Gold_Mining_Sector_Based_on_Experiences_in_Ecuador_Mongolia_Peru_Tanzania_and_Uganda.pdf).

formalisation, proposed action steps, and practical examples of best practices from Member States and other countries outside the region.

## Objective of the Revised Regional Guidelines

To align with and reflect policy developments among Member States, reference practices among Member States and other ASM countries, and to provide practical steps to align with emerging trends, and integrate gender dynamics in formalisation.

## Scope

The review for these revised guidelines identified challenges hindering the formalisation of the Artisanal and Small-Scale Mining (ASM) sector in the Great Lakes Region of Africa and highlights best practices from selected ICGLR Member States and other countries as illustrative examples to enhance the learning. Key documents reviewed for this initiative include:

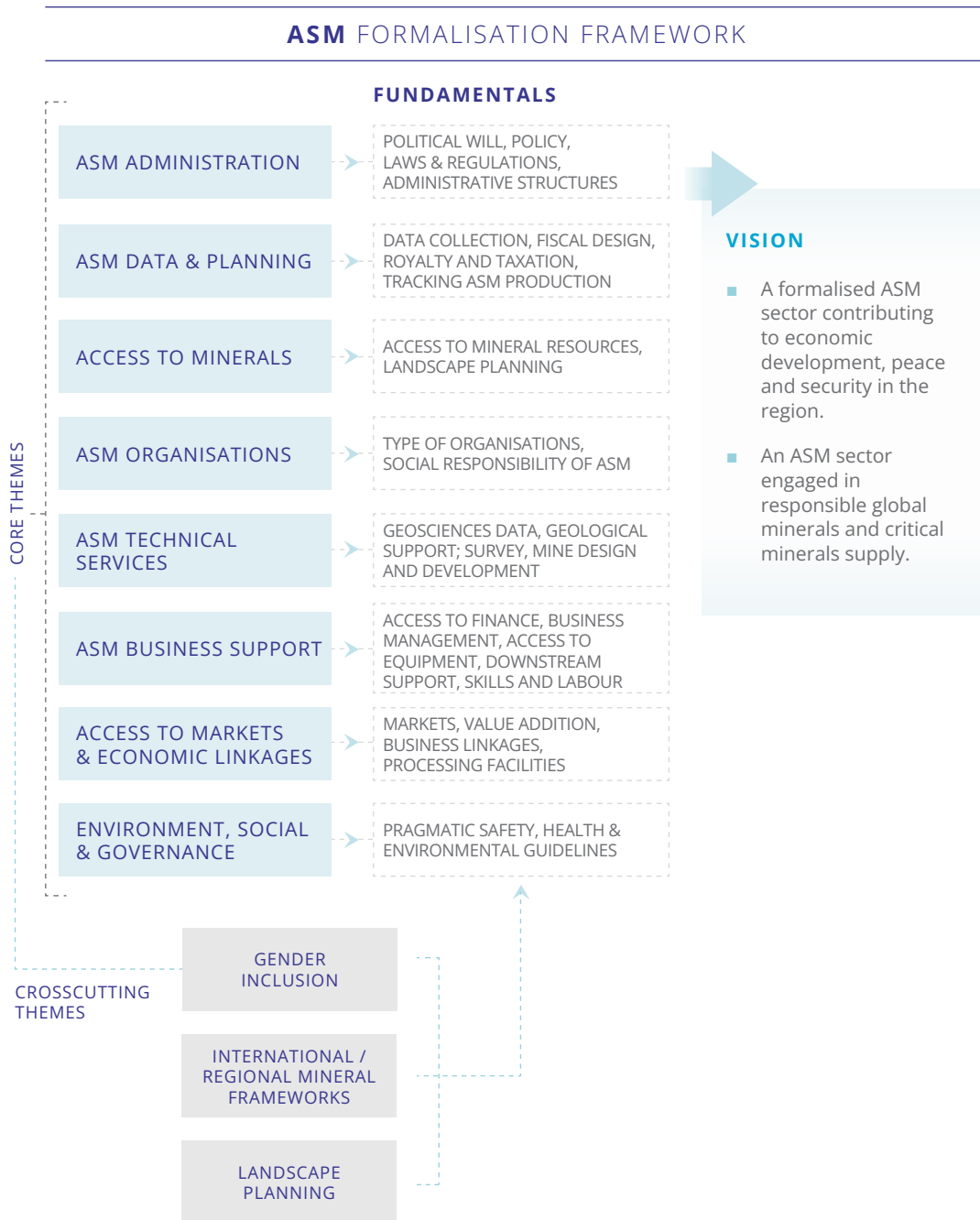
- Regulatory frameworks and ASM policies of Member States
- Gender strategies of Member States
- Original (2017) ICGLR Formalisation Guide and Annexes
- UNITAR's ASM Formalisation Guide for NAPs
- IGF's Guidance for Governments
- AMDC's ASM Continental Strategy Brief
- ICGLR's Gender in Mining Guide
- Rwanda and Uganda's Gender in Mining Policy Guides
- ICGLR's Guide on Mineral Value Addition
- Various literature sources cited through the document

Additional sources offered further holistic perspective on formalisation challenges and approaches.

## Methodology

The comprehensive formalisation framework in Figure 1 guided the review. The framework is adapted from various literature sources, including the ICGLR Formalisation Guide (2017), Government of Ethiopia Formalisation Strategy, UNEP Formalisation Handbook (2019), and author's work with the UNDP Development Minerals Program. The framework identified core drivers for holistic ASM formalisation to happen. These constitute the main influenceable variables to facilitate integrating ASM into the formal economy and a sustainable formalisation process. The drivers can be influenced through various mechanisms elaborated in these guidelines within country ASM ecosystems to produce a desired level of ASM formalisation. Failure to do so can result in negative formalisation outcomes.

Figure 1: ASM Formalisation Framework<sup>5</sup>



5 Adapted from various literature sources, including the ICGLR Formalisation Guide (2017), Government of Ethiopia Formalisation Strategy, UNEP Formalisation Handbook (2019), and author's work with the UNDP Development Minerals Program.

Using the above framework and 2017 Formalisation Guide, the review process involved:

- Identifying challenges of formalisation as reference points to a practical guide that proposes pragmatic solutions.
- Identifying data points and recommendations for the drivers in the proposed framework.
- Identifying success and recommendations for each driver from the reference materials and literature.
- Distributing a questionnaire informed by the framework among ASM focal points within Member States.
- Conducting a review of the draft Formalisation Guide to confirm alignment with policy objectives of Member States and generate further input.
- Gathering input from ASM and gender focal points across Member States and Regional Committee members.

The whole document was reviewed in Uganda in August 2025 and submitted to the Regional Committee in Kinshasa, Democratic Republic of Congo (DRC), in November 2025.

## Findings

Despite ongoing efforts to formalise ASM, the sector continues to operate outside the legal framework. Literature suggests about 70-80 percent of ASM is informal in the majority of ICGLR countries.<sup>6</sup> Formalisation data amongst Member States is not readily available, reinforcing the magnitude of the challenge. ASM in the Great Lakes Region is characterised by such factors as poor mining and ESG practices, informality of organisation, mineral trading, low fiscal contribution, tax evasion, environmental degradation, and cross border mineral smuggling. The informality of ASM negates its contribution to economic development and provides opportunity for illicit financing and support to armed groups. This results in marginalization of communities economically, politically, and socially.<sup>7</sup>

## Approaches to Improving Formalisation in ASM

This section discusses drivers and mechanisms that influence achievement of meaningful progress in ASM formalisation. Policymakers, miners, and other stakeholders can play a role in influencing these drivers to produce positive ASM formalisation outcomes.

ASM formalisation must be understood in the context of an ecosystem that works to produce either informality or formality. The ecosystem has actors with different interests, influence, and power. Each country needs to understand its own ASM ecosystem and identify the key drivers and actors that can create wins on formalisation. There is no one-size-fits-all due to differing contexts across Member States. Accordingly, these guidelines provide practical ideas and solutions that can be applied to each ecosystem.

Because the ASM ecosystem is complex, with intertwined influences working together to produce the state of informality observed in Member States, fixing one problem will not achieve formalisation. Rather, a holistic approach is required which takes into consideration the context, drivers, and mechanisms at play that can influence a positive outcome. For example, where there exists widespread youth unemployment and an abundance of easily extractable mineral resource, policies encouraging ASM formalisation can generate employment opportunities for youth and contribute to national economic outcomes. The causal relationships between drivers and outcomes should be explored to develop actions that can advance formalisation.

Table 1 shows the countries with practical examples of applying various drivers to support the ASM formalisation process.

<sup>6</sup> Intergovernmental Forum on Mining, Minerals, Metals and Sustainable Development (IGF), IGF Guidance for Governments: Managing artisanal and small-scale mining, January 2017, [https://www.iisd.org/system/files/publications/igf-guidance-for-governments-asm\\_0.pdf](https://www.iisd.org/system/files/publications/igf-guidance-for-governments-asm_0.pdf).

<sup>7</sup> Abbi Buxton, Brendan Schwartz and Lorenzo Cotula, Tenure rights in large-scale and artisanal mining: Implications of the Voluntary Guidelines. Legal Brief 5. Rome, FAO, August 2021, <https://openknowledge.fao.org/server/api/core/bitstreams/1c107593-5dc7-45d0-8ab5-d1e3d7fcb8fe/content>.

**Table 1: Drivers for ASM Formalisation**

Drivers for ASM Formalisation	Countries
Political will and enhanced institutional capacity	Colombia, DRC, Ghana, Kenya, Republic of Congo, Rwanda, Tanzania, Uganda
Supportive policies, laws, and regulations	Burundi, Kenya, Republic of Congo, Rwanda, Tanzania, Uganda
Data collection and tracking ASM production	Burundi, CAR, DRC, Tanzania, Uganda
Appropriate fiscal regime	DRC, Rwanda, Tanzania, Uganda, Zambia
Access to mineral and mining rights	Ghana, Kenya, Mozambique, Rwanda, South Sudan, Sudan, Tanzania
Co-existence and engagement with large-scale miners	Ghana, Rwanda, Tanzania
ASM organisation	Burundi, Tanzania, Zambia
ASM technical services	CAR, DRC, Ghana, Republic of Congo, Tanzania
Business development	Burundi, Kenya, Tanzania, Zambia
ASM access to finance	Angola, DRC, Republic of Congo, Rwanda, Tanzania, Uganda, Zimbabwe
ASM access to markets	Burundi, Ethiopia, Kenya, Malawi, Tanzania, Uganda, Zimbabwe
Access to equipment and technology transfer	Ghana, Kenya, Tanzania
Employment creation and skilling	Burundi, CAR, Republic of Congo
Environmental, social governance	Burundi, Republic of Congo, Tanzania, Zambia
Gender inclusion	DRC, Tanzania, Uganda
Community participation and stakeholder engagement	Colombia, Ghana, Rwanda, Tanzania, Uganda

Policy-makers, key stakeholders, and miners can influence these drivers to promote ASM integration into the formal economy. A multi-dimensional approach, supported by political will and pragmatic regulation, may help address informality and put the sector on track toward responsible mining and prosperity.

### Factors Driving the Need to Improve Formalisation

Despite being characterised by high informality, artisanal and small-scale mining (ASM) in Africa's Great Lakes Region represents both a critical source of economic livelihood for millions and a complex challenge for sustainable development. ASM within the region is vulnerable to exploitation by armed groups, environmental degradation, and human rights abuses. Formalisation is viewed as an antidote to the negative effects of ASM and its vulnerabilities.

Formalisation enables the conversion of ASM to a professionalised vehicle that contributes to economic growth and regional stability.

Factors have been identified as driving the need for ASM formalisation that warrant review by Member States:<sup>8</sup>

- Limited contribution to the fiscus by artisanal and small-scale miners due to ASM activities taking place outside formal structures.
- High levels of smuggling across borders and minimal trade accounted for within formal channels.<sup>9</sup>
- High levels of poor land management and environmental degradation in ASM operating areas.
- ASM exploitation by armed groups to finance conflict.
- Human right abuses such as child labour and forced labour, discrimination of vulnerable and marginalised populations, and undocumented human migration.<sup>10</sup>
- Lack of consideration for vulnerable and Indigenous groups.

These guidelines will focus on the following four areas in prioritising attempts to address the aforementioned factors:

### **i. Governance Systems and Capacity Building**

Fragmented national regulations perpetuate informality. These guidelines seek to promote a legal framework for ASM licensing, gender inclusive policies, environmental protection, and local economy promotion. They will outline ASM-friendly registration systems –less bureaucratic, more easily accessible to artisanal miners – as pioneered in countries like Rwanda, Tanzania, and Zambia while maintaining ASM supportive state oversight institutions.

### **ii. Economic Integration and Market Access**

To dismantle trade barriers, these guidelines: introduce steps to increase market access for the sector, beneficiation and value addition, and enabling cross border trade and direct engagements with international markets; promote alignment with ICGLR RCM and OECD Due Diligence standards for securing recognition from key trading hubs; and outlines a range of incentives governments can implement to transform sector formality. Integration of miners into the national economy should be supported by initiatives and incentives that demonstrate benefits of formality.

---

8 Irakoze, "The six tools of the ICGLR's Regional Initiative".

9 "Gold," Verité, January 12, 2026, <https://verite.org/wp-content/uploads/2020/07/SSA-Verite-Commodity-Report-Gold.pdf>.

10 Clara Hidrón and Ronald Koepke, Addressing Forced Labour in Artisanal and Small-scale Mining (ASM): A Practitioner's Toolkit, Alliance for Responsible Mining, November 2014, <https://www.responsiblemines.org/images/sampled/PressReleases/ForcedLaborToolkit%20-%20FINAL.pdf>.

### **iii. Leveraging Technology for Transparency and Information Management**

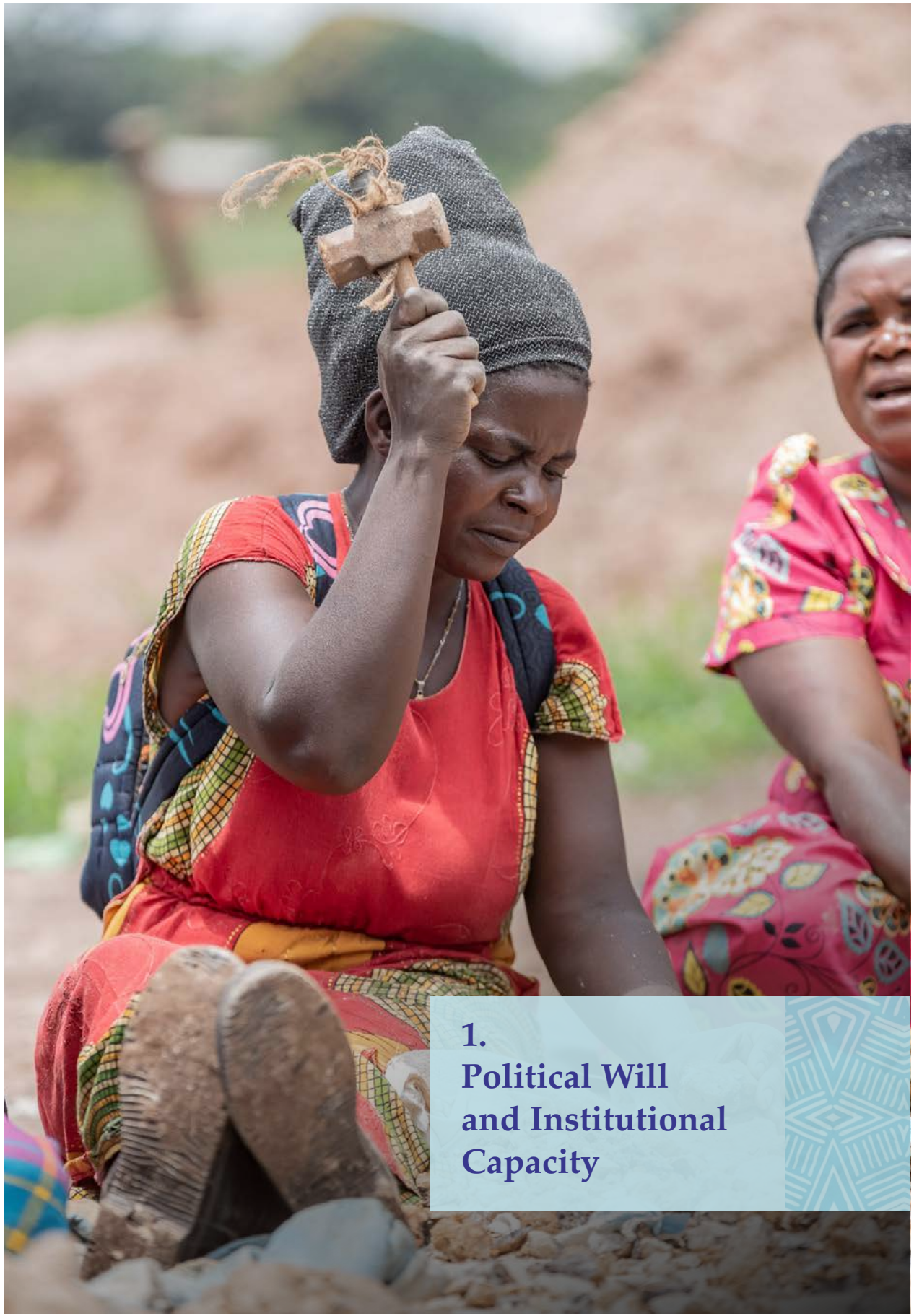
Formality thrives on transparency, traceability, and predictability. These guidelines promote data collection initiatives for informing policy planning and intervention design, for monitoring and evaluation of ASM initiatives, and for mineral flow traceability. They recommend approaches to documenting the different actors involved in the ASM sector, their productivity, trade statistics, and contributions to the national economy. They also enhance initiatives for monitoring mineral flows from production sites to market.

### **iv. Conflict Prevention and Regional Security**

These guidelines operationalise the ICGLR Regional Certification Mechanism (RCM) to disrupt the nexus between minerals and armed groups. By recommending the establishment of third-party audits, chain-of-custody protocols, and harmonized export regimes, these guidelines address smuggling corridors that enable conflict financing. Increased formalisation, access to formal markets, and tax harmonisation are expected to provide increased oversight by authorities and limit access to minerals by illicit groups.

### **v. Sustainable Land Management Practices**

To promote sustainable development and sustainable land use, these guidelines promote integrated sustainable land management and protection as contributors to sustainable development. They advocate appropriate rural land management (land allocation) that protects the interests of other land users while promoting utilisation of available mineral deposits in the area, environmental protection, and management practices applicable to artisanal players. They also seek to benefit Indigenous and vulnerable members of the society in areas where mineral exploitation is taking place through local business development, employment creation, and skills development. Land use management practices promoted in these guidelines seek to minimise environmental degradation and use of practices that contribute to climatic change.



**1.  
Political Will  
and Institutional  
Capacity**

Political will refers to the level of engagement by the political and regulatory hierarchy of the State on matters of ASM. It encompasses a sound understanding of ASM causal factors and ways to resolve them through high-level decision-making and appropriate supportive measures. In the context of a country ecosystem, political will involves decision-making to situate ASM and its potential in reducing rural poverty, unemployment, and local economic development through access to appropriate mineral resources. ASM may play a significant role when integrated into a country's broader economic strategy with rural livelihoods and development of local enterprises in mind. Levels of political interest and commitment to ASM should match that of LSM, except that there must be clarity of expectations for what each sector can deliver to the economy.

Political actors need awareness of national development challenges and opportunities to provide policy and regulatory guidance on such issues as rural poverty, youth unemployment, opportunities emerging from demand for energy transition minerals, and perspectives on how a locally-driven mining sector can grow the national economy. Guiding ASM through thoughtful and intentional policies has the potential to expand national mining industries in the long term. Countries need to develop strategies that manage ASM's negative while enabling its positive impact.

With limited data on ASM's formal contribution to the economy to inform spatial planning, poverty reduction, and unemployment strategies, ASM tends to lag behind other largely informal economic sectors like agriculture when it comes to political will.

## 1.1. Practical Steps

### 1.1.1. High Level Government Engagement and Involvement

#### High Level Political Engagement

Mining laws and regulations alone cannot fix the root causes of ASM informality. A broader understanding of context in terms of the ASM ecosystem, actors, and drivers is required for holistic intervention. Major root causes and drivers of ASM include poverty, youth and rural unemployment, attractiveness of mining income over agricultural commodities, seasonality of agriculture, poor performing economies, and mining industry dynamics such as gold rush and sudden increase in gold prices. Emerging technologies have increased demand for minerals, making it easier to prospect and exploit resources. ASM is also seen as an opportunity for quick wealth.

A high level of political and government engagement is required to frame mineral-based livelihood strategies in the context of developing local solutions to address local problems. Traditional mining governance fits the structure of a mining sector with adequate resources and capacity. How a country develops and shapes a bespoke ASM formalisation approach may require innovative solutions and the ability to make people-focused decisions to build a local industry that can gradually professionalise in the long term. Unfortunately, political

decisions seem to take precedence over technical advice and at times, often contradict the regulations in force.

Technical inputs relevant to ASM sector complexities need to be brought to high-level decisionmakers to direct government action and address root causes of ASM informality, chiefly poverty, unemployment, lack of access to mineral resources, and gaps in the ASM regulatory framework. ASM by its nature requires regulation informed by a deep understanding of its context and drivers.

### **Examples of High-Level Political Engagement:**

#### ■ Tanzania's Government Engagement with ASM<sup>11</sup>

Tanzania's government recognized the importance of high-level political and stakeholder engagement in addressing ASM challenges by holding meetings with stakeholders related to government and ASM. These meetings led to agreement on incentives that led to increased ASM gold sales within Tanzania.<sup>12</sup> Incentives include removal of withholding tax to make formalised trade more attractive; introduction of mobile markets to reduce miners' travel costs; and increased access to mineral markets.

#### ■ Government Response to a Gold Rush in Zambia

In July 2025, a gold rush occurred in an unlicensed area in Zambia called Four Way. The government quickly secured the site, facilitated miners to organise into cooperatives, and held an extraordinary committee meeting to issue licenses. The Minister personally delivered offer letters to these groups to formalise their operations. The Ministry of Mines sent teams to train the miners in sustainable mining practices.

### **ASM Representation in Government Institutions**

In most Member States, responsibility for ASM support rests with state institutions directly responsible for supporting ASM, like Service for Assistance and Management of Artisanal and Small-Scale Mining (SAEMAPE) in DRC,<sup>13</sup> Burundi Office of Mines and Quarries (OBM),<sup>14</sup> DSGM in Uganda, and the Mining Commission in Tanzania.<sup>15</sup> Countries in other regions like Columbia that have ASM representation at higher levels like Deputy Minister. These structures and mandates demonstrate each country's approach to management of the sector. For example, Tanzania indicates the importance of an issue by its level of representation, like placing environmental issues within the Vice President's Office.<sup>16</sup> Kenya established a dedicated

11 Anna Frohn Pedersen et al., "The ambiguity of transparency in the artisanal and small-scale mining sector of Tanzania," *The Extractive Industries and Society*, 8, December 2021, <https://www.sciencedirect.com/science/article/pii/S2214790X21001751>.

12 Beatrice Materu, "Relief for Tanzania's artisanal miners as govt comes down hard on the big boy," *The East African*, February 25, 2019, <https://allafrica.com/stories/201902260094.html>.

13 Pacifique Mushagalusa Mubalama, "ICGLR Artisanal and Small Scale Mining (ASM) Formalisation Survey," May 2025, unpublished.

14 Regis Niyongabo, "ICGLR Artisanal and Small Scale Mining Formalisation Survey," May 2025, unpublished.

15 Willison Mutagwaba et al., *Artisanal and Small-scale Mining in Tanzania – Evidence to Inform an 'Action Dialogue'*, International Institute for Environment and Development (IIED), 2018, <https://www.iied.org/sites/default/files/pdfs/migrate/16641IIED.pdf>.

16 Ibid.

ASM Division/Office under the Directorate of Licensing, Compliance, and Enforcement in the Ministry of Mining. Review of mining regulations of Zambia in 2025 also introduced the formation of an ASM Department. These are signs of governments' commitment to address ASM issues.

Having ASM representation at higher government levels shows that ASM is not a second thought for the mining industry. Clarity of the mandate, budget allocation, and decision-making ability greatly influence institutional effectiveness on formalising the sector. Direct mandates for ASM formalisation enable government focus on service provision and direct support to the sector.

### 1.1.2. Multi-Stakeholder Collaboration

Coordination between multiple stakeholders can support government efforts in formalisation, address sector-specific challenges, and provide for robust, constructive, and collaborative dialogue. Participants include a cross section of stakeholders such as lawmakers, government officials, ASM sector representatives, civil society organisations, and environmental and development partners, community stakeholders, and private sector representatives. Government plays a leading role while facilitating multi-stakeholder engagements at the national, regional or local level. Multi-stakeholder platforms are useful in addressing emerging sector challenges and sharing best practices and lessons learned to positively advance ASM formalisation. Member States hold forums that facilitate policy and legislative reviews, implementation and monitoring of ASM related policies, and gathering of feedback. (See Annex B).

#### **Multi-Stakeholder Dialogues and Platforms on ASM Formalisation**

DRC has multi-stakeholder committees<sup>17</sup> supporting formalisation nationally, regionally, and in local forums. The decentralised platforms include provincial steering committees and local coordination committees. These structures promote consultation among stakeholders, data collection, and implementation of policies. There are also sectorial committees at provincial levels with local authorities, mining cooperatives, civil society, and other stakeholders to coordinate interventions, training, formalisation, and environmental and security issues. DRC also has the Consultation Group of Stakeholder Parties (GCPP), an advisory body comprised of stakeholders inclusive of academia, mining cooperatives, traders, and diggers that facilitates escalation of concerns from field actors. It also supports the appropriation of policies and initiatives for transparency within the industry.

Dialogue platforms can contribute to significant policy improvements. In Ghana, with support from the International Institute for Environment and Development (IIED) and the local NGO, Friends of the Nation (FON) Ghana,<sup>18</sup> such a dialogue brought together over 50 representatives from government, civil society, academia, and industry. The dialogue contributed to

---

17 Mubalama, "ICGLR ASM Formalisation Survey".

18 James McQuilken and Gavin Hilson, Artisanal and Small-scale Gold Mining in Ghana. Evidence to Inform an 'Action Dialogue', IIED, August 2016, <https://www.iied.org/sites/default/files/pdfs/migrate/16618IIED.pdf>.

streamlined licensing procedures for ASM and the creation of “community mining” programs through which artisanal miners receive legal licenses to operate in designated areas.

In Tanzania, dialogue between the government and ASM was instrumental for policy-making and its implementation as well as participatory gender-sensitive policy development.<sup>19</sup>

In Kenya, public participation forums discussed and finalised ASM Policy Review.<sup>20</sup>

Sudan established committees in local states comprising government, artisanal miners, and local communities to solve problems relevant to their communities.

The Government of Zambia engaged in high-level discussions with ASM stakeholders through an international ASM conference in September 2025 – the first of its kind. The platform coincided with the launch of ASM Manual, a guidebook for responsible ASM practice. Officially opened by the President of country, the event had high level political and policy participation, and gave ASM stakeholders a platform to highlight challenges, propose solutions, and engage in high-level discussions, reflecting strong political support in the country.

### **Mining Committees**

The 2016 Mining Act review in Kenya led to the inclusion of participation of ASM miners in permitting committees. Women and marginalized groups are included in decision-making on permitting through their representation in the Artisanal Mining Committees. This facilitates the move towards self-regulation where ASM players take responsibility for issues affecting their operations and develop workable solutions with assistance from other stakeholders. An example is the Kakamega Resilience Team in the western part of Kenya, a group of artisanal miners in the region who appoint members from each cooperative to represent them in ASM matters and help resolve conflicts at the grassroots level without escalation to regulatory institutions.

#### **1.1.3. Strengthening Institutional Capacity**

Building institutional capacity at national and local levels is essential for governing the ASM sector. Government institutions often lack the resources and technical expertise to enforce regulations, monitor ASM activities, and provide technical support on responsible mining and professionalisation. Adequate institutional budgetary capacity is imperative to strengthen responsible ASM into a viable local mining industry. Budgetary allocations, resourcing, and staffing amongst relevant agencies and departments should reflect intentionality to drive transformation and formalisation.

Government institutions tend to have technical knowledge on the LSM sector while lacking distinctive knowledge of ASM and mechanisms driving its formalisation. This could be attributed to ASM being seen as a temporary nuisance that will disappear when mining gets into depth. Lack of oversight and technical services create a sector that is developing with

---

19 Fitsum Weldegiorgis and Abbi Buxton, Informing dialogue on artisanal and small-scale mining in Tanzania: A thematic review of challenges and solutions, IIED, October 2017, <https://www.iied.org/sites/default/files/pdfs/migrate/16635IIED.pdf>.

20 Joshua Kipsoi Boiwo, “ICGLR Artisanal and Small Scale Mining Formalisation Survey,” May 2025, unpublished.

minimal support or guidance from government institutions, creating room for bad actors to influence it through support and pre-financing mechanisms.

Government institutions should be intentional in building in-house capacity on ASM such as practical knowledge on mining, environmental, fiscal, socio-economic, and regulatory complexities. For example, in Rwanda, with support from the Intergovernmental Forum on Mining (IGF),<sup>21</sup> officials were trained in ASM-friendly regulations and community collaboration, leading to increased formalisation rates and improved environmental compliance.

## 1.2. Key Takeaways

- i. Political will is a key driver in framing the ASM formalisation agenda. ASM must be situated in its rightful context and ecosystem to address root causes of informality such as poverty, unemployment, and access to income for the majority of youth. Avoiding these drivers will only delay development of holistic strategies to regulate and formalise ASM in the region.
- ii. High-level national strategies and decision-making must direct policy formulation, legal framework, and government implementation towards targeted ASM formalisation actions.
- iii. Countries that engage higher levels of decision-making with ASM challenges and strategies have made significant progress in integrating ASM into the formal economy.
- iv. Technical staff need to develop communication and diplomatic skills to be able to engage politicians and encourage them to adhere to sound technical advice.
- v. Countries need to take bold steps in designing and regulating ASM formalisation strategies that fit their context. There is no one-size-fits-all solution on ASM formalisation, but knowledge evolves based on a country's context and vision for the sector.
- vi. Multi-stakeholders bring relevant expertise in crafting informed actions that produce results.
- vii. Capacitating national and local institutions to professionalise ASM is part of broader support for enforcement, monitoring, and capacity transfer to the sector.

---

21 Intergovernmental Forum on Mining, Minerals, Metals and Sustainable Development (IGF), IGF Mining Policy Framework Assessment: Rwanda, International Institute for Sustainable Development, August 2017, <https://www.iisd.org/system/files/publications/rwanda-mining-policy-framework-assessment-en.pdf>.

**Gender inclusion considerations:**

- i. Issue policy directives that expect aggregated gender outcomes (percentages of male and female participation) and drive investments promoting women from artisanal miners to small scale miners.
- ii. Establish a Gender and Social Inclusion Unit within the Ministry of Mining.
- iii. Involve women in decision-making processes.



**2.  
Supportive  
Policies, Laws,  
and Regulations**

Member States are in different stages of formulating and implementing policies, laws, and regulations that provide mechanisms to regulate, license, and professionalise ASM.<sup>22</sup> The rate of formalisation within the region is still low. Challenges associated with the low rate of formalisation include:

- i. Bureaucracy and centralised systems that slow down licencing and cause frustration amongst miners.
- ii. Legal framework that is not reflective of ASM context and realities.
- iii. Cost of formalisation is higher than the benefits (For example, it is difficult for nomadic artisanal miners to comply with regulations as they follow the latest discovery or the best paying mineral deposits at that particular time.)
- iv. Short duration for ASM licences to recover investment (For example, a one-year licence does not consider the period for prospecting, mine development and variation in mineral deposits, and payback for sunk costs and equipment.<sup>23</sup>)
- v. Increased conflicts between mineral right holders and landowners and the informal artisanal miners who invade their mineral/land rights for mineral exploitation purposes.<sup>24</sup>
- vi. Limited access to formal finance assistance and fair markets for artisanal miners.
- vii. Poor environmental compliance leading to widespread degradation.

The Regional Mining Code (still under development at the time of publication) will help in facilitating harmonisation of national mining codes and establishing uniformity in approaches to formalisation that Member States can benchmark against its standards.

To support formalisation, states need to enact policies, laws, and regulations that simplify mechanisms and procedures for miners and clarify roles amongst various institutions. Such mechanisms include: accessible licensing systems and procedures for miners in remote areas; decentralisation of services; engagement of miners in formulating policies and regulatory frameworks; licensing mechanisms that suit ASM context (online versus manual systems); licence durations that allow recouping investment.

---

22 International Conference of the Great Lakes Region (ICGLR), "The ASM Formalisation Guide in ICGLR Member States," 2017, unpublished.

23 Ibid

24 Mubalama, "ICGLR ASM Formalisation Survey".

### **Good examples to build upon:**

ASM licences in Uganda are valid for three years and renewable for a further year while a small-scale license of five years is renewable for a period of two years.

In Rwanda, ASM licenses are valid for five years and a small-scale license up to 15 years.

In the Republic of Congo, artisanal mining licenses are valid for three years and renewable as many times, while small-scale mining licenses are valid for five years and renewable as many times until reserves are exhausted.

The regional policy framework is built on country policies as countries adapt to their realities while learning from their own experiences and peers within the region and abroad.

## **2.1. Practical Steps**

### **2.1.1. Review and Reform of Existing Laws**

Mining laws are strongly focused on Large Scale Mining (LSM)<sup>25</sup> as many countries regard LSM as the mining sector's main contributor to the economy. This leaves gaps in ASM legal and regulatory frameworks such as appropriate provisions for licensing, access to mining data, licensing fees, resourcing of mining departments, and a tendency to relegate ASM to the fringes of the mining sector. Regulatory gaps have unintended consequences of exacerbating informality and consequently, its economic contribution is unaccounted for. A review of mining codes is required to address gaps that enhance ASM formalisation. As a rule, ASM regulatory frameworks should be informed by practice, ecosystem realities, and a distinction between ASM and LSM.

Table 2 summarises some reviews undertaken of mining regulations in ICGLR Member States.

---

25 ZEPARU, Best practices for supporting artisanal and small-scale mining in Zimbabwe.

**Table 2: Examples of Mining Regulation Reviews**

Member State	Reviews
Angola	Angola's 2011 Mining Code recognised artisanal and small-scale mining statuses, allowing legalisation in designated zones. Mining rights for artisanal miners are valid for three years and may be extended for a further three years, with that later being extended by successive periods of one year until the depletion of the exploitable mineral resource. Application for mining title is simpler than that of industrial concessions which involve contact negotiations.
Burundi	Burundi's updated 2023 Mining Code defines several types of mining titles: exploration license, research permit, and artisanal permit reserved for formal cooperatives, valid for three years and renewable. All mining activities, including artisanal, require consent from affected communities and compensation for impacted land rights.
CAR	The Central Africa Republic's review proposed attractive tax systems for women-led cooperatives as a way of promoting women's involvement in mining. Mining cooperatives are formed according to the Act. The value chain of artisanal production is managed through introduction of buying and selling points.
Republic of Congo	Republic of Congo's review strengthened ASM provisions in terms of small-scale mining title, creation of Artisanal Exploitation Zones, and taxation of ASM.
Kenya	Kenya's Mining Act 306 created the Artisanal Mining Permit (AMP) for the permitting of artisanal mining operations. An Artisanal Mining Committee Manual for permitting simplifies the licencing procedures. Artisanal Mining Permitting Committees exist in each county to reduce bureaucratic processes in licensing of artisanal miners. Each Committee has an artisanal mining representative with 35 out of 47 committees now in existence.
South Sudan	South Sudan is in the process of reviewing and making amendments on Mining Act 2012 and Mining Regulations 2015.
Uganda	Uganda replaced its Mining Law of 2003 with the Mining and Minerals Act of 2022 which addresses several gaps but most importantly does the following: <ul style="list-style-type: none"> <li>■ Creation of different classes of mineral rights that include artisanal, small scale, medium scale, and large-scale mining licenses. This change aims to formalise and regulate ASM, which was previously unregulated.</li> <li>■ Hybrid decentralised enforcement of the law. It retains centralised licensing through the Ministry of Energy and Mineral Development with licenses awarded at the recommendation of the local government. It assigns local governments the responsibility for enforcing and implementing licensing conditions in collaboration with the Ministry and the Directorate of Geological Survey and Mines (DGSM).</li> </ul>
Zambia	Zambia reviewed and repealed the MMDA (2015) and enacted a new law in 2025 that proposed the formation of an ASM department and opened the door for partnerships between artisanal miners and foreign investors.

