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# Learnings from West Africa's regional experiences in the gold sector

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## Summary

While artisanal and small-scale gold mining (ASGM) is an important source of livelihoods in West Africa, informality leaves it vulnerable to exploitation by criminal and conflict actors. To best address the challenge, supporting the formalisation of the ASGM sector will be critical. This report, informed by a regional workshop, explores root causes of challenges and options for responses.

## Recommendations

- Facilitate access to land and gold deposits for ASGM. This could include the formation of mining corridors and greater collaboration with industrial mining operations.
- Foster the creation of collective mining groups, while ensuring sufficient safeguards are in place to prevent abuse.
- Adopt gender-inclusive policies that recognise and address the unique challenges faced by women in the ASGM sector. Monitoring and evaluation of formalisation initiatives is also key to ensure or adapt if they have disparate impacts on women.
- Establish decentralised service centres (such as processing centres and state gold buying counters) to better engage with and regulate the ASGM sector.
- Strengthen national regulatory bodies and enhance regional coordination to ensure consistent and effective oversight of the ASGM sector.



**OCWAR-T**

Organised Crime: West African Response to Trafficking

## Abbreviations

ASGM	Artisanal and small-scale gold mining
ASM	Artisanal and small-scale mining
CMA	Coordination of Azawad Movements
ECOWAS	Economic Community of West African States
GI-TOC	Global Initiative against Transnational Organized Crime
IDP	Internally displaced person
ISS	Institute for Security Studies
JNIM	Jamā'at nuṣrat al-islām wal-muslimīn
LSM	Large-scale mining
MAADEN	National Agency for Minerals in Mauritania
OCWAR-T	Organized Crime: West African Response to Trafficking
PMMC	Precious Minerals Marketing Corporation
UN	United Nations
WARNOC	West African Research Network on Organized Crime

## Glossary

**Amalgamation** – The extraction of metals from their ores through the use of mercury.

**Artisanal mining co-operatives** – Associations created by artisanal miners that can serve many purposes but often include the pooling of capital to invest in tools and machinery. Associations can be crucial to formalising mining activity. By granting mining licenses to artisanal cooperatives, states can bring artisanal miners into the formal economy.

**Artisanal and small-scale mining (ASM)** – Mining activity characterised by low levels of technology, a lack or limited use of mechanisation, low productivity and recovery values, a lack of safety measures and health care, and a lack of environmental protection.

**Artisanal and small-scale gold mining (ASGM)** – Artisanal mining to extract gold.

**Cooperative** – A form of collective body. A cooperative is an autonomous business organisation democratically owned by its voluntary members, decision-makers and customers. Regardless of their income or identity, each member is supposed to have one vote in collective decisions to meet the group's everyday financial, social and cultural needs.<sup>1</sup>

**Lode mining** – The extraction of metals from mining solid rock to find raw ores.

**Mining corridor** – Specific geographical area where mining activities are permitted.<sup>2</sup>

**Panning** – The extraction of metals from dirt or sediment by washing in a pan.

## Introduction

The West African gold sector has seen an dramatic increase in activity and exports over the last 15 years and now plays a crucial part in the socio-economies of West Africa.<sup>3</sup> In 2021, according to United Nations (UN) Comtrade data, the top five African exporters included Mali (\$9.03 billion), Burkina Faso (\$7.71 billion), Guinea (\$5.79 billion) and Ghana (\$5.29 billion).<sup>4</sup> While industrial mining accounts for most official gold exports from the region, artisanal and small-scale gold mining (ASGM) has grown over the past two decades and is a major source of

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with Burkina-Faso



livelihood. ASGM is a complex sector that faces significant challenges, including pervasive informality that makes the sector vulnerable to criminal exploitation and challenges efforts to realise its development potential.

Previous efforts to combat informal or illegal ASGM in West Africa have tended to follow a punitive approach of criminalisation, involving crackdowns on ASGM. Such approaches have escalated in the context of the deteriorating security situation across the Sahel, particularly given the role of ASGM in financing a wide constellation of non-state armed groups operating across West Africa.

However, there is a growing recognition that alternative approaches aimed at supporting the formalisation of the ASGM sector might better help states harness its full potential. Formalisation can be understood as ‘a process that seeks to integrate the ASGM sector into the formal economy, society, and regulatory system’. It is a precondition for reducing the negative impacts associated with the sector, including opportunities for criminal exploitation, by facilitating organisation, education, access to assistance and regulation of the gold and mercury trades. Furthermore, evidence has shown that crackdowns increase fragility and security threats, and so responses that support formalisation are welcomed as part of broader strategies to promote peace across the region.

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Formalisation is not a simple process but one characterised by complex considerations and significant challenges, as has been highlighted by formalisation attempts around the world. So while there is growing support for formalisation of the ASGM sector in West Africa, there remains a lack of clarity on the policy and programmatic interventions that would be most effective in harnessing ASGM’s full developmental and economic potential.

On the other hand, informality makes it difficult for regulatory authorities to monitor and control mine sites effectively, perpetuating the problem of unregulated mining. This leaves the sector vulnerable to criminal exploitation, which has turned some goldfields into major hotspots and logistical hubs for illicit economies. The absence of formal oversight and regulation also exposes miners to hazardous working conditions and various forms of exploitation, undermining their rights and well-being.<sup>5</sup>

Fair and consistent regulation of access to land and mineral resources is a critical foundation for all formalisation efforts. Yet access to and enforcement of mining and mineral rights in West Africa is fraught with challenges.

Land tenure insecurity remains high, challenging efforts to access and enforce property rights by both citizens and authorities. And although land and mining rights are subject to myriad legal frameworks, there are often few incentives to follow them. Legal contradictions and a lack of clarity further hamper enforcement.