### 2.1.2. Simplification of Licensing Procedures

ASM regulatory reviews should simplify licencing procedures to align with ASM operational realities with the objective of increasing the number of successful applications.

Licencing conditions should be simple and applicable for local people. The majority of ASM are not complex companies with highly technical experts to navigate complex forms and requirements. Conditions should accommodate that reality to enable them to integrate to the formal economy.

Licensing costs should be reasonable and affordable for the majority of ASM operators. When licencing costs are prohibitive, miners resort to informal operations. Governments of Kenya and Republic of Congo have set artisanal mining permit fees at reasonable amounts to enable sustainable operations.

Streamlined licensing procedures (aligned with country context) that are accessible to miners include:

#### **i. Simplified application processes**

Application processes should be facilitated through simple forms, capturing key information such as applicant details, location of the area, type of mineral, type of licence, cost to be paid, and contact details. The process should require minimal complex documents to facilitate different levels of ASM. There must be a distinction between artisanal mining applications and small-scale mining applications as most member states have conducted thorough legislative reviews. Creation of a one-stop shop for permits and licenses can significantly improve access.

#### **ii. Decentralised licensing**

Decentralising licensing to local and provincial government centres will reduce costs associated with travelling to centralised offices. This enables quick physical assessment and verification of the mining area by local officers, as has been done in Kenya and quick feedback from local governments to the mining authority on land use dynamics, monitoring of mining activities, and ground realities.

#### **iii. Mobile licensing units**

Miners in remote areas will require regular outreach for licence registration to register them from their work areas. Mobile units enable the government to register miners already operating informally or to gather information on their existence, leading to data collection and development of plans to formalise them. Mobile units can provide on-the-spot assistance with the licensing process, assess the proposed mining area, and capture coordinates to integrate into the cadastre. Zambia, Rwanda, and Tanzania have made use of mobile licencing units to increase licencing of artisanal miners. In Tanzania, mobile units conducted informational

workshops on compliance and enabled 41,700 miners to be licenced by March 2025, with 6,227 of these having been licenced between July 2004 and March 2025.<sup>26</sup>

#### **iv. Online application systems**

Moving applications to the internet helps miners utilise online platforms, significantly reducing the time and complexity involved in the licensing process. This is an option for miners with capacity to do so, not a requirement for all miners since data, network constraints, and technical ability may be barriers in some contexts. Uganda has established an online registration system that operates on a first come first served basis; miners apply for permits and licenses online while limiting overlaps. Kenya has also digitized licensing procedures through the Online Mining Cadastre System to make the application process more accessible to miners. This initiative aims to make the application process more transparent and accessible, although challenges remain regarding internet access in remote areas and miner's digital competency.<sup>27</sup>

#### **v. Use of local languages**

Licensing forms and information in local languages can enhance understanding and simplicity for miners. This addresses language barriers and access to licensing information while promoting greater participation in the formalisation process. Challenges include the multiplicity of languages and integration with cadastre systems that use one or two official languages.

#### **vi. Technical support and capacity building**

Training, help desks, and virtual assistants for license applications and regulatory requirements empower miners to engage with formal processes. Due to access limitations, miners sometimes lose out over powerful individuals or organisations that get to represent miners and register licences under their authority. Uganda and Republic of Congo have been using inspectors to raise awareness of licensing requirements and processes during their field exercises.

#### **vii. Strengthened legal frameworks on land allocations by traditional leaders**

In countries like DRC, land allocation and access to natural resources in most customary areas is governed by traditional leadership. Responsibilities overlap where a mining claim can be allocated to a miner by the state in an area under traditional leadership without consulting the traditional leaders in that area.<sup>28</sup> Involving traditional leadership in allocation of mining sites needs to be regularised. This may include defining traditional leaders' roles, rights, and responsibilities in mining sites allocation. This may reduce conflicts on land allocations

---

26 Johnbosco Karungamye, "ICGLR Artisanal and Small Scale Mining Formalisation Survey," May 2025, unpublished.

27 Morris Muheirwe Tabaaro, "ICGLR Artisanal and Small Scale Mining Formalisation Survey," May 2025, unpublished.

28 Armel Nganzi, Customary Authority and the Formalization of the Artisanal Mining Sector in Eastern Democratic Republic of the Congo, Capacity Building for a Responsible Minerals Trade, March 21, 2018, [https://www.landportal.info/sites/default/files/imported\\_files/landlinks\\_0002.pdf](https://www.landportal.info/sites/default/files/imported_files/landlinks_0002.pdf).

between the state and customary leadership. The review may also consider harmonisation of the payments that traditional leaders receive from miners as a way of reducing the overall tax burden on artisanal miners. An example to emulate is that of Ghana where traditional leaders have constitutionally mandated a share of royalties they receive.

## **2.2. Considerations for Gender Mainstreaming in Regulatory Review and Licencing Procedures**

Licencing procedures should take into consideration the following factors to achieve more inclusive access to mining rights:

- Recognising joint spousal licencing to women's increased involvement and protection of their rights as joint licensees.
- Requiring gender analysis and Gender Based Violence (GBV)/Sexual Exploitation and Abuse (SEA) prevention plans in mine plans as part of the licencing process.
- Acknowledging women's contribution and needs in mining policies.
- Ensuring legal framework protects women's rights (This should lead to adoption and strengthening of gender sensitive laws.)



**3.  
Data Collection  
and Tracking ASM  
Production**

Data collection and tracking of ASM production emphasises the critical need for reliable data to accurately quantify the contributions of artisanal and small-scale mining (ASM) to national and local economies. ASM's role in the economy is often underestimated and less understood due to lack of data on numbers of people engaged, quantity of mineral production, mineral sales volumes, revenues, and taxes collected. Lack of data reinforces the poor administrative support and budgeting towards the sector, as well as negative attitude and perspectives. Limited data compromises fiscal planning and resourcing for intervention from government coffers. ASM should be considered for local economic support programs like small-scale agriculture; small-scale manufacturing, but with different criteria than LSM due to its drivers, root causes, realities, and capacity of the majority of its operators.

Member States are encouraged to invest in mapping and collecting data on their ASM sector to quantify its potential for the economy and plan for its support. Development partners have been more active in data collection, making foreign organisations better informed about ASM than the host countries.<sup>29</sup> It has also been noted that in some countries with data collection systems, ASM data may be available but poorly archived, not systematic enough to support transparent and informed decision-making, or not being utilised in decision-making and strategic planning.

## 3.1. Practical Steps

### 3.1.1. Significance of Collecting Baseline ASM Data

#### i. Regular surveys

Member States need to carry out surveys to gather comprehensive data on people involved, production, and demographics of miners to inform national planning and policy-making. Methods of data collection include field surveys and censuses, collation of monthly returns to the mines department, and collaboration with mining associations, cooperatives, and licenced mineral dealers. While this data may not be accurate, it provides a starting point for understanding ASM which is better than having no data at all.

- CAR uses the Diamond and Gold Bureau of Expertise, Evaluation, and Certification (BEEC) which certifies minerals before export to collect monthly production data and contributions to the national economy.
- In Tanzania, the Mining Commission collects information on production, sales, transportation of minerals, and personal information of Primary Mining Licence (PML) owners.

---

29 UNITAR & UN Environment, Handbook for Developing National ASGM Formalization Strategies within National Action Plans, UNITAR & UN Environment, 2018, [https://unitar.org/sites/default/files/media/publication/doc/formalization\\_handbook\\_e\\_web\\_final.pdf](https://unitar.org/sites/default/files/media/publication/doc/formalization_handbook_e_web_final.pdf).

- In the Republic of Congo, the Directorate of Small-Scale Mining and Artisanal Mining (DPMAM) and BEEC work in synergy to collect quarterly production data in the ASM sector. Supply chain actors within the country maintain production registers which serve as sources of data and the ASM data is published in EITI reports.
- In Burundi, the Ministry of Minerals established local offices in all ASM areas across the country to collect ASM data. Regular data collection supports the implementation of mineral traceability systems like iTSCi which record production volumes, production sites, and transporters. A mining database is established to consolidate production, permits, and revenues in line with EITI standards.

## ii. Integration with national statistics

During periods of national census, consideration should be made to integrate ASM data sets into the data collection framework as a form of self-employment or business venture. Since ASM operators also employ workers who are paid in different forms, consideration should be made for its recognition as form of employment. This can provide insights on numbers of people involved, income estimates, contribution to GDP, and other economic indicators.

- In Burundi, databases and statistical censuses on artisanal labour have been carried out. Survey outcomes are mainly used in transparency mechanisms of iTSCi and ICGLR. The data collection mechanisms follow the EITI process. Types of data collected include quantities produced by mineral type, estimates of active miner population, gender of miners, age, job status (worker, self-employed), geographical, and cadastral data. Census data is integrated within the National Statistical Framework by the INSD (National Institute of Statistics of Burundi).<sup>30</sup>
- In Tanzania, during the 2022 People and Housing Census, demographic information like age groups was collected along with types of minerals, type of engagement, and other statistical data. A separate questionnaire module was prepared by the National Bureau of Statistics (NBS) specifically for collecting data related to small-scale mining.

## iii. Integration of ASM data with central mineral databases:

Integrating ASM data into a centralised database for the mining sector is important for systematic collection and organisation of key metrics from various players in the mining value chain, including production volumes, revenue generation, and employment statistics. The comprehensive data repository not only provides critical insights into the sector, it also supports evidence-based decision-making for the government.

- Burundi, DRC, and Republic of Congo collect and integrate data into the EITI system.<sup>31</sup> DRC has used SAEMAPE to undertake some census work with artisanal and small-scale miners. SAEMAPE tracks the flow of minerals from ASM workstation to the point of sale

<sup>30</sup> Niyongabo, "ICGLR ASM Formalisation Survey".

<sup>31</sup> Mubalama, "ICGLR ASM Formalisation Survey".

through overseeing the selling process by its officials. Thusly, all miners within the site of supervision are documented and their production figures tracked. Data collected from miners is then synthesized.

- Uganda's Biometric Registration of Artisanal and Small-Scale Miners (BRASM) is a comprehensive database of all artisanal miners managed by DGSM. It enhances the formalisation of the mining sector and improves oversight of artisanal mining activities by capturing personal details such as names, ages, fingerprints, and locations, and issuing a unique identification card linked to the central database. The scheme seeks to facilitate better tracking of miners and enhance regulatory compliance. Approximately 7,455 miners have been biometrically registered across various regions in Uganda.

### 3.1.2. Capacity building for Data Collection

Training local government officials and ASM leaders in data collection methodologies ensures they are equipped with the necessary skills to accurately gather and report vital information on ASM activities.<sup>32</sup>

### 3.1.3. Considerations for Gender Mainstreaming in ASM Data Collection

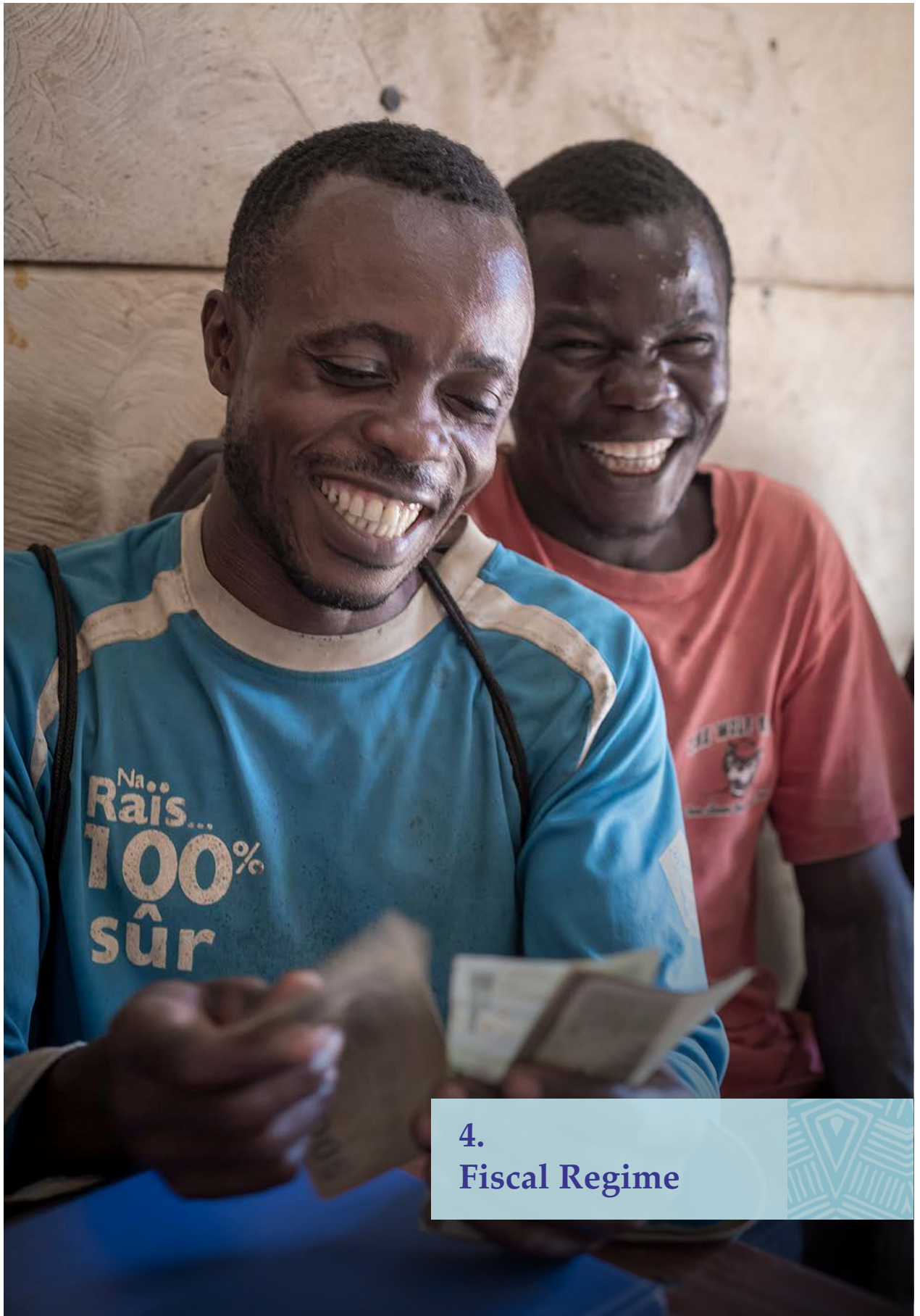
- Updating license, production returns, export and trader registration, and inspection reports to capture gender aggregated details of owners, managers and workers.
- Mapping mineral value chains to identify where women cluster and the bottlenecks they face on their growth trajectory.
- Integrating a 'gender dashboard' in the Mining Cadastre System to visualize participation, license ownership, production, and compliance by sex and location.

## 3.2. Key Takeaways

- i. Data on ASM can provide in-depth information for influencing policy-making and development priorities for the sector.
- ii. Lack of ASM data reinforces perspectives that ASM miners benefit from mineral resources more than they contribute to the fiscus.
- iii. There are multiple avenues that can be explored to collect ASM data on a regular basis.
- iv. There is need to streamline data management systems, centralise data (geological, financial, and other relevant data sets), and integrate the data systems for ease of access and utilisation in planning and decision making

---

32 Intergovernmental Forum on Mining, Minerals, Metals and Sustainable Development (IGF), IGF Guidance for Governments: Managing artisanal and small-scale mining, January 2017, [https://www.iisd.org/system/files/publications/igf-guidance-for-governments-asm\\_0.pdf](https://www.iisd.org/system/files/publications/igf-guidance-for-governments-asm_0.pdf).



#### 4. Fiscal Regime

Informality affects government in terms of revenue collection and ASM economic contribution. Due to poor revenue generation from ASM, governments do not prioritize building capacity to provide services to the sector. Lack of a pragmatic understanding of the sector leads to imposition of unreasonable taxes and fees, exacerbating informality. Disharmony between tax regimes across the region results in smuggling of minerals into jurisdictions with lower taxes.

To encourage formalisation of mining and mineral marketing activities, governments need to balance revenue collection with financial realities of the ASM sector. Unlike LSM, ASM is largely self-employment, so governments need to develop tax regimes targeted at self-employed workers on transition to small and medium-scale mining. Taxation approaches applicable to LSM operations fail to achieve formalisation efforts in ASM. As a result, miners prefer informality to avoid declaring taxes.

Taxes and fees paid by ASM may be easy to levy and collect at the point of production or sale of mineral product. Other levies by local governments should be reasonable and affordable to incentivise transparent operations. Consultative processes should be used in setting fees and levies for the sector. Effort should be made to harmonise mineral taxes across the region to limit the smuggling and illegal dealings across borders which result in revenue losses for producing Member States.

## 4.1. Practical Steps

### 4.1.1. ASM Friendly Tax Systems

#### i. Simplified tax systems

Tax systems should be simple, easy to understand, and tailored to the capacity of ASM miners. Establishing simpler taxes that require minimal paperwork can make compliance doable and collections easier for governments.

- The Tanzanian Finance Act 2024 amended the Income Tax Act cap. 332 and introduced a simplified tax for small-scale miners. The Act imposes a 2 percent final tax to be withheld by a resident person making payment to a holder of a primary mining license or artisanal miner for buying precious metals, gemstones, and other precious stones.<sup>33</sup> The Act also defines artisanal miners to include a labourer in mining activities, not holding a mining license. Imposing a tax at purchase reduces the documentation needed to enforce tax compliance. Moreover, because this tax is final, it protects earnings of small-scale miners from suffering any additional income tax. A similar approach was introduced in Angola through the Mining Code of 2011, where the Small Artisanal /Scale Mining Tax is withheld by the buyer of the minerals.

---

33 Section 83(1)(f) and Section 86 of Income Tax Cap.332, 2023, [https://www.tra.go.tz/images/uploads/acts/The\\_Income\\_Tax\\_Act.pdf](https://www.tra.go.tz/images/uploads/acts/The_Income_Tax_Act.pdf).

## ii. Realistic tax systems

Tax rates and royalty payments for ASMs should be carefully calibrated to ensure they are affordable and reflective of the sector's economic realities. When taxes are too high, taxpayers prefer to cheat the system. This is not only about ASM but also about the generality of taxation.

- Uganda levies 0% royalty on locally traded gold.<sup>34</sup>
- In Philippines, royalty payments are reduced or waived for formalised miners. Formalised ASGM producers are exempt from the 1 percent royalty and 4 percent withholding tax. No income tax and licencing fees are charged on ASM producers.<sup>35</sup>

## iii. Use of digital systems in tax collection

To make it easier for ASM operators to meet their obligations, Zambia has introduced a digital payment system that even simplifies the mobile USSD codes, making payments easier for those without internet connectivity. Rwanda has an offline capable e-tax payment system to benefit miners in remote areas. It is important that as Member States build digital systems, digital capacity for artisanal miners is also strengthened. Localised digital systems that will be utilised should try to accommodate all potential users.

## iv. Public consultation on fiscal systems

Miners must be consulted and involved when fiscal regimes are set up to garner their buy-in and commitment to compliance. Their voices provide policy-makers with valuable insights into operational challenges, productivity, and cost structure of ASM operations. The Tanzanian government has engaged with small-scale miners through organisations like the Federation of Miners Association of Tanzania (FEMATA) that advocated for relief measures such as removal of withholding taxes and VAT on mineral sales.<sup>36</sup>

## v. Providing tax incentives

Governments can provide tax incentives to encourage formalisation, such as tax holidays for new ASM businesses and reduced tax rates for miners who sell their production to licensed buyers.

---

34 Tabaaro, "ICGLR ASM Formalisation Survey".

35 planetGold, Taxes, Fees, Royalties and the Formalisation of ASGM Producers and Exporters, May 29, 2024, [https://www.planetgold.org/sites/default/files/Taxes\\_Fees\\_Royalties\\_and\\_Formalisation\\_ASGM\\_Producers\\_Exporters.pdf](https://www.planetgold.org/sites/default/files/Taxes_Fees_Royalties_and_Formalisation_ASGM_Producers_Exporters.pdf).

36 Materu, "Relief for Tanzania's artisanal miners".

**Table 3: Examples of Tax Incentives**

Country	Tax Incentives
DRC	Preferential import duty on machinery imports for artisanal exploitation – only applies to small scale mining permit holders (PEPM)
Rwanda	Royalties and mineral export taxes based on mineral categories (Rwanda, Law no. 056 of 2024) – the lower the value of the mineral, the lower the tax obligation imposed on miners
Tanzania	Removal of the 5 percent withholding Tax and 18 percent VAT on mineral sales – reduced burden of high taxation on small-scale operators, promoting compliance and enhancing their contributions to the national economy <sup>37</sup>
Uganda	0 percent royalty on gold sold to local mineral markets and tax exemption on ASM equipment
Zambia	Tax exemption on mining machinery, zero rated VAT on mining

#### vi. Harmonisation of tax policy

It is important to harmonise taxes across the region to prevent cross-border misapplications.<sup>38</sup> Harmonised taxation policies would significantly benefit the region by creating a uniform, consistent tax regime that simplifies compliance for the sector, attracting investment and ensuring equitable contributions to national revenues. A consistent regional fiscal regime also ensures fairness, reduces loopholes, and improves revenue management for both governments and ASM operators. Failure to harmonise taxes and royalties encourages smuggling to countries with lower taxes.

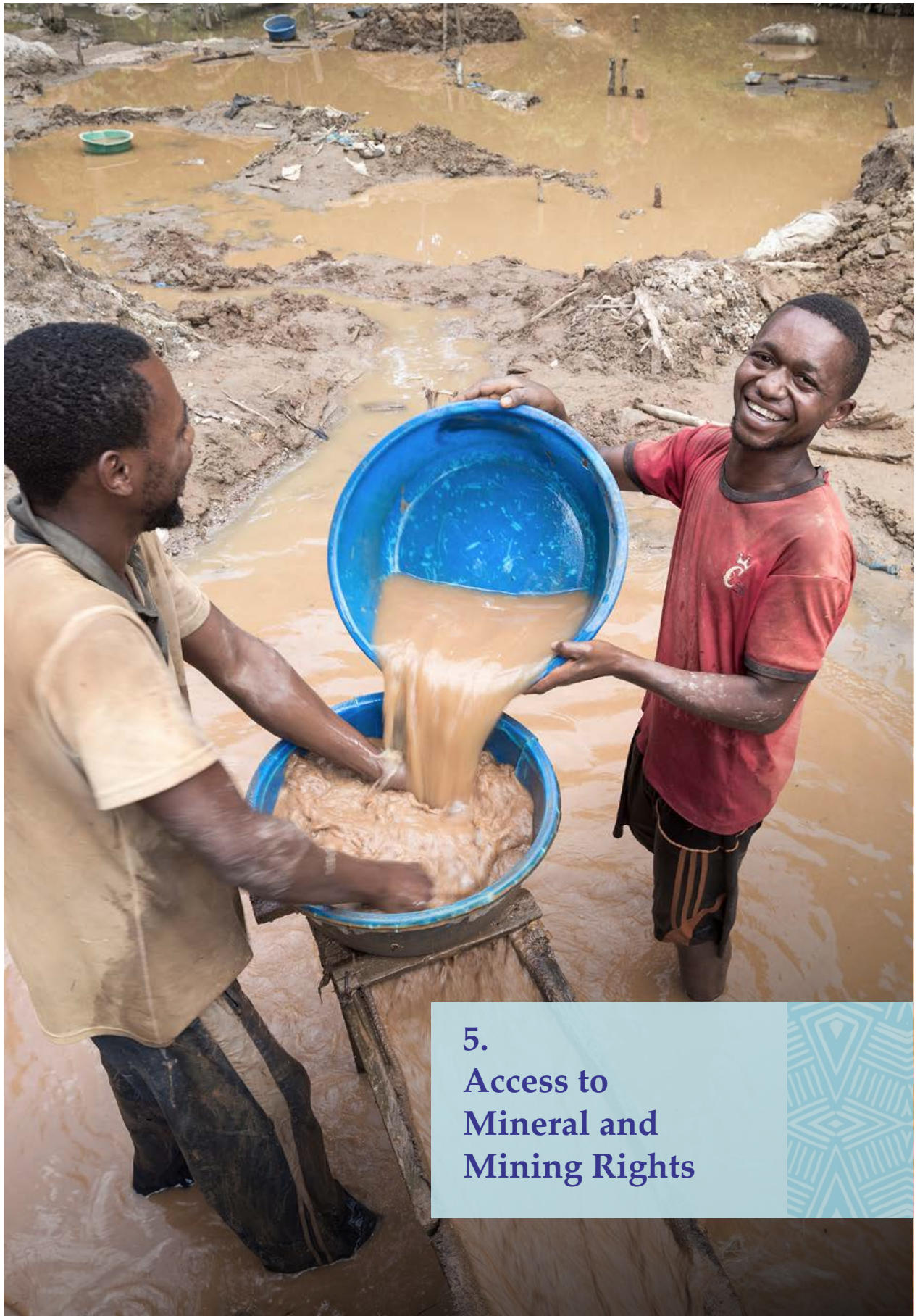
## 4.2. Considerations for Gender Inclusion in Fiscal Regimes

Lowering licence fees for artisanal miners may encourage formalisation among both men and women. It may be more beneficial for women who in most instances are found to have less financial capacity than their male counterparts.

Offering attractive tax regimes for emerging women miners' cooperatives to encourage growth of women's ASM cooperatives.

<sup>37</sup> Ibid.

<sup>38</sup> ICGLR, "ASM Formalisation Guide".



**5.  
Access to  
Mineral and  
Mining Rights**



Lack of access to mining areas and mineral rights contributes to informality in artisanal and small-scale mining (ASM) operations. Miners end up exploiting deposits in unlicensed areas, areas allocated to other miners, LSM licenced areas, and protected state lands. In some countries, ASM zones are allocated without geological evidence of viable ASM deposits and miners abandon the zones in favour of unauthorised areas with land use conflict and environmental degradation.

Mining administration should prioritise areas suitable for ASM use. This can be informed by past results from exploration companies and government geological mapping exercises. Mineral deposits conducive to ASM operations need to be identified by the relevant government department and set aside for ASM zones. ASM has the potential to develop into small-scale operations where there are appropriate mineral resources and adequate support.

Collaboration with LSM provides opportunities for ASM mining access and formalisation.

## 5.1. Practical Steps

### 5.1.1. Security of Tenure

#### i. Security of tenure

Security of tenure for licences, permits, and zones issued to ASM should be assured for the duration of the licences as long as miners are complying with grant terms. Security of tenure encourages investment and business growth.

- In Tanzania, ASM is granted a primary mining license valid for seven years.
- In Rwanda, land tenure is integrated with systematic land parcel registration done in ASM zones. In this model, land rights precede successful licensing. The allocation of mineral rights in ASM exclusive areas has enabled women to leverage titles as collateral, contributing to an increase in women licence holders.<sup>39</sup>
- In Kenya, the Ministry of Mining has conducted Rapid Results Initiatives aimed at registering ASM on the online licencing platform, sensitising permitting requirements, and offering assistance in lodging applications for AMPs. Kenya Mining Act Cap 306 provides for the delineation of areas for ASM.
- In South Sudan, a Mining Cadastre Portal licensing system was introduced with a 10-year license permit for small-scale mining and 1-year for artisanal mining, renewable based on compliance mining laws.
- Access to minerals is based on getting a licence or permit to explore or exploit for a given mineral. The process differs across countries based on their particular mining codes. In

---

39 Republic of Rwanda, Rwanda Mines, Petroleum and Gas Board (RMB), Gender Strategy for the Mining Sector in Rwanda, [https://www.rmb.gov.rw/fileadmin/user\\_upload/GENDER\\_STRATEGY.pdf](https://www.rmb.gov.rw/fileadmin/user_upload/GENDER_STRATEGY.pdf).

Republic of Congo, the process includes application to the local administrator, cooperative registration, geographic allocation, and permit issuance upon tax payment. Most countries apply the principle of first come, first served to the granting of mineral rights.

- Revision of Sudan Mining Code in 2017 upgraded many miners from artisanal to small-scale.
- Burundi Mining Code requires consent from communities within impacted areas and compensation for impacted land rights as part of requirements for accessing mining rights. Artisanal permits are only granted to members of a cooperative society.
- The DRC uses a hybrid system of formal and informal institutions for allocating mining rights.<sup>40</sup> Mining sites are governed by practical norms, set and negotiated by a mix of customary and the state.<sup>41</sup> Artisanal miners need permission from a local traditional leader to access a mining site. Traditional leaders are deemed responsible only for land allocation while the state is responsible for granting mining rights to the minerals underground. Traditional leaders are involved in allocation of mining sites to artisanal miners in customary areas. Miners endorsed by traditional leadership also gain the social licence to operate and acceptability within the community. This reduces conflicts between miners and local community members.

## 5.1.2. Geological Mapping and Land Allocation

### i. Conducting geological surveys

Geological mapping provides maps used by both LSM and ASM players to identify areas for mineral prospecting and areas to designate as ASM Zones. Government-generated geological data should be accessible to the public. Geological departments should analyse available exploration data and designate areas for ASM use. The ASM zones should be informed by geological information to ensure viability for ASM use.

- As of 2025, Tanzania had formally designated 65 specific areas for small-scale mining to ensure orderly operations, resource allocation, and environmental oversight. In those areas, ASM could operate legally under a Primary Mining Licence (PML), benefiting from improved infrastructure, geological data, and government support.<sup>42</sup>
- As of 2025, Uganda has designated ASM zones with allocation to ASM sites ongoing.
- The Mozambican government had established 95 designated ASM areas as of 2024 where mining activities can legally take place. This initiative was part of a broader effort to regulate the sector and ensure miners have access to land with viable mineral deposits. Designated

40 Karam Karaki, Artisanal gold mining in DRC: Time to get down to earth, Discussion Paper No. 223, March 2018, ECDPM, <https://ecdpm.org/application/files/7716/5546/8738/DP-223-Artisanal-gold-mining-in-DRC.pdf>.

41 Sara Geenen and Jeroen Cuvelier, "Local elites' extraversion and repositioning: continuities and changes in Congo's mineral production networks," *The Extractive Industries and Society*, 6, no. 4, 2019, <https://hdl.handle.net/10067/1565450151162165141>.

42 Karungamye, "ICGLR ASM Formalisation Survey".

areas were identified based on geological surveys and assessments, which helped to mitigate conflicts between ASM operators and LSM companies by clearly delineating where ASM activities can occur. Miners obtain mining passes for the designated areas.

- In DRC, geo-prospecting studies by the National Geological Services inform the assigning of land to ASM. The revised mining code goes further to seek the determination of viability of ZEAs.<sup>43</sup>
- In Sudan, the Ministry of Minerals conducted geological and geochemical mapping across the country and updated available maps for investment promotion purposes. This information is available for ASM use.
- South Sudan as of May 2025, was updating its geological database by engaging organisations to conduct airborne geophysical surveys within the country.

## ii. Utilisation of existing mining data and geological information

Existing mining records and data can be useful resources for guiding government departments on which areas to allocate for ASM use. Areas with appropriate deposit sizes can be set aside and ASM provided with the data to guide their investigations and prospecting work. Government technical teams must decide which areas are suitable for ASM operations based on factors such as depth, safety, and potential deposit sizes.

- The Geological Survey of Tanzania supports ASM by generating and disseminating geological data, conducting mineral potential assessments, and offering simplified geological maps that help small-scale miners make informed decisions when applying for licences or prospecting within designated areas. The service is offered on a low cost recovery basis.<sup>44</sup>

### 5.1.3. Co-existence and Engagement with Large-Scale Miners (LSMs)

#### i. Facilitate partnerships

Encourage cooperation between ASM operators and LSMs through agreements that allow artisanal miners to work on LSM concessions. Co-existence can cover different aspects of the ASM value chain such as access to mining, mineral processing, and forward purchasing agreements. Conflict resolution mechanisms that facilitate dialogue between ASM, LSM, and other land users should be established to address grievances and mitigate potential conflicts before they escalate.

---

43 Mubalama, "ICGLR ASM Formalisation Survey".

44 Ibid.

## ii. Examples of Co-existence and Engagement of ASM with LSM:

- In Tanzania, the LSM company Tembo Mine in the Geita district entered into an agreement with a small-scale miner to participate fully in mining, ore processing, and product marketing.<sup>45</sup>
- In Ghana, Newmont Ghana Gold Limited and AngloGold Ashanti entered into forward purchasing agreements with the ASM miners around their respective areas of operation. Those agreements allow artisanal miners to sell their gold directly to LSM companies and ensure that processing of ASM products is at these LSM facilities. The arrangement not only provides ASM operators with a reliable market for their gold, it also helps LSM companies secure a steady supply of raw materials while supporting local economies.<sup>46</sup>
- In Zimbabwe, chromite-mining cooperatives access mining rights through tributary contracts with LSM.<sup>47</sup> Large chrome mining organisations Zimasco and Zimalloys allocate mining claims to cooperatives to exploit mineral deposits under contract. In tribute mining arrangements, ASM cooperatives work on claims as though they were their own for a fee. Grantors sublet their mining claims, provide equipment and technical assistance, and purchase the ore from the tributors.
- In Burundi, co-existence and engagement with LSM operators lead to agreements that seek to improve their working relationships.
- In DRC, industrial concession holders are encouraged to cede portions to ASM, per Article 30(e) of the mining code.
- The Republic of Congo offers equal status to ASM and LSM titles.
- In Colombia, the government introduced the Formalization Subcontracting Process (FSP) to reduce barriers for ASM operators. The FSP allows ASM miners to operate under the licenses of larger mining companies through simplified agreements, easing entry into formal markets and reducing regulatory steps. This model has led to an increase in formalised ASM operators, improving compliance and environmental standards.<sup>48</sup>

---

45 Hans Merket, Mapping artisanal and small-scale mining in northwest Tanzania: A survey on its nature, scope and impact, International Peace Information Service, 2018, [https://ipisresearch.be/wp-content/uploads/2019/01/1901-ASM-Tanzania\\_web@.pdf](https://ipisresearch.be/wp-content/uploads/2019/01/1901-ASM-Tanzania_web@.pdf).

46 Ibid

47 Joseph Mujere, "Chromite Mining Cooperatives, Tribute Mining Contracts, and Rural Livelihoods in Zimbabwe, 1985–2021," in *The Lives of Extraction*, eds. Calvão, Filipe, Matthew Archer and Asanda Benya, (Geneva, Boston: Graduate Institute Publications, 2023), p. 54-73.

48 Leonardo Güiza, Carlos Cante, and Lina Correa-Muñoz, "Formalization of artisanal and small-scale mining in Colombia: Achievements and challenges relating to the attainment of the Sustainable Development Goals," *South Sustainability*, 2, no. 1, 2021, <https://pure.urosario.edu.co/en/publications/formalization-of-artisanal-and-small-scale-mining-in-colombia-ach/>.

- In Mongolia, tripartite agreements can be entered into between ASM, LSM, and local government when land is neither available nor designated for ASM, or if ASM miners have agreed to engage in extraction on a company's licensed area.<sup>49</sup>

#### 5.1.4. Considerations for Gender Inclusion in Access to Mineral Rights

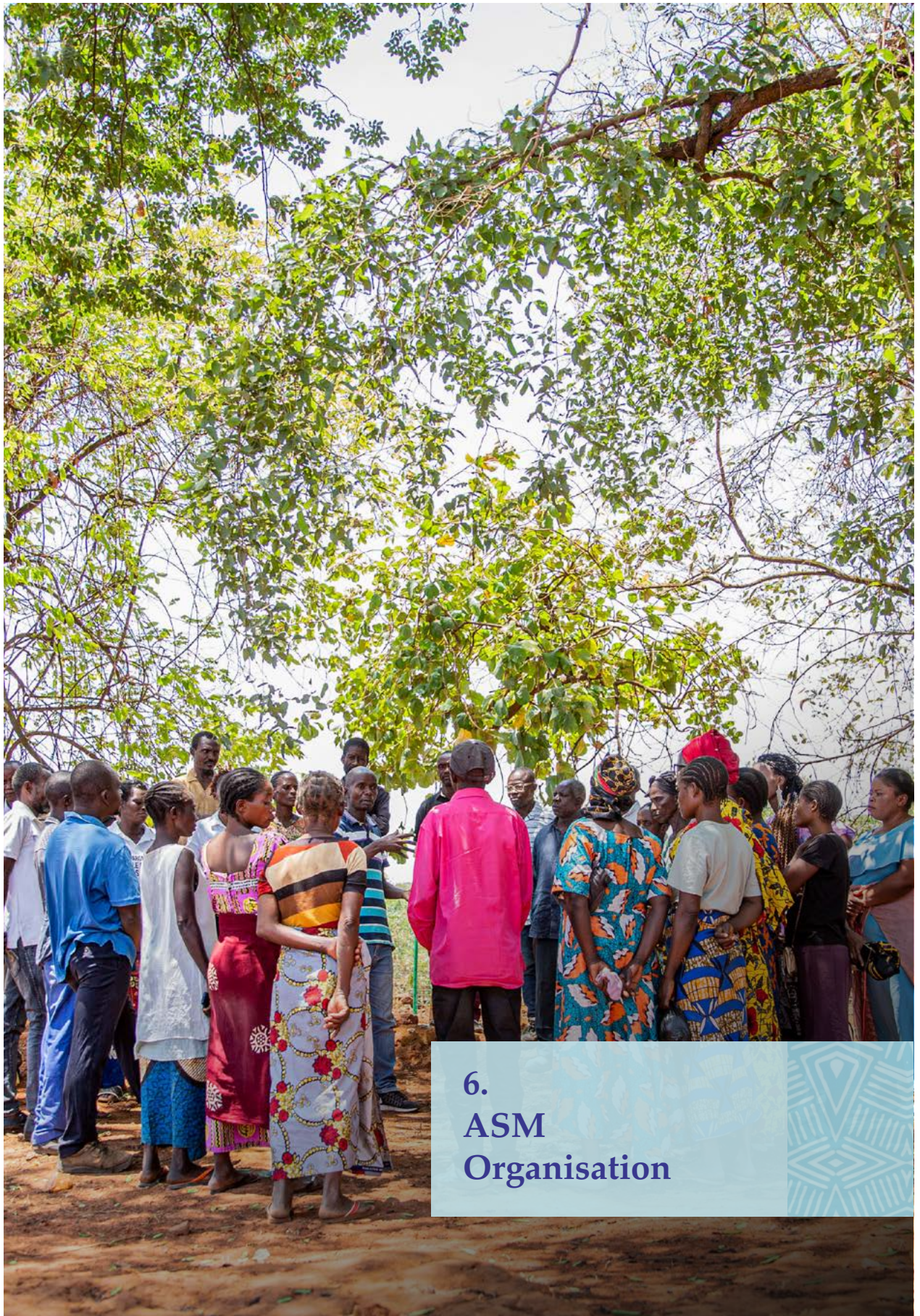
- Granting economic rights to women miners, like in CAR where such rights are included in the Gold Strategy (as espoused in the National Development Strategy and the Revised Mining Code) and in the Republic of Congo where men and women have equal access to mining titles.
- Offering incentives to women in terms of access to land ownership, like quotas in ASM zones for women, and establishing dedicated ASM zones dedicated for women ownership.

#### 5.1.5. General Considerations

- Conduct geological studies, update geological maps, and make them available to all prospective miners.
- Publicise viable ASM zones based on available geological information.
- Modernise and operationalise online cadastres.
- Enhance capacity for conducting and updating geological maps, with support from the ICGLR.

---

49 SAM Project, <https://asmhub.mn/uploads/files/organization.pdf>.



**6.**  
**ASM**  
**Organisation**

ASM organisations constitute a foundational component towards formalisation. Country contexts require different types of organisations to engage in ASM, including individuals, cooperatives, associations, and companies. It is crucial for country contexts to inform the most appropriate type of organisation to engage in ASM, as what works in one country may not work elsewhere. Focus should be on the formation of legitimate structures to engage in ASM activities. Miners have always organised themselves in one form or another, so regulatory framework should build on existing structures and provide guidance and administrative compliance mechanisms. In some instances, miners are not culturally prepared to work as a cooperative due to power, finance, trust, and structural issues that were not properly put in place during their establishment.<sup>50</sup>

Externally, ASM organisations do advocacy and stakeholder engagement while internally, they set up structures and mechanisms to coordinate and manage their mining operations.

## 6.1. Practical Steps

### 6.1.1. Facilitate the Formation of Cooperatives and Associations

ASM actors should organise themselves into cooperatives, associations, or small and medium-sized enterprises (SMEs) tailored to their specific contexts. Self-organisation fosters harmony among miners to effectively represent their interests, negotiate better terms, and access resources collectively.

- The Tanzanian government has made efforts to formalise the ASM sector through legal reforms and the establishment of a more transparent registration process for ASM cooperatives and associations. In 2017, Tanzania introduced reforms to the Artisanal and Small-Scale Mining Policy and Mining Act, with provisions for easier registration of ASM groups as cooperatives. These reforms aimed to enhance the legal recognition of ASM actors, simplify the registration process, and integrate them into the formal mining sector. Under this policy, miners can register cooperatives more easily and benefit from government services such as training, market access, and financial support. Additionally, the Minerals Development Fund was set up to support ASM groups by offering financial assistance and facilitating the creation of cooperatives. These measures have significantly improved the ability of ASM groups to access financial resources and formalize their operations, thereby contributing to better legal and economic outcomes.<sup>51</sup>
- In Uganda, artisanal miners form associations themselves. Government becomes involved when they are registering cooperatives. Local governments have a commercial production officer to support the process. Uganda Association for Artisanal and Small scale Miners (UGAASM) is the umbrella body.

---

50 UNITAR & UN Environment, "Handbook for Developing National ASGM Formalization Strategies".

51 Karungamye, "ICGLR ASM Formalisation Survey".

- In Zambia, the Ministry of Mines works with the Ministry of Small and Medium Enterprise to form cooperatives granted artisanal mining licenses. Federation of Small-Scale Miners Association of Zambia (FSSMAZ) is the umbrella body. District cooperative officers are used at the local government level to facilitate the formation of mining cooperatives.
- Under Burundi, Mining Code 2023, only cooperatives are eligible to apply for artisanal or semi-mechanised exploitation permits. Civil/public servants are excluded from these.
- In DRC, ASM cooperatives are restructured into simplified cooperative companies with boards of directors. Public servants are excluded from being part of these. In customary areas, traditional leaders can mobilise miners to form cooperatives. Traditional leaders also serve as a source of information on formalisation and any other information from the state.<sup>52</sup>
- In the Republic of Congo, artisanal miners organise themselves into groups with the decentralised administration in charge of mines supporting them in obtaining artisanal mining cards. Production data is collected from authorised traders and trading posts.
- In Tanzania, there are associations and cooperatives of women like the Central African Women in Mining Association (AFESMICA), Congolese Women in Mining Association (AFESMICO) and TAWOMA.

### 6.1.2. ASM Governance and Capacity-Building

ASM organisations tend to falter at leadership level. Leaders start as miners or miner focused and over time focus changes to being business brokers at the expense of mining operations and sound organisational governance. ASM capacity building should cascade down the leadership ladder to strengthen the whole organisation rather than just the top few. Many ASM groups struggle with internal governance issues, such as lack of transparency, accountability, and decision-making processes.

These challenges often lead to conflicts and hinder their ability to operate cohesively and develop the business. It is important that strategic roles not be concentrated among men – women’s representation in governance should be improved, as promoted by Gender Strategies for the Mining Sector for Rwanda and Uganda.

---

52 Armel Nganzi, Customary Authority and the Formalization of the Artisanal Mining Sector in Eastern Democratic Republic of the Congo.



**7.**  
**ASM Technical  
Services**

Technical support is essential for artisanal and small-scale miners (ASMs) to implement formalisation processes and carry out responsible mining activities. Technical services facilitate development and growth in mining activities while supporting productivity and sector professionalisation. Essential technical services for the ASM sector include geological mapping and surveys, mine planning and design, mine surveys, support for mining and processing equipment, mineral processing, environmental management, OSH (occupational safety and health), and training and capacity transfer.

## 7.1. Practical Steps

### 7.1.1. Geo-Prospecting and Equipment Support

#### i. Geological mapping and sampling

The provision of geological services to miners by government departments is a recognised best practice. Early mining development in the continent during colonial times was enabled by strong geological support from mining and geological departments. Resources and advisory support were provided to small miners. Mining departments may consider having extension services consisting of geology, mining, and processing to provide technical services to miners. Access to reliable geosciences data is critical for ASM miners to identify mineral deposits, increase efficiency, and reduce environmental damage. Geological information is fundamental to any mining operation, regardless of its size.

- The Government of Ghana, through its Minerals Commission, has undertaken extensive geological mapping initiatives that have successfully identified gold-rich areas in areas like the Ashanti and Western Regions. The data is publicly available through online platforms, allowing ASM operators to access vital information about mineral potential.<sup>53</sup> Geological mapping has also taken place in other countries like Kenya with an Airborne Geophysical Survey and Sudan with geological and geochemical maps. In 2025, South Sudan was engaging foreign companies to carry out Airborne Geophysical surveys.

#### ii. Strengthened geological education for ASM operators

Geologists can provide ongoing training for miners to demonstrate basic methods of identifying minerals and rocks, sampling, and mapping mineralised areas. In Tanzania's Lake Zone, practical workshops in 2015 on identifying specific rock formations increased miners' ability to locate gold deposits.<sup>54</sup>

53 Kimathi Kimathi Kuenyehia Sr, Marylove Opoku-Mensah, and Sefakor Kuenyehia, "In brief: mining rights and title in Ghana", May 20, 2024, <https://www.lexology.com/library/detail.aspx?g=f0b90c98-ffe2-4272-872e-e02155c16c0e>.

54 O.J. Mdee, "Potential of artisanal and small-scale gold mines for economic development in Tanzania: A review," *Journal of Geology and Mining Research*, 7, no. 2, pp. 11-18.

### iii. Visually engaging pamphlets in local languages

Visuals that highlight common geological features and indicators in the area can be developed. Ghana's Minerals Commission distributed illustrated guides on mineral types relevant to each district, increasing miners' understanding of mineral indicators.<sup>55</sup> Lack of geological knowledge has led to severe soil erosion and wasted investments by miners.

## 7.1.2. Decentralisation of Technical Services

### i. Empowerment of regional departments and local governments

Governments can create decentralised structures within main mining regions to be closer to mining areas. Technical services can be decentralised to local government offices that are closer to the mining areas. Table 4 provides examples of decentralisation in the region.

**Table 4: Examples of Decentralised Technical Services Structures**

Country	Decentralised Structures and Functions
Burundi	The Burundian Office of Mines and Quarries is the specialized institution responsible for technical and administrative oversight enforcing mining laws and regulations. Burundi's Department of Mines and Quarries operates under the Ministry of Energy and Mines. Communes (local government units) and other local administrations have responsibilities in the protection and rational use of natural resources, including mining, as stipulated in the Environmental Code.
CAR	Within the Ministry of Mines and Geology is the Mining and Environmental Directorate, six regional directorates, and eight decentralised services that oversee mining activities and offer technical support.
DRC	<p>The mining division of SAEMAPE offers support for state services to enhance technical and supervisory capacity. SAEMAPE also offers services to ASM, including:</p> <ul style="list-style-type: none"> <li>■ technical supervision of mining operations through approval and regulation of artisanal mining activities</li> <li>■ environmental protection supervision and technical assistance</li> <li>■ organisation of the supply chain to ensure transparency and traceability</li> <li>■ facilitation of the organisation of miners into cooperatives or recognised groups</li> <li>■ facilitation of access to funding, technical assistance, and to fair markets</li> </ul> <p>In addition to SAEMAPE, other specialised services within the Ministry of Mines and mining administration are involved in ASM management, like the Directorate of Mines which reviews applications for buying and selling licences, General Mines Inspectorate which offers oversight to ASM activities, Provincial Mining Division which advises on ZEA establishment, geological services that conduct geological studies for ZEA, and the Mining Cadastre which manages the mining domain and ZEA classification.</p>

55 Ghana Minerals Commission, Artisanal and Small Scale Mining (ASM) Framework, November 2015, <https://www.delvedatabase.org/uploads/resources/Artisanal-Small-scale-Mining-ASM-Framework-Ghana.pdf>.

Kenya	There are 29 county mining offices established and 18 offices in charge of geology to offer technical support and capacity building closer to ASM. There is also a dedicated ASM division/office under the Directorate of Licensing, Compliance, and Enforcement in the Ministry of Mining.
Republic of Congo	The General Directorate of Mines offers decentralised services to ASM. The DPMAM is responsible for the management of ASM. Other sectorial entities are also involved in ASM like environment, forestry economy, and local authorities.
Tanzania	Branches of the Tanzanian Resident Mines Office (RMO) <sup>56</sup> under the Ministry of Minerals are strategically located across the country to bring services closer to miners, including ASMs. Services include: Supervising mining activities, conducting field inspections, and supporting implementation of technical and safety regulations Facilitating licencing of cooperatives Providing extension services, including technical training, rental of modern mining equipment, and capacity building through Model Mining Centres in collaboration with STAMICO Generating and disseminating geological data, conducting mineral potential assessments, and offering simplified geological maps that help small-scale miners make informed decisions when applying for licences or prospecting within designated areas in collaboration with the Geological Survey of Tanzania (GST). <sup>57</sup>
Zambia	Regional offices in all 10 provinces offer extension services to ASM.

## ii. Facilitation of technology transfer

Transfer of technology and knowledge can be facilitated by fostering collaboration between ASMs, large-scale miners (LSMs), research companies, and manufacturing firms. LSM can offer processing facilities to ASM, like in gold, and benefit further from processing the tailings. Processing centres and centres of excellence, as established in Tanzania<sup>58</sup> and Ghana, are some of the models used to facilitate technology transfer to miners without the miners having to own the equipment. Uganda plans to increase technical extension services to ASM with two training centres in the Western Region, utilising academic institutions to provide technical extension services.

## iii. Development of ASM-specific resources

Technical support in Member States is needed to undertake such improvements as: updating ASM-specific regulations; developing mine inspection manuals; defining social standards and working conditions in accordance with International Labour Organisation (ILO) standards; defining limits of safe mineral extraction depths for ASM mines; and introducing measures to

56 Karungamyte, "ICGLR ASM Formalisation Survey".

57 Nelly Mutema, "Tanzania: GST, STAMICO Ink Deal for Joint Research, Drilling Services," AllAfrica, September 2021, <https://allafrica.com/stories/202109020119.html>.

58 Karungamyte, "ICGLR ASM Formalisation Survey".

limit and reduce mercury use in accordance with the Minamata Convention. Zambia already offers ASM training sessions on OHSE, first aid, and best mining practices.

#### **iv. Organisational, technical and financial assessments**

Undertaking such assessments helps to identify areas of deficiency in new mining cooperatives that need capacity development. Trainings are offered based on identified areas of deficiency as well as generic areas like safety, human rights, environmental protection, and best production practices. Technical service providers also require periodic refreshers on best practices and site inspection protocols to remain up to date with current practices and protocols.

#### **v. Access to insurance and social services**

SAEMAPE in DRC has entered into arrangements with insurance companies for ASM operators to access insurance services.<sup>59</sup>

#### **vi. Development of miners' associations**

Miners' associations may be developed to incorporate technical service officers to provide services to their members. This internal arrangement will strengthen the technical capacity of members since external service providers will supplement what the internal service officers will provide.

#### **vii. Gender inclusion**

There is need to include women in capacity development and technical support programs for them to improve their productivity. Member States can consider integrating women into ASM as beneficiary miners and as technical support personnel. Additionally, women need to be encouraged to train to be part of technical support teams that will offer services to ASM.

---

59 Mubalama, "ICGLR ASM Formalisation Survey".



8.  
Business  
Development

A major challenge for the ASM sector is that it is often regulated as a temporary phenomenon with the idea that when miners have made money, they will transition into other economic sectors like agriculture. While indeed not all miners will develop further, there are numerous examples of miners who transitioned from artisanal to small-scale. In fact, gold rushes that led to some global mining companies and economies started at the level of artisanal and small-scale mining. Examples include the California gold rush and the early gold industry in Southern Africa where ordinary men and women, driven by the lure of gold, migrated across borders and worked in mines.

Why is ASM in Africa and the developing world today failing to scale up into business developments? Due to legal frameworks that focus on developing large-scale mines and lack of understanding of the contextual developmental opportunities about our own resources and how ASM can be supported to develop into a thriving local mining industry.

Approaches to regulating and formalising ASM should focus on business development and facilitate growth for miners with capacity. ASM miners often lack business management skills, keep poor records, and have weak organizational structures and limited access to finance. They operate hand to mouth with a survival mind-set. There are clusters within ASM who can be supported to develop their operations to a higher level. Some of the ASM players have networks with private financiers and grow without government support, which State support frameworks should laud as champions for local mining industry development and growth.

## 8.1. Practical Steps

### 8.1.1. Developing Strategic Plans for ASM Businesses

Government and partners should identify strategic ASM operations to mentor, support, and develop into thriving businesses. Targeted support which includes geological data and services, technical services, equipment support, business management principles, and access to markets may be provided. These operations will act as examples for peers to replicate while providing the government with an intimate understanding of the operations of ASM.

#### **i. Strengthen business management skills among ASM miners**

Provide targeted training in essential business practices such as financial planning, record keeping, and human resource management. Business incubators can be a tool for business, financial support, and professionalisation of selected ASM operations. Training can include technical mining subjects as well as topics related to business, regulation, and compliance with the aim of building local, responsible, and future mining businesses.

- Business growth in Angola is supported by legislation through capacity-building initiatives in mining enterprise management.
- Mining policy in CAR encourages the development of managerial aspects in ASM.

- TAWOMA in Tanzania has supported the strengthening of business skills in youth and women with an aim of establishing sustainable business among groups that were at times marginalised.<sup>60</sup>

## ii. Tailor financial literacy programs

An existing gap among miners is a lack of basic knowledge on budgeting, operations management, saving, and investment. This has restricted their capacity for investment into their operations and growth. Miners do get production windfalls, and limited financial literacy leads to poor investment decisions and a vicious cycle of poverty. As part of a strategy for ASM business development, tailored programs may be rolled out to support ASM mine operators' financial literacy.

- Kenya's Equity Bank Microfinance Model provides ASM miners with education in managing loans and savings accounts to enable them to reinvest in modern equipment and expand operations.<sup>61</sup>
- ANACOOOP in Burundi supports cooperatives, especially with financial education in areas such as accounting and entrepreneurship.
- Zambia has developed an ASM training manual that includes financial literacy modules.

## iii. Facilitate business linkages

Enabling business and growth can be facilitated by linkages with other service providers such as equipment suppliers, processors, and value addition services. Permits for processing can be granted to service providers to cover regional or dense mining areas as a way of maximizing value for the miner and the service provider. Regional equipment and chemical suppliers close to mine sites can serve miners operating within the formal markets. These opportunities can be part of an investment promotion drive to lure local investors towards ASM mining regions. The Burundi Development Agency promotes investment for companies in ASM.

## iv. Establish regional aggregation or processing centres

These centres provide hubs to process smaller outputs from ASM operators and streamline the supply chain. An aggregation centre can take on other roles, from purely processing to pre-financing to service delivery (geological or site improvements) and equipment provider. Regional processing centres can also be used to train miners on efficient processing techniques and give access to equipment to improve operational efficiency and product quality. Additionally, these centres can be used to document and track miners' productivity and conduct due diligence on the supply chain they work with. Tanzania has explored this approach through centres of excellence that are serving as processing centres.

---

60 Karungamye, "ICGLR ASM Formalisation Survey".

61 Boiwo, "ICGLR ASM Formalisation Survey".

- In Tanzania, the “Mwamba model” of gold processing is a mercury-free Carbon-in-Pulp (CIP) facility approach which helps artisanal and small-scale gold miners (ASGM) transition to safer, more efficient, and environmentally responsible production. The model works by partnering with miners and mine license holders, providing them with access to modern technology, mercury-free processing through the CIP facility, and a way to connect with legitimate markets. This allows for improved gold recovery, higher miner incomes, and the ability to source gold responsibly for global value chains. Mwamba uses a digital platform to manage due diligence, risk, and traceability for its mineral sourcing.



9.  
ASM Access  
to Finance



ASM is characterised by individual financing and other informal methods of financing. ASM operators face difficulties accessing formal financing due to informality, poor environmental and social compliance, and lack of geological information. Since it has less strict conditions, miners resort to informal financing which can expose them to exploitation and unfair financing terms. Financial institutions are reluctant to extend financial products to ASMs because of the business risk profile, lack of appropriate loan collateral, and poor record keeping – all compounded by the informality.

Access to finance facilitates the process of ASM formalisation and professionalisation as it enables access to mining equipment and operating capital that sustains operations and grows the business. Financing models can be developed to support qualifying ASM operations such as mining capital and equipment loan facilities offered by government and private sector. While informality opens doors to informal financing that is often linked with control of mineral products, formalisation improves prospects for financing. The presence of an organisation, structure, and licenced area of operation with business potential fulfils basic requirements from financial institutions.

## 9.1. Practical Steps

### i. Government loan facility programs

To implement the strategic plan for ASM business growth, governments may set up loan facilities to support the development of the sector. Such facilities have been implemented in agriculture and manufacturing sectors. Lessons from these programs and adaptation to mining can yield business development in the ASM sector.

- In Angola, a mining development fund is planned to support ASM start-ups (equipment acquisition, formalisation).
- The Congolese Republic government has set up an Investment, Guarantee and Support Fund (FIGA) to facilitate access to credit for small and medium-sized enterprises and artisans.<sup>62</sup>
- SAEMAPE in DRC is mandated to establish a credit fund for ASM, financed by 16 percent of surface rights revenue, with 10 percent allocated to this fund (Articles 198 of the Mining Code and 402 of the Mining Regulation).<sup>63</sup>
- The Rwandan government provides funding for ASM through the Mining Development Fund.<sup>64</sup> It includes help with business planning, accounting, and management skills, as well as guidance in securing financing for equipment and small investments from banks. By facilitating connections with financial institutions, the government encourages

---

62 Kounkou Ghynel Reagan Frydarius, "ICGLR Artisanal and Small Scale Mining Formalisation Survey," May 2025, unpublished.

63 Mubalama, "ICGLR ASM Formalisation Survey".

64 ICGLR, "ASM Formalisation Guide".

miners to formalise their operations to access the valuable services that could enhance their enterprises. Additionally, the government aims to increase ASM access to finance through the Rural Investment Facility, which offers reduced interest rates, specifically for investments in rural areas where most ASM activities occur.<sup>65</sup>

- Zambia has established an ASM Revolving Fund for equipment and machinery loans. The government has increased funding for formalisation activities by 30 percent.
- Zimbabwe implemented the Mining Industry Loan Fund which targets small-scale operators. Ministry geologists and engineers assess applicant operations and upon approval, complement step-by-step financing with strong technical support. Many ASM operators benefit from the scheme and scale up their operations to small- medium scale level.<sup>66</sup>

## ii. Blended finance models

Public entities and private investors can pool resources to provide financial products specific to the business development of the ASM sector. Governments can collaborate with private investors to provide financial products tailored to the economic realities of ASMs. Government can also provide guarantees for loans offered to ASM players by development partners or private businesses.

- Burundi's PAEEJ (Youth Economic Empowerment and Employment Program) as of May 2025 had begun financing six pilot cooperatives in recognition of ASM's challenges in accessing financial facilities.
- CAR government promotes partnerships between cooperatives and investors and encourages productive cooperatives and linkages during ASM Week.
- Kenya's Planet Gold project for eradication of mercury in mining areas finances the ASM sector to purchase new mercury free technologies.
- The Bank of Tanzania, in collaboration with SWISSAID Tanzania, grants loans to ASM through a Portfolio Guarantee Agreement (PGA) which outlines the bank's recovery of 60 percent of the loan principal from the guarantee fund should the miners default on payment. In 2019, the Bank provided a loan guarantee of up to 500 million shillings (approximately \$200K USD) through registered commercial banks in the country, catalysed by the World Bank's Small and Medium Enterprises Credit Guarantee Scheme (SME-CGS), and provided a 50 percent guarantee for loans up to five years for small-scale miners.<sup>67</sup>

---

65 Ibid.

66 ZEPARU, Best Practices of Best Practices For Supporting Artisanal And Small-Scale Mining In Zimbabwe.

67 planetGOLD, Improving Access to Formal Finance in Artisanal and Small-scale Gold Mining, July 2024, [https://www.planetgold.org/sites/default/files/2020-08/Improving\\_Access\\_to\\_Formal\\_Finance\\_in\\_ASQM-planetGOLD\\_Issue\\_Brief.pdf](https://www.planetgold.org/sites/default/files/2020-08/Improving_Access_to_Formal_Finance_in_ASQM-planetGOLD_Issue_Brief.pdf).

- In Zambia, ASM miners have been integrated into the INASAKA Mining Conference to facilitate partnerships and access to grants and loans given by Citizens Economic Empowerment Commission (CEEC), a UNDP-ACP project.

### **iii. Provision of reliable markets to ASM with competitive prices**

Access to finance is enhanced through the intervention of the central banks in countries like Burundi, Tanzania, Uganda, and Zambia in establishing buying and marketing centres providing market for the gold produced from ASM. A market offering competitive prices allows producers to get significant returns that may enable reinvestment into the production process. These reliable markets improve the traceability status of ASM producers which then enhances chances of accessing credit facilities.



**10.**  
**ASM Access**  
**to Markets**



Informality of operations is closely linked to market informality. Access to formal markets enables miners to sell their products at official and fair market prices rather than face unfavourable pricing at mine gates, for instance. Small volume production and hand-to-mouth productivity requires them to sell to the nearest buyer who, in most cases, will not offer a fair price. The absence of licenced buyers and formal markets close to mining sites has a negative impact on miners' incomes, keeping them in a cycle of poverty.

Market initiatives include deployment of licenced mineral traders in areas with mineral production, state buying programs, and collaboration with the private sector (banks and mineral dealers, for example) to buy formal ASM production. Official buying should be integrated with aggregation centres and regional processing facilities.

## 10.1. Practical Steps

### 10.1.1. Domestic Mineral Purchasing Programs

ASMs can benefit from domestic buying programs that eliminate intermediaries. Governments can implement these through various avenues such as national banks, authorised private sector entities, national mining companies, and mineral dealers. Areas need to be delineated for the buying programs to ensure extensive reach to mining operations.

- Tanzania established markets in zonal areas to increase market spread closer to ASM operations. Forty-three mineral trading markets and 109 buying centres are located in active ASM areas, improving mineral traceability, safety, and government revenue collection. Daily world prices are displayed at the buying office to raise awareness on current values. The national market price will, however, be less than the international price, and there is transparency on the variance.<sup>68</sup>
- In 2025, Uganda was still working on regulations to implement mineral markets nationwide and piloting two centres for value addition.
- In 2025, Zambia was establishing mineral markets countrywide. Aggregators were identified for gold and to sell to the Bank of Zambia as a pilot of creating a market for gold sellers. This approach has similarities to the Ethiopian and Zimbabwean approach.
- In Ethiopia, artisanal and small-scale miners can deliver their gold to licensed gold dealers or specific cooperatives that have the legal authority to carry out gold transactions on behalf of the government. The licensed gold dealers or cooperatives then sell the gold directly to the National Bank of Ethiopia, which has branches in most rural areas.<sup>69</sup>
- In Zimbabwe, Fidelity Printers and Refiners (FPR), a subsidiary of the Central Bank, buys ASM gold. FPR has established gold buying centres in ASM-dense areas. Additionally, FPR

---

68 Karungamye, "ICGLR ASM Formalisation Survey".

69 World Bank, Achieving Sustainable and Inclusive Artisanal and Small-scale Mining (ASM): A Renewed Framework for World Bank Engagement (English), Washington, DC, World Bank Group, December 2024, <http://documents.worldbank.org/curated/en/099091624103523072/P1804001c099c40251a6861abb2dbb8b722>.

has appointed agents that buy the gold and resell it to the Bank – this expands the network of official gold buying channels available to miners. FPR encourages gold ore custom milling centres to register as buyers to ensure that artisanal and small-scale miners can access the market close to them and reduce gold leakages.<sup>70</sup>

- South Sudan Central Bank is a buyer of gold.
- CAR and Republic of Congo are among the countries where setting of mineral markets close to ASM production areas and improving systems seem to be gaining momentum.
- In Burundi, the purchase and export of gold is through Central Bank while other established buyers facilitate purchase and export of other minerals. Burundi Central Bank is now the sole purchaser of gold, regulating 30 percent of sales by cooperatives under contract with the state. The iTSCi traceability system is used for the traceability of tin, tantalum, and tungsten (3T). ASMs integrated within this system can sell their products to formal buyers at more competitive prices. Only formalised cooperatives or operators can access the official export channels. There have been pilot projects facilitating the establishment of direct links between ASM cooperatives and international or regional buyers. Technical partners offer support for pre-financing or sale contract negotiations. OBM supervises the national marketing chain, ensuring standards are maintained and helping improve ASM relations with authorised buyers.
- In DRC, access to the ASM market is regulated through approved purchase counters, processing entities, traders, and traceability providers (exporters). Buyers operate in trading centres as outlined in Articles 11 and 25 of the Mining Code that give the provincial government the power to create trading centres. According to these provisions, the provincial governor, in consultation with other state departments and civil society organisations, may set up trading centres. Articles also define the operating rules of these centres per requirements of the Mining Code, regulations, and ministerial decrees relating to traceability and certification of the origin of mineral substances. An example is the Musompo Trading Centre in Lualaba.
- In the Republic of Congo, marketing of 3T and gold is regulated. Buying, selling, importing, and exporting offices are entities authorised to carry out these actions. BEEC is the administrative entity authorised to appraise, evaluate, and control exports and imports of gold and precious stones. Regarding the traceability of coltan and cassiterite, the DPMAM monitors the supply chain in collaboration with Bureau Veritas.
- In Angola, trading is strictly reserved for authorised buyers. Transactions outside this circuit are considered illegal and are prohibited.

---

70 ZEPARU, Best Practices of Best Practices For Supporting Artisanal And Small-Scale Mining In Zimbabwe.

## **i. Digital technologies and web-based platforms**

Digital and web-based forums have enhanced ASM access to diverse markets, especially in the gemstone sector, leading to better returns. During the COVID-19 pandemic when traders were unable to visit mine sites to purchase gemstones, the World Bank funded the creation of online sales platforms for women miners in Kenya, Malawi, and Zambia. This opened up a new avenue for miners to sell directly to the international jewellery market.

Kenya encourages ASM to form cooperatives to improve combined production to get better markets.

### **10.1.2. Value Addition**

One way of increasing the value realised by miners is through beneficiation. ICGLR has developed Mineral Value Addition guidelines and some Member States have incorporated value addition strategies into their mining codes. It is important that each Member State develops a Mineral Value Addition policy that suits its operating environment. This may include identifying competitive advantages in relation to the country's mineral endowment, infrastructure, and availability of energy and skilled labour. The goal is to focus on commodities with high potential for leveraging specific advantages in driving mineral beneficiation efforts. For example, value chain analyses for resource-led development in Zambia focus on copper while DRC may focus on cobalt due to the country's positioning in the global cobalt supply chain. This highlights how strategic identification of mineral value champions can drive policies and attract investments.<sup>71</sup>

- Legal and regulatory framework and export restrictions should protect value addition. Countries such as Kenya, Tanzania, and Uganda have started defining legal requirements for smelting, refining, and processing minerals. Tanzania, for instance, introduced laws mandating domestic beneficiation of minerals. Kenya defined which energy transition minerals cannot be exported without beneficiation. Uganda's Mining and Minerals Act of 2022 outlines conditions for mineral processing, smelting, and refining licenses.
- For promotion of value addition to be attractive, tax and non-tax incentives are necessary. For example, Rwanda offers corporate tax concessions and tax-free periods to encourage investments and Tanzania reduces royalty for gold to 4 percent if it is sold to a local refinery, otherwise the royalty is 6 percent.<sup>72</sup>
- Value addition is also promoted through local content policies and laws that promote the use of local goods and services within the value chain. This boosts local employment, development of local skills, and development of local enterprises. Countries like Zambia, Uganda, and Burundi have local content policies and laws in place. A way ASM can add value to minerals is the establishment of gem houses, particularly for gold and gemstones,

---

71 ICGLR, Regional Guidelines on Mineral Beneficiation, Value Addition and Cross-Border Trade in the Great Lakes Region, January 2025, [https://icglr.org/wp-content/uploads/2020/07/2025-02-03-Mineral-Value-Addition-Guidelines\\_ENG\\_Final.pdf?x55657](https://icglr.org/wp-content/uploads/2020/07/2025-02-03-Mineral-Value-Addition-Guidelines_ENG_Final.pdf?x55657).

72 Karungamye, "ICGLR ASM Formalisation Survey".

to sort, grade, and assay before sale and export. This can be through services like cutting and polishing. Tanzania has established a Gemmological Centre.<sup>73</sup>

## 10.2. Key Takeaways

A regional market framework to facilitate trade and transactions between countries may help in plugging illegal mineral flows between Member States. Establishment of a regional market may help increase chances for formal access to markets by producers.

- Value addition centres are needed to increase the value that minerals can attract.
- Value addition planning should be integrated into local industrial development to increase mineral contribution to the local economy.
- Applying EITI and iTSCi standards is recommended to enhance legitimacy, transparency, and sector formalisation. Certification bodies like Fairtrade and Fairmined and ethical certification approaches can improve market access and formalisation.

---

73 Ibid.



**11.**  
**Access to  
Equipment and  
Technology  
Transfer**

Access to appropriate, safe, and efficient equipment is a major challenge for ASM productivity and health and safety performance. Lack of such access is a major hindrance to professionalisation, productivity, and business development. Technology for ASM spans the whole value chain, from prospecting to mineral value addition and fair marketing practices. Access to equipment and technology enhances formalisation and ESG performance while increasing revenues for both miners and government.