While the ASGM sector is exploited by criminal elements, it remains a vital source of livelihoods for many rural populations in West Africa. Therefore, punitive measures that push the sector further underground may harm these livelihoods without effectively tackling the core issues of informality and criminality. Instead, supportive measures that promote formalisation and regulation are more likely to bring ASGM into the formal economy while addressing the associated challenges.

Recognising the critical need for more effective regulation of West Africa's ASGM sector, the Global Initiative against Transnational Organized Crime (GI-TOC) organised a policy event and workshop in Abidjan, Côte d'Ivoire from 21-22 June 2023, under the Organized Crime: West African Response to Trafficking (OCWAR-T) project. This initiative was built on a key recommendation from previous OCWAR-T research on labour trafficking risks in the Sahara-Sahel goldfields that emphasised the importance of formalisation in mitigating sector-associated risks.

The workshop convened expert stakeholders from government, civil society and academia, providing a platform to assess the ASGM sector's current state and explore formalisation and other responsive strategies. Participants shared experiences, challenges and ongoing policies from across West Africa, fostering multidimensional discussions on the economic and political dimensions of ASGM. This collaborative exchange aimed to develop evidence-based response frameworks for future action.

To facilitate these discussions, research on ASGM formalisation in Mauritania and gender-related ASGM issues, including the implications of formalisation for women, was commissioned. The report also draws on GI-TOC's extensive research on ASGM in West Africa.

Research on women in the ASGM sector in Ghana and Côte d'Ivoire was conducted by the Foundation for Security and Development in Africa, a member of the West African Research Network on Organized Crime (WARNOC). The WARNOC network serves as a platform for West African civil society organisations to collaborate with GI-TOC and the Institute for Security Studies (ISS) on transnational organised crime research, engage in capacity-building programs, and foster strategic relationships with the Economic Community of West African States (ECOWAS) and partner organisations within the network.

The study furnishes policymakers and stakeholders with lucid and actionable recommendations. These are intended to address the myriad challenges associated with ASGM and facilitate the effective formalisation of the sector in the West African context. It is expected that this study will illuminate a path towards the establishment of sustainable, responsible, and formalised mining practices in the region. The rest of the study elaborates the problem-solving process and its application in identifying challenges within the ASGM sector, along with potential response options.

### **Organized Crime: West African Response to Trafficking (OCWAR-T)**

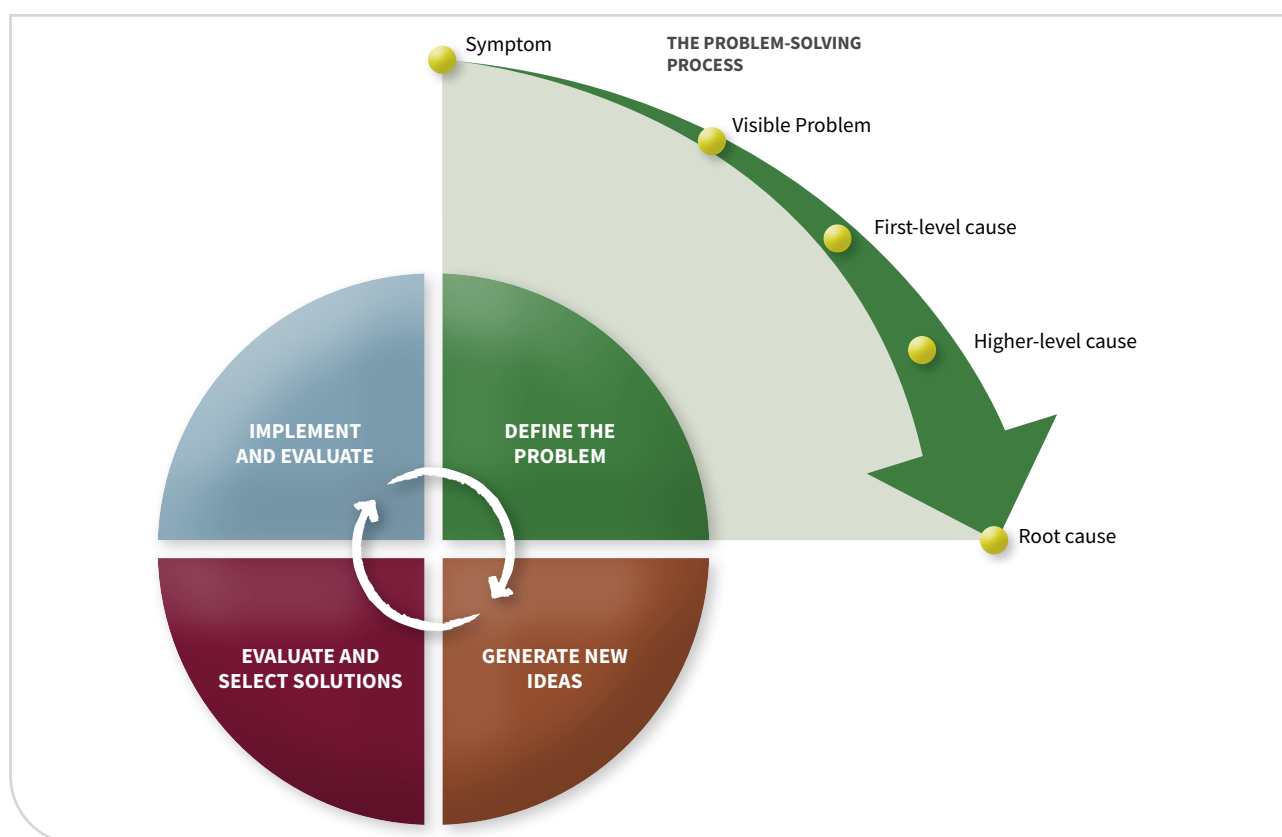
OCWAR-T is a project supporting the ECOWAS Commission and its member states in reducing transnational organised crime. For this purpose, OCWAR-T addresses the strengthening of institutional structures, capacities and knowledge. Specifically, it supports efforts in criminal investigation and prosecution, improving small arms control and reducing human trafficking. The project is coordinated by the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) and co-funded by the German Federal Foreign Office and European Union. The project component is implemented by ISS and GI-TOC in close coordination with ECOWAS, a central stakeholder across the entire OCWAR-T structure.

## Methodology: The problem-solving process

Formalising the ASGM sector has been described as a wicked problem, requiring an in-depth, nuanced understanding and analysis of the sector and its challenges to develop effective solutions and policy responses. The concept of a ‘wicked problem’ originates in social and urban planning and denotes the idea that some policy challenges are particularly difficult to resolve.<sup>6</sup> Wicked problems are said to have five characteristics: they involve many stakeholders with conflicting priorities; their roots are entangled; they change and adapt when interventions to improve them are implemented; they are novel; and there are few, if any, ways to evaluate whether proposed remedies will work.<sup>7</sup> In other words, the problem of how to formalise ASGM is highly complex and multifaceted in a way that makes devising effective policy responses difficult.

Given this complexity, a holistic and comprehensive problem-solving process is important for developing ASGM policy and programming. The problem-solving process (reflected in the workshop structure) entails defining the problem, generating new ideas, assessing and selecting solutions, and implementing and evaluating those solutions. Panels and group discussions were used to present current challenges and policy responses and to prescribe solutions based on different countries’ experiences.

Chart 1: Defining the problem and the problem-solving process



Defining the problem requires diagnosing the situation to identify the root causes of a challenge, and not just its symptoms. In the context of ASGM, defining the challenge is especially crucial given the complexity of the sector and the gaps in data and understanding of the drivers of various actors.

In seeking to generate new ideas, the Global Initiative Against Transnational Organized Crime (GI-TOC) under the OCWAR-T project organised a workshop in Abidjan from 21–22 June 2023 to enhance ASGM legislation in West Africa. The workshop was driven by recommendations from an OCWAR-T labour-trafficking risk assessment conducted in Sahara-Sahel goldfields. Participants discussed ASGM sector institutionalization options, shared experiences, and crafted West African research and learning-based response frameworks.



*Small break out groups at GI-TOC workshop on supporting formalization of the Sahel ASGM sector*

A report titled ‘Assessing Labour-Trafficking Risks in Sahara-Sahel Goldfields’ was launched during the workshop. Research on ASGM formalization in Mauritania, particularly its gender impact, and GI-TOC’s longstanding research on ASGM in West Africa guided discussions.

The workshop brought together participants from across West Africa to discuss challenges or problems that they face and to discuss several alternative policy actions. Hearing from a variety of participants provided opportunity for a diversity of perspectives, experiences and lessons learned, and these informed the development of potential solutions. At the end of the workshop, a modified SWOT analysis (strengths, weaknesses, opportunities and threats) was used to generate new ideas and evaluate solutions – a crucial step in the ASGM context, as past responses have had the unintended effect of empowering criminal groups and, in some cases, undermining state legitimacy. The feasibility and impact of responses was also discussed, with the aim of developing policy recommendations that are realistic and practical to implement.

Following the workshop, participants have a greater understanding of and capacity to support and advocate for the implementation of the proposed policy solutions. Involving others, such as local communities and individuals involved in ASGM, in the implementation is an effective way to gain buy-in and support and minimise resistance to subsequent changes. Also, regardless of how solutions are rolled out, feedback channels should be built into the implementation, thereby allowing for continuous monitoring and testing of actual events against expectations. As part of this cyclical process, additional future workshops would be valuable.

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### **ASGM challenges: Defining the problem**

Stakeholders face a host of multifaceted challenges in seeking to effectively regulate the ASGM sector in West Africa and the Sahel. Several key challenges were identified during the workshop:

- The ASGM sector is dynamic and evolving, challenging traditional perceptions of activity, actors and supply chains. In particular, the increasing mechanisation of the sector and the growing difficulty in distinguishing between informal and criminal activities pose significant challenges both to identifying the root causes of problems countries face and to designing responses. These challenges are captured in discussions around terminology, framing and the increasing use of explosives and chemicals in the region.

- The tension between ASGM as a source of livelihood and stability, criminal exploitation of the gold sector, including via corruption, and the role of the gold sector in conflict dynamics has been well documented, including in West Africa.<sup>8</sup> This continues to be a key challenge when seeking to design effective responses.
- Access to land and gold deposits is a necessary foundation to any formalisation effort. However, ensuring that deposits are available to ASGM miners, that their tenure is secure, and that miners work in the zones made available to them has been a challenge across the region.
- While the ASGM sector has proven to be an economic safety net for women and there is significant potential for ASGM to contribute to women’s economic and development gains, those gains remain largely unrealised. Major barriers include marginalisation and systemic factors that make it more difficult for women to achieve more lucrative positions in the sector.

## Challenges in defining and understanding terminology

### ‘Artisanal and small-scale gold mining’ (ASGM)

Terminology has important implications for defining and understanding the challenge and the development of policy responses. The term ASGM is widely used to describe activity in the gold sector that is not carried out by industrial miners. However, across West Africa, ASGM operations are becoming larger and more mechanised, technologically advanced and professionalised, with cyanide leaching operations and use of heavy machinery such as excavators increasing. For example, in Burkina Faso, the use of heavy earth-moving equipment to dig beyond legal limits is a concern. Thus, while there does continue to be artisanal mining, the size of ‘small-scale’ operations is growing exponentially by nearly every metric – land size, geographic spread, individuals involved, gold production, impacts, etc. As such, it raises questions as to whether the term ‘small’ is still an appropriate term to describe either the sector or the activities taking place within it.