## 11.1. Practical Steps

### i. Equipment leasing and repayment programs

Leasing programs reduce upfront cost of acquiring equipment, with miners repaying over time from production revenues. These schemes can be run in partnership with financial institutions that will conduct risk assessment and site profiling in line with equipment cost requirements.

- STAMICO, a State Mining Company in Tanzania, offers an equipment-leasing program for the mining sector, including ASM. Operators rent modern mining equipment on a pay-per-use basis. This has enabled miners to access machinery without the burden of upfront costs, resulting in increased productivity and income before fully repaying the cost of the equipment.<sup>74</sup>
- In Kenya, the Impact Facility piloted an equipment lease-to-purchase mechanism for ASM miners, acting as a bridge between formal financing and the mineral operators. The fund enables the purchase of production and processing equipment.<sup>75</sup>
- Republic of Congo assists in equipping artisanal miners with work tools as one of the services to support professionalisation of ASM.
- The Government of Ghana offers equipment loans through a group lending scheme wherein miners are required to form a cooperative for them to access the loan.

### ii. Equipment hire services

Equipment hire services enable miners to access equipment at a fee. This is common with geological and survey equipment, heavy earthmoving equipment, compressors, and drilling equipment. Processing facilities also provide toll services for miners to access at affordable fees. These services enable miners to access essential equipment for their mining activities.

---

<sup>74</sup> Ibid.

<sup>75</sup> planetGOLD, Improving Access to Formal Finance in Artisanal and Small-scale Gold Mining.

### iii. Support local equipment fabrication

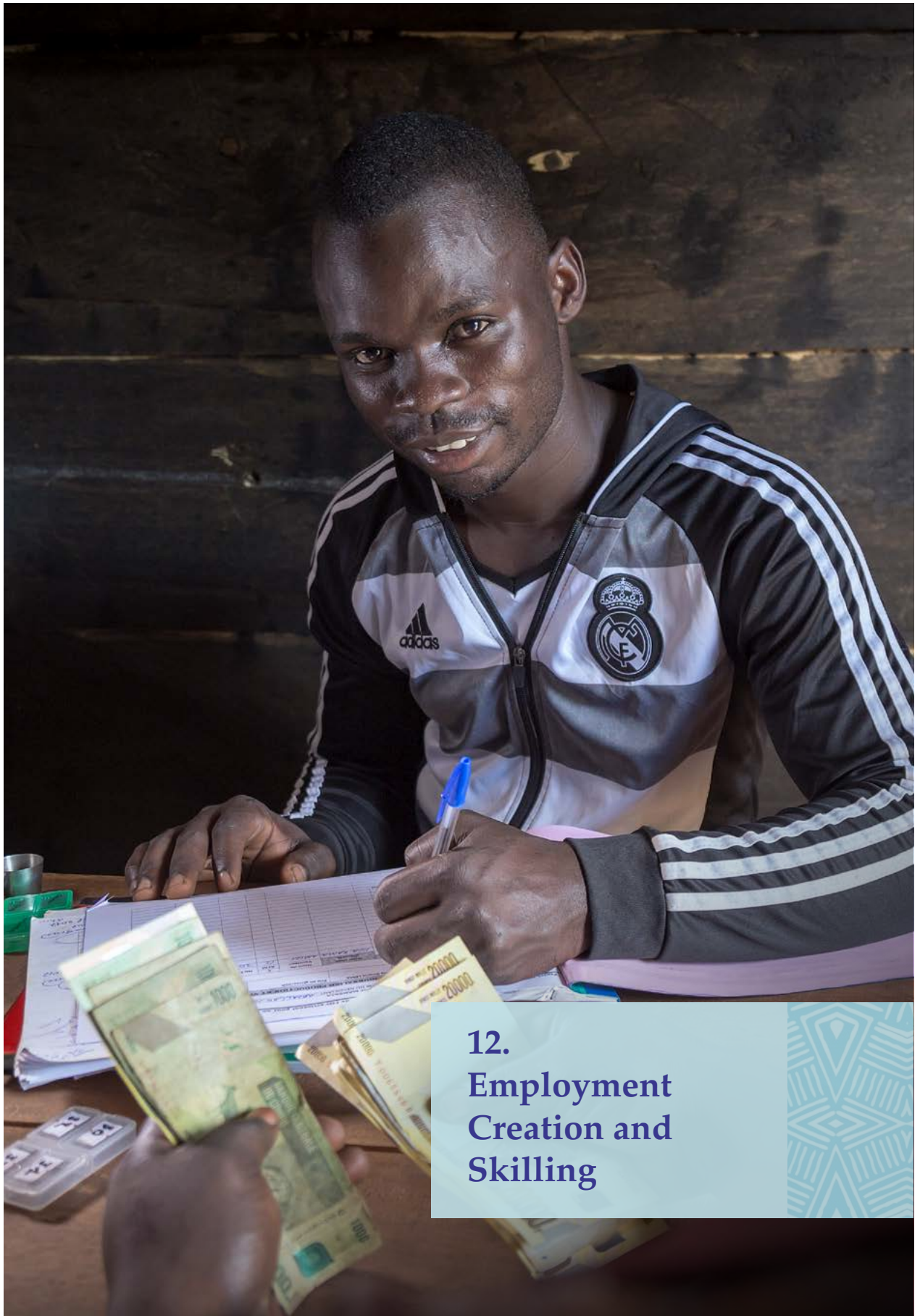
Equipment purchases remain a major input cost for mining operations with a direct contribution to productivity, safety, and professionalisation. Equipment used by ASM is expensive, as most of it is imported. There must be a deliberate strategy to support local fabrication of ASM equipment, supported by government initiatives and incentives. Locally fabricated equipment is designed with local context in mind and should be cheaper than imports. While there are cheap imports flooding the market, most of them do not have the robustness required for in-country conditions and wear out much faster.

#### **Government support in equipment purchases:**

- CAR, DRC, Uganda, and Zambia offer tax exemptions for ASM equipment imports.
- Zambian government procured equipment for ASM to conduct mining operations in 2025, although these were insufficient for their needs. The established ASM Fund offers loans for equipment and machinery.
- In CAR, legally established women's cooperatives receive equipment from the Ministry of Mines and Geology.

#### **ASM organisation purchases:**

ASM organisations can pool resources to purchase equipment for their members to rent and for bulk equipment purchases at reduced prices. This collective approach not only eases financial burdens, it also enhances access to spare parts and technical support.



## 12. Employment Creation and Skilling

A source of livelihood for millions of men, women and youth, ASM has become a primary workplace for many African youth and rural populations. Strategies have to be put in place to ensure that ASM transitions into a decent workplace and launch pad for local entrepreneurship. This will require employment policies and capacity support so the sector can not only provide economic benefits, but be integrated into a formal economy with good workplace practices.

To achieve this, youth must be youth in mining employment framework, labour skilling, and support for decent labour practices. A stepwise approach should be undertaken with pilot sites, upscaling, and facilitating peer learning. Local content regulations adopted across the region that promote use of local goods and services have become the main strategy to spur employment opportunities among locals and boost local business development, like in Uganda and Tanzania. Promotion of beneficiation of minerals before export is another of the strategies to promote development of local enterprises and employment creation; for example, in Uganda, the Act prohibits exports without value addition for all types of licences. Skilling for mining should be integrated into vocational education and other skills services provided across the country.

## 12.1. Practical Steps

### i. Youth in mining initiatives

Governments can approach ASM differently and strategise to create decent work and encourage youth entrepreneurship through ASM. Multitudes of university graduates lacking employment opportunities can deploy their skills into mining business. Mining permits can be granted to youth cooperatives and organisations with intention to engage in mining business. Appropriate support should be provided through extension services, financing, and access to equipment and markets. This is a long-term perspective in developing a locally driven mining industry and professionalising the sector.

For the rest of the youth in mining, targeted training and capacity building in mining techniques should be integral to youth employment strategies. Education and training strategies such as vocational education and manpower skilling should avail more opportunities for training in mining related courses.

### Practical Examples

- Uganda Mines and Minerals Act of 2022 obliges mineral rights holders to employ and train locals where possible and to buy local goods and services.<sup>76</sup>
- Angola law mandates employment of communities residing near mining sites.

---

<sup>76</sup> Clause 195, Uganda Mining and Minerals Act 2022, [https://bills.parliament.ug/attachments/The%20Mining%20and%20Minerals%20Act,%202022%20\(Returned%20by%20H.E%20the%20President\).pdf](https://bills.parliament.ug/attachments/The%20Mining%20and%20Minerals%20Act,%202022%20(Returned%20by%20H.E%20the%20President).pdf).

- Traditional leaders in DRC promote local involvement through negotiating for preferential hiring of locals, granting of local business opportunities for local contractors in service provision, and other investments in social benefits like social amenities.
- Congolese Employment Agency (ACPE) and National Fund for Employability and Apprenticeship (FONEA) are aimed at improving employability in Republic of Congo.
- Central African Agency for Vocational Training and Employment (ACFPE) promotes youth employment through a local content law.
- Republic of Congo's Ministry of Women's Promotion supports the integration of women and girls into the sector.

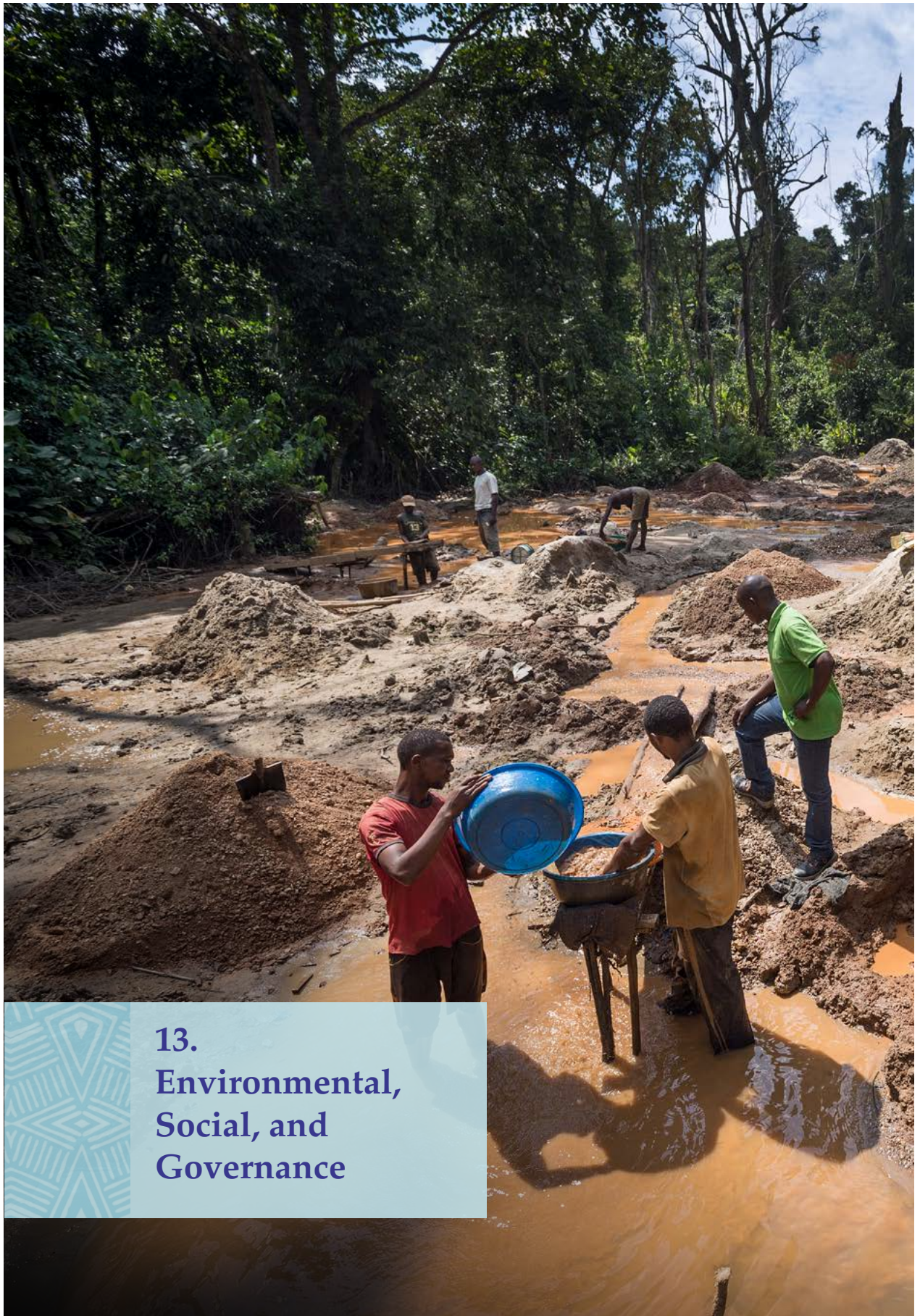
## ii. Training and skilling

Another strategy is training the ASM workforce to equip them with knowledge on mining techniques and business principles.

- The Burundi National Employment Policy (NEP) encourages formalisation of rural activities, creation of cooperatives, and promotion of local youth entrepreneurs. Burundi also has the National Strategy for Development of Rural Areas (SNDR) which aims to reduce rural poverty through diversification of economic activities that includes extractives of which ASM is recognised as a strategic sector. This has contributed to the implementation of training initiatives supporting more cooperatives in rural areas.<sup>77</sup>
- Zambia has rolled out an ASM Training Manual and conducts training sessions to teach miners simple skills. Cooperating partners like planetGOLD and UNDP assist with skills training.
- Building and sustaining viable partnerships facilitates transfer of knowledge, skills, and learning. LSM and ASM partnerships facilitate transfer of knowledge and skills while ASM and learning institution partnerships facilitate training, research, and transfer of the skills.

---

77 Niyangabo, "ICGLR ASM Formalisation Survey".



**13.**  
**Environmental,  
Social, and  
Governance**

ASMs are associated with poor environmental, social, and governance. This attracts negative opinion in policy-making, access to finance, and the sector as a whole. While some poor performance is directly attributed to the sector, the problem is also due to regulations and guidelines that are not aligned to ASM realities. ESG provisions that are relevant for ASM should be provided for in national laws. ASM should be guided appropriately, otherwise there will always be an excuse that the laws are too burdensome, resulting in non-compliance. Some of the persistent environmental challenges of ASM include: deforestation; pollution of water sources; migratory nature and impact on natural ecosystems; social system burden during mineral rushes and spread of diseases; child labour; unregulated sex work and disease burden; and unregulated migration of people across borders.

In the ASGM sector, use of mercury is considered a global environmental problem. Countries should implement the Minamata Convention on mercury reduction and elimination. With gold mining a major activity in the region, projects to eliminate mercury in ASM are being implemented in some of the countries under the planetGOLD global program.

## 13.1. Practical Steps

### i. Appropriate environmental assessments and regulations

Requirements for environmental assessments should be relevant and affordable for ASM operators. ASM operations do not have the same scale of productivity as LSM. For instance, some countries require ASM to mine shafts up to 10 metres deep on a small piece of permit area while requiring environmental impact assessments (EIAs) as detailed as those for large-scale mining operations. The cost and complexity of the process discourage miners from formalising their opting to mine illegally causes uncontrolled damage to the environment. The ASM sector will be better served by assessments more fit-for-purpose, with appropriate cost requirements that is easy to complete and simple project briefs instead of full ESIA. Cluster ESIA's may also be considered since most artisanal miners work in an area with deposits as different groups with similar impacts on environment and society.

- In Tanzania, one of the requirements for PML holders to start operations is to prepare an environmental protection plan (EPP) demonstrating their plan to protect the environment during mining operations.<sup>78</sup> The EPP is a tool that can be easily adopted by ASM practitioners at the same stage to ensure environmental management is not compromised. PML are not required to develop Environmental Impact Assessments (EIA) and mine closure plans like LSMs are. The Tanzanian government recognises that ASM miners lack the technical and financial ability to conduct formal EIAs and prepare environmental management plans.<sup>79</sup>

78 Wilson Mutugwaba et al., Artisanal and small-scale mining in Tanzania – Evidence to inform an ‘action dialogue’, IIED, London, 2018, <https://www.iied.org/sites/default/files/pdfs/migrate/16641IIED.pdf>.

79 Laure Gerig, Patricia Ndagano, Nathan Schneck and Lotte Hoex, Delve Country Profile Tanzania. Artisanal and Small Scale Mining Sector, World Bank and IPIS, 2020, <https://www.delvedatabase.org/uploads/resources/Delve-Country-Profile-Tanzania.pdf>.

- Burundi introduced Simplified Environmental Assessment for artisanal mining permits in line with Environmental Code 2021 which expects an Environmental Impact Assessment for any activity that has any impact on the environment. As a result, ASM players are expected to have an Environmental Management Plan.

## ii. Regulatory guidelines

Regulatory guidelines on environmental conservation and mine rehabilitation should be in place to ensure ASM compliance. Appropriate fines should be imposed for poor mine safety and environmental practices. The “polluter pays” principle should be applied and ASM operators encouraged to take responsibility and engage in environmentally sound mining practices. This is difficult to implement when miners are informal. Burundi Mining Code 2023 promotes the restoration and rehabilitation of mined zones.<sup>80</sup>

## iii. Promotion of Environmentally sound practices

There should be incentives for environmentally sound mining and processing practices that are regulated by authorities.

- The Tanzanian Mining (Environmental Protection for Small-Scale Mining) Regulations, 2010 sets standards for waste disposal, rehabilitation of mined-out areas, mercury use control, water management, and protection of biodiversity in small-scale mining operations.<sup>81</sup>
- In Burundi, rehabilitation is required post-exploitation and is monitored by OBM and OBPE. A project exists to rehabilitate abandoned sites left without rehabilitation (orphan sites).
- In DRC, although ASM is not subject to environmental obligations, artisanal miners must adhere to rules. Cooperatives are required to allocate 5 percent of annual revenue toward site rehabilitation.
- In the Republic of Congo, companies holding small-scale mining permits are required to carry out ESIA before sites begin production. These companies are required to fund an escrow account for the rehabilitation of impacted sites. These companies work in collaboration with the National Reforestation Service, which provides them with forest species for their reforestation initiatives.

## iv. Implementation of Minamata Convention and other national and global instruments

To improve environmental performance, ASM should transition to mercury-free gold processing. Compliance with other legally binding conventions applicable to the ASM sector should be explored to enhance its performance.

---

80 Niyangabo, “ICGLR ASM Formalisation Survey”.

81 Karungamyé, “ICGLR ASM Formalisation Survey”.

## v. Strengthening the inspectorate

The Inspectorate should be empowered to conduct inspections on mining operations, provide corrective guidance, and fine offenders. It should provide training and technical support for miners while ensuring progress with compliance. Participatory environmental monitoring by ASM through committees working with the Inspectorate may increase effectiveness of Inspectorate efforts.

- In DRC, the Environmental Protection Department, in collaboration with the Congolese Agency for the Environment (ACE), is responsible for monitoring and oversight in environmental, health, and safety obligations of all mining operators that includes both artisanal and industrial.
- In the Republic of Congo, the National Environment Agency (ANE) created by law No. 35-2025 on October 16, 2025 is the state body responsible for coordinating projects aimed at environmental protection, implementation of the state of the environment, education, and environmental awareness.
- Zambia monitors mining operation in rural areas through Regional Mining Bureaus (RMBs). These are extension offices of the Ministry of Mines and Minerals Development (MMMD), established in various provinces to extend government services to mining communities. RMBs conduct regular inspections to ensure ASMs adhere to mining regulations. They also provide support to mining parties for resolving land disputes, advice on and operational technical issues, and sensitisation on the Mining Act and regulations.<sup>82</sup> RMBs provide miners with access to information while keeping track of compliance with ESG regulations.

## vi. Promotion of occupational health and safety practices

Workplace safety should be regulated through requiring use of personal protective equipment (PPE), safety training, and maintenance of mining infrastructure. Examples of such regulations within the region include the Uganda Occupational Safety and health Act,<sup>83</sup> Burundi Mining Code 2023, CAR Mining Code, and Tanzania's Mining (Safety and Occupational Health) Regulations 2010. Application of these regulations brings equity within operations by protecting everyone involved in operations, including women. The OBM requires formalised mining cooperatives to adopt practices of basic safety (personal protection, structures secured) and to respect regulations reducing pollution, like controlling or prohibiting use of mercury. As of 2025, Zambia was rolling out trainings to ASM that include OSHE.

---

82 ZambiaEITI, An overview of Artisanal and Small-scale mining in Zambia, 2019, <https://zambiaeiti.org/wp-content/uploads/2025/02/An-Overview-of-ASM-in-Zambia.pdf>.

83 Uganda Occupational Safety and Health Act, 2006, [https://library.health.go.ug/sites/default/files/resources/occupational-safety-and-health-act-2006\\_0.pdf](https://library.health.go.ug/sites/default/files/resources/occupational-safety-and-health-act-2006_0.pdf).

## **vii. ESG and access to markets**

Access to international markets requires miners to implement ESG practices that are verified through due diligence mechanisms and mine site inspections. Compliance with local regulations and environment and safety regulations is a starting point for ASM organisations to implement and enhance their capacity to access international markets. With the increase in demand for critical minerals, ASM organisations and operators need to focus resources on compliance with the support of stakeholders to make this feasible. Adoption of certification mechanisms like RCM and OECD has improved transparency and traceability of supply chains for cobalt and gold in Eastern DRC, increasing the acceptability of these minerals in the international market.<sup>84</sup>

---

84 Mubalama, "ICGLR ASM Formalisation Survey".



**14.**  
**Gender**  
**Inclusion**

Artisanal and small-scale mining (ASM) is a male-dominated sector where entrenched gender norms restrict women's opportunities in accessing mining rights, roles with higher payment opportunities, and decision-making positions. Women often work informally and perform labour-intensive, low-paying tasks and support services. Formalisation strategies must tackle gender disparities, increase access to means of production for women, and enable their empowerment. In most formalised ASM operations, women's employment remains minimal due to capital-labour substitution mechanisms that replace mechanisation replaces traditional, labour-intensive roles previously filled by women. Women occupy ancillary roles such as health assistants, cleaners, and receptionists, in contrast to men who are primarily engaged in direct mining roles like project managers, miners, and geologists, perpetuating the "man as the miner" phenomenon.<sup>85</sup>

## 14.1. Practical Steps

### i. Adoption and localisation of the Guidelines for Gender Mainstreaming within the mining sector by Member States<sup>86</sup>

Rwanda<sup>87</sup> and Uganda<sup>88</sup> are two Member States that have already developed Gender Mainstreaming Policies for the mining sector, increasing access to and utilisation of services by women and gender equality in decision-making. Such policies also call for collecting and analysing gender specific data to monitor gender inclusivity. These policies target the ending of gender stereotypes by increasing women's socio-economic empowerment, building women-friendly environments, and building capacity of women and their career development.

### ii. Gender-responsive policies, regulatory frameworks, and programs

Policies and regulatory framework should integrate gender dynamics to tackle long-standing gender barriers and limitations for women in accessing mining opportunities. Some approaches could include delineation of mining areas for women, loans for women miners, and discounted finance facilities targeted at women miners. A women's empowerment program can be implemented to ensure equal opportunities for women. It is also important to review some pervasive effects of policies seeking to protect women that might lead to exclusion of marginalised and vulnerable members of society like pregnant women.

- Rwanda has passed legislation that seeks to protect women and increase their integration into mainstream activities,<sup>89</sup> including:

85 George Ofosu, Mabel Torbor, David Sarpon, "Gender and artisanal and small-scale mining: Exploring women's livelihood and occupational roles in formalised settings," *Journal of Rural Studies*, 96, December 2022, pp. 121-128, <https://www.sciencedirect.com/science/article/pii/S0743016722002509>.

86 ICGLR, Regional Guidelines on Mineral Beneficiation, Value Addition and Cross-Border Trade in the Great Lakes Region.

87 Republic of Rwanda, Rwanda Mines, Petroleum and Gas Board (RMB), Gender Strategy for the Mining Sector in Rwanda.

88 Republic of Uganda, Directorate of Geological Survey and Mines (DGSM), Gender Strategy for Mining Sector in Uganda, May 2022, unpublished.

89 Republic of Rwanda, Rwanda Mines, Petroleum and Gas Board (RMB), Gender Strategy for the Mining Sector in Rwanda.

- ▶ Provisions of the Law N° 27/2021 of 10/06/2021 governing land in Rwanda, including article 5 which guarantees equal rights to land and article 55 which makes it a legal obligation to factor gender considerations in land use and development programmes;
- ▶ Law N° 003/2016 of 30/03/2016 which prescribes a “Maternity Leave benefits Scheme” and some provisions of Law N° 66/2018 of 30/08/2018 which regulate labour, including article 9 which prohibits workplace discrimination, articles 56 – 58 covering maternity leave, and article 63 governing the working conditions for pregnant and breastfeeding women;
- ▶ Law N°59/2008 of 10/09/2008 on the prevention and punishment of Gender Based Violence (GBV) and Prime Minister’s Order N°001/03 of 11/01/2012 which sets out the government institutions responsible for the prevention of and response to GBV, including the GBV cases reporting system;
- ▶ The National Strategy for Transformation (NST1, 2017-2024) which has set the goal to be achieved with regards to gender mainstreaming, family promotion, and women’s empowerment through a number of interventions, including: improving access to finance; mainstreaming gender in employment and job creation strategies; strengthening capacities of gender machinery; using gender mainstreaming tools and disaggregated data to inform policy formulation and resource allocation; scaling up Early Child Development Centres (ECDs) services at village level; and continuing to create awareness and fight against gender based violence (GBV) and human trafficking.
- DRC’s legislative reforms seek for the integration of women by removing barriers to participation. SAEMAPE has integrated women in supply chains as one of the strategies of ensuring gender inclusion.<sup>90</sup> The country enforces a 30 percent quota for women in state services and functions, as per constitutional and legal provisions.
- Article 14 of the DRC Constitution mandates public authorities to:
  - ▶ Take all appropriate measures in civil, political, economic, social, and cultural domains to ensure full development and participation of women in national development.
  - ▶ Combat all forms of violence against women in public and private life.
  - ▶ Entitle women to equitable representation in national, provincial, and local institutions. This is implemented through Law No. 15/013 of August 1, 2015, on women’s rights and parity.
- The Angolan Mining Code formally integrates gender considerations, aiming to ensure women’s inclusion in the mining industry and combat discrimination.

90 Mubalama, “ICGLR ASM Formalisation Survey”.

- In CAR, government and the DPDDA/DPAM project laid groundwork for gender inclusion in ASM by promoting integration of women in all links of the value chain. The government encourages women to move from artisanal to small scale mining.
- In the Republic of Congo, women are active across all phases of artisanal mining and own mining sites. There is also the Law on Violence Against Women (Law No. 19-2022 of May 4, 2022) that is meant to protect women.
- In Tanzania, the Mining for a Brighter Tomorrow (MBT) program empowers women, youth, and people with special needs by facilitating access to licences in areas designated for ASM. The program aims to provide mining tools, machinery, and mentorship in business and technical skills.<sup>91</sup>
- The Zambian government is promoting gender sensitive budgets (an Act has been passed and to disallow budgets from passing if not gender sensitive). Other Member States are encouraged to consider such an approach.
- Designating mining areas for women may be a step forward in seeking to integrate women into ASM.
- A Burundi gender integration strategy developed and validated in March 2025 ensures women's inclusion in the mining industry and combats discrimination. Women-led cooperatives are part of regional associations.

### **iii. Extension of services and training**

- As a way to encourage women and girls to enrol in mining-related courses and training, offer training programs targeted at women miners to provide technical and business skills.
- The Tanzanian government, through partnerships with women associations in mining, including TAWOMA, WIMO and TWIMMI, has trained women and facilitated their access to mining equipment and financial support.<sup>92</sup>
- In CAR, women have been trained in diamond prospecting and engaged in diamond extraction with support from the Women Innovation Fund.

---

91 Karungamyé, "ICGLR ASM Formalisation Survey".

92 Karungamyé, "ICGLR ASM Formalisation Survey".

#### **iv. Women's participation in mining institutions**

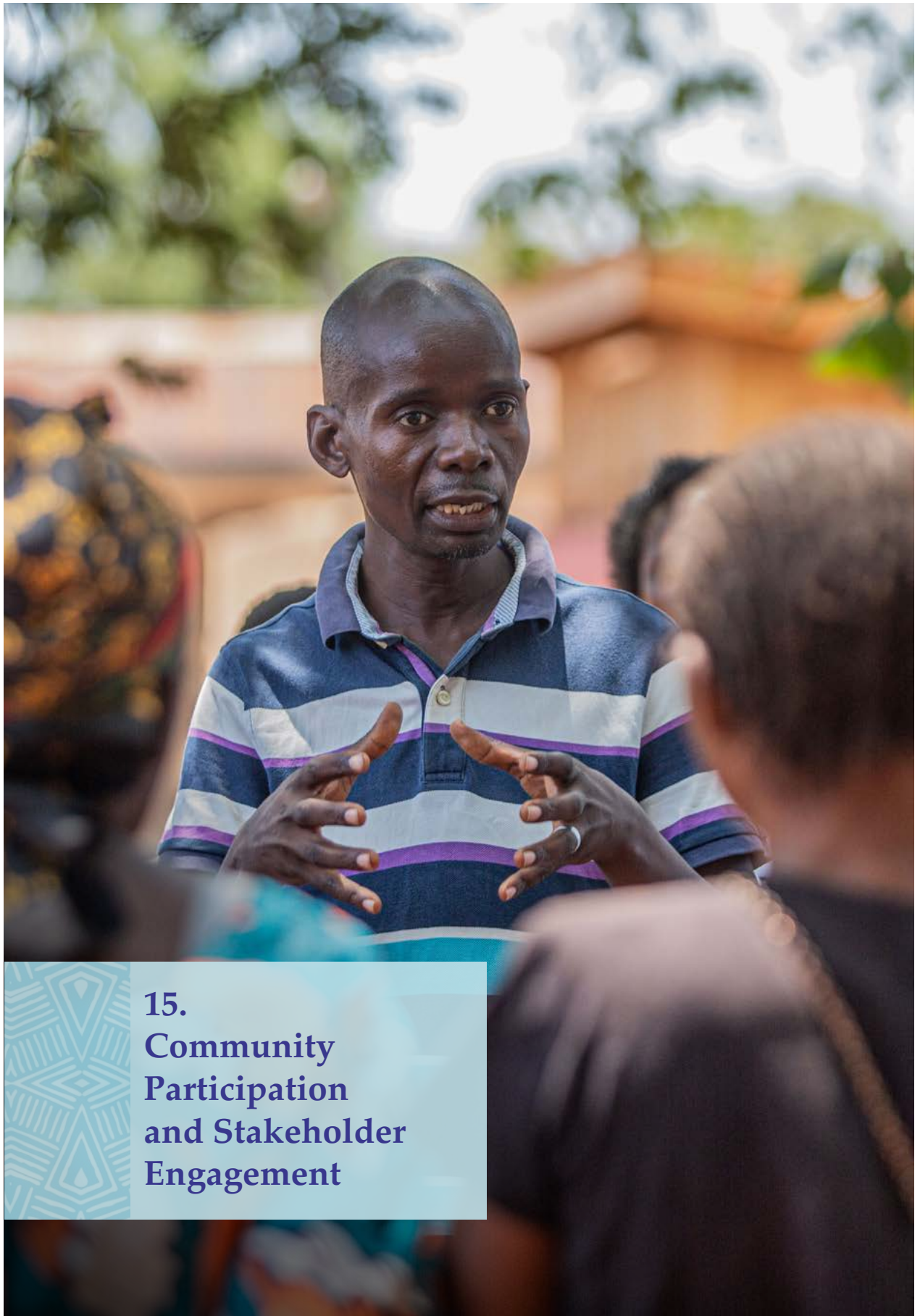
ASM organisations should implement policies on gender inclusiveness in decision-making and mining roles. Women should be appointed to decision-making roles and mining and technical committees to develop a sound understanding of mining operations. In DRC, the Advisory Group of Parties Engaging (GCPP),<sup>93</sup> which offers advice for advancing formulation and implementation of policies, includes women in its membership.

- The Fairtrade Gold Certification (East Africa) which offered premium prices for ASM groups required 40 percent female participation in leadership for certification. Some groups in Kenya and Tanzania went through the certification process.
- The Tanzania Gemmological Centre for Gemstones offered cutting and jewellery training to women. Some women were afforded scholarships to take part in the trainings as a way of increasing female participation.<sup>94</sup>

---

93 Mubalama, "ICGLR ASM Formalisation Survey".

94 Karungameye, "ICGLR ASM Formalisation Survey".



**15.**  
**Community  
Participation  
and Stakeholder  
Engagement**

Effective formalisation of the artisanal and small-scale mining (ASM) sector relies heavily on the active participation of various stakeholders, specifically the community. Involvement of community is fundamental for developing comprehensive and practical policies grounded in reality, as well as for ensuring harmonious co-existence between miners and the community. To foster community involvement, government should consider the following recommendations.

## 15.1. Long-term Collaborative Planning

ICGLR's Strategy for Artisanal and Small-Scale Gold emphasizes the importance of establishing a multi-stakeholder coordination forum that is essential for promoting the formalisation of ASM. Such a forum should bring together parliamentary and government officials, ASM sector representatives, civil society organisations, and environmental and community stakeholders. This diverse coalition can generate high-level support, address sector-specific challenges, and facilitate policy alignment through constructive, collaborative dialogue.

Governments should initiate and support the formation of these forums, ensuring that they meet regularly and include all relevant voices. Regular meetings should focus on identifying challenges, sharing effective practices, and jointly developing policies to advance ASM formalisation. Participation from various sectors ensures policies are not only comprehensive, but also practical and grounded in the realities of ASM communities. Most Member States already have active National Action Plan (NAP) forums on the ground that feature ASM issues, including formalisation, as one of the strategies to reduce and eliminate use of mercury in gold mining. DRC has a National Coordination Mechanism (NCM) hosted by the Congolese Environment Agency (ACE) which brings together several key ministries (Mines, Environment, and Health), the Small-Scale Mining Assistance Service (SAEMAPE), universities, civil society, NGOs, and other stakeholders. Its mission is to make strategic decisions related to the NAP and to support the coordination, monitoring, and implementation of actions that favour the formalisation and sustainability of the sector.

- The Uganda Mining Act 2022 Section 228 provides for participation of mining communities – holders of large medium and small- scale licences – to assist in development of communities affected by their presence. The law requires large, medium, and small-scale mines to negotiate a community development agreement.
- Zambian Ministry of Mines launched a stakeholder engagement strategy in 2025 focused on fostering a transparent, inclusive, and prosperous mining sector by strengthening dialogue between government, investors, communities, and civil society. Key components of the strategy include open information sharing, establishing formal grievance mechanisms, incorporating diverse stakeholder perspectives into planning and decision-making, and aligning with international best practices.

## 15.2. Feedback Loops and Non-linear Relationships

In dynamic sectors like ASM where conditions and challenges can rapidly evolve, establishing mechanisms for regular feedback and continuous evaluation are essential. It is important to establish such mechanisms for policies and programs through periodic surveys and community meetings. These should be designed to gather input on policy effectiveness from ASM operators, local communities, and other stakeholders. Effective feedback loops ensure policies remain relevant and adaptable, addressing the practical needs and realities of ASM operators, communities, and other stakeholders.

### Who Could Drive This?

- **Miners' organisations:** Local miners' associations can facilitate community meetings to gather feedback directly from their members, ensuring the voices of ASM operators are heard.
- **Department of Mines:** Government agencies responsible for mining can conduct periodic surveys to assess the impact of policies on ASM activities, using their resources to reach a broader audience.
- **Local government:** Local authorities can organise community forums to engage citizens in discussions about mining policies, ensuring feedback is collected at the grassroots level.

**The DRC Consultation Group of Stakeholder Parties (GCPP)** was founded to give tips, help, and information for planning and implementing National Action Plans. It includes representatives of provincial public administrations and locals, mining cooperatives, diggers, traders, NGOs, universities, and civil society. The GCPP facilitates the escalation of concerns from field actors and favours the local appropriation of policies. Facilitation of concerns from the field gives a platform for feedback and action to be taken.

## 15.3. Promote Transparency and Accountability

Laws and regulations must be publicly available and easily understandable to ensure all stakeholders, including miners, communities, and investors, are aware of their rights and responsibilities. Governments need to establish mechanisms for monitoring and enforcing compliance, as well as for addressing grievances and disputes. This can include:

### i. Public access to information

It is important that all legal documents, regulations, and licensing procedures are accessible online and in easily accessible designated places, like local government offices and mobile centres. They should be in clear language, understandable by the common person. This helps build trust among stakeholders and enables informed participation in the mining sector.

## ii. Grievance mechanisms

Establishing formal grievance mechanisms allows affected parties to report concerns or disputes related to mining activities. These mechanisms should be known, easily accessible, culturally appropriate, and capable of resolving issues in a timely manner.

## iii. Independent oversight bodies

Governments can create independent bodies to oversee compliance with mining regulations and address grievances. These bodies should have the authority to investigate complaints, mediate disputes, and enforce penalties where necessary. In some countries, the Ministry of Mines is responsible for attending to disputes between miners themselves and between miners and the community or other landholders.

## iv. Community engagement

Regular consultations with local communities can help identify potential issues before they escalate into disputes. Engaging stakeholders in decision-making processes fosters collaboration and encourages adherence to regulations. In some cases, the Environmental Impact Assessment process has been used to solicit community views and perceived impacts of mining activity on the community. When properly carried out, this can help mitigate potential disputes and disagreements before they occur.

## v. Training and capacity building

Providing training for both government officials and community members on legal frameworks and grievance processes can enhance understanding and improve the effectiveness of compliance monitoring.

### *Example: Colombia*

- Colombia has implemented several measures to address grievances and disputes in the mining sector, including the National Mining Agency (ANM) which oversees compliance with mining laws and provides a platform for stakeholders to voice their concerns.<sup>95</sup>
- The ANM established a formal grievance mechanism wherein communities can report issues related to mining operations such as environmental impacts and violations of community agreements. This mechanism seeks to ensure prompt and fair addressing of complaints.
- Colombia's mining regulations require companies to engage in prior consultations with local communities before initiating mining activities. This process helps identify potential grievances early on and allows for collaborative solutions.

---

95 Republic of Columbia, National Mining Agency Agreement No. 002 of 2021, <https://mineriaencolombia.anm.gov.co/sites/default/files/docupromocion/eng-acuerdo-002-2021-tdr.pdf>.

- In cases where grievances cannot be resolved through administrative channels, affected parties have the right to seek judicial recourse through Colombia's legal system, providing an additional layer of accountability.

## 15.4. Encourage Community Engagement in Data Initiatives

### **i. Organize community-led geological surveys**

Train community representatives to conduct and document basic surveys. In Ghana, the Geological Survey Authority empowers local mining cooperatives to gather mineral data, encouraging collaborative efforts and shared insights on sustainable mining areas.

### **ii. Establish regular information-sharing forums**

Host quarterly community forums where ASM operators, officials, and geoscience experts can discuss findings and improvements.

### **iii. Integrate geosciences data into sustainable mining practices**

Encourage ASM operators to apply geological data in ways that minimise environmental impacts, in line with local regulations.

### **iv. Provide field-based demonstrations of sustainable techniques**

Partner with environmental organisations to offer field demonstrations on controlled sluicing, reduced excavation, and waste management.

### **v. Ensure local regulations reflect geosciences data**

Collaborate with environmental agencies to integrate geological data into policies that regulate ASM. Uganda's Mining and Minerals Act, 2022 mandates the acquisition, management, and dissemination of geological information. This ensures miners have access to critical data regarding mineral deposits and environmental considerations, enabling them to make informed decisions about where to operate.

### **vi. Engage community in participatory environmental monitoring committees**

This may be part of the Community Development Agreement Committee function, as in Uganda.

### **vii. Create an inter-ministerial commission to address environmental issues**

The Permanent Evaluation Committee (CPE) in DRC's mining sector is a key body for reviewing ESIA/ESMPs, and MRPs. It comprises approximately 20 members and is chaired by the

Directorate of Environmental Protection in Mining (DPEM), operating under Article 455 of the Mining Regulation. Stakeholder mediation is promoted throughout the supply chain, with local and provincial monitoring committees.

## 15.5. Decentralisation of Technical Services

### i. Local Government Empowerment

Governments can decentralise responsibilities for geological and technical expertise to local government offices. This approach ensures ASM operators have accessible support and resources tailored to their specific needs.

### ii. Capacity building for local officials

Train local government officials to effectively mentor and provide technical assistance to ASM miners, ensuring they have the resources necessary to reach and support miners. Such programs enhance understanding of ASM operations, regulatory frameworks, and sustainable mining practices. In Tanzania, the government, through the Tanzania Mineral Commission, has implemented training initiatives aimed at equipping regional and district mining officers with skills to support ASM miners.<sup>96</sup> This includes workshops on compliance monitoring, sustainable mining practices, and technical expertise. These efforts have strengthened the capacity of local officials to address challenges faced by ASM communities, fostering improved communication and compliance at the grassroots level.<sup>97</sup> Resident Mining Offices established strategically across the country offer services close to mining areas, such as geological surveys and mapping at a local level, technical training and capacity building for ASM operators, assistance in processing mining licenses, and compliance with regulations and market access support through centralised collection points.<sup>98</sup>

- In DRC, SAEMAPE provides technical support to artisanal miners and cooperatives at the mine level. It also supports artisanal miners with technical assistance and health and safety advice, organises training sessions, and provides tools for small enterprises.<sup>99</sup>

### iii. Role of traditional leaders in mineral access

In DRC, traditional leaders hold customary authority over land use. They use this authority to regulate who can access mining sites. Miners and communities often refer to traditional leaders for legitimacy and conflict resolution. Traditional leaders may be involved in resolving disputes between artisanal miners over mining claims, between artisanal miners and

---

96 IGF, IGF Guidance for Governments: Managing artisanal and small-scale mining.

97 Republic of Tanzania, Ministry of Mines, Mining Commission Annual Report 2021-2022, [https://www.tumemadini.go.tz/media/uploads/annual\\_reports/2025/01/14/Mining-Commission-Annual-Report-2021-2022-New.pdf](https://www.tumemadini.go.tz/media/uploads/annual_reports/2025/01/14/Mining-Commission-Annual-Report-2021-2022-New.pdf).

98 Nelly Mutema, "Tanzania: GST, STAMICO Ink Deal for Joint Research, Drilling Services," AllAfrica, September 2021, <https://allafrica.com/stories/202109020119.html>.

99 Buxton, Schwartz and Cotula, Tenure rights in large-scale and artisanal mining.

community members, and between the community and medium and large-scale mining companies operating within their local area.

## 15.6. Collaboration with Civil Society Organisations

CSOs play a crucial role in promoting transparency, advocating for community and miners' rights, providing technical support and training, and monitoring ASM activities. Government collaboration with CSOs can effectively support responsible ASM practices and bridge gaps between miners and government agencies. CSOs have capacity to extend their reach to mining sites and provide on-demand services within their funding and operational mandate. A coordinated, multi stakeholder approach in ASM interventions facilitates integration of CSOs into ASM formalisation efforts. CSOs role in ASM formalisation and responsible mining activities include:

### i. Technical assistance and resources

Providing funding and technical resources enables CSOs to monitor ASM activities effectively and advocate for sustainable policies. Local NGOs can use this support to report on environmental and labour conditions, empowering miners to address compliance issues. In Tanzania, the NGO HakiMadini has strengthened oversight in ASM by conducting regular field visits and facilitating dialogue between miners and government officials. With support from international donors, HakiMadini has improved working conditions and supported policy reforms, creating a fairer, more transparent mining environment.<sup>100</sup>

### ii. Collaborative advocacy initiatives

Facilitating partnerships between CSOs, miners' associations, and environmental groups helps amplify advocacy efforts. These coalitions can push for policy changes, increase miner representation in decision-making processes, and promote shared goals of sustainability and equitable treatment.

### iii. Funding sources for CSO initiatives

International donors offer grants to local NGOs focused on environmental justice and community development. National governments can consider co-funding some ASM monitoring activities and/or partake in joint exercises with NGOs to strengthen oversight and promote accountability.

## 15.7. Engagement with International Markets

Accessing formal markets, specifically international ones, is crucial for the economic sustainability and livelihood of miners. It allows them to sell products at fair prices, unlike the

---

100 HakiMadini, <https://hakimadini.org/>.

informal market that often involves intermediaries and unfavourable pricing, keeping miners in poverty. Engagement with international markets is tied to compliance with responsible sourcing requirements. To engage with international markets, ASM products need to demonstrate legitimacy, transparency, and traceability throughout the supply chain. Global buyers who are concerned about ethical sourcing increasingly require this. Therefore, to engage with international markets, the following must be considered:

**i. Certification processes**

This is essential to linking to the mineral supply chain to ensure transparency and traceability from extraction to sale.

**ii. Strict adherence to social and environmental standards**

To raise the bar on ASM performance, ensure alignment with market-recognised standards, and qualify for the international market, two critical criteria must be met: traceability and due diligence. Minerals must be traded with documented traceability to the mine of origin and due diligence of all participants and suppliers involved in the supply chain to respect human rights and sustainable development practices. Improvement on how the mining takes place in terms of occupational health and safety and environmental and social protection must be shown. According to OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas, sourcing of minerals must be done responsibly to minimise risks within the mineral supply chain, including miners, local exporters, mineral processors, manufacturers, and brand name companies that use mineral products. The guidelines focus on respect for human rights, cultivating transparent supply chains and sustainable corporate engagement in the mineral sector.

**iii. Digital technologies and physical buying forums that enable direct linkage of buyers and producers**

Such forums have proven helpful in creating direct market access of operators in the gemstone sector, leading to better returns. Examples:

- During the COVID-19 pandemic when domestic traders were unable to visit mine sites to purchase gemstones, the World Bank funded the creation of online sales platforms for women miners in Zambia and Malawi. This initiative opened up a new avenue for these miners to sell directly to the international jewellery market. Alongside the online platform, technical assistance was provided to enhance occupational health and safety (OHS) at mining sites and to implement environmental and social standards.<sup>101</sup>
- Events like the Arusha Gem Fair, held annually in Arusha, Tanzania and organised by the Ministry of Minerals in collaboration with the Tanzania Mineral Dealers Association, allows

---

<sup>101</sup> World Bank, "Leveraging technology for women miners – how digital platforms break supply chain barriers," March 2023, <https://www.delvedatabase.org/news/leveraging-technology-for-women-miners-how-digital-platforms-break-supply-chain-barriers>.

miners to showcase their products to a broader audience, increasing their visibility in the market. Designed to connect local and international gemstone dealers for trading various gemstones and enhance market access for local miners and traders, the fair attracts around 700 dealers from neighbouring countries and international buyers. It facilitates sales, networking, and learning about market demands. It also includes seminars on the potential of Tanzania's gemstone industry, emphasising the importance of producing processed minerals that meet international standards. The Arusha Gem Fair supports growth of Tanzania's gemstone sector and improves its position in the global market.

#### **iv. Establishing regional aggregation or processing centres**

Centres where minerals or raw materials from small scale miners are collected, sorted, and processed before being sold to larger buyers can help streamline the supply chain. An aggregation centre can take on many roles, from purely processing to pre-financing, service delivery (geological or site improvements) to equipment provider. Regional processing centres can also be used to train miners on efficient processing techniques and give access to modern equipment to improve operational efficiency and product quality. Additionally, these centres can be used to document and track miners supplying material for processing.

- Example: In Rwanda, domestic exporters run similar services for the 3Ts.<sup>102</sup> These provide easy access to miners to improve their products, leading to improved productivity of the sector as a whole.

#### **v. Enhancing value addition to boost profitability**

This can be done through favourable fiscal policy that incentivises value addition and establishment of regional processing and buyer centres that are close to mining sites to reduce transportation costs. Ability to process minerals locally helps ASM operators maximise the value of their products before sale, leading to higher profit margins.

- Example: Article 5 of Rwanda's Law no.56 of 2024 distinguishes between processed and unprocessed minerals, imposing higher tax rates on export of raw minerals as compared to locally processed minerals. The law creates ground for the processing of mineral products rather than exporting raw materials since miners who choose to process their products will save more money compared to those who stop at creating raw materials for export.

Ultimately, increasing marketability of ASM products on the international stage requires addressing compliance with ESG standards. Through balancing ESG compliance with cost management, providing targeted training, and implementing robust monitoring systems, miners can improve the marketability of their products. It is also essential to harmonise legal frameworks with international standards, such as the OECD Due Diligence Guidance.

---

102 World Bank, Achieving Sustainable and Inclusive Artisanal and Small-scale Mining (ASM).

# Recommendations and Conclusion

## Key Recommendations

### i. Strengthen Political Commitment and Governance

- Establish high-level political engagement such as presidential or ministerial task forces to address ASM as a strategic economic sector.
- Create dedicated ASM units with adequate funding within mining ministries, (like Colombia's Deputy Minister role and DRC's SAEMAPE).
- Implement multi-stakeholder platforms for inclusive policy design, such as Ghana's dialogue forums and DRC's decentralised committees.

### ii. Reform Legal and Regulatory Frameworks

- Simplify licensing through decentralised offices with language support, such as Kenya's county committees, Tanzania's mobile units, and Uganda's online systems.
- Set ASM-appropriate license durations and reduce fees to incentivise formalisation, as with Rwanda's 5-year ASM licenses.
- Replace one-size-fits-all regulations with ASM-specific environmental assessments, like Tanzania's Environmental Protection Plans.

### iii. Invest in Data and Institutional Capacity

- Conduct regular ASM censuses as in Mongolia and Burundi, and integrate data into national statistics.
- Deploy biometric registration like Uganda has and digital tracking systems for transparency, such as Tanzania's MMMIS.
- Train local officials in ASM-specific governance, like Rwanda's IGF-supported programs.

### iv. Design Inclusive Fiscal Policies

- Introduce simplified, ASM-tailored taxes, like Tanzania's 2 percent final withholding tax.
- Offer incentives such as tax holidays (Philippines), reduced royalties (Zambia's 4 percent presumptive tax), and duty-free equipment imports (DRC).
- Harmonise regional tax policies to curb smuggling.

#### **v. Secure Mineral Rights and Technical Support**

- Designate ASM zones using geological surveys, like Mozambique's 95 areas and Tanzania's 65 zones.
- Promote LSM-ASM partnerships, as with Ghana's forward purchasing agreements and Zimbabwe's tributary models.
- Decentralise technical services, as with Tanzania's Resident Mining Offices, and provide affordable equipment leasing through entities like STAMICO in Tanzania.

#### **vi. Enhance Market Access and Value Addition**

- Expand state buying programs, as Tanzania has done through 109 buying centres and Zimbabwe's Fidelity Printers.
- Develop aggregation/processing centres per Peru's model and incentivise local beneficiation, as with Rwanda's tax discounts for processed minerals.
- Facilitate digital market linkages, like World Bank's gemstone platforms for Kenya/Zambia.

#### **vii. Prioritise ESG and Social Inclusion**

- Enforce gender-responsive policies like the reserved mining plots in Ghana, women-targeted loans in Tanzania, and leadership quotas such as Fairtrade's 40%.
- Integrate community feedback mechanisms like Colombia's grievance systems and ESG compliance for market access (OECD standards).
- Promote mercury-free processing and occupational safety training.

#### **viii. Build Sustainable ASM Enterprises**

- Support business incubators and financial literacy programs, like Kenya's Equity Bank model.
- Establish government-backed loan facilities, like Rwanda's Mining Development Fund and Zimbabwe's Mining Industry Loan Fund.
- Foster youth-focused ASM training and local content requirements, as per Uganda's Mining Act.

## Conclusion

Formalisation of Artisanal and Small-Scale Mining (ASM) is a complex but critical pathway to transforming the sector from an informal, marginalised activity to a sustainable economic engine. Despite persistent challenges—including informality, weak governance, and limited market access—evidence from multiple African countries demonstrates how targeted interventions can drive meaningful change.

Success hinges on a holistic, context-specific approach that integrates political will, regulatory reform, and multi-stakeholder collaboration.

High-level political commitment, simplified licensing, and decentralised services significantly boost formalisation rates. Fiscal incentives, technical support, and market linkages address economic barriers, while ESG compliance and gender inclusion ensure social equity and environmental responsibility. Crucially, ASM must be recognised not as a temporary livelihood, but as a scalable sector capable of evolving into formal businesses—supported by access to finance, technology, and geological data.

The path forward requires three paradigm shifts:

- i. From punitive to supportive regulation: Replace criminalisation with incentives, simplified procedures, and ASM-tailored policies.
- ii. From siloed to integrated governance: Foster coordination across ministries, local governments, and communities.
- iii. From short-term fixes to sustainable investment: Build long-term institutional capacity and market systems that enable ASM to thrive within the formal economy.

Ultimately, formalising ASM is not merely a technical process – it is a socio-economic imperative. When effectively implemented, formalisation can unlock poverty reduction, environmental stewardship and inclusive growth, turning an historically informal sector into a cornerstone of sustainable development.

## Annex A: Bibliography

1. Buxton, A. Responding to the Challenge of Artisanal and Small-scale Mining: How Can Knowledge Networks Help? International Institute for Environment and Development (IIED), 2013. <https://www.iied.org/sites/default/files/pdfs/migrate/16532IIED.pdf>.
2. UNITAR & UN Environment. Handbook for Developing National ASGM Formalization Strategies within National Action Plans. 2018. [https://unitar.org/sites/default/files/media/publication/doc/formalization\\_handbook\\_e\\_web\\_final.pdf](https://unitar.org/sites/default/files/media/publication/doc/formalization_handbook_e_web_final.pdf).
3. International Conference on the Great Lakes Region (ICGLR). Protocol Against the Illegal Exploitation of Natural Resources. 2022. Originally published 2006. [https://icglr.org/ova\\_doc/protocol-against-the-illegal-exploitation-of-natural-resources/](https://icglr.org/ova_doc/protocol-against-the-illegal-exploitation-of-natural-resources/).
4. Hilson, G., Salvadore Mondlane, Abigail Hilson, Alex Arnall, and Tim Laing. "Formalizing artisanal and small-scale mining in Mozambique: Concerns, priorities and challenges." *Resources Policy*, 71 (June 2021): 102001. <https://doi.org/10.1016/j.resourpol.2021.102001>.
5. Mutagwaba, W., John Bosco Tindyebwa, Veronica Makanta, Delphinus Kaballega and Graham Maeda. Artisanal and Small-scale Mining in Tanzania – Evidence to Inform an 'Action Dialogue'. IIED, 2018. <https://www.iied.org/sites/default/files/pdfs/migrate/16641IIED.pdf>.
6. Kumah, R. "Artisanal and small-scale mining formalization challenges in Ghana: Explaining grassroots perspectives." *Resources Policy*, 79 (December 2022): 102978. <https://doi.org/10.1016/j.resourpol.2022.102978>.
7. African Minerals Development Centre (AMDC). ASM Sector Report. Report on Artisanal and Small-scale Mining in Africa. Selected Countries Policy Profile Review on ASM. 2017. <https://www.delvedatabase.org/uploads/resources/ASMStudyReport2017.pdf>.
8. The United Nations Economic Commission for Africa, Southern Africa Office (ECA-SA). Harmonization of Mining Policies, Standards, Legislative and Regulatory Frameworks in Southern Africa. December 2004. [https://www.sadc.int/sites/default/files/2021-08/Mining\\_Harmonisation\\_Study.pdf](https://www.sadc.int/sites/default/files/2021-08/Mining_Harmonisation_Study.pdf).
9. Intergovernmental Forum on Mining, Minerals, Metals and Sustainable Development (IGF). IGF Guidance for Governments: Managing artisanal and small-scale mining. International Institute for Sustainable Development (IISD), January 2017. [https://www.iisd.org/system/files/publications/igf-guidance-for-governments-asm\\_0.pdf](https://www.iisd.org/system/files/publications/igf-guidance-for-governments-asm_0.pdf).
10. IGF. "IGF impact stories: Helping Honduras formalise artisanal and small-scale miners." IGF Impact Stories, June 14, 2021. <https://www.igfmining.org/impactstory/helping-honduras-formalize-artisanal-and-small-scale-miners/>.
11. Merket, H. Mapping Artisanal and Small-scale Mining in Northwest Tanzania: A Survey on Its Nature, Scope and Impact. International Peace Information Service, 2019. [https://ipisresearch.be/wp-content/uploads/2019/01/1901-ASM-Tanzania\\_web@.pdf](https://ipisresearch.be/wp-content/uploads/2019/01/1901-ASM-Tanzania_web@.pdf).
12. United Nations Economic Commission for Africa (ECA). Building Capacity for Environmental Sustainability in Artisanal and Small-scale Mining in Africa. 2017. [https://archive.uneca.org/sites/default/files/PublicationFiles/asm\\_workshop\\_2017.pdf](https://archive.uneca.org/sites/default/files/PublicationFiles/asm_workshop_2017.pdf).

13. Ofosu, G., Mabel Torbor and David Sarpong. "Gender and artisanal and small-scale mining: Exploring women's livelihood and occupational roles in formalised settings." *Journal of Rural Studies* 96, (December 2022): 121–128. <https://doi.org/10.1016/j.jrurstud.2022.10.013>.
14. IISD. Strategic Environmental Assessment for the mining sector: Lessons from country case studies. 2024. [www.iisd.org/system/files/2024-04/igf-strategic-environmental-assessment-mining.pdf](http://www.iisd.org/system/files/2024-04/igf-strategic-environmental-assessment-mining.pdf).
15. Njonde, C. "Tanzania's artisanal mining renaissance and its key enablers." *African Mining*, August 1, 2024. [www.africanmining.co.za/2024/08/01/tanzanias-artisanal-mining-renaissance-and-its-key-enablers/](http://www.africanmining.co.za/2024/08/01/tanzanias-artisanal-mining-renaissance-and-its-key-enablers/).
16. Oxfam. An Overview of Artisanal and Small-scale Mining in Zambia. 2019. <https://zambiaeiti.org/wp-content/uploads/2025/02/An-Overview-of-ASM-in-Zambia.pdf>.
17. Materu, B. "Relief for Tanzania's artisanal miners as government comes down hard on the big boy." *The East African*. February 2019. <https://allafrica.com/stories/201902260094.html>.
18. Ghana. Minerals and Mining Act, 2006 (Act 703). <https://resourcegovernance.org/sites/default/files/Minerals%20and%20Mining%20Act%20703%20Ghana.pdf>.
19. Tanzania. Income Tax Cap.332. [https://www.tra.go.tz/images/uploads/acts/The\\_Income\\_Tax\\_Act.pdf](https://www.tra.go.tz/images/uploads/acts/The_Income_Tax_Act.pdf).
20. Rwanda. Law no.056/2024. [https://www.rra.gov.rw/fileadmin/user\\_upload/Tax\\_on\\_minerals\\_Law\\_of\\_2024.pdf](https://www.rra.gov.rw/fileadmin/user_upload/Tax_on_minerals_Law_of_2024.pdf).
21. International Conference of the Great Lakes Region (ICGLR). The ASM Formalisation Guide in ICGLR Member States.2017.Unpublished.
22. planetGOLD. Access to Finance. Options for Artisanal and Small-scale Mining. May 2020. [https://www.planetgold.org/sites/default/files/2020-06/Access-to-Finance-Options-for-ASM\\_FV.pdf](https://www.planetgold.org/sites/default/files/2020-06/Access-to-Finance-Options-for-ASM_FV.pdf).
23. planetGOLD. Improving Access to Formal Finance in Artisanal and Small-scale Gold Mining. July 2024. [https://www.planetgold.org/sites/default/files/2020-08/Improving\\_Access\\_to\\_Forma\\_Finance\\_in\\_ASGM-planetGOLD\\_Issue\\_Brief.pdf](https://www.planetgold.org/sites/default/files/2020-08/Improving_Access_to_Forma_Finance_in_ASGM-planetGOLD_Issue_Brief.pdf).
24. IMPACT. "Building economic security through community savings in Burkina Faso." March 30, 2023. <https://impacttransform.org/en/building-economic-security-community-savings-burkina-faso/>.
25. The Impact Facility. Turning Mineral Wealth into Community Prosperity: Equipment Leasing Services to Artisanal Mines in East Africa. <https://www.theimpactfacility.com/app/uploads/2022/04/The-Impact-Facility-EA-Equipment-Leasing-1-1.pdf>.
26. Pact. Training Handbook for Artisanal and Small-scale Miners in Zimbabwe. 2019. [www.pactworld.org/library/training-handbook-artisanal-and-small-scale-miners-zimbabwe](http://www.pactworld.org/library/training-handbook-artisanal-and-small-scale-miners-zimbabwe).
27. Dynacor. "Fact Sheet Q3-2023." <https://www.dynacor.com/fact-sheet/>.
28. Adu-Baffour, F., Thomas Daum and Regina Birner. "Governance challenges of small-scale gold mining in Ghana: Insights from a process net map study." *Land Use Policy* 102 (March 2021): 105271. <https://www.sciencedirect.com/science/article/pii/S0264837720326090>.
29. Merket, Mapping Artisanal and Small Scale Mining in North West Tanzania.

30. Zimbabwe Economic Policy Analysis and Research Unit. Pathway to Formalisation of Artisanal Mining in Zimbabwe. May 2018. <https://artisanalmining.org/InventoryData/lib/exe/fetch.php/biblio:zwe-2018a.pdf?cache=>.
31. Pact Institute. A Golden Opportunity: Scoping Study of Artisanal and Small-scale Gold Mining in Zimbabwe. July 2015. <https://artisanalmining.org/InventoryData/lib/exe/fetch.php/biblio:zwe-2015a.pdf?cache=>.
32. Pedersen, A. F., Jonas Østergaard Nielsen, Finn Mempel, Simon Laursen Bager, Jesper Bosse Jønsson, and Esteve Corbera. "The ambiguity of transparency in the artisanal and small-scale mining sector of tanzania." *The Extractive Industries and Society* 8, no. 4 (2021): 101004. <https://doi.org/10.1016/j.exis.2021.101004>.
33. Irakoze, F. "The six tools of the ICGLR's Regional Initiative against illegal exploitation as key allies in boosting mineral trust in the Great Lakes Region." The International Conference on the Great Lakes Region (ICGLR), November 28, 2024. <https://icglr.org/the-six-tools-of-the-icglrs-regional-initiative-against-illegal-exploitation-as-key-allies-in-boosting-mineral-trust-in-the-great-lakes-region/#:~:text=The%20RINR%20is%20made%20up,Transparency%20Initiative%2C%20and%20Whistleblowing%20Mechanism>.
34. Verité. "Gold." 17 May 2025. <https://verite.org/wp-content/uploads/2020/07/SSA-Verite-Commodity-Report-Gold.pdf>.
35. Hidrón, C. and Ronald Koepke. Addressing Forced Labour in Artisanal and Small-scale Mining (ASM): A Practitioner's Toolkit. Alliance for Responsible Mining, 2014. <https://www.responsiblemines.org/images/sampledData/PressReleases/ForcedLaborToolkit%20-%20FINAL.pdf>.
36. Weldegiorgis, F., and Abbi Buxton. Informing dialogue on artisanal and small-scale mining in Tanzania: A thematic review of challenges and solutions. IIED, October 2017. <https://www.iied.org/sites/default/files/pdfs/migrate/16635IIED.pdf>.
37. [africa24.it](https://africa24.it/en/2024/04/02/tanzanias-mining-sector-on-the-brink-of-a-new-prosperous-era/). "Tanzania's Mining Sector: On the Brink of a New Prosperous Era" <https://africa24.it/en/2024/04/02/tanzanias-mining-sector-on-the-brink-of-a-new-prosperous-era/>.
38. World Bank. Achieving Sustainable and Inclusive Artisanal and Small-scale Mining (ASM): A Renewed Framework for World Bank Engagement. World Bank Group. <https://documents1.worldbank.org/curated/en/099091624103523072/pdf/P180400-c099c4f0-1779-4b25-a686-abb2dbb8b722.pdf>.

## Annex B: Survey Partners

### Burundi



Niyongabo Régis, Conseiller Attaché à la Direction Générale, Office Burundais des Mines et Carrières

### Central African Republic



Singa Ndourou Francis Paulin, Director of Mining and Environmental Protection, Ministry of Mines and Geology

### Republic of Congo



Kounkou Ghynel Reagan Frydarius, Directeur de la Petite Mine et de l'Artisanat Minier, Ministère des Industries Minières et de la Géologie

### Democratic Republic of Congo



Mubalama Mushagalusa Pacifique, Chef de Division en Charge des Produits de Carrieres et Cartographie, Ministère des Mines /SAEMAPE Service d'Assistance et d'Encadrement de l'Exploitation minière Artisanale et à Petite Echelle

### Kenya



Joshua Kipsoi Boiwo, Regional Mining Officer, Migori Region, Ministry of Mining, State Department for Mining

### South Sudan



David Raphael Mou, Assistant Director of Mineral Exploration, Ministry of Mining, Directorate of Mineral Development, Department of Mineral Exploration

### Tanzania



Johnbosco Karungamye, Mining Engineer, Ministry of Minerals, Minerals Division, Small Scale Mining Development Section

### Uganda



Morris Muheirwe Tabaaro, Regional Inspector of Mines, Department Ministry of Energy and Mineral Development

## Annex C: Formalisation Status Across the Region - 2025 ICGLR Survey

### Artisanal and Small-Scale Mining Formalisation Progress within ICGLR Countries

This is a profile of the progress made within ICGLR countries in terms of legislative reviews to guide the process of formalisation, conducive and supportive processes implemented to grow and integrate the sector into the national system, and measures to protect the environment and vulnerable and marginalised communities. This section is from data submitted by the ICGLR focal points that responded to a survey on ASM formalisation: Burundi, Central African Republic, Democratic Republic of Congo, Kenya, Republic of Congo, South Sudan, Tanzania, and Uganda.

#### i. Policy and Regulations Framework

Member States within ICGLR have developed policy and legal frameworks supporting artisanal and small-scale mining with some countries having done some reviews and amendments to their laws to address gaps affecting the pace of formalisation.

South Sudan and the Republic of Congo are working on amendments that will seek to enhance the integration of artisanal miners into the formal economy. Mining policies on ASM generally seek to promote formalisation of the sector by transforming it to be properly organised, productive, safe, and environmentally sustainable, and to contribute to the national economy. Policies aim to provide for support to the sector through facilitating improved access to mining rights, financial services, appropriate technologies, and extension services. Mining policy frameworks also recognise that by effectively integrating ASM into the formal economy, it is also essential to facilitate enhanced access to mining inputs and markets, and to promote occupational health and safety, environmental protection, and gender inclusiveness.

Legal frameworks support the policies and provide detailed provisions for the regulation and formalisation of ASM, mainly through Mines and Minerals -related Acts, mining codes, and environmental management acts that have provisions for the mining sector. Detailed provisions may include licencing procedures, eligibility of participation in the sector, definitions, institutional arrangements, trade and marketing provisions, and environmental protection issues.

*Table 5* cites some of the gaps and inconsistencies that were identified in the reviews and how they were addressed by amendments.

**Table 5: Summary of Factors Contributing to Law Reviews**

Gaps and inconsistencies	Revisions and amendments made
Violation of mining rights by artisanal miners leading to conflicts with mineral right/ title holders	Established Artisanal Exploitation Zones set apart for mineral exploitation by registered mining cooperatives in Burundi, CAR, Uganda, DRC, Tanzania
Complex, bureaucratic, and demanding registration and licensing process with difficult requirements for artisanal miners	Tanzania adopted less stringent requirements for registration with decentralisation of registration and licensing for ease of access by artisanal miners Kenya has gone further to have artisanal miner representatives on Artisanal Mining Permitting Committees
Limited access to formal finance assistance and fair markets	DRC established a mining fund Uganda and Tanzania created mineral markets South Sudan and Tanzania created gold buying centres
High environmental degradation by artisanal miners	Simplified environmental management plans for artisanal miners to enable environmental protection
High level of informal and unorganised mining by artisanal miners	Established cooperatives as recognised organisations for licencing artisanal miners and having a mining licence/permit for artisanal miners separate from that of small-scale, medium-scale, and large-scale/Industrial miners
Aimed to attract more serious investment under small-scale jurisdiction	Tanzania increased PML capital ceiling from \$100,000 to \$5 million USD in 2017
Less integration of domestic supply chains and skills in the sector	Promoted local participation within the mining economy by mandating all mining licence holders to use local goods and services, personnel, and contractors Some countries have gone on to strengthen reporting obligations, monitoring systems, and penalties for non-compliance with local content in mining operations
Lack of clarity on which level or department of government is responsible for ASM operations	Defined responsibility by assigning departments and roles to different levels of government and state power, in turn strengthening decentralisation of licencing and supervision
Challenges in accessing international markets	Defined modalities of implementing regional certification mechanism and implemented certification systems

As much as policy and regulatory reviews are important, the key is avoiding a formalisation dilemma where good, relevant regulations are crafted and passed but not implemented. This can happen when institutions are too weak to implement or enforce regulations or when appropriate resources are not allocated to the formalisation agenda. Political will for building strong institutions and enforcing regulations is crucial for formalisation targets.

## ii. Involvement of Policy-makers and Artisanal Miners in the Review Process

Policy-makers, miners, and other stakeholders are involved in the review of mining legislation, with level of engagement differing across Member States. Activities found to be common within the processes in all the ICGLR countries reviewed:

- Assessment of regulatory and operating environment to identify gaps and areas that need to be improved as well as clauses that are irrelevant, out-dated or that hinder the targets compelling bill amendments. Key stakeholders are involved in this process through meetings or workshops led by policy-makers or facilitated by consultants.
- Vetting draft bills with stakeholders to ensure proposed amendments rectify the gaps identified in the initial process. Some countries subject the draft to public consultation.
- Subject a final draft to review by policy-makers for possible amendments or reviews before it is eventually passed.

**Table 6: Involvement of Policy-makers and ASM Operators in Review Processes**

Country	Involvement of policy-makers and artisanal miners
Burundi	Policy-makers, civil society, and miners were actively involved in the review process. There is ongoing collaboration with OBM post-review in supervising and monitoring the implementation.
Republic of Congo	Policy-makers established a working framework involving government departments, civil society, and mining operators who were involved in the consultations and review of the legal framework. The voice of artisanal miners is amplified by civil society and the national and international NGOs that work with them.
Kenya	Policy-makers studied and reviewed current laws and trends in the mining sector to draft proposals that were subjected to public participation forums to get final regulation.
South Sudan	Workshops were facilitated by consultants to draft the bill with state and local communities underrepresented.
Tanzania	The government drafted amendments based on gaps identified in the performance assessment and conducted stakeholder engagement with central government entities, LGAs, mining enterprises, small-scale miners and their associations, and NGOs. After incorporating stakeholders' opinions, government procedures for specific amendments were followed.
Uganda	All stakeholders, government MDAs, private sector, and civil society were engaged through workshops and virtual meetings to review, amend, and review final drafts.