While individual mining operations are smaller than large-scale industrial operations, there is significant risk that the term ‘small-scale’ is misleading and underplays the scope of the challenge. This has implications for policy responses, as policymakers may not appreciate the magnitude of the issue or the sophistication of gold actors and networks, and they may adopt policies based on outdated perceptions of the sector.

As a result, there is a need for further discussion around the term ASGM and whether it is fit for purpose or whether new terminology and descriptions are needed. Such discussions should include reviewing legislation governing gold mining activities and considering the adoption of terms such as ‘semi-mechanised’ and ‘semi-industrial’.

*Artisans use mercury to extract the gold from the panned soil*





## ‘Informal’ vs ‘illegal’

In many cases, ASGM operations are described as ‘informal mining’, a term considered more accurate than ‘illegal mining’. Often the term ‘informal mining’ more accurately depicts the nature of mining operations in many instances because most mining operations lack formal regulatory oversight, and not that they directly violate existing laws and regulations. However, consensus acknowledges that some mining ventures can indeed be classified as illegal, particularly those that are controlled by criminal groups or occur in protected areas.

In practice, distinguishing between informal and illegal mining can be exceedingly challenging. As the gold sector gains structure, criminal groups can exert control and profit from mining operations and supply chains, often eluding tracking efforts.

Competing authorities and governance systems further complicate this distinction. While some ASGM activities may violate state laws, they might be endorsed by local traditional authorities, such as chiefs or councils, and seen as legitimate. In West Africa, traditional governance structures hold significant power and legitimacy, sometimes surpassing state authorities. In areas where the state offers insufficient support or security, communities may establish their own regulatory and security bodies. For instance, in Niger, state oversight of ASGM face challenges due to the remoteness of gold deposits, with non-state town councils gradually supplanting state roles and complicating regulations enforcement.

When activities are sanctioned by highly regarded local traditional authorities, determining authority and the legality or legitimacy of ASGM operations becomes more complex.

## Increasing use of explosives and chemicals

The increasing use of explosives and chemicals, particularly mercury and cyanide, in mining operations is a major threat across the region.<sup>9</sup> These practices are the result of the growing sophistication, technological advancement, and regional interconnectedness of West Africa’s ASGM sector. Enhanced cross-regional flows allow not only for the additional movement of gold, but also of knowledge, equipment, supplies and chemicals.

New technology and methods in the mining sector are often introduced by foreign nationals or by citizens who have worked abroad in the gold sector. Burkina Faso is a key hub in these regional supply chains, with experts, gold and associated materials crossing through the country; Burkinabe actors are often identified as central to ASGM-linked chemical flows across West Africa. There are also reports of Sudanese miners bringing knowledge and equipment. In northern Mali, for instance, actors from Niger, Chad and, to a lesser extent, Sudan are heavily involved in cyanide processing.<sup>10</sup>

The use of unsafe chemical products such as mercury and cyanide is widespread, and the use of explosives is growing – dynamics that are reflected across the region. The increased use of chemical products heightens risks for miners, but it also jeopardises land and water flows, with contamination damaging local livelihoods, particularly those concentrated on agriculture and fishing. This has repeatedly manifested in tensions between ASGM actors and surrounding agricultural communities.<sup>11</sup>

The growing use of explosives across West Africa particularly in Burkina Faso, Senegal, Mali and Guinea is also concerning, not only for safety on mine sites but also for broader instability dynamics: Explosives used in mining may end up in the hands of violent extremist groups across the region.<sup>12</sup> Additionally, there has been a rise in the presence of foreign nationals, both African and non-African, in the southern region of Mali. This influx has been accompanied by the introduction of chemical products and processing techniques, alongside a surge in organised crime activities and instances of money laundering.

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## Tensions between livelihoods, stability and criminal exploitation

The tension between ASGM as a source of livelihood and stability and the criminal exploitation of the sector – especially by non-state armed groups, including violent extremists – is a central and growing challenge to developing responses. Organised crime networks’ infiltration of the sector is also a key concern. Such networks exploit the informal structure of ASGM to engage in gold smuggling, money laundering and associated acts of violence, undermining formalisation efforts. Non-state armed groups across the Sahel tax the passage of goods, including gold, as a source of financing,<sup>13</sup> and they have taken control of, and reap financial benefits from, several ASGM sites in the region.

Thus, persisting high levels of violence, including in gold mining areas are of concern. Halfway through 2023, the crisis in the Sahel continues to worsen. 2022 was one of the deadliest years for both Burkina Faso and Mali since the Sahel crisis began more than a decade ago. Only Niger fared better, with a decline in conflict-related deaths from 2021. It is important to recognise a significant portion of violence against civilians involves state forces. Armed actors are increasingly ignoring the distinction between combatants and non-combatants. For example, in 2022 the IS Sahel undertook a deadly offensive against the Movement for Azawad Salvation (MSA) and the Imghad Tuareg and Allies Self-Defense Group (GATIA) throughout the Menaka region and the neighbouring Gao region in Mali. Neighbouring Niger has witnessed a decline in activity, primarily because Islamic State Sahel Province (IS Sahel) has redirected its focus towards the northeastern regions of Mali and Burkina Faso.<sup>14</sup>

Despite the involvement of Malian and Wagner forces, as well as IS Sahel militants, in large-scale attacks on civilians, Jamā’at nuṣrat al-islām wal-muslimīn (JNIM) remains the most active and deadly actor across the Sahel, particularly in Burkina Faso and Mali.<sup>15</sup> In Burkina Faso, JNIM conducted a nearly nationwide offensive during the first half of 2022, carrying out more than 400 attacks in 10 of the country’s 13 regions. However, IS Sahel’s attacks were deadlier, killing nearly twice as many people. Activity has decreased and a gradual geographic shift was also observed within Niger with both IS Sahel and JNIM becoming more active along the border with Burkina Faso, in Tera, Gotheye, and Torodi departments.<sup>16</sup>