## iii. Status of ASM Formalisation

All countries in ICGLR are at different stages of formalising ASM. These are some of the successes and achievements within the region:

- Increased numbers of artisanal and small-scale miners grouped into cooperatives and associations that are registered and licenced to undertake mining mostly in Artisanal Mining Exploitation zones. As of March 2025, Tanzania had issued 41,700 licences to small-scale miners.
- Establishment of Artisanal Mining Zones to regulate formal artisanal mining and reduce encroachment on mining rights assigned to medium and large-scale miners that contribute to conflicts and illegal mining activities. Tanzania has 65 demarcated areas across the country. DRC, Burundi, CAR, Kenya, and Uganda have made progress towards creating zones for ASM.
- Establishment of mineral trading and buying centres in Uganda, DRC, and Tanzania for ease of access to markets by ASM. Tanzania already has 43 mineral trading markets and 109 buying centres located in ASM active areas.
- Training of artisanal and small-scale miners on registration, licencing, and permitting processes. In Kenya, they have been taught how to use the online mining cadastre while in Uganda, they have learned about biometric registration.
- Establishment of entities to support ASM formalisation like SAEMAPE in DRC and STAMICO in Tanzania to offer technical assistance to miners.
- Increased transparency and traceability of minerals for ASM as it is easier to implement certification and traceability mechanisms for formalised groups. DRC, Rwanda, Tanzania, Uganda, and Burundi have managed to implement certification mechanisms in some of their value chains, like the 3T and gold.
- Establishment of artisanal mining committees in each county in Kenya, with 35 out of 47 committees formed by May 2025.
- Improved data collection from ASM through integration of data collection systems in registration and supervision.

Despite some of these notable achievements, glaring challenges to formalisation still include:

- Limited availability of viable sites for artisanal exploitation.
- Operationalisation of trading centres.
- Weak control and enforcement systems within governments.
- Limited access to financial assistance for artisanal miners.
- High proportion of artisanal miners still operating outside the regulations.

#### iv. Training and capacity building for licencing

The following approaches are being used by Member States to train and build capacity of miners to be licenced and mine legally.

**Table 7: Licencing Training and Capacity Building**

Country	Training and capacity-building strategies for licencing
CAR	Awareness campaigns to popularise the Mining Code
DRC	SAEMAPE strengthens capabilities in various fields such as environmental management, clean technologies, and operations in ZEA
Republic of Congo	Semi-annual inspections of operating sites by mining administration with awareness campaigns about mining regulations, particularly administrative procedures for granting mining titles and good environmental practices
Kenya	Continuous civic education and trainings by officers from the State Department for Mining
South Sudan	Department of Mineral Title Coordination provides sensitization, organises meetings, workshops, training programmes for different stakeholders, including artisanal miners, and distributes the Mining Act 2012, Mining Regulations 2015 to key stakeholders
Tanzania	Regular onsite trainings and extension services through the Mining Commission's Resident Mines Offices (RMOs) situated in every region across the country; trainings are also provided to those who visit the offices for licence application.  Capacity building and training is also done through different workshops and events such as the Tanzania Mining and Investment Conference (TMIC), the Annual Geita Mining and Technology Exhibitions, the Shinyanga Mining Exhibition, the Sabasaba International Trade Fair.
Uganda	Regular workshops conducted by the Ministry regarding the Mining and Minerals Act and procedures to licensing;  A summary of requirements and other relevant guiding documents have been developed;  Inspectors regularly sensitise and raise awareness to stakeholders while in the field.

#### v. ASM Administration

The standard practice observed in Member States is decentralising the administration of ASM into regions to enable ease of access by artisanal miners, who are mostly marginalised, and their mobilisation. Decentralisation also becomes an advantage to women to access the regional or local offices for services, considering their dual responsibilities with household chores that may not afford them more time away from their households. Administration is housed in the Ministry Responsible for Mines centrally and delegated to directorates of departments, mining development, and environmental agencies and committees that

are responsible for issuing licences and permits. DRC has SAEMAPE, CAR has the Mineral Exploitation and Environment Directorate, Burundi makes use of the Burundi Office of Mines (OBM) that is central with provincial relay points, and Tanzania uses regional Resident Mines Offices of the Mining Commission.

The administrative structures handle licencing, inspections, and compliance. They ensure ASM operations are legal and safe. They also manage mineral trading systems and enhance formalisation and revenue collection.

#### **vi. Service delivery to the ASM Sector**

As already outlined, most Member States established agencies and directorates whose responsibilities include the ASM sector. Services offered to the ASM sector include:

- Technical assistance to support transition to formality, like supporting formation of cooperatives and associations.
- Awareness-raising regarding licencing, permitting, and demands of the Mining Code (Uganda has adopted a digital licencing system to decentralise the licencing process).
- Supervision of mining operations and implementation of environmental protection measures.
- Supporting miners in adopting certification and traceability measures.
- Linking miners to fair markets.

**Country Example:** Tanzania's STAMICO provides extension services, including technical training, rental of modern mining equipment, and capacity building through Model Mining Centres like those in Lwamgasa, Itumbi, and Katente. These centres demonstrate safe and efficient mining practices to small-scale miners. The Geological Survey of Tanzania supports ASM by generating and disseminating geological data, conducting mineral potential assessments, and offering simplified geological maps that help small-scale miners make informed decisions when applying for licences or prospecting within designated areas.

#### **Successful Outcomes:**

- Change in miners' mentalities on the mining business in general, contributing to a reduction in mineral smuggling, improvements in payment of government revenues, record keeping, and collaboration with the government.
- Increase in the number of licences issued across the region.
- Establishment of mineral trading markets and buying centres across Member States to increase access to fair markets.
- Designation of over areas for ASM and issuance of licences to miners' cooperatives and associations in such areas.

- Delivery of training and equipment to miners through responsible government ministries, departments, and agencies, and in coordination with civil society close to their areas of operation.
- Safeguarding the interests of ASM miners through introduction of regulations that protect their interests, specifically in terms of specifications of investors and scope of operations for those allowed within the sector and guidelines on engagements with technical partners offering support arrangements.
- Inclusion of women and youth through issuing licences to their cooperatives and associations and adoption of gender inclusive policies.
- Increased revenue collection and mineral traceability.

Challenges encountered in service provision to ASM are summarised in Table 8.

**Table 8: Challenges Encountered in ASM Service Provision**

Challenges	Strategies to be adopted
Institutional weaknesses in offering technical assistance, monitoring and supervision services, and enforcing regulations	Allocate financial, technical, and human resources to support formalisation
Persistent informality by artisanal miners	Create incentives to attract miners to formalise and simplify licencing process requirements Invest in geo-prospecting to allocate artisanal exploitation zones with exploitable mineral deposits
Failure to comply with environmental protection and occupational health and safety regulations	Conduct routine inspections and monitoring visits and build capacity of inspectors to improve competence and capacity of artisanal miners
Smuggling of minerals across borders	Allocate resources to monitor border regions, establish mineral markets that offer competitive prices, and strengthen traceability and certification mechanisms
Limited access to financial assistance due to perceived risk of the sector and lack of collateral	Engage financial sector to demystify the sector, especially in terms of using geological reserves as collateral for future production and establish guarantee funds to reduce risk profile and attract investors with progressive formalisation
Limited access to affordable and modern mining equipment	Facilitate hiring of equipment on a cost recovery basis (though some cooperatives will still lack capacity to hire equipment)
Limited knowledge and lack of willingness to use technical experts (geologists, engineers, inspectors) in ASM operations.	Allocate resources and increase the coverage of extension services provision Offer some services at concessionary rates on a cost recovery basis to ensure continuity

## vii. Data Collection for ASM Strategic Planning and Formalisation

All Member States have some form of data collection exercises to establish a baseline for planning ASM interventions. International development partners supported most of these programs. Countries like Uganda, DRC, Burundi, and CAR have data collection systems that routinely collect data during licencing, monthly reporting, and renewal of licences which can be used to understand trends within the sector. It is encouraged that data collection be gender aggregated to measure progress in relation to gender inclusion in mining. Data collection systems that have been used so far are summarised in Table 9.

**Table 9: Data Collection Systems in Place**

Country	Surveys data collection mechanisms	Type of data collected	National integration of data
Burundi	Database and statistical censuses on artisanal labour estimates and cadastral and geological DB BGR survey 2023, IPIS Gold sector studies 2015, World Bank 2016 on transparency reports	Revenue and economic contributions, production statistics by mineral mined, estimates of active population involved in ASM, demographics, cadastral data, geological data, environmental and social data	Database information is linked to the National Institute of Statistics which incorporates all the data
Central African Republic	Evaluation Office and Diamond and Control Office (BEC)	Production data, contributions to national economy	Data used by the Ministry of Economic Development and International Cooperation
Republic of Congo	2024 census on artisanal miners and formalisation of mining sector	Production statistics, jobs created, environmental management of sites, support for community development projects	Data included in statistical year books
DRC	National Geological Services and SAEMAPE on ZEA research	Production statistics, prices, miner demographics, accidents	Miners declare monthly production statistics using a given template; data is synthesized and published by the Ministry of Mines through CTCPM website by EITI
Kenya	Ongoing surveys	Miner demographics, type of minerals mined, role of miner in cooperative, production statistics, technology used in mining operations, and selling price	

South Sudan	Surveys by local and international development partners	Demographics of miners, production statistics, marketing information, economic contribution	Not integrated into national database systems
Tanzania	Mining Commission periodically collects information National Bureau of Statistics carries out surveys	Production, sales, transportation of minerals, and personal information for licence owner	Used by Mining Commission for Monitoring and Evaluation purposes and establishing status of the sector
Uganda	BRASM and census of miners in the country	Demographics, earnings, production data	BRASM is part of mining database

## Formalisation Implementation

### viii. Land Access for ASM purposes

Land for mining is accessed by applying for a mining right or permit in DRC, Burundi, Kenya, Tanzania, and CAR. In Kenya, Tanzania, and Burundi, the landowner’s consent is sought before mining can commence. The same is expected in DRC if mining is to take place outside the ZEA; a written authorisation from the mining right holder is sought. To reduce conflicts, instructions and clearance is sought from the mining cadastre in CAR and Burundi. This dual recognition ensures that rights to minerals and rights to land are clearly separated and must be harmonised before any mining activity begins.

In Uganda, land access is based on an open market basis: willing buyer, willing seller. The land tenure places land ownership in the hands of citizens. To access land for mining, one has to rent and enter into a production arrangement with landowner or outright purchase the land. ASM zones are the only solace for the artisanal miners. As of May 2025, in the Republic of Congo, before the finalisation of the review of the mining law, land for mining can be directly accessed if you stay within the area where the mineral deposit is located. Land ownership is within the hands of the chiefs, requiring verbal consent from the chief for anyone from a different area to access land for mining.

Use of ASM zones is encouraged as it protects the vulnerable in society, including women who may be hindered by social cultural norms as far as land ownership is concerned. If a permit is granted to a mining cooperative to an artisanal zone, even the vulnerable and women can access mining rights without any discrimination.

## Challenges encountered in land access by ASM

- Administration overlaps and responsibility duplication across different departments

This leads to multiple administrative stages to access land where permission may need to be sought from the Mining Ministry as well as a ministry in charge of lands before a permit is issued. This can be reduced by streamlining processes to one department.

- Illegal acquisition of land by informal miners

Without owner consent or permit to mine, land conflicts can occur. The allocated miner may find the mineral resources already being exploited by informal miners. Formalisation and enforcement of regulations can reduce such incidences. Conflicts are also fuelled by limited awareness among both mineral rights holders and landowners regarding the scope of their legal rights and obligations. Many landowners mistakenly believe that owning land gives them automatic ownership of the minerals beneath and the right to mine them. Conversely, some mineral right holders equate being granted a mineral right with full control over the land, and therefore proceed with mining activities without consulting or compensating the landowner. These misunderstandings have led to frequent land-use conflicts.

Resistance from community members on allowing land to be released for mining purposes

This mainly occurs when community is uninformed on the benefits of mining or has not seen any tangible benefits from mining activities.

### ix. Formalisation through partnerships with large scale miners

Regulatory protocol in place to reduce conflicts hinges on separating mineral rights allocations from artisanal miners being limited to Artisanal Exploitation Zones defined in the Mining Code. Due to some ZEAs being unavailable, artisanal miners at times encroach into LSM mining areas. Article 30 of DRC's Mining Code allows this encroachment to take place when the right holder grants permission and submits a request to retract their interest in the area encroached. In this way, the ASM can legally access and mine part of an LSM area. Otherwise, most Member States encourage negotiations between LSM and ASM to maintain peaceful coexistence.

LSM can also promote formalisation of ASM by offering technical assistance to build the capacity of the mining cooperatives, access to markets, and support with establishing traceability systems.

### x. Measures in place to promote gender equality in ASM

National gender policies that cover every economic sphere have guided gender mainstreaming in the mining sector. Some Member States have gone further by including gender considerations in the mining codes, like Uganda, CAR, DRC, and Burundi. All Member States acknowledge that gender equity is observed in mining. Inspectors in Uganda encourage mining cooperatives to mainstream gender during inspection visits – one way of enforcing gender mainstreaming in

day-to-day operations of the cooperatives. The mining code in CAR guarantees women access to mining rights while the national mining strategy empowers women to be involved in mining and granted adequate support to improve their operations. South Sudan is yet to incorporate gender policies into its mining laws but sets a quota of 35 percent for women representatives in government positions at all levels and grants equal access to property rights regardless of gender.

- The DRC code grants mining rights exclusively to entities, giving women an opportunity to partake in mining as long as they are part of a cooperative. The law does not discriminate women's access to ASM operations. SAEMAPE has set an objective to integrate women into the mining supply chains that are covered under the Decree no 17/007 of April 4, 2017.
- Women have received support in forming and leading cooperatives and being able to access mining rights. Simplification of licencing procedures in Burundi has helped increase women's chances of meeting licencing requirements. The revised mining code in Burundi supports the structuring of women's cooperatives and access to mining rights. It seeks to protect women against gender-based violence and sexual harassment – something that needs to be strengthened and enforced in all Member States to create a safe and conducive working environment for women. Burundi has adopted a gender-aggregated approach to data collection to monitor equality indicators during monitoring and evaluation.
- The Tanzanian government, through partnerships with associations for women in mining, including TAWOMA, WIMO, and TWIMMI, has trained women and facilitated access to mining equipment and financial support. The program Mining for a Brighter Tomorrow (MBT) empowers women, youth, and people with special needs by facilitating access to licences in areas designated for ASM. The program also aims to provide mining tools and machinery, and offers mentorship in business and technical skills.

#### **xi. Incentives and professional services in place to support ASM formalisation**

Incentives and professional services implemented by Member States to support formalisation of artisanal and small-scale miners include:

- Technical assistance on exploitation of minerals through provision of geological data and access to modern equipment and clean mining methods. CAR runs an artisanal miners week that is accompanied by distribution of equipment for artisanal exploitation. Tanzania offers subsidised equipment rental charges through STAMICO and equally subsidised ore processing charges for licenced miners. Simplified geological and mineral potential maps are also offered at a low cost.
- Fiscal incentives when selling minerals to approved buyers, like in Tanzania where 4 percent royalty is charged when selling to a local refinery while 6 percent is charged when selling elsewhere. No inspection fees are charged when minerals are sold to established mineral markets and 1 percent is charged to those that sell elsewhere.

- Training and capacity building on mining and business management
- Access to new markets, investors and financial assistance. Artisanal miners in CAR are permitted to export up to 20,000.00 CFA
- Relaxation of administration, like low licencing costs and simplified licencing processes and tax regulations
- Institutional support to mining cooperatives and associations

**Challenges in offering incentives and professional services**

- Proliferation of briefcase mining cooperatives that have no real interest in mining but want access to benefits and incentives.
- Inadequate resources to offer financial and technical assistance to miners.
- Low capacity of most mining cooperatives to meet financial requirements of most financial institutions.

**xii. Fiscal payments paid by ASM**

In most countries, ASM is expected to pay taxes, royalties, levies, licence fees, and income tax, depending on the fiscal regulations of the Member State. Table 10 summarises the fiscal payments due in each Member State.

**Table 10: Fiscal Payments Due for ASM**

Member State	Fiscal Payments Due
Burundi	<ul style="list-style-type: none"> <li>■ annual royalty fees- fixed</li> <li>■ annual contribution fees for rehabilitation of mining sites</li> <li>■ states share of production</li> <li>■ corporate income tax</li> </ul>
CAR	<ul style="list-style-type: none"> <li>■ taxes</li> <li>■ export tax</li> </ul>
Republic of Congo	<ul style="list-style-type: none"> <li>■ mining royalty</li> <li>■ export taxes</li> <li>■ surface royalties</li> <li>■ fixed fees (for the granting, renewal, and transfer or leasing of the mining title)</li> </ul>
DRC	<ul style="list-style-type: none"> <li>■ tax</li> <li>■ levies</li> </ul>

Kenya	<ul style="list-style-type: none"> <li>■ royalties</li> <li>■ levies</li> <li>■ permit fees</li> </ul>
South Sudan	<ul style="list-style-type: none"> <li>■ tax</li> <li>■ annual rent</li> <li>■ royalties</li> </ul>
Uganda	<ul style="list-style-type: none"> <li>■ VAT</li> <li>■ \$200 USD per kilogram of refined gold</li> <li>■ no royalties on gold</li> <li>■ 5 percent royalty on gross value for other base metals</li> <li>■ industrial material royalty assessed per ton</li> </ul>

The absence of royalties in Uganda has encouraged mining cooperatives to invest in increased production, like modernising production sites. An increase in the number of miners formalising implies an increase in revenue generated from the sector.

**Challenges of the fiscal measures include:**

- Complexity and multiplicity of taxes that discourage payment of taxes by miners, leading to informality
- High values of taxes levied on miners, discouraging formalisation
- Problems with declaration and payment of taxes due to low literacy levels

**xiii. Fiscal Incentives proposed to encourage ASM formalisation**

Member States with fiscal incentives are Uganda with zero royalties for gold, CAR with a flat tax rate for artisanal miners that is not applicable for medium and large-scale miners, and DRC with preferential import duty on machinery imports for artisanal exploitation.

**Further fiscal incentives that can be considered include:**

- A simplified tax regime adapted to size of operations that may a scalable system based on production levels.
- Partial exemption or tax holidays for artisanal miners during the first year of operations.
- Credits or claimable VAT on equipment purchases.
- Reduction of taxes like withholding taxes to below 5 percent.
- Relief from paying VAT on mineral sales.

#### **xiv. Types of services available to assist ASM to formalise**

Services offered to ASM to assist them to formalise are:

- Trainings on improved mining methods, record keeping, and management by relevant state departments and in collaboration with development partners.
- Access to insurance and social protection, as facilitated by SAEMAPE in DRC.
- Provision of geological services for viable mining, such as the Geological Services of Tanzania offering the service to miners at minimal cost.
- Introduction to modern mining methods and equipment: Tanzania used of demonstration centres and model mines to introduce new technologies and centres of excellence to demonstrate processing technology.
- Attachment of geologists to mines, like practices in South Sudan for small scale miners.
- Facilitation of mining exports and import of equipment.
- Facilitation of access to finance, as in DRC through SAEMAPE and STAMICO in Tanzania. The Republic of Congo assists by seeking for investors to finance operations within the sector.
- Facilitate certification and traceability to access competitive markets.
- Multilateral initiatives supported by international agencies like Fair Cobalt Alliance that grant access to better markets.
- Support in improving occupational health and safety conditions in mining sites.
- Development of technical manuals to guide the sector, as done in the Republic of Congo.
- Assistance in forming and registering cooperatives, such as constitution drafting, legal advice on rights and obligations, and process of registration, as is done in Burundi.

#### **Employment and Business Development**

##### **xv. Country Strategies promoting rural employment and ASM**

Local content policies and regulations are used to promote utilisation of local goods and services within the mining sector. In some countries, these are standalone regulations, like in Tanzania, while in Uganda, they have been integrated into mining and mineral laws. For example, the Uganda Mines and Minerals Act of 2022 obliges mineral right holders to employ and train locals where possible and to buy local goods and services. This has seen ASM operators given priority in employment by large-scale miners, like the KI3R partnership in Kisoro District mining wolfram.

DRC has the national Policy and Strategy for Rural Development (PSNDR) and the Support Program for Rural Country Development Strategy (DSP) that support rural transformation

and job creation. These, along with reforms in the ASM sector and initiatives like the Cobalt General Company (EGC), Congo Gold, and ARECOMS, as well as formalisation, have led to increased skills development and financial resilience of the communities. The Burundi National Employment Policy (NEP) encourages formalisation of rural activities, creation of cooperatives, and promotion of local youth entrepreneurs. Burundi also has the national Strategy for Development of Rural Areas (SNDR) which aims to reduce rural poverty through diversification of economic activities that includes extractives. Recognition and inclusion of ASM as a strategic sector under these initiatives has contributed to implementation of training initiatives, more cooperatives being supported in rural areas, and collaboration with international partners supporting rural development activities.

All the laws and policies will benefit the sector when there is some resemblance of formalisation, when the sector can participate in formal economic activities and contribute positively to the community where operations are taking place. A formalised ASM sector can contribute to creation of enterprises through:

- Creation of cooperatives that can be trained and receive funds earmarked for rural development that can be used to finance the mining operations, which can activate local economy.
- Ability to receive technical support from international development partners supporting initiatives in rural areas.
- Ability to access modern technology that can improve their operations.

**Challenges in implementing these strategies include:**

- Absence in some Member States of ASM sectorial strategy under the rural development initiatives, risking marginalisation of artisanal miners – this can be reduced by improving inter-ministerial coordination and integration of policies to maximise on gains.
- Insufficient funding contributing to slow implementation of the reforms and initiatives.
- High informality of artisanal miners in rural areas contributing to under-employment as most of them are engaged in subsistence activities.
- Difficulties for women and young people integrating into some of the initiatives.
- Lack of adequate infrastructure and technology to support the developments.

**xvi. Strategies and policies in place to ensure gender inclusion in ASM**

Constitutional rights affording equality under the bill of rights and government policies affording equal opportunities to men and women are the guiding frameworks in all Member States. CAR's strategy seeks to strengthen women's capacity within communities to participate in artisanal mining and to develop women's capacity for local entrepreneurship .

The Burundi Mining Code grants rights to women to access mining title and permits and to participate in artisanal exploitation of minerals without any discrimination. DRC's legislative reforms seek to integrate women by removing barriers to participation. Women have been included in the Advisory Group of Parties Engaging (GCPP) to offer advice for advancing formulation and implementation of policies. SAEMAPE has integrated women into supply chains as one of the strategies of ensuring gender inclusion. Programs supported by international development partners have assisted in gender inclusion within ASM, like the IMPACT's Digging for Equality which supports women's participation, safe working environment, and involvement in decision-making. Programs supported by GIZ, UNDP, and the World Bank have also been implemented within the region.

**Persistent challenges for gender inclusion in ASM include:**

- Limited access to permits due to low literacy levels, insufficient information, and limited financial resources.
- Social cultural discrimination still exists and acts as a barrier to women's involvement.
- Policies seeking to protect women that eventually exclude the marginalised and vulnerable member of society, like the DRC law that excludes pregnant women from ASM activities.

**xvii. Strategies in place to support ASM operations into homegrown local enterprises**

- Institutional and regulatory strategies that update mining codes to simplify issuance of mining permits for ASM operations and offer technical support to operations; Burundi has a technical support desk in five provinces serving ASM.
- Facilitating access to competitive markets and technical services by organising supply chains to ensure transparency and traceability.
- Instituting value addition regulations, as in Uganda where the Act prohibits export of raw minerals without any form of beneficiation.
- Increasing local employment and supporting local content laws in terms of buying goods and services.
- Technical capacity building through professional trainings, access to appropriate technology, access to geological information and services, and access to finance.
- Granting partnership agreements between mining cooperatives and LSM.
- Offering tax relief to encourage investments.
- Granting export licences to cooperatives.

### **xviii. Strategies that can be implemented to improve access to finance by ASM**

Financial institutions are generally still not interested in funding ASM due to the perceived high risk associated with the sector. Donor supported programs have been the major source of financial assistance to the ASM sector. The following strategies can be implemented to improve access to finance:

- Support formation of mining cooperatives with appropriate governance structures and systems that may offer some credibility before financial institutions and investors.
- Strengthen financial, accounting, and management systems of the cooperatives.
- Facilitate access to fair markets by cooperatives by creating markets and facilitating exports.
- Facilitate public private partnerships for funding, such as ACE in EGC Cobalt DRC.
- Create dedicated funds, guarantee funds, or co-financing to reduce perceived risks.
- Create supply agreements or work on advance payments and forward purchases with approved buyers.
- Facilitate certification of cooperatives to increase transparency and traceability that may enable them to access international markets.
- Attract investors through round table dialogues, interaction platforms, and participating in international exhibitions to improve networks.
- Scale up existing interventions to reach more ASM operators, especially women, people with special needs, and youth

### **xix. Access to Finance and Markets**

Strategies implemented to improve ASM to finance:

- Create mining cooperatives and associations that can seek for funding from financial institutions and pool resources.
- Link mining cooperatives with private institutions with the assistance of development partners, like the IMPACT Facility in Kenya which has managed to structure financial models benefitting the ASM sector and the models planetGOLD has facilitated within the region.
- Create guarantee funds, as in Congo's Guarantee and Support Impulse Fund (FIGA) and SAEMAPE in DRC mandated to create the Credit Fund to support ASM.
- Provide grants and soft loans through projects supported by technical and finance partners and government, like the SMMRP project in Tanzania which extends government financial support to organised groups through grants and loans.

- Establish mineral trading centres (markets and buying centres) to improve revenue traceability and boost miners' bankability as they do direct transactions through banks.
- Improve financial literacy and capacity building through trainings on business planning and credit management.
- Promote certification and traceability that will enable access to better markets and add credibility to the organisation to downstream players.

### **Challenges in Accessing Finance**

- ASM licences still not accepted as collateral by local commercial financial institutions.
- Many ASM operators lack bankable feasibility studies, financial records, formal business plans, and credit history.
- Low awareness and financial literacy and misappropriation of government grants and loans hinder effective use of available financial tools.
- Some miners still operate informally, limiting eligibility for institutional support.
- Mechanisms in place for ASM to access fair markets.
- Establishing local mineral markets and buying centres in every region across the country that display world prices on a daily basis for particular minerals traded in a specific market .
- Allowing central banks to be alternative buyers of minerals, especially gold, at market prices for those who opt to sell locally.
- Conducting gem fairs that are supervised by the government.
- Participating in international and local conferences to promote countries' ASM sectors.
- Creating value addition centres to market minerals produced.
- Collaborating with international buyers for access to international markets for mineral products.
- Promoting certification and traceability, like the Commercial Viable without Conflict Project (VCCFG) in DRC which markets traceable ASM gold from DRC.
  - ▶ Some cooperatives have sought Fair Trade Certification for ASM gold to access some markets.
  - ▶ Burundi uses ITSCI Mineral Traceability systems for 3T minerals to access formal buyers with competitive prices.
- Requiring all mineral dealers to have and use registered physical offices at mineral markets.

## xx. Mineral Value Addition

### Policies and legal frameworks on value addition and their applicability to ASM

Development of value addition policies has been initiated within Member States with countries like Kenya, Uganda, Burundi, and Tanzania creating clauses in their mining and mineral laws promoting local value addition of minerals. Table 11 summarises actions taken by different countries in promoting value addition.

**Table 11: Value Addition Strategies**

Country	Value Addition Framework
Burundi	Mining Code 2023 and national Development Plan 2018-2027 emphasises local valorisation of mineral substances and calls for the establishment and strengthening technical capacities of local processing units to increase local value addition
CAR	Mining Code and National Strategy for Value Addition have been promoting value addition in gold value chains
Republic of Congo	Mining Code supports value addition by encouraging onsite processing to strengthen industrial fabric in established economic zones
Kenya	All operators encouraged to add value to minerals prior to export No strategic minerals can be sold without value addition
Uganda	Mines and Minerals Act 2022 encourages value addition to be carried out before export by all licence holders
Tanzania	<p>Mineral Policy of 2009 encourages the establishment of local industries for cutting, polishing, smelting, and refining of minerals and specifically supports small-scale miners by advocating for the development of mineral processing technologies and facilities at the community level to enhance earnings and employment opportunities</p> <p>Mining Act, Cap. 123 provides the legal basis for value addition by mandating that a portion of mined minerals (commonly 20 percent) be processed, refined, or smelted within the country; Section 59 empowers the Minister to set this percentage through consultation with the Mining Commission and licence holders; the Act also prohibits export of raw minerals unless they meet certain beneficiation standards, thus promoting in-country processing even for small-scale miners</p> <p>Mining (Mineral and Gem Houses) Regulations, 2019 established mineral and gem houses where minerals, particularly gold and gemstones, are sorted, graded, and assayed before sale or export; small-scale miners are encouraged to utilise these facilities to ensure quality control, obtain better market prices, and comply with trading regulations; the centres also serve as points of value addition through services like cutting and polishing</p> <p>To increase domestic beneficiation and ensure Tanzania captures more value from its mineral resources, Mining (Export of Minerals and Samples) Regulations, 2018 control the export of minerals by requiring they undergo a minimum level of processing and be accompanied by official assay certificates – this applies to all miners, including those in ASM, and serves to discourage the export of raw, unprocessed minerals.</p>

## **xxi. ASM Organisation**

Types of organisations authorised to engage in ASM operations, as defined by mining legislation:

- individuals normally citizens of the Member State.
- natural persons organised into cooperatives.
- associations and other legal forms representing economic interest groups or partnerships (Tanzania).
- registered companies.

The common type of organisation promoted across the region are mining cooperatives and associations for artisanal mining while registered companies are more on small scale mining.

### **Benefits of mining cooperatives realised so far:**

- They are legally recognised and can engage institutions on behalf of the members.
- Easier to target the cooperative or association for technical assistance, training, or knowledge dissemination.
- Easier to enforce standards and regulations as they are supposed to abide by their terms of registration.
- Easier to incorporate women and other vulnerable members of society as members, in turn supporting their empowerment and inclusion in ASM.

### **Challenges encountered with cooperatives and associations:**

- Low management capacity; capacity development in leadership and governance is essential.
- Cooperatives created for reasons other than participation in ASM operations, at times further compounded by weak regulation and enforcement systems that fail to weed out such organisations.
- Inequalities among ASM organisations with women and other vulnerable groups being taken advantage of.

## **xxii. Environment, Health, and Safety**

### **Policies and Regulations for ASM Environment, Health, and Safety Compliance**

ASM must comply with key regulations like mining codes in Member States, labour acts, and environmental managements acts. There are no such policies in place in South Sudan while in Kenya, health, safety, and environmental protection regulations for mines as of May 2025, were still in the public participation stage which is expected to address these issues for ASM.

- DRC, Mining Code 2002 regulates safety, hygiene, health, and environmental protection while Decree no 18/024 of June 8 2018 introduces environmental management through realisation of Environmental and Social Impact Studies (EIES), Environment and Social Management Plans (ESMPS), and the Rehabilitation Mitigation Plans (PAR) that miners have to follow.
- Burundi Mining Code 2023 promotes protection of workers' health and safety, environmental management in mining sites, and the restoration and rehabilitation of mined zones. Simplified environmental assessments for small-scale mining permits were introduced. Burundi Environmental code of 2021 specifies that every activity to be carried out, including the extractives, should undergo an environmental assessment. ASM should have an environmental management plan. The Burundi Office of Mines also has regulations promoting safety practices in mining that should be adopted.
- In Uganda, ASM must comply with the Mines and Minerals Act 2022, the NEMA Act, and the Labour Act. CAR has a mining law that covers environment, health, and occupational health and safety protection. Congo relies on the mining code and sustainable environmental management regulations that set out obligations to conduct environmental and social impact assessments (ESA).
- In Tanzania, the Mineral Policy of 2009 prioritises training to promote sustainable mining practices, encourage the use of safer and environmentally-friendly mining technologies, and awareness raising for small-scale miners on health, safety, and environmental matters. Mining Act Cap 123 mandates the submission of Environmental Protection Plans (EPP) for small-scale projects. Environmental Issues affecting ASM are also regulated by Mining (Environmental Protection for Small-Scale Mining) Regulations, 2010 which sets standards for waste disposal, rehabilitation of mined-out areas, mercury use control, water management, and protection of biodiversity in small-scale mining operations. Environmental Management Act, Cap. 191 (EMA, 2004) requires environmental audits, inspections, and penalties for non-compliance, including in ASM activities. Mining Safety and Occupational Health Regulations 2010 regulate workplace safety through requiring use of PPE, safety training, and maintenance of mining infrastructure.

Compliance with these policies by ASM contributes to inclusivity and equity in mining areas, especially in relation to working conditions, as both males and females are equally protected. ASM gains awareness on risks and encouraged to rehabilitate their sites. Awareness and

training on safe mining practices and environmental compliance have improved through government-led outreach and developmental partners. The Tanzanian example in which all ASM operators have to submit EPPs to be granted mining licences is evidence of increased awareness and compliance to environmental regulations.

Some challenges to compliance relate to the difficulties in synchronizing EIES with allocation of mining titles. These affect the granting of the mining permit. There are also concerns with the applicability of the environmental and social management plans that are required in Congo and Burundi as most miners develop these to be licenced but do not follow them in operations. Mercury use is still prevalent, although most of the countries are pushing through policies for its reduction and elimination; promoting alternatives and supporting their adoption needs to be strengthened. Implementation and enforcement is still weak and there are extremes of implementation that paralyse ASM operations. There is still low compliance capacity among ASM operators, especially in gold mining operations, due to limited resources and technical expertise. Use of protective equipment and safe mining infrastructure is still inadequate, leading to unforeseen accidents and occupational health risks.

### **xxiii. Regional and International Frameworks**

Regional certification mechanisms are the main certification framework used in all Member States, although the level and state of implementation varies, as in South Sudan where it is yet to be integrated into national laws as of May 2025. In Uganda, RCM has been gazetted the inspection and monitoring division with a unit responsible for traceability. DRC has developed specific manuals for gold and tin sectors, adapted for local context, as it seeks to have minerals produced from the country recognised within the region. Tanzania has aligned its policies for tin minerals in Kyerwa District, Kagera region. The Centre for Expertise, Evaluation and Certification (CEEC) in DRC plays a part in certification, quality control, and aligning with international standards. Burundi uses the mechanism for 3T and gold minerals. ITSCI is also used for implementing RCM in certifying mining sites and strengthening national traceability to access international markets. Tanzania makes use of the Mineral Market Management Information System (MMMIS) and Mineral Information Management System (MiMS) for managing and tracing minerals through the value chain. Mineral markets and buying stations across the country provide a structured mechanism for mineral trading and documentation. Awareness and training programs for small-scale miners and traders in compliance with the OECD Due Diligence Guidance for Responsible Supply Chains of Minerals are conducted, especially through statutory trainings done by resident mines offices under the mining commission.

Lessons on regional certification and implementation of OECD due diligence standards and mineral traceability:

- Adoption of the standards contributed to the strengthening of traceability and tracking of chain of custody for minerals, especially with adoption of ITSCI in Burundi. This has improved access to international markets and reduces illegal trade in conflict minerals.

Adoption in DRC improved transparency and traceability of supply chains for cobalt and gold in Eastern DRC, contributing to the recognition of DRC minerals by international markets. Tanzania observes these standards when sourcing gold and tin from ASM.

- Adoption has contributed to improvement in production practices by ASM as they seek to comply with the standards, and to the institutional strengthening of inspection and monitoring units like OBM in Burundi and CEEC in DRC which had to improve their control and verification capabilities. Tanzania developed digital mineral tracking systems, including the Mineral Market Management Information System (MMMIS) which captures data from mines to market to support compliance with international due diligence and transparency requirements.
- Certification process is complex and is expensive to implement for most artisanal mining organisations. ASM needs technical and financial support to implement the process.
- Levels of awareness and training in certification mechanisms and requirements among ASM is still low, hindering full compliance.
- Implementation of the mechanisms is uneven across Member States, with difficulties in conducting inspections in conflict zones.
- There are residual risks related to corruption and informal payments which affect implementation of the mechanisms.
- Adoption has contributed to strengthening systems within institutions, especially in relation to data collection, as with the Tanzanian Mining Commission which now uses Mineral Information Management System (MiMS) to keep records related to mining licences and mining operations.
- Adoption has led to increased adoption of the ICGLR Regional Certification Mechanism (RCM) by Member States, which aims to prevent trade in conflict minerals, though this is at different stages of alignment across Member States.
- Increased government revenue and reduced smuggling thanks to establishment of mineral trading markets and buying centres which enhance mineral traceability, formalisation, and recordkeeping – important pillars of OECD-aligned due diligence.

#### **xxiv. Energy Minerals and Critical Minerals**

The emergence of critical minerals has not had much effect on formalisation in South Sudan where most ASM are involved in gold extraction and in CAR where ASM is only concerned with gold and diamond. Same in Kenya, where ASM involvement in minerals gazetted as strategic is limited. Copper and other critical minerals have been gazetted as strategic, thus changing the way they are prospected, mined, processed, and sold.

In other Member States, emergence of critical minerals has contributed to an increased interest in formalisation by artisanal and small-scale miners. Extraction of critical minerals is under international scrutiny, with traceability requirements increased on most minerals to prevent financing conflicts and human rights violations in their extraction areas. To meet formal international buyer requirements and technical capacity and traceability requirements, mining groups have to formalise to obtain government and developmental partners' assistance to build their capacities. The increase in the number of licences issued to ASM for critical minerals is evidence of meeting minimum requirements and progress towards integration into the formal economy.

**Table 12: Effect of Critical Minerals on Formalisation**

Country	Effect of critical minerals emergence on formalisation trajectory
Burundi	Move towards formalisation with the global demand of the minerals and raft of laws adopted to regulate their exploitation Need for technical support and value addition Risk of exclusion if not following procedures
CAR	No effect, ASM only concerned with gold and diamond
DRC	Increased formalisation to meet market certification standards due to international pressure and traceability requirements on critical minerals and increased monitoring to prevent financing of conflicts and violation of human rights
Kenya	Some critical minerals like copper are now main minerals and have been gazetted as strategic minerals ASM has reduced role on exploiting strategic minerals
Republic of Congo	Opened new opportunities for formalisation in relation to traceability, working conditions, and environmental management demands
South Sudan	No effect, most ASM operations are on gold
Tanzania	Between July 2024 and March 2025, the Mining Commission issued 275 small-scale mining licences for critical minerals, such as graphite, nickel, cobalt, lithium, heavy mineral sands, and rare earth elements – this demonstrates a realignment of ASM towards high-demand minerals
Uganda	Increased interest forcing some groups to formalise to be able to mine

## xxv. Multi-stakeholder Framework

Primary multi-stakeholder mechanisms involve government departments, private sector, miner representatives, developmental sector, and other stakeholders. These structures are mainly national and regional, with some Member States managing to operate local structures.

- Kenya involves multi-stakeholder committees in granting ASM permits. Burundi's ASM sectorial platform identifies obstacles in formalisation, proposes appropriate solutions, shares good practices, and promotes transparency. DRC has multi-stakeholder committees supporting formalisation in every province, which provincial steering committees and local

coordination committees. These mechanisms promote consultation, data collection, and implementation of policies.

- DRC has the Consultation Group of Stakeholder Parties (GCPP), a stakeholder advisory group comprised of academia, mining cooperatives, traders, and diggers that facilitates escalation of concerns from field actors and favours the appropriation of policies and initiatives for transparency within the industry.

There are multi-party EITI groups that include the government sector, private sector, and civil society to ensure transparency and accountability. These groups work mainly in data collection, verification of data on ASM, and identification of financial flows.

Sectorial and community platforms exist at the provincial level with local authorities, cooperatives, NGOs, and other stakeholders coordinating interventions, trainings, formalisation, security, and environmental issues.

There are also structures developed from national action plans against mercury that support formalisation.

Multi-stakeholder coordination mechanisms in Tanzania involve different government organisations to support the formalisation of ASM.

The Ministry of Minerals leads national-level coordination and engagement with a broad range of stakeholders. It convenes regular inter-ministerial consultations with other key ministries (Lands, Water, Vice President's Office - Environment, Finance, and PO-RALG, for example) to align ASM formalisation with country laws and guidelines. The Ministry also actively facilitates multi-stakeholder dialogues during major sectorial events, such as the Tanzania Mining Investment Forum, with dedicated plenaries to discuss small-scale mining challenges, opportunities, and policy reforms.

The Mining Commission, which operates under the Ministry of Minerals, coordinates ASM licensing, regulation, technical support, and compliance monitoring. Resident Mines Offices (RMOs), present in every region, serve as the operational arms of the Commission, working closely with ASM operators to process licences, conduct inspections, and offer extension services in mining-intensive areas. Local Government Authorities (LGAs), which help identify ASM areas, mediate land-use conflicts and facilitate grassroots mobilisation of miners, especially women and youth, and also support field coordination by RMOs.

Civil Society Organisations (CSOs) and NGOs play an instrumental role in advocacy, community engagement, and capacity building in collaboration with the Ministry of Minerals and its institutions. The government collaborates with organisations like HakiRasilimali, FaDEV, Federation of Miners Associations of Tanzania (FEMATA), Regional Miners Associations (REMA), and UNDP, to support miners with legal literacy, environmental awareness, gender mainstreaming, and organisational strengthening. For example, FaDEV has been working closely with ASM cooperatives on industrial minerals value chains, mapping ASM activities in Tanzania, and governance issues; HakiRasilimali supports policy dialogues and evidence-based research on ASM rights and taxation; which UNDP, through its inclusive growth programs,

collaborates with the Ministry, FaDEV, and the Mining Commission to promote women and youth participation in mining value chains.

Tanzania Extractive Industries Transparency Initiative (TEITI) contributes to ASM formalisation through its mandate on transparency and accountability. TEITI ensures public disclosure of mineral revenues, including from ASM, and tracks financial flows in the sector to promote trust and responsible governance. It discloses material payments for selected ASM operations and other information related to ASM in Tanzania.

## Annex D: Individual Country Status

### C1. BURUNDI

Burundi's artisanal and small-scale mining (ASM) sector is still developing with legal reforms promoting ASM although there is still high informality. The country has implemented a number of reforms to try to formalise the ASM sector.

#### Legal Reforms

Mining Code enacted in 2023 is the main legal instrument governing ASM operations that also considers the Regional Certification Mechanism. Law no 1/12 of June 28, 2017 governs the mining cooperatives and created a specific legal status for operators. Law no 1/09 June 28, 2017 amended the Code for environmental issues, promulgating the new Environmental Code on May 25, 2021.

Formalisation of ASM in Burundi presents an opportunity for different stakeholders – the state, communities, private sector, and civil society – to be engaged in transforming an often marginalised informal activity into a formal activity.

Legal reforms hinge on identified gaps and inconsistencies in previous laws. Broad areas targeted by reforms include:

- Revision of legal and tax reforms.
- Institutional strengthening and technical support.
- Organisation of artisanal miners.
- Strengthening environmental and social measures .

The process of legal reforms involved artisanal miners and the state through OBM. Collaboration between parties continues even after reforms through field monitoring.

#### Formalisation Successes in Burundi:

- A mining cadastre and licensing, facilitating the issuance of mining permits to artisanal miners.
- Operational traceability systems through iTScI system and certification via the OECD/ICGLR mechanism.
- Organisation of miners into cooperatives.
- Increase in transparency of incomes realised.
- Increase in participation of the state in ASM issues.

## **On-going challenges in ASM**

- Still a high level of informality with artisanal miners operating outside the regulatory framework.
- Weak control and administration systems and lack of state resources to run them.
- Lack of resources to monitor border regions and reduce smuggling of minerals.
- Social, health, and environmental standards unevenly enforced across the country.
- Weak cooperatives due to lack of member capacity to properly govern and manage them.

## **ASM Administration**

Management and governance of small-scale, artisanal, and craft businesses scale (EMAPE) in Burundi are based on a centralised structure with relay points decentralised at regional and local levels, although regulation remains strongly driven by the central government.

The Ministry of Petroleum and Mines at the central level is in charge of the strategic and legislative agenda and operates regionally through Burundi Office of Mines and Quarries (OBM).

Services offered to ASM by OBM include:

- support for structuring ASM cooperatives and ensuring they meet legal obligations.
- implementation of traceability and certification mechanisms.
- collection of taxes.
- linking miners with market.
- social and environmental awareness.

## **Challenges in service provision include:**

- technical services insufficient to reach the whole country.
- limited access to financing by miners.
- insufficient occupational health and safety services at mining sites.
- institutional weaknesses to effectively serve the mandate.
- lack of support services for commercialisation of ASM.

## **ASM Data for Planning**

Studies done in the country regarding ASM include the reference studies and sector surveys conducted in 2015 by IPIS/German Cooperation on the artisanal gold sector and the World Bank study on sector transparency in 2016.

There are also databases and statistical censuses on artisanal labour, estimates for workmanship, and occasional cadastral & geological databases. Transparency mechanisms of iTSCi and ICGLR use survey outcomes. Data collection mechanisms mainly follow the EITI process.

Type of data collected include quantities produced by mineral, estimates of active miner population, gender, age, job status (worker, self-employed), geographical, and cadastral data.

Data, especially census data, is integrated within the National Statistical Framework by the INSD (National Institute of Statistics of Burundi) which overall incorporates all data.

Other organisations that make use of the data include iTSCi, which supports ICGLR/OECD for certification, with data used for national planning and for future EITI use.

## **Limits and Challenges in Data Collection**

- limited frequency of data collection exercises.
- uneven coverage of data collection.
- partial integration into the national statistical system.
- incomplete socio-economic and environmental data.

## **ASM Land Tenure Systems**

Land tenure is one of the complex administrative processes affecting formalisation and licencing. For an artisanal miner to access land for mining, the following processes should take place:

- attribution of specific mining permits.
- agreement with landowners where the mining is to take place, if owners' consent is needed.
- mining cadastre and zoning – the local mining office should confirm that no one else holds mineral rights over the land in question.
- local consultation and administrative procedures.

## **Advantages of this land access mechanism:**

- Gradual formalisation: implementation of PEAPE permits allows artisanal miners to regularise their activities, facilitating legal access to land for mining.

- Reduction of direct conflicts: the mining cadastre and consultations assist in eliminating conflicts over mining rights.
- Recognition of community rights: the process involves community leadership so community interests are upheld and protected.
- Better monitoring and control: the OBM can more effectively oversee the miners that are known where they are operating.

#### **Challenges with this approach:**

- Persistent land conflicts as some informal miners do not go through the process.
- Difficult access for vulnerable groups, especially women, where cultural norms are still observed.
- Environmental risks as some miners invade protected areas.

#### **Partnership of ASM with LSM in Burundi**

The Burundian government has implemented measures to facilitate partnerships between the operators of the EMAPE (artisanal and small-scale mining) small scale) and large-scale industrial or exploitation companies. The Legal and regulatory framework is covered in the Revised Mining Code 2023. Institutional mechanisms supporting the relationship include mediation and facilitation by the Burundi Mines Office (OBM) and local consultation committees that oversee issues relating to mining.

#### **Benefits to ASM include:**

- Technical support and capacity building for the formation and running of cooperatives.
- Facilitation of financial and market access where LSM can assist in implementing traceability systems.
- ASM can learn from LSM about managing fiscal obligations.
- Benefitting as a priority partner, being allowed to exploit reserves on LSM claim, or benefitting from LSM processing systems.
- Better integrating into regional and international markets.

#### **Gender Inclusion in ASM**

Gender equality is part of the legal and political framework. The Revised Mining Code 2023 promotes gender equality. It supports the formation and structuring of cooperatives that observe equality and the formation of women-led and women's cooperatives. The legal framework seeks to promote and facilitate women's access to mining rights through simplification of licencing procedures and awareness campaigns on how to access mining

rights. There are also awareness campaigns on combatting violence and harassment in mining areas. To follow up on progress of gender equality, the government encourages collection of gender-segregated data during monitoring and evaluation exercises to track trends in women's participation and equality indicators.

### **Incentives Promoting Formalisation of Miners**

Artisanal miners are motivated by the benefits they are likely to accrue as they become formal. They should get benefits within the formal system that they cannot access in the informal. Some such the benefits include:

- tax and administrative relaxations.
- facilitated access to markets.
- support for collective organisation.
- administrative and legal support services.
- technical and logistical services.

### **Fiscal payments, taxes, royalties, and levies**

Burundi has the following obligations to ASM:

- i. Royalties
  - ▶ annual super royalty fee: fixed amount related to the holding of the permit.
  - ▶ annual contribution fees for the rehabilitation of mining sites.
- ii. State's share of production
- iii. Local community levy: compensation for the impact of small-scale mining on the territory
- iv. Focus on sales (ad valorem): proportion of the sale of minerals, notably for export, exit rights of a value of one percent
- v. Income tax
- vi. Cooperatives or formal entities are subject to corporate tax, according to national fiscal laws

### **Incentives to improve fiscal space in ASM**

- Taxation to be adapted and simplified for small enterprises.
- Simplified tax procedures for trained artisans, with flat-rate or simplified schemes for the payment of taxes and duties.

- Administrative support for filing returns.
- Support for access to equipment within the framework of government programs, indirectly reducing tax pressure.
- Implementation of a dedicated tax regime for the ASM sector.
- Creation of a specific, simplified, and progressive tax system adapted to the size and level of operations.
- Option of a scalable flat-rate system based on actual production.
- Complete or partial exemption from mineral royalties in the first year.

### **Rural Employment and Youth Empowerment**

There are relevant national laws promoting the country's economic and social development. The aim is to promote productive employment, especially in rural areas, and harness the economic growth. The focus is on enhancing local natural resources as an advantage of growth. Formalisation of ASM is one of the strategies supported by technical partners. A formalised mining venture is likely to employ more people than an informal venture whose main aim is on survival.

As part of the process, ASM are included in some training initiatives within the community. Artisanal miners are set to benefit from technical support and project management. These initiatives also seek to increase the participation of youth and women in the economic space.

### **Business Transformation**

To make ASM a more viable business as planned, the following measures are encouraged:

- Create a legal framework for easy issuance of permits to small operators.
- Encourage formation of cooperatives that are recognised before the law.
- Simplify access to mineral rights.
- Improve access to technology and implement traceability systems.
- Establish support desks in all provinces.
- Offer professional training to artisanal miners.
- Improve access to formal buyers that are established with fair prices.
- Promote local content and encourage ASM cooperatives to employ within the community.

## Access to Finance

The following measures can improve access to finance by artisanal miners:

- Encourage the creation of legally recognised mining cooperatives.
- Support accounting management and the development of bankable projects .
- Establish public guarantee funds or co-financing through creation of a national or regional mining guarantee fund that can partially cover the credit risks related to the ASM ; co-financing with microfinance institutions or banks can also increase chances of access to credit.
- Encourage banks to lend with reduced risk.
- Promote microfinance tailored to the artisanal mining sector.
- Increase access to financing through value chains through pre-financing agreements or advance purchase between formalised artisans and approved buyers (or exporters), or through forward contracts or arrangements of deferred payment against delivery traceable ore.
- Support certification and traceability to reassure funders.
- Provide start-up capital or equipment kits via technical and financial support for the purchase of small equipment.
- Integrate into rural development programs or include ASM in government employment programs for young people and rural populations.

## Access to Markets

Burundi uses the iTSCi traceability system for the traceability of tin, tantalum, and tungsten: 3T. ASMs integrated within this system can sell their products to formal buyers at more competitive prices. Only formalised cooperatives or operators can access the official export channels. There have been pilot projects facilitating the establishment of direct links between the ASM cooperatives and international or regional buyers. Technical partners offer support for pre-financing or sale contract negotiations.

OBM supervises the national marketing chain, ensuring standards are maintained and helping improve ASM relations with authorised buyers.

## Value Addition

The Mining Code of Burundi (2023, revised) emphasises local valorisation of mineral substances as a lever for national development. It expects that permit holders, including ASM cooperatives, can obtain a license for processing of minerals. The National Development Plan (PND 2018–2027) incorporates the valorisation of natural resources as a goal, calls for the establishment of local transformation units, and requires strengthening of technical

capabilities to increase local benefit. ASM operators are encouraged to organise themselves to create small artisanal units for washing, sorting, and crushing. Some mining cooperatives, such as in the provinces of Muyinga and Cibitoke, have established artisanal mining and mineral sorting units to add value to the ore mined.

### **Environment, Health, and Safety**

The Mining Code imposes strict obligations on operators, including EMAPE, regarding protection of workers' health and safety; environmental management of mining sites, restoration and rehabilitation of exploited zones, and Simplified Environmental Assessments for small permits (PEAPE). Burundi Environmental Code (2021) requires any activity with an environmental impact to undergo an assessment. It implies that EMAPE activities must have an environmental management plan.

The OBM requires formalised mining cooperatives to adopt practices of basic safety, like personal protection and secured structures, and to respect the regulations reducing pollution, like controlled or prohibited use of mercury.

### **Regional Mechanism for the Certification of CIRGL**

In May 2025, Integration of ICGLR RCM into national laws had commenced. The Mining Code of Burundi (2023) recognises the necessity of traceability and regional certification for commercialised minerals. Burundi has adopted a legal framework of traceability. It uses iTSCi as a tool for implementing the MRC, in partnership with companies of the sector.

Adoption of traceability and certification mechanisms has allowed Burundi to access international markets like the USA and EU for 3T. OECD certification of several ASM sites allows exporters to export legally and strengthens traceability. This has contributed to a reduction in informal and illegal trade.

### **Multi-stakeholder Engagement**

Formalisation of small-scale and artisanal mining (EMAPE) requires effective coordination between multiple actors: government officials, community, private, technical and financial partners, and stakeholders. There already exists multi-party coordination mechanisms consisting of ministries involved with developing and monitoring implementation of national policies related to EMAPE, ensuring consistency in interventions of the different actors, and facilitating dialogue between the public sector, private sector, and communities. The forum meets as and when needed.

ASM Sector Platforms bring together civil society organisations and miners' associations with the goal of:

- sharing good practices and experiences.
- promoting transparency and social accountability.
- identifying obstacles to formalisation and proposing solutions.

These platforms are for specific fields like mining safety, environment, funding, and gender equality. They allow for in-depth technical monitoring and targeted implementation of programs.

## C2. CENTRAL AFRICAN REPUBLIC

### ASM Policy and Legal Reforms

ASM in Central African Republic produces mainly gold and diamonds as is regulated by Code Miner 2024, an amendment of Mining Code 2016. The Mining Code 2024 brought the following changes to ASM sector:

- i. Mining by artisanal miners now subordinate to obtaining the Artisanal Authorisation permit
- ii. Mining cooperatives formed as according to the Act
- iii. Creation of Artisanal Exploitation Zone (ZEA) for artisanal miners operations
- iv. Management of the value chain of artisanal production through introduction of buying and selling points
- v. The processes and procedures involved in Issuance of authorisation for artisanal exploration permits for mining cooperatives.
- vi. Issuance of multiple artisanal exploitation permits semi-mechanised to mining cooperatives

With the adoption of the Act and the need to mobilise miners to be licenced and operate formally, the Ministry has carried out awareness campaigns targeting artisanal miners and has started dedicating time to promoting their issues.

### ASM Administration

Decentralisation of ASM administration is through the Mineral Exploitation Directorate of Environmental Protection that is located in Bangui with regional directors and heads of prefectural services in provinces offering mining services.

The challenge the department has faced in administering ASM includes the inaccessibility of certain artisanal exploitation sites and the permeability of borders that favours fraud and contraband.

### Services Offered to ASM

- Authorisation for prospecting, artisanal exploitation, and the permit artisanal and semi mechanized mining.
- Amendments and changes on cadastre service.
- Issuance of mining permits.

Some incentives made available to increase formalisation include:

- Distributing equipment for artisanal exploration during artisanal promotion seasons.

- Allowing mining cooperatives to export if the value of their production reaches 20,000,000 of CFA francs.
- A flat rate tax for artisanal miners that is different from that of large, small, and medium-sized enterprises.

### **Gender Inclusion**

Government policies support women's empowerment. Well-supported local entrepreneurship is contributing to improvement of women participation, though limited by low literacy levels. Women have been trained on how to prospect for diamonds and engage in diamond extraction, as supported by the Women Innovation Fund.

## C3. REPUBLIC OF CONGO

The Republic of Congo has a growing artisanal and small-scale mining community that primarily produces gold, diamonds, and copper. It remains largely informal due to regulatory governance issues.

### **Legal Framework Governing ASM**

Mining Law n°4 of 11 April 2005 on the mining code in articles 39, 40 and 50 governs the operations of artisanal and small-scale mining. The 2022-2026 National Development Plan guides overall development of the sector. Revisions relating to ASM of the 2005 Mining Code as of May 2025 include the lack of appropriate governing systems applicable to artisanal mining. Other issues covered by revisions include:

Defining a regulatory framework which sets the conditions for prospecting, research, operations, and administrative supervision of ASM.

Outlining modalities for implementing the regional certification mechanism of the international conference on the Great Lakes region in the Republic of the Congo.

### **ASM Administration**

Department of Mines and Geology is in charge of managing ASM affairs. The department is also responsible for overseeing the mining industry and carrying out inspections. Administration is central with regional departmental presence. The scope of ASM formalisation of ASM is national and carried out across the entire national territory, depending on mineral substances. The level of formalization of ASM is embryonic and ongoing revision of the mining code seeks to address that. Revisions took into account that ASM is the most used form of exploitation in Congo. Activities carried out by the administration include:

- semi-annual inspections of operating sites.
- awareness campaigns for artisanal miners on mining regulations, including during inspections, particularly regarding administrative procedures for granting mining permits and good environmental practices.
- ensuring environmental and social impact studies are conducted.
- ensuring the implementation of specifications for community development.

### **ASM Data for Planning**

Government agencies and developmental partners have done several data collection exercises. Data collected mainly includes production statistics, job creation, environmental management of sites, support for community development projects, and the census of mining artisans. Statistical yearbooks consider this data and guide the public authorities in taking certain measures.

## **ASM Access to Mining Rights**

Miners living near exploitation sites have direct access while those coming from elsewhere have indirect access. The latter is through verbal agreement with land chiefs. The main success is the good collaboration between artisans and landowners. Creation of artisanal exploitation zones is still a challenge in need of solutions that may simplify access to land for mining by miners.

## **Services Offered to ASM to Assist in Formalisation**

- Equipping artisanal miners with adequate work tools.
- Lowering licencing costs for artisanal exploitation authorisations to encourage more players to be formal.
- Establishing markets in areas of operation and strengthening traceability systems.

ASM is also contributing to the economy through payment of mining royalties on production, export taxes, surface royalties and fixed rights to the allocation, renewal, and transfer of mining titles. The increase in revenues generated by the sector is the main success. The major challenge is improving the control and monitoring mechanism of the supply chain.

## **Government Services to ASM**

- Developing technical manuals and guidance for mining artisans.
- Developing the interest of local investors in artisanal mining.
- Formulating recommendations related to technical standards and procedures for the regulation, control, and improvement of the conduct of artisanal mining activities.
- Identifying, compiling, archiving, and making available relevant and reliable sources of information on the exploitation, concentration, treatment, transport, storage, and marketing techniques of all mineral substances exploited by artisanal methods.
- Following and controlling the manufacture of gold works by craftsmen jewellers.
- Collecting all information related to exports, imports, and transit of commercial mining products with a view to establishing a database.
- Controlling the purchase records of precious mineral substances from counters and traders to ensure their traceability.
- Training and capacity building.
- Improving access to funding.
- Improving working conditions.
- Environmental protection and mitigation of the negative impacts of EMAPE.

- Organising and structuring artisanal and small-scale miners.
- Establishing monitoring and control systems to ensure compliance with the regulations and standards in force.

### **Access to Finance**

The Republic of the Congo has implemented a tool guaranteeing access to financing: the Guarantee and Support Impulse Fund (FIGA). Through the FIGA, it is possible for actors in the ASM sector to access and benefit from funding and project support.

## C4. DEMOCRATIC REPUBLIC OF CONGO

### **Policy and Legislative Framework**

In the DRC, artisanal mining is distinct from large-scale and small-scale mining. Principal legal framework is established by Law no 18/001 of 09 March 2018 amending and complementing Law no 007/2002 of 11 July 2002, Mining Code. Decree no 38/2003 of March 26, 2003 regarding Mineral Regulation as amended and completed by the Decree No. 18/024 of June 8, 2018, sets the modalities and conditions for application of this law, namely the Code of Conduct of the mining cooperative or approved quarry products and artisanal exploitation. Mining Sector Policy 2022-2026 devotes itself to the formalisation of ASM, institutional provisions, and development of specialised technical services for aid and oversight of ASM.

### **Legislative Reforms**

The last revision of the Mining Code was in 2018 and centred on the determination, monitoring, and evaluation of measures for formalisation of the viability of mining sites located in areas open to artisanal extraction. Miner regulations were developed.

The process of formalisation remains complex, with heavy administration, multiple steps, and difficult requirements for the artisanal operators who often lack access to formal credit, limiting their capacity to invest in clean technologies, equipment, and sustainable practices essential to formalisation. Key formalisation measures implemented in DRC include instituting ZEA and grouping mining operators into cooperatives.

### **Legislative Reform Process**

In the process of revision, modification, and implementation of the mining law, political decision-makers have established a working framework encompassing public services, mining operators, and artisan producers. This was facilitated by civil society groups working within the mining sector and collaborating national and international NGOs.

### **ASM Formalisation Progress**

While formalisation is a complex process with a large proportion of miners still informal, the following progress has been achieved:

- Establishment of the ZEA.
- Regrouping of mining operators into mining cooperatives.
- Improvement in data collection along the supply chain as well as transparency within the scope of EITI.
- Existence of a technical service responsible for ASM: SAEMAPE.
- Inspection of mine sites and validation of miners and their rights where they are mining.

- Inclusion of ICGLR RCM as a certification mechanism covering minerals not covered by the Kimberly process certification that has been in use for diamonds.

#### Challenges Faced in the Formalisation Process

- Insufficiency of viable ZEA for artisanal miners to operate in Issues related to the operationalisation of trading centres.
- Low contribution by artisanal miners to the fiscus.
- Insecurity observed in certain regions.

#### ASM Administration

The Ministry of Mines is assisted by a General Secretariat for Mines. SAEMAPE is responsible for assistance and supervision of ASM. Other technical services are able to be administered within the limits of the relevant law, decree, or ordinance. It is in the same framework that the DRC lets certain local, regional, and international NGO experts provide expertise in certain specific areas.

Services provided to mining cooperatives include:

- Technical supervision of mining operations.
- Support for cooperatives in obtaining approval as mining cooperatives.
- Environment protection supervision and technical assistance.
- Traceability assistance.
- Monitoring of production processes.
- Establishment, closure, and relocation of ZEA.

#### Challenges Encountered in Service Provision

- Proliferation of fake mining cooperatives.
- Organisation of cooperatives.
- Work conditions of ASMs.

#### Data Collection for ASM Planning

Despite challenges, SAEMAPE is developing a basic traceability initiative called ITB. On a small scale, some technical and development partners contribute to data collection. Mining cooperatives and small-scale mining companies are required to report their monthly production statistics to the mining services, particularly to the mining directorate and SAEMAPE. The Ministry of Mines synthesizes and publishes data through the CTCPM website and by the EITI. Data on the activity of cooperatives is regulated by ministerial decree No.

00069/CAB.MIN/MINES/01/2024 of February 19, 2024 concerning template report of mining cooperatives.

Collected data includes production statistics, personal details, and accident cases.

### **Access to Artisanal Mining Areas**

Artisanal miners grouped in a mining cooperative can submit a request to the Minister of Mines to be assigned to an already established ZEA in a free area where they can carry out their activities. Mining rights are exclusive to legal entities, not individuals/natural persons; however, any adult person of Congolese law can access artisanal mining without discrimination based on gender, with the exception of children and pregnant women.

### **ASM Taxes, Royalty, and Levies**

Import duty at preferential rates and VAT on imports for small equipment related to artisanal mining

### **Services to Help Professionalise Artisanal Miners**

- Supervision and technical assistance by SAEMAPE.
- Support in the formalisation of mining cooperatives through creation, approval, legal compliance, digital traceability of minerals, and reasonable diligence.
- Offer of life and health insurance for artisanal operators, in partnership with insurance companies.
- Development of technical databases to improve management and transparency.
- Multilateral initiatives and support through public-private partnerships with actors like the Fair Cobalt Alliance (ACE).
- Training in safer extraction techniques.
- Access to safer and more effective personal protective equipment and to improved mining infrastructure.
- Organisation of mining sites according to standards of security and transparency.
- Implementation of systems (ITSCI, EITI) to improve transparency, traceability, and governance.

### **Gender Inclusion**

Legal reforms seek to integrate women within ASM. Reforms aim to recognise the place of women in ASM and remove barriers to their participation, notably by the obligation to hold a personalised authorisation to exercise some activities. Initiatives such as the establishment of the Advisory Group of the Parties Engaging (GCPP) include civil society and women's

organizations for advising on the formulation and the implementation of sectorial policies. One of SAEMAPE's missions is to ensure the integration of women in the chain supply of minerals.

**Strategies to increase women's participation include:**

- Supporting women's participation and decision-making in mining governance.
- Strengthening capabilities and access to better paying jobs.
- Raising awareness of environmental impacts due to gender issues.
- Actions for training, awareness raising, and support for social campaigns led by local NGOs to challenge cultural taboos and strengthen the employability of women.
- Recognising the role of women in policy-making and their inclusion in decision-making bodies.
- Integrating gender in coordination mechanisms like consultation bodies (GCPP, gender certification) to better consider the specific needs of women in the formulation of public policies.

**On-going Challenges to Women's Inclusion**

- Customary norms and stereotypes.
- Low representation and limited access (despite efforts, the share of women in mining is very low: ~13 percent per EITI with decision-making positions).
- Perverse effects of certain reforms, such as the unintentional exclusion of certain categories of women, especially pregnant women or the poorest in the mining sector.
- Socio-cultural barriers continue to limit women's access to mining activities and recognition of their rights.

**ASM Services Offered by SAEMAPE**

- Training and technical and financial assistance to mining cooperatives and operators in the small-scale mining sector, with a view to strengthening their managerial capacities and promoting the emergence of a Congolese middle class in the mining sector.
- Monitoring of material flows from small-scale and artisanal mining from the mine to the point of sale, with a view to channelling and quantifying all production into the official marketing circuit.
- Ensuring after-sales collection of the flat-rate tax owed to the state in accordance with the terms and mechanisms established by the Interministerial Order of the Ministers responsible for Mines and Finance per Article 542 of the Mining Regulations.

- Encouraging the grouping of artisanal miners into mining cooperatives.
- Encouraging artisanal and small-scale miners to fulfil, in accordance with the Mining Code and its regulations, obligations arising from the exercise of their mining activities.
- Promoting the integrated development of local communities where artisanal and/or small-scale mining activities take place through the transfer of the share of surface rights intended for these communities, in accordance with the provisions of the Mining Regulations.
- Working in synergy with the relevant public administration and other technical services of the Ministry, as well as with other organisations, to design, manufacture, and acquire equipment adapted to the geological conditions of the deposits exploited by small-scale and artisanal miners, with a view to improving their qualitative and quantitative productivity.
- Popularising safety standards at mining sites and ensuring their strict enforcement.
- Ensuring the integration of women into the small-scale mining production chain.
- Encouraging small-scale and artisanal miners to invest in other sectors of the national economy, particularly with a view to ensuring the post-mining sector.
- Encouraging and participating in the creation and management of a mining credit fund to promote small and medium-sized mining enterprises.
- Identifying the financial flow of artisanal production.

According to article 14 of the mining regulations, SAEMAPE duties are to:

- Assist and supervise artisanal and small-scale mining of mineral substances.
- Encourage and ensure the grouping of artisanal miners of mineral substances or quarry products into mining cooperatives.
- Bring all artisanal or semi-industrial mining activities and quarry products into the official production and marketing circuit.
- Request the Minister of Mines to establish an Artisanal Mining Zone.
- Receive notification of the establishment of a ZEA for the supervision and assistance of artisanal miners affiliated with an approved mining cooperative, including its location.
- Issue an opinion on the closure of a ZEA and requests for prior authorisation for the processing of products by the mining cooperative or quarry products.
- Inform approved mining or quarry product cooperatives of the closure of a ZEA and, where appropriate, take charge of relocation to another legally established ZEA.

- Ensure compliance with safety, hygiene, water use, and environmental protection standards applicable to a mining cooperative's operation or quarry products and to artisanal miners.
- Collect production statistics for approved mining cooperatives and/or quarry products and ensure farmers are compensated for any damage caused by the cooperative's activity, failing which the Ministry may withdraw its approval.

### **Access to Finance**

Access to finance is a challenge to most ASM operators. There is a need to improve access to finance by ASM, requiring a solid approach that includes strengthening institutional support and mobilising investors.

The following measures can improve access to finance for ASM:

- Organise cooperatives and associations to improve the credibility of miners before financial institutions and grant access to some funding.
- Strengthen financial and commercial competency of the cooperatives in good practices of management, accounting, and planning of investment to make their projects more attractive to investors.
- Allow cooperatives to export mining products without going through processing entities or buyers.
- Develop innovative and tailored financing mechanisms, like through public-private partnerships.
  - ▶ The ACE is working with EGC Cobalt to develop responsible and scalable models, including some innovative financial tools, enabling downstream companies to invest in creation of dedicated funds and guarantees.
  - ▶ Creating dedicated funds and guarantees, such as setting up development funds or mechanisms to provide guarantees, to reduce perceived risks by commercial banks and to draw loans at preferred rates or that impact investments.
- Improve transparency and tax accountability.
- Fight against informal and illegal payments.
- Promote traceability and certification by integrating ASM into recognised traceability systems, like EITI, to ensure the legitimacy of income and facilitate access to formal financing.
- Establish a mining credit fund as stipulated in the decree creating SAEMAPE.

## Mechanisms in Place for ASM to Access Fair Trade

- Implementation of fair commercial practices and transparency in pricing by The Fair Cobalt Alliance which works to establish fair trade practices in artisanal cobalt mines in the DRC, including:
  - ▶ Proactive publication of a reference price based internationally on the purity and weight of ores, ensuring just and transparent pricing for miners.
  - ▶ Development of a cooperative purchase system wherein cooperatives can gradually regain control of the commerce on their sites, supported by loan facilities conditioned on transparency and fair pricing.
  - ▶ Promotion of traceability and responsible certification.
- Initiatives such as the CVCFG (Commercially Viable and Without Conflict) project which aims to establish a traceable gold supply chain that is not conflict related - a key requirement for accessing fair international markets.
- The Code for mitigating risks for the ASM (CRAFT) supports reasonable diligence in the chain supply, enhancing the confidence of buyers and investors.