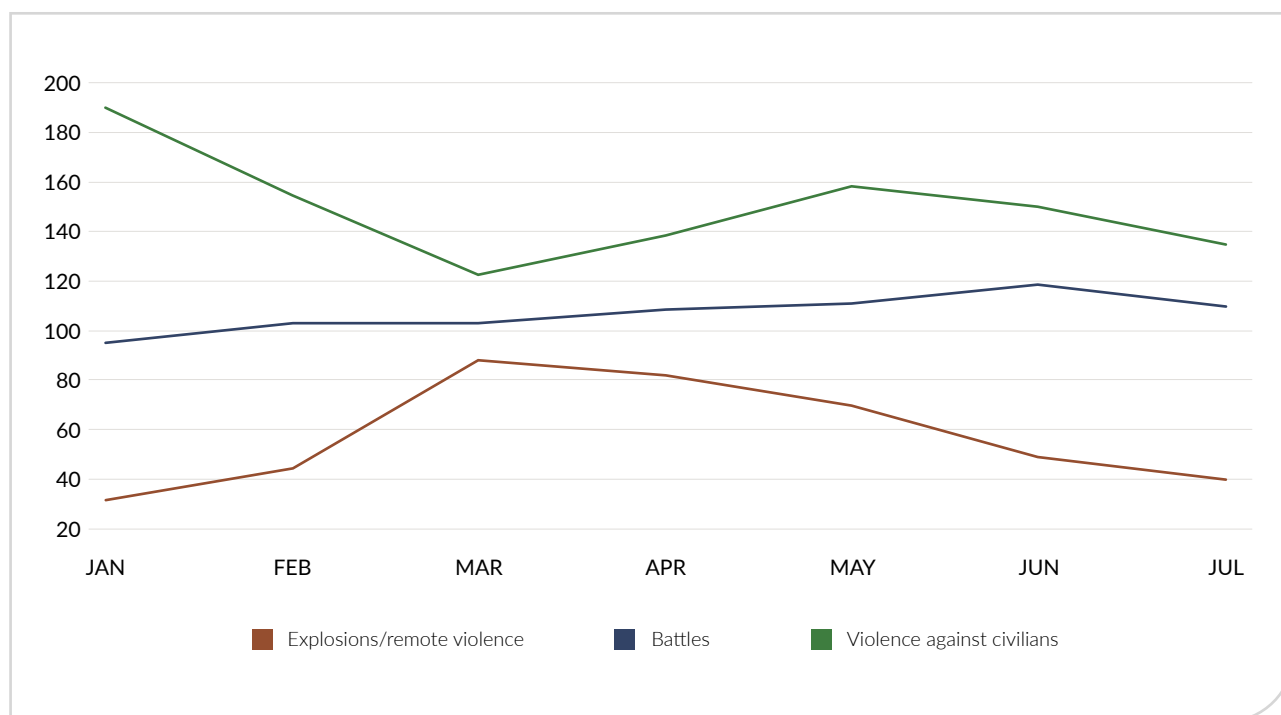
Yet, in many of the regions most impacted by insecurity, the ASGM sector acts as a stabilising force and is a central source of livelihood, including for internally displaced persons (IDPs). This influence is particularly crucial in a context of high youth unemployment and under-employment and as other traditional livelihood options, particularly agriculture, come under threat, including from climate change. Available evidence indicates that armed groups used cultivation bans as a method of coercion. This included prohibiting women, and eventually everyone, from participating in agricultural activities. Additionally, these groups resorted to violence by attacking people on their way to farms, destroying crops, and setting fire to harvests within towns and farmers’ homes.

There are also examples of the ASGM sector contributing to decreased rates of violence and security risks across West Africa. ASGM is an attractive income opportunity, offering an alternative option for individuals who may otherwise engage in crime or armed violence. For example, in the Kidal region, some members of armed groups such as the the Coordination of Azawad Movements (CMA) and Plateforme have laid down their arms to devote themselves to gold mining. And in northern Côte d’Ivoire, community members and those working in the gold sector report that an increasing number of ex-bandits are now working in the ASGM sector.<sup>17</sup>

ASGM provides an attractive income opportunity, offering an alternative for individuals who may otherwise engage in crime or armed violence. In fact, there are examples of the ASGM sector contributing to decreased rates of violence and security risk across

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Chart 2: Violent incidents in Sahel states from 1 January to 30 June 2023



Source: ACLED

West Africa. For example, in the Kidal region of Mali, some members of armed groups such as the CMA and Plateforme have laid down their arms to devote themselves to gold mining, and in northern Côte d'Ivoire, community members and those working in the gold sector report that an increasing number of ex-bandits are now working in the ASGM sector.<sup>18</sup>

The OCMAR-T report 'Labour-trafficking in ASGM: Assessing risks in the Sahara-Sahel goldfields' further underscores the importance of gold as livelihood. In northern Niger and Mali, where livelihood options are scarce, gold mining is viewed as an opportunity not to be missed by unemployed or low-income young men hoping for a change of fortune. ASGM now plays a central role in political economies and stability dynamics in the Sahel region, attracting an increasing number of actors involved in informal and illicit activities. The geographic and political isolation of certain Saharan and central Sahelian sites that remain largely beyond the reach of national authorities, or where state presence is limited, and the sheer concentration of workers in otherwise lightly populated areas have led some to emerge as nexus points for criminal routes and activities. However, goldfields can also offer actors livelihood options that steer them away from involvement in more nefarious or violent forms of criminality. In so doing, the goldfields offer a degree of stabilisation to the broader areas in which they are located.<sup>19</sup>

To be effective – and to avoid counterproductive interventions, of which there have been many – security strategies must recognise the importance of ASGM in livelihoods and economic development

Given the interlinkage of ASGM and conflict dynamics, regional security strategies must consider how best to engage with the sector. To be effective – and to avoid counterproductive interventions, of which there have been many – security strategies must recognise the importance of ASGM in livelihoods and economic development. Rather than focussing exclusively on the role of the ASGM sector in financing conflict actors, security strategies must help protect miners, prevent illegal activities and promote responsible mining practices.

### Chart 3: Country examples

#### Mali

Following a gold rush in northern Mali in 2018, there have been high levels of infiltration and interaction between organised criminal groups and violent extremist groups and the ASGM sector in the northern regions of Kidal and Gao. The UN Group of Experts for Mali reported that taking control of the artisanal mines in the Gourma area was an integral part of the expansion strategy for the CMA, a major armed group that signed the 2015 agreement for peace and reconciliation.<sup>20</sup> Close alliances between the CMA and the Jamāat nuṣrat al-islām wal-muslimīn (JNIM) in northern Mali make it likely that some of the revenue derived from CMA-controlled ASGM sites could also be reaching the JNIM. In Gao the N'tahaka mine, the largest artisanal gold mine in the region, has been subject to increasing securitisation. The Permanent Strategic Framework for Peace, Security and Development (CSP-PSD), a coalition of armed groups in northern Mali, took control of the mine site in 2021 following a period of low security during which it was said that the mine was infiltrated by bandits, the Islamic State Sahel and other unidentified groups. The overall impact of the ASGM sector on Mali is perhaps best captured by the 2021 Final Report of the UN Security Council Group of Experts on Mali, which warns that while the gold sector 'provides work opportunities for migrants and absorbs fighters [...] its effects on stability remain unpredictable, as it drives CMA expansion and provides terrorist financing'.<sup>21</sup>

#### Mauritania

Mauritania's ASGM sector is very young compared to its West African neighbours, but the sector emerged and gained momentum quickly in 2016 with the discovery of major gold deposits. By 2021, the Mauritanian ASGM sector was generating approximately 32.8 billion Mauritanian Ouguiyas (approximately €800 million) annually,<sup>22</sup> accounting for 9% of GDP. Though not without challenges, the ASGM sector has proved to be a major source of employment and income in the country, creating around 52 000 direct jobs in 2019, excluding the 15 200 positions projected for semi-industrial operations. Additionally, more than 222 098 individuals benefited indirectly from the sector, accounting for approximately 5.5% of Mauritania's total working population.<sup>23</sup>

#### Niger

In Niger, insecurity is a pressing issue, with bandits and terrorists controlling certain mining sites. Though some artisanal mining in Niger is licensed by the state, much of the ASGM that takes place remains informal. According to the Ministry of Mines, Niger has over 230 ASGM sites, only 69 of which are officially recognised.<sup>24</sup> Gold mining is a crucial source of employment, contributing to improved living conditions for segments of the population, particularly those in rural areas and youth. ASGM has provided valuable opportunities for young people in northern communities to gain experience and build livelihoods. Their involvement in this sector has enabled them to develop skills and knowledge in gold mining, thereby contributing to their economic well-being. Authorities in Niger and international law enforcement agencies have also reported that ASGM in the north of the country increases resilience against recruitment into armed rebellion.<sup>25</sup>

#### Burkina Faso

Where armed groups are profiting from the gold sector, most of their revenues are derived from taxation or from charging for protection services: Violent extremist groups often claim mandatory payments as a form of zakat.<sup>26</sup> For instance, in 2019, actors affiliated with the violent extremist group JNIM were reported to be levying protection fees on gold miners in the eastern region of Burkina Faso and in the provinces of Séno and Soum, with groups of gold miners paying them to guard sites. Too much instability, however, can disrupt ASGM, and therefore the flow of revenue to armed groups. For example, as of December 2021, miners were no longer working near Ouahigouya and neighbouring towns in northern Burkina Faso because of security threats.<sup>27</sup> It is not uncommon for gold miners to be the target of violence. In June 2021, at least 132 civilians were killed in an assault by violent extremists on an ASGM site near the village of Solhan. The so-called 'Solhan massacre' was the worst such attack in Burkina Faso in more than five years, and it was believed to have resulted in part because the Volunteers for the Defense of the Homeland, an armed self-defence group created to fight jihadist insurgents, sought to defend the mine site.<sup>28</sup> Despite the risk of violence, the gold sector has been a critical source of livelihoods and survival for IDPs and a central source of employment across the country.<sup>29</sup>

#### Côte d'Ivoire

There is evidence that violent extremist elements from groups operating predominantly in Burkina Faso have links to gold panners operating in Comoé Park and along the Comoé River. Violent extremist groups reportedly demand that miners sell gold to them in exchange for guaranteeing their safety; in other cases, violent extremist elements are believed to be providing prefinancing for some mining activities.<sup>30</sup> Dozos, traditional hunting groups, have diversified into community security and conflict resolution. They wield significant influence in the ASGM sectors of Mali and Burkina Faso and are reported to have involvement in ASGM sites in northern Côte d'Ivoire.<sup>31</sup> The group is reported to use violence, including extreme punishments and summary executions, to punish theft and enforce the payment of taxes at mine sites.<sup>32</sup> These alleged links have fed into responses seeking to shut down informal gold mining activities, but ASGM is also an important source of employment for otherwise unemployed youth in the country. Some 500 000 artisanal miners are thought to be employed in the country's ASGM sector, 80% of whom are estimated to have entered Côte D'Ivoire legally from neighbouring countries.<sup>33</sup> The sector is a particular draw given the low level of skill needed relative to the high earning potential.<sup>34</sup>

## Land rights and access

The lack of land, mineral rights and security of tenure for stakeholders in the ASGM sector is a root cause or higher-level cause for a host of other challenges linked to the gold sector. Securing financing, ensuring security at mine sites, regulating operations, safeguarding human rights and addressing environmental harm can all be linked back to land, mining rights and access. And while these are challenges that face all potential miners, they are especially daunting for women, who face significant barriers to securing land rights for various reasons, such as cultural norms that prioritise male land ownership and limited access to securing finance.