## Value Addition of Minerals

Valorisation of mineral resources in the DRC is based on a legal framework that organises artisanal exploitation through some cooperatives in dedicated areas, with a technical and commercial frameworks aiming to promote local valorisation. Implementation, however, faces challenges related to informality, access to resources, and governance. Law No. 007/2002 of July 11 2002 governs the valorisation of mineral resources regarding the mining code, amended notably by law no 18/001 of 09 March 2018 wherein article 113 prohibits cooperatives from changing any mining product without authority of the Minister of Mines.

## Environmental, Health, and Safety

- Mining Code of 2002 (law no. 007/2002) amended bylaw no. 18/001 dated March 9 forms the main legal basis governing mining activities, including the EMAPE. It foresees obligations regarding safety, hygiene, health, and protection of the environment for mining rights holders.
- Decree No. 18/024 of June 8 2018, which amends and supplements no 038/2003 Mar 26 2003, establishes mining fees, and supports the implementation of The Mining Code , particularly with regards to environmental and social management, including the realisation of Environmental and Social Impact Studies (EIES), Environmental and Social Management Plans (ESMPs), and Mitigation and Rehabilitation Plans (PAR).
- A code of good conduct is the only environmental obligation for mining cooperatives operating in artisanal mining, per Annex IV of the mining code in force.

- The Environmental Protection Department, in collaboration with the Congolese Agency for the Environment (ACE), is responsible for the monitoring and oversight of environmental, health, and safety obligations of artisanal and industrial mining operators.
- The DRC has committed to the development and implementation of an National Action Plan (NAP) for the ASGM, aligned with the Minamata Convention on mercury, aiming to reduce and eliminate the use of mercury in artisanal extraction, a major source of pollution and health risks.
- Inform and raise awareness among the miners and communities about health risks linked to mercury and environmental degradation.
- Introduce better mining practices that reduce the use of mercury and limit environmental impacts such as erosion and soil and water pollution.
- Manage the commerce of mercury to prevent its diversion.
- Involve stakeholders in developing and implementing continuous improvement measures.

### **Health and Safety at Work**

- The Labour Code and its implementing texts entrust the labour inspector with control in terms of hygiene and safety in the mining sector.
- These initiatives include the distribution of personal protective equipment (PPE), raising awareness about good practices, and promoting safer working conditions.

### **Regional Integration**

In DRC, mechanisms for certification and implementation at the regional level exist primarily in the context of the Regional Certification Mechanism of ICGLR. This mechanism aims to ensure traceability, legality, and compliance of mineral extracts in the region, excluding legitimate trade of so-called “designated” minerals (arising from conflicts or illicit activities).

Progress made towards regional integration:

- Specific certification manuals developed for the gold and tin sectors are adapted to the local context and compliant with international and regional standards.
- Procedures for evaluating control and delivery of certification, like CTC for gold, align with the MRC and facilitate regional recognition.
- Improvement of traceability and transparency through the implementation of the regional certification mechanism (RCM) of the CIRGL, combined with the OECD Guide on Due Diligence, allowed the establishment of more transparent and traceable supply chains, particularly in the gold and cobalt sectors in Eastern DRC. The Centre for Expertise, Evaluation, and Certification (CEEC) plays a central role in the certification of lots in export

and quality control, aligning national practices with major international standards, which enhances buyer confidence.

- Strengthening capacity and multilateral collaboration between governments, private sector, civil society, and international partners have allowed improving capacities.
- Active participation of the DRC in international forums, including Forum OECD 2025, reinforced its role in the global governance of strategic minerals while enhancing its technical expertise and strategic national governance of responsible mineral resources.
- Acceptance of our miners on the international market.

### **Challenges**

- Limited range and uneven coverage.
- Complexity and costs of compliance.
- Persistence of insecurity, fraud, and mineral smuggling.
- Ineffectiveness of the ICGLR to play its role in the sub region.
- Varying implementation of IRRN tools.

### **Multi-stakeholder Forums**

The DRC has established several multilateral mechanisms bringing together public and private sectors, civil society, and technical partners to coordinate, manage, and support ASM formalisation. These mechanisms help to promote consultation, define common objectives, collect of data, and implementat policies.

#### **i. National Coordination Mechanism (NCM)**

Hosted by the Congolese Environment Agency (ACE), NCM brings together several key ministries (Mines, Environment, Health), the Small Scale Mining Assistance Service (SAEMAPE), academia, civil society, NGOs, and other stakeholders. Its mission is to make strategic decisions related to the PAN and to support coordination, monitoring, and implementation of actions towards formalisation and sustainability of the sector.

#### **ii. Consultation Group of Stakeholder Parties (GCPP)**

Founded to provide tips, help, and information for the planning and implementation of the NAP, GCPP includes representatives of provincial public administrations and locals, mining cooperatives, miners, traders, NGOs, academia, and civil society. It facilitates the escalation of concerns from field actors and supports the local appropriation of policies.

### **iii. Multi-Party EITI Groups**

As part of the Initiative for Transparency in the Industries (EITI), multi-party stakeholder groups with representatives from government, private sector, and civil society, ensure transparency and accountability in the mining sector, including the EITI. These groups work mainly on the collection and verification of ASM data, identification of financial flows, and publication of reports that inform public policies.

### **iv. Sectorial platforms and communities**

Multilateral dialogue platforms also exist at the provincial level, bringing together local authorities, cooperatives, NGOs and other stakeholders to coordinate interventions in the field (training, formalisation, security, and environment). Some specific projects such as planetGOLD and Fair Cobalt Alliance have established multipartite committees to oversee their actions and promote cooperation.

## C5. KENYA

Kenya's artisanal and small-scale mining (ASM) sector contributes to the country's mineral exports in gold, gemstones, titanium, and rare earths. However, informality, weak regulation, and illegal trade have historically limited its growth. Recent reforms show progress, but challenges remain.

### **Policy & Legal Reforms**

Kenya has a mining policy that seeks to develop a framework for mainstreaming and formalising artisanal and small-scale mining operations to support livelihoods and entrepreneurship. Mining Act, 2016 is the legislation regulating ASM, offering simplified ASM licensing (Artisanal Mining Permit – AMP) and recognising ASM as a legal sector.

Important issues in any legal framework governing ASM should include:

- i. Recognition of artisanal mining operations by law
- ii. Formalisation processes defined through provision for the formation of artisanal mining committees in every county
- iii. Delineation of areas for ASM
- iv. Artisanal miners' participation in permitting committees

For any policy review in Kenya, policy-makers study and review current laws and trends in mining, draft proposals, and subject them to public participation forums to get the final regulations. Other stakeholders are also involved in scrutinizing the draft.

### **Formalisation Success**

Since the government began the drive to formalise the ASM sector, the following milestones have been attained:

- Thirty-five out of 47 artisanal mining committees are formed (decentralisation of licencing governance reduced bureaucracy).
- A manual for artisanal mining committees was developed to guide their operations.
- Guidelines were developed on delineating areas for ASM.
- Fair-Trade Gold Certification Pilot projects in Kakamega & Migori have improved market access.

### **Challenges**

- Limited financing for supporting the processes, resulting in weak enforcement of regulations and high rates of smuggling across borders.

- Existing large-scale operations overshadowing ASM, even within regulation framework.
- Limited availability of free areas for ASM applications, leaving most miners operating informally.
- Coordinating the formation of the artisanal mining committees.

### **ASM Administrative Structures**

Administration of mining activities in Kenya falls under the Ministry of Petroleum and Mining which has different directorates and departments performing diverse functions related to mining and mineral exploration, exploitation, and trade. Artisanal mining committees located in every country issue artisanal mining permits. Management of ASM activities and enforcement of regulations happens at both the national and local level.

### **ASM Data for Planning**

Data collection happens occasionally through development partners and different government agencies. Data that is normally collected from miners include name, location/county, type of mineral sought, role played in mining operation, production, technology used, selling prices, buyers, and social issues.

Kenya has an online mining cadastre, a repository and information management tool established for the purposes of regulating the issuance of licences and permits of mineral rights and dealings in minerals. The registrar of mineral rights who also heads the mining cadastre office is responsible for establishing and maintaining an up-to-date mining cadastral register in Kenya.

### **Land Access for ASM Operations**

The government has delineation of land for ASM that may grant land access to even the most marginalised. Consent is required for land obtained from a landowner. The main challenge faced by ASM is in obtaining consent in communal lands where uninformed community resists due to fears regarding the state of the land post-mining.

### **Services to Assist Formalisation of Miners**

- Assisting with grouping and forming cooperatives.
- Clustering EIAs for the cooperatives.
- Permitting the cooperatives.
- Other government programs targeting reduction of harmful chemicals.
- Encouraging alternative technologies.

## **Developing ASM to Homegrown Industries**

For ASM to grow, contribute to the local economy, and become an employer, some essential processes include:

- Grouping ASM miners into cooperatives so they can access mineral rights and be in a better position to access financial assistance.
- Permitting the cooperatives so that they operate formally.
- Offering training in production practices, business management, and finances.
- Offering financial support and links to financial institutions.
- Marketing the product.
- Value addition to improve returns.

Kenya encourages value addition of minerals prior to sale while all the minerals classified as strategic cannot be sold without adding value. A gold refinery in Voi (Taita-Taveta) was established that processes 20 percent local ASM gold, although the remainder is still exported.

## **Finance and Technical Assistance**

Financial assistance is still a challenge. The state established the National Mining Corporation to support ASM, but it is underfunded and unable to assist miners the way it is supposed to. ASM rely on traders for financial assistance who charge prohibitive interest rates.

## **Environmental Protection**

It is mandatory for every licence holder to conduct EIAs pre and post licencing to rehabilitate sites to their original state.

## C6. SOUTH SUDAN

South Sudan's ASM sector is a critical source of livelihood, with miners extracting gold. The country is working on reforming the legislative framework so that lagging ASM formalisation can be addressed and the sector can contribute to the national economy. With artisanal mining still informal, only small-scale mining is recognised by the Mining Act of 2012 and supported by Mineral title 2015 which lays out guidelines for small-scale mining licencing. There have been no legal reforms affecting ASM after 2017, as of 2005 thereviews of Mining Act 2012 were ongoing, and the amended Act has not yet been passed.

### **Legal Reforms**

Amendments related to ASM are the mandate of artisanal mining management, which is fully housed at the state government level for better management, establishment of cooperatives, gold buying and selling centres, and making geological data available to mining operators. Amendments seek to manage ASM effectively from a decentralised position and to properly organise artisanal miners into organisations that can be easily managed.

### **Legal Reform Process**

The review process involves stakeholders. A consultant hired by the government to draft the amendment bill conducted several stakeholders' workshops. But with states and local communities underrepresented, mining policies are made at the national level without their involvement.

### **Formalisation Progress**

A significant portion of ASM activities in South Sudan operate outside of formal regulations, contributing to challenges in oversight and management. Small-scale mining companies are licensed and therefore are formally operating. Some even pay royalties to the government. But artisanal miners are not formalised and do not pay royalties to the government because they smuggle the gold across borders.

### **Services Offered to ASM to Promote Licencing**

The Department of Mineral Title Coordination under the directorate of mineral development is primarily focused on providing the followings services: sensitisation; meetings, workshops, and training programmes for different stakeholders, including artisanal miners; and distributing the Mining Act 2012, Mining Regulations 2015, etc. to key stakeholders.

### **ASM Data for Planning**

Surveys are conducted by developmental partners that mostly collect data to support their country initiatives and to monitor trends within the sector in comparison to other countries. Collected information tends to include miner demographics, production and marketing, and economic contributions. These are yet to be integrated into national statistical framework.

## **Access to Land for ASM**

Access to land for ASM is through the submission of an application to the relevant level of the government.

## **Gender Equality**

The Government of South Sudan has implemented a 35 percent quota system for women's representation in government positions at all levels as part of a broader effort to promote gender equality in governance structures and the inclusivity of gender and social aspects under Article 16 in the Bill of Rights. It accords women full and equal dignity of the person with men, the right to equal pay for equal work, and the property rights that are foundational to be integrated into mining laws.

## **Payment of Taxes and Levies**

Taxes, annual rent, and royalty are paid to the government. Most ASM operate illegally and do not comply with applicable laws. Primary challenges hindering ASM's contribution to the national economy include the absence of artisanal laws and lack of capacity building for those who enforce the law on small-scale mining activities.

Steps to incentivise ASM formalisation include:

- Licensing, training, and access to financial resources.
- Strengthening institutional capacity by recruiting and training staff and equipping regulatory bodies with essential resources.
- Enhancing environmental and social impact assessment practice and enforcement and introducing penalties for non-compliance.
- Improving community engagement, expanding platforms for local participation in decision-making processes and benefit-sharing.
- Improving revenue transparency aligned with (EITI), fostering inter-agency coordination to streamline governance and oversight, and establishing community development funds.
- Transitioning ASM to mechanised, industrialised operations by providing modern equipment and technical support.
- Investing in human capital, establishing training institutions and promoting research in sustainable mining practices.

Provision of geological knowledge and financial resources, introduction of modern mining tools, and attachment of ministry geologists to small-scale mining companies, among others, are crucial for ASM to professionalise their operations.

## C7. TANZANIA

Tanzania has been a shining example in ASM formalisation with its own highs and lows. The country has managed to combine and balance policy innovation, resource management, and livelihoods promotion to structure its ASM formalisation approach. Approximately six million people are involved in ASM value chains (People and Housing Census, 2022). What follows is an overview of key initiatives, outcomes, and lessons that can be learned.

### Policies and Laws Driving Formalisation

Tanzania’s formalisation efforts began with the 1998 Mining Act. The process accelerated with the adoption of Mineral Policy 2009 which prioritised ASM formalisation through demarcation of ASM zones and simplified licencing to support miners operating legally and contributing to the national economy.

**Table 13: Tanzanian Mining Laws Reviews**



The first review provided provisions for the regulation and formalisation of ASM, covering the definition of ASM, licencing, and institutional arrangements to support it. Further reforms in 2017 set out to increase state revenue and combat smuggling. This led to the introduction of marketing infrastructure, improved support for ASM, and enacting of local content laws and local value addition policies.

### ASM Organisations

To qualify for obtaining a Primary Mining Licence (PML), the applicant must be a Tanzanian citizen, a corporate entity majority-owned by Tanzanians, or a cooperative society composed of Tanzanians, and must have the technical and financial capacity to carry out mining operations on a small scale.

## **Government Interventions for ASM Formalisation**

The government has undertaken several initiatives aimed at formalising and supporting small-scale miners. These include policy, financial, technical, and institutional actions as explained hereunder.

### **Issuance of Primary Mining Licences (PMLs)**

Licensing helps in formalising the sector, enhancing legal compliance and strengthening oversight of mining activities. The Mining Act, Cap 123 is the guiding framework aimed at bringing artisanal and small-scale miners into the formal economy, enabling them to operate legally, access financial and technical support, and sell their minerals through regulated markets. Licences also help the government enforce environmental and safety standards, improve revenue collection, and monitor mining operations to curb smuggling and informal trading. By March 2025, over 41,700 PMLs had been issued, including 6,227 licences granted between July 2024 and March 2025. Mobile units were deployed to address miners' challenges in remote areas: units travel to mining sites, provide on-the-spot assistance with licensing, and conduct informational workshops on compliance. All these efforts are attributed to the existence of political will to integrate ASM into the national economy.

### **Designation of Areas Exclusively for Small Scale Mining**

Tanzania has formally designated specific areas for small-scale mining to ensure orderly operations, resource allocation, and environmental oversight, in accordance with Mining Act, Cap 123. A total of 65 areas have been declared as potential areas for small scale mining, with 58 designated as such as of March 2025. Designated areas provide earmarked land where small-scale miners can operate legally under licence and benefit from government support such as improved infrastructure and geological data.

### **Establishment of Mineral Markets and Mineral Buying Centres**

In a bid to address low mineral prices received by ASM, rampant informal trading and smuggling of minerals, and revenue loss to the fiscus, the Mineral Policy of Tanzania (2009) was crafted. It created reliable markets for minerals and sought to enhance overall efficiency and transparency of the mineral trade. As of March 2025, the government had established 43 mineral markets and 109 buying centres across the country. This has contributed to significant revenue realised from the market sales from Tsh. 346 billion in 2018/2019 to Tsh. 2.597 trillion in 2023/24.

### **Support for Women, Youth, and People with Special Needs in Mining**

The government has implemented several initiatives to support women and youth in the mining sector, particularly ASM, aiming to promote inclusivity, economic empowerment, and formalisation. Through partnerships with associations for women in mining, including TAWOMA, WIMO, and TWIMMI, women have received training, mining equipment, and access to financial support. Youth have been mobilised through mining cooperatives and

given access to soft loans, drilling equipment, and training in value addition and gemstone processing. These efforts are also supported through local government loan schemes and technical support from STAMICO and AMGC. A flagship initiative by the government targeting this sector is The Mining for a Brighter Tomorrow (MBT) program launched in 2024. It is meant to empower women, youth, and people with special needs by facilitating access to licences in ASM-designated areas. It also aims to provide mining tools and machinery, and offers mentorship in business and technical skills.

### **Sustainable Management of Mineral Resources Project (SMMRP)**

Implemented with support from the World Bank from 2009 to 2018, this project supported access to finance, technical capacity, and capacity development, as well as improvements in environmental, occupational health, and safety practices. Program interventions included:

- Issuance of grants and small loans to small-scale miners and associations. Three million USD was issued to 111 ASM projects with individual grants capped at \$50,000 USD, with the aim of transforming operations to medium scale.
- Training on mining best practices, environmental management, and occupational health and safety.
- Upgrading of geological data to support ASM licensing.
- Establishment of demonstration centres and centres of excellence.

### **STAMICO Support and Equipment Provision**

State Mining Corporation (STAMICO) provides statutory support, advice, and guidance to ASM. It has procured and deployed modern mining equipment (drill rigs, crushers, ball mills, compressors) for hire to ASM operators at subsidised rates. To date, STAMICO has fifteen (15) drill rigs specifically for supporting exploration activities in ASM operations, although it has more drill rigs for large-scale mining operations. STAMICO also provides extension services, including training, safety awareness, and technical support to increase productivity and reduce accidents.

### **Establishment of Demonstration Centres and Centres of Excellence**

To promote the formalisation, safety, and productivity of ASM, the government, through the STAMICO, has established three (3) demonstration centres and seven (7) mining centres of excellence. The primary aim of these centres is to introduce and demonstrate efficient, environmentally sound, and mechanised mining and mineral processing technologies to small-scale miners. These include the use of gravity concentration systems, elution plants, modern drilling and crushing equipment, as well as underground mining models. The centres also offer hands-on training, expert guidance, laboratory services, and facilitate access to STAMICO's extension services and mobile equipment, empowering small-scale miners to adopt

safer and more productive mining practices. Gemstone centres enable women to establish cutting/jewellery businesses after undergoing training. Scholarships and some equipment are provided to women as a way of encouraging gender inclusion in ASM. Some miners trained in modern techniques have become regional trainers, contributing to skills diffusion.

### **ASM Administration in Tanzania**

ASM in Tanzania is governed through a decentralised administrative framework coordinated by the Ministry of Minerals and implemented by the Mining Commission. At the national level, the Ministry is responsible for policy formulation and sector oversight, while the Mining Commission handles regulation, licensing (particularly Primary Mining Licences – PMLs), inspection, and compliance. The Commission ensures that small-scale miners operate legally and safely and manages mineral trading systems through mineral markets and buying centres established across the country. These structures enhance traceability, formalisation, and revenue collection.

At the regional level, Resident Mines Offices operate under the Mining Commission to supervise mining activities, process licence applications, conduct field inspections, and support implementation of technical and safety regulations. The offices also collaborate with local government authorities, including district councils and village leaders, in administering ASM areas, including collecting a 0.3 percent service levy, facilitating land access, resolving conflicts, and linking miners to community development support. Regular on-site trainings and extension services are provided through the regional offices.

STAMICO provides extension services, including technical training, rental of modern mining equipment, and capacity building through Model Mining Centres. These centres demonstrate safe and efficient mining practices to small-scale miners. The Geological Survey of Tanzania (GST) supports ASM by generating and disseminating geological data, conducting mineral potential assessments, and offering simplified geological maps which help small-scale miners make informed decisions when applying for licences or prospecting within designated areas.

### **Access to Land for Mining**

In Tanzania, small-scale miners are required to obtain Primary Mining Licences (PMLs) from the Mining Commission to undertake mining activities legally. However, the Mining Act, Cap. 123 recognises and protects existing land rights granted under other laws. As such, even after a PML is issued, the licence holder cannot commence mining operations without first obtaining written consent from the land rights holder. This dual recognition ensures that rights to minerals and land are clearly separated and must be harmonised before any mining activity begins.

A major challenge in this process is the limited awareness among both mineral rights holders and landowners regarding the scope of their legal rights and obligations. Many landowners mistakenly believe that owning land gives them automatic ownership of the minerals beneath and the right to mine them. Conversely, some PML holders assume that being granted a mineral right equates to full control over the land and therefore proceed with mining activities

without consulting or compensating the landowner. These misunderstandings have led to frequent land-use conflicts.

### **Incentives Offered to ASM**

- Payment of a 4 percent royalty when they sell their minerals to a local refinery instead of the 6 percent charged when they sell elsewhere.
- Payment of a 0 percent inspection fees when they sell their minerals in the established mineral markets instead of the 1 percent charged when they don't sell in the markets.
- Subsidised costs for renting equipment from STAMICO for drilling and exploration.
- Subsidised costs for processing their ores at the STAMICO model mines processing plants (cost recovery basis).
- Low costs (only Tsh. 50,000) for acquisition of simplified geological data and mineral potential maps from the GST.
- Reduced withholding tax (from 5 percent to 2 percent) on mineral sales by small-scale miners.
- Relief from the 18 percent VAT on mineral sales paid by large and medium-scale miners.

### **Taxes, Royalty, and Levies on ASM**

- Withholding tax (2 percent of gross value)
- Royalties, fees, and levies
  - ▶ 6 percent for metallic minerals (like gold, silver, copper, nickel), rough coloured gemstones, and diamonds
  - ▶ 1 percent for gemstones that have been cut and polished within the country and building materials
  - ▶ 3 percent for industrial minerals such as graphite and gypsum
- Inspection fees of 1 percent of the gross value of minerals for those who export minerals
- Service levy of 0.3 percent paid to the local government authorities

### **Strategies for Financial Access**

- Scale up existing interventions like the Mining for Brighter Tomorrow (MBT) program to reach more ASM operators, especially women, youth, and people with special needs.

- Expand existing capacity-building programs for ASM operators on financial planning, bookkeeping, loan applications, and responsible borrowing, and integrating this training into STAMICO demonstration centres and Resident Mines Offices.
- Establish Mineral Trading Centres (markets and buying centres) for improved revenue traceability and boosting of miners' bankability as they do transactions directly through banks.
- Promote mining cooperatives to have group-based access to finance and resource pooling.
- Engage with banks and financial institutions through the Ministry of Minerals, STAMICO, and the Mining Commission on modalities and qualifications that can be set specifically for small-scale miners so that they get access to loans.

### **Challenges to Financial Access**

- ASM still not accepted in local commercial and financial institutions, as they do not have collateral.
- Many ASM operators lack bankable feasibility studies, financial records, formal business plans, and credit history.
- Low awareness and financial literacy and misappropriation of government grants and loans, hindering effective use of available financial tools.
- Some miners still operate informally, limiting eligibility for institutional support.

### **Measures to Enhance Access to Fair Markets**

- Establishing local mineral markets and buying centres in every region across the country that display world prices on a daily basis for particular minerals traded in a specific market.
- Requiring all mineral dealers to have and use registered physical offices at mineral markets for ease of location, access, and transparency.
- The Bank of Tanzania (BoT) buying gold at world price for those who opt to sell their gold locally.
- Conducting gem fairs (for gemstones) supervised by the government.

### **Minerals Value Addition**

This is guided by the following policies and legal instruments introduced by the government.

#### **i. Mineral Policy of 2009**

It encourages the establishment of local industries for cutting, polishing, smelting, and refining of minerals. It supports small-scale miners by advocating for the development of

mineral processing technologies and facilities at the community level to enhance earnings and employment opportunities.

**ii. Mining Act, Cap. 123**

It provides the legal basis for value addition by mandating that a portion of mined minerals (commonly 20 percent) be processed, refined, or smelted within the country. It also prohibits the export of raw minerals unless they meet certain beneficiation standards, thus promoting in-country processing, even for small-scale miners.

**iii. Mining (Mineral and Gem Houses) Regulations, 2019**

It established mineral and gem houses where minerals, particularly gold and gemstones, are sorted, graded, and assayed before sale or export. Small-scale miners are encouraged to utilise these facilities to ensure quality control, obtain better market prices, and comply with trading regulations. The centres also serve as points of value addition through services like cutting and polishing.

**iv. Mining (Export of Minerals and Samples) Regulations, 2018**

The regulation controls the export of minerals by requiring them to undergo a certain level of processing and be accompanied by official assay certificates. This applies to all miners, including those in ASM, and serves to discourage the export of raw, unprocessed minerals. The goal is to increase domestic beneficiation and ensure that Tanzania captures more value from its mineral resources.

**Environment, Occupational Health, and Safety Protection**

This is governed by the following key regulations:

- Mineral Policy of 2009 promotes sustainable mining practices by encouraging the use of safer and environmentally-friendly mining technologies; also prioritises training and awareness for small-scale miners on health, safety, and environmental (HSE) matters.
- Mining Act, Cap. 123 mandates the submission of Environmental Protection Plans (EPPs) for small-scale mining projects and Environmental Impact Assessments (EIAs) for medium and large-scale operations.
- Mining (Safety and Occupational Health) Regulations, 2010 requires ASM operators to ensure workplace safety, provide personal protective equipment (PPE), conduct safety training, and maintain safe mining infrastructure.
- Mining (Environmental Protection for Small-Scale Mining) Regulations, 2010 sets the standards for waste disposal, rehabilitation of mined-out areas, mercury use control, water management, and protection of biodiversity in small-scale mining operations.

- Environmental Management Act, Cap. 191 (EMA, 2004) requires environmental audits, inspections, and penalties for non-compliance, including in ASM activities.

### **Successes in Promoting Health, Environment, and Safety**

- Awareness and training on safe mining practices and environmental compliance through government-led outreach, especially by the Ministry of Minerals, National Environment Management Council (NEMC), STAMICO, and the Mining Commission.
- Demonstration Centres operated by STAMICO at Katente, Lwamgasa, and Itumbi promoting mercury-free and environmentally-safe mining techniques for ASM and training miners on the techniques.
- All ASM operators in Tanzania submit Environmental Protection Plans (EPPs) to be granted Primary Mining Licences, a sign of increased formalisation and regulatory awareness.
- Environmental and safety inspections are conducted routinely by NEMC and Resident Mines Offices, helping enforce minimum safety standards.

### **Challenges Encountered in Environment, Health, and Safety Compliance**

- Low compliance capacity among ASM operators, especially in gold mining operations, due to limited resources and technical expertise.
- Inadequate use of protective equipment and safe mining infrastructure, leading to unforeseen accidents and occupational health risks.
- Mercury use is still widespread in gold processing, posing serious health and environmental hazards, despite government efforts through the Vice President's Office – Environment and the Ministry of Minerals to promote alternatives.

### **Regional Integration and International Trade**

Tanzania is a signatory to the ICGLR Protocol on the Fight against the Illegal Exploitation of Natural Resources and is committed to implementing the Regional Certification Mechanism (RCM). The following mechanisms are already in place to facilitate trade and traceability of minerals bought and sold:

- The Mineral Market Management Information System (MMMIS) and Mineral Information Management System (MiMS), a digital mineral tracking system which captures data from mines to market for the former and records different information related to mining licences and mining operations for the later; supports compliance with international due diligence and transparency requirements.
- Established mineral markets and buying stations which provide a structured mechanism for mineral trading and documentation.

- Adopted the OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas, particularly for gold and tin. The Mining Commission and licensed mineral dealers comply with these standards when sourcing minerals from ASM. Resident Mines Offices deliver awareness and training programs to small-scale miners and traders on compliance with the OECD Due Diligence Guidance, especially through statutory trainings.
- Incorporated traceability and reporting requirements to support regional certification goals in the Mining Act; mineral right holders must submit production, sales, and transportation records to the Mining Commission which provide the basis for certification and due diligence tracking.
- Aligned national policies and regulatory practices with the Regional Certification Mechanism, standards especially for the tin sector.

### **Multi-stakeholder Mechanisms in Tanzania**

Multi-stakeholder coordination mechanisms in Tanzania are multi-level, involving different government organisations to support the formalisation of ASM. The Ministry of Minerals leads national-level coordination and engagement with a broad range of stakeholders. It convenes regular inter-ministerial consultations with other key ministries (Lands, Water, Vice President's Office - Environment, Finance, PO-RALG) to align ASM formalisation with country laws and guidelines. In addition, the Ministry actively facilitates multi-stakeholder dialogues during major sectorial events, such as the Tanzania Mining Investment Forum, where dedicated plenaries are held to discuss small-scale mining challenges, opportunities, and policy reforms.

Roles of the main stakeholders in ASM formalisation include:

- The Mining Commission coordinates ASM licensing, regulation, technical support, and compliance monitoring.
- Resident Mines Offices (RMOs) present in every region serve as the operational arms of the Commission, working closely with ASM operators to process licences, conduct inspections, and offer extension services in mining-intensive areas.
- Local Government Authorities (LGAs) help identify ASM areas, mediate land-use conflicts, and facilitate grassroots mobilisation of miners, especially women and youth; they also support field coordination by RMOs.
- Civil Society Organisations (CSOs) and NGOs play an instrumental role in advocacy, community engagement, and capacity building, in collaboration with the Ministry of Minerals and its institutions.
- The government collaborates with organisations like HakiRasilimali, FaDEV, Federation of Miners Associations of Tanzania (FEMATA), Regional Miners Associations (REMAS),

and UNDP, which support miners with legal literacy, environmental awareness, gender mainstreaming, and organisational strengthening.

- ▶ For example, FaDEV has been working closely with ASM cooperatives on industrial minerals value chains, mapping ASM activities in Tanzania, and governance issues
- ▶ HakiRasilimali supports policy dialogues and evidence-based research on ASM rights and taxation
- ▶ UNDP, through its inclusive growth programs, collaborates with the Ministry, FaDEV, and the Mining Commission to promote participation of women and youth in mining value chains
- ▶ The Tanzania Extractive Industries Transparency Initiative (TEITI) contributes to ASM formalisation through its mandate on transparency and accountability; it ensures mineral revenues, including from ASM, are publicly disclosed and tracks financial flows in the sector to promote trust and responsible governance and it discloses material payments for selected ASM operations and other information related to ASM in Tanzania

Tanzania is still building up the ASM base and its verifiable contributions to the national economy. An operating multi-sectorial approach will keep the momentum, especially if stakeholders' views and contributions on how the sector can be improved are taken on board and there be sufficient political will to implement positive changes. Monitoring and enforcement of adopted regulations need to be strengthened to minimise leakages from the formal system.

## C8. UGANDA

Uganda's ASM sector is a source of livelihood for many people and contributes ~10 percent of mineral exports, primarily gold, cobalt, and tin. Recent government reforms and international partnerships have aimed to formalise ASM while improving livelihoods and environmental sustainability.

### **Policy & Legal Reforms**

Uganda ASM is governed under Mining and Minerals Act (2022) which defines the criteria for granting of ASM. This Act replaced the 2003 Act. The scope of this legal framework includes ASM formalisation through a path to acquire an Artisanal Mining License (AML), biometric registration of miners through the Biometric Registration of ASM Project (BRASM), access to mineral markets, and integration into national development plans.

A review process was done to address gaps in the previous Act, like limited technical competence to comply with regulations, lack of access to finance to fulfil financial competence requirements, and overlap of interests with small, medium and large-scale projects in mineral potential areas. The new Act introduced an ASM license category with less stringent requirements, biometric registration of artisanal miners to identify the miners and their areas of interest, recognition of ASM associations, creation of mineral markets, and environmental and safety regulations tailored to ASM.

In legislative review, the Ministry consulted all stakeholders before drafting, for reviewing drafts, and for feedback on the final copy. Stakeholders included private sector, government MDAs, and civil society. Consultations were held regionally, especially for the ASM regulations, while regular virtual meetings were held to reviews opinions on the drafting of the amended Act.

### **Formalisation progress**

- Increase in the number of registered associations and cooperatives, as well as the number of licenses being issued.
- Mineral markets concept has been developed with plans underway to operationalise them.
- Biometric registration is being conducted.

### **Challenges**

- Limited access to financial assistance.
- Persistent reluctance to formalise in some areas.
- Informal markets persist in remote areas.
- Limited access to markets.

To simplify licencing procedures and encourage all interested parties to get licenced, the Ministry regularly holds workshops to sensitise on the Mining and Minerals Act and procedures to licensing. A summary of requirements and other relevant guiding documents have been developed and is available to all interested. Inspectors regularly sensitise and raise awareness among stakeholders while in the field. The Ministry has supported miners to incorporate an umbrella association for all ASM in Uganda called the Uganda Artisanal and Small-Scale Mining Association. The association has regional and district bodies to mobilise and represent ASM in their areas.

Digitisation has helped to decentralise licensing, making it easier for anyone with technological access to process the licences within a shorter time frame without having to undertake long distance journeys. Operationalisation of the regional inspectorate offices has brought technical assistance closer to the miners. With all these positives, resources are still limited for the inspectors to reach all ASMs. The level of informality is still high and artisanal miners still struggle to access financial assistance and markets.

### **ASM Data for Planning**

Through the BRASM, the Ministry has established a baseline census of miners in the country and in turn, collected data on earnings, production, demographics, and other data sets.

### **Land Access for ASM**

Generally, land is acquired through willing buyer and willing seller. This is because the land tenure system puts land ownership in the hands of the citizen, not the government. Thusly, ASM usually mine on their land. On other occasions, they rent or purchase land for the purposes of mining.

### **Gender Inclusion**

Policy reform was carried out to reflect the government's intentions regarding inclusivity. This is reflected in the Mining and Mineral Policy, the Mining and Minerals Act 2022, and ASM Regulations 2025. During inspections, companies are encouraged to follow gender-mainstreaming guidelines.

### **Taxes and Royalties Paid by ASM**

- VAT
- \$200 USD per kg of refined gold exported
- No royalties on gold according to the MMA22; 5 percent of gross value for other base metals
- Industrial minerals are assessed for royalties per ton

## **ASM and Local Development**

The Mines and Minerals Act 2022 obliges mineral rights holders to employ and train Ugandans where possible. They are also obliged to buy local goods and services. Due to a large ASM community, most of the miners are the first to be employed by large-scale developers. For example, the partnership between KI3R in Kisoro District and the local ASM group to mine wolfram for the license holder, KI3R. The Mines and Minerals Act 2022 prohibits export of raw materials without any form of beneficiation. This will increase employment and other business opportunities.

## **Possible Measures of increasing Access to Finance**

- Increased formalisation of ASM and linkages with banking sector.
- Participation in local and international mining conferences to improve networking of miners, like the Tanzania Geita Maonesho which is held annually.
- Development of incentive packages for stakeholders in the sector.

## Image Credits

- i. **Sven Torfinn/IMPACT**  
Ituri Province,  
Democratic Republic of Congo, 2017  
**pg. 6, 43, 47, 61, 74, 77, 80**

---

- ii. **Ibrahim Biko/IMPACT**  
Uganda, 2022  
**pg. 25, 65, 85**

---

- iii. **Glody Tebende Gloire/IMPACT**  
Lualaba and Haut Katanga Provinces,  
Democratic Republic of Congo, 2025  
**pg. 32, 39, 53, 56, 69, 90, 174-175**







[www.icglr.org](http://www.icglr.org)