Traditional authorities and customary laws play an important role in securing land access. While land use laws recognise the chieftaincy system and traditional land tenure systems, there's evidence of chiefs in Ghana demanding significant amounts of money – many thousands of dollars, in some instances – from small-scale miners to access land, despite not having the legal authority to do so.<sup>35</sup> These dual systems of state and customary land tenure have been the cause of conflicts between those who acquire government licenses and those who obtain customary permits. As a result, some chiefs have forged agreements to share gold ore, and some miners have foregone the licensing process altogether.

Slow, bureaucratic licensing procedures may create opportunities for land grabs by more affluent or politically connected individuals, thereby thwarting the efforts of ASGM operators to gain legal rights to land and gold deposits. Land grabs occur when a prospective ASGM miner identifies a piece of land or deposit that they believe will be profitable, but before they are able to secure the legal rights to the land or concession, another individual has interceded to secure the rights. For example, in Ghana, despite decentralising the licensing process, small-scale miners interviewed complained that the licensing process and the renewal of licenses is still heavily centralised and plagued by politics and cronyism. This pushes most small-scale miners into illegal and informal mining, making it very difficult to secure legal land and mining rights. There are extended approval timelines and instances where miners endure over a year-long waiting period for a licence, compelling them to operate informally with potential legal consequences. Moreover, Ghana grapples with land tenure and ownership disputes that cast shadows of ambiguity over land rights, potentially culminating in legal conflicts. Additionally, corruption and bribery infiltrate the licensing process, as miners are sometimes compelled to offer unofficial payments to officials to expedite the processing of licences.<sup>36</sup>

### ASGM and industrial mining tensions

While challenges to land and mineral rights and access can take many forms, conflict between ASGM and industrial mining operations has been a flash point in multiple countries across West Africa.

For example, in Burkina Faso, there has been significant tension between communities engaging in ASGM and industrial mining operations. The 2015 mining code gives industrial mining precedence over artisanal mining (Article 73), including by stipulating that artisanal mining within the perimeter of an industrial mine requires the operator's permission. Artisanal miners are neither consulted nor informed before the government grants industrial exploration permits in gold mining areas, and they are frequently displaced from industrial mining concessions violently and without compensation.<sup>37</sup> Tensions between artisanal miners and authorities came to a head in the city of Houndé in May 2022 after state efforts to remove artisanal miners from a site meant for industrial exploitation led to violence and the deaths of two ASGM miners.<sup>38</sup> In a context where violent extremist groups are opening access to ASGM sites and vying for

Dual systems of state and customary land tenure have been the cause of conflicts between those who acquire government licenses and those who obtain customary permits

community legitimacy as alternative governance providers, additional community grievances towards the government are extremely damaging.

In Mauritania, industrial mining operations are currently concentrated in the west of the country. Increased prospecting activities and industrial mining expansion often results in restricted land access for ASGM miners, who intrude upon industrial mining sites in search of viable mining areas as a result, leading to conflicts and further complexities within the mining landscape. In Mauritania, gold panners have repeatedly encroached on industrial mining concessions, often resulting in police interventions to evict miners from concessions, as happened in the Tamaya mining corridor. Similar issues have arisen in Tijirit, where Aya Gold has contended with unauthorised gold miners on its concessions. In Tiris, there have been conflicts as gold miners protested the awarding of a prospecting license to Emiral Resources Mining.

In Ghana, the ‘shortage of untitled land for ASM activities’ is cited as one of the biggest barriers to formalising the sector.<sup>39</sup> A significant portion of land has been mapped out and reserved for large-scale mining (LSM) firms, limiting the viable land and deposits available for ASGM.<sup>40</sup> This challenge is further exacerbated when LSM firms establish subsidiary small-scale mining companies that further limit the land available for ASGM actors, pushing them out of the formal sector.

Tension over land rights between industrial mines and ASGM stakeholders must be carefully navigated

When industrial mining is prioritised or perceived to be prioritised over ASGM, efforts to engage with ASGM stakeholders and promote formalisation of the sector can be impaired. Corruption in the allocation of mining concessions, although rarely documented due to its clandestine nature, can exacerbate the tensions around access to gold deposits. However, even when formal procedures are followed and fully transparent, economic, political and social fragility increase when ASGM miners are denied land access in order to enforce the land rights of industrial players.<sup>41</sup> For example, in Burkina Faso, such behaviour has negatively affected artisanal miners’ attitudes towards the state, as they perceive their systemic marginalisation as humiliation. As a result, attempts to formalise artisanal mining and strengthen state oversight have been met with scepticism and rejection by miners.<sup>42</sup>

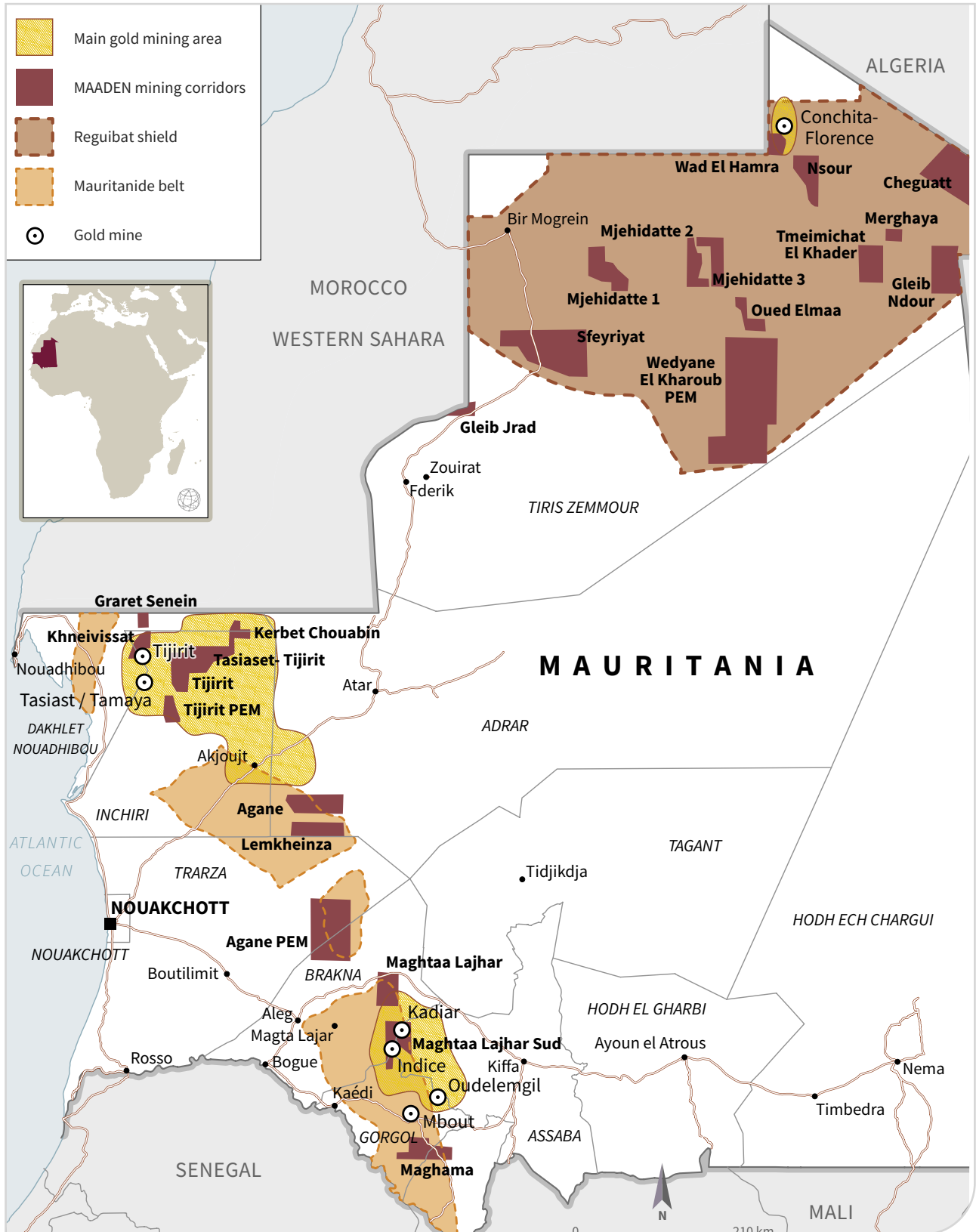
The tension over land rights between industrial mines and ASGM stakeholders must be carefully navigated. Formalisation approaches that engage with and support ASGM are more likely to be effective in building community resilience, increasing economic strength and reducing insecurity.

*A machine crushing mined rocks to be further processed to extract gold from the ore*

*Note: this is a licensed gold mine*



Chart 4: Mauritania's gold mining and processing locations



Source: GI-TOC

## Marginalisation and disempowerment of women in ASGM

Women are estimated to account for 20% to 50% of the ASM workforce in Africa, with variations based on the country, value chain and mineral type.<sup>43</sup> Not only do women contribute directly to mineral production, but they are also involved to a larger extent in the provision of services – mining inputs and mineral processing, for example – to ASM communities. ASGM can be a valuable livelihood option for women, providing a higher or more reliable source of income or being an economic safety net when no other livelihood options exist.

In West Africa's gold producing areas, many women depend on gold mining for their livelihoods, with the money earned often invested in other income-generating activities. For example, in the Sikasso, Kayes and Sadio regions of Mali, some women entrepreneurs rent equipment to ASGM operations. With the support of the Federation of Women in Mining of Mali, these women have organised themselves into cooperatives and achieved success within mining communities.

However, women are widely acknowledged to face discrimination and marginalisation in the ASGM sector. For instance, denial of women's land rights has persisted, despite the development of legal frameworks that expand their property rights.<sup>44</sup> This is exacerbated by the presence of criminal actors, who are reported to perpetuate traditional and societal gender inequalities that denigrate and deprioritise women. Several interviewees also alleged that politicisation and cronyism make it particularly difficult for women to thrive in the formal mining sector, echoing the recognised facts that corruption affects men and women differently and that women's professional opportunities are often particularly stymied by corruption.<sup>45</sup> In Burkina Faso,

as in other states facing similar issues, insecurity and violence further increase barriers for women, building on existing obstacles such as marital and domestic responsibilities, limited access to land due to cultural practices and customs, and a lack of influence or decision-making power in mining-related matters.

Formalisation efforts have not often been gender sensitive or targeted at women, and they have not often accounted for the unique barriers women face in the sector

Securing funding for mining operations is also especially difficult for women, who traditionally have less access to and control over capital. The gender desk officers of the Mineral Commission in Ghana, which advocates for the empowerment of women in the workplace and recommends gender-related policies,<sup>46</sup> shared instances in which women lost the opportunity to own a concession because they did not have readily available funding or capital to secure land or concessions.

Additionally, it is common for women in the sector to be forced to cede their land rights to their male counterparts due to funding challenges. It can also be difficult for women to secure bank loans or to recruit labour and retain staff. Limited access to family-based funding is another obstacle women face. In Western Mali's Kayes region, men often access land funding through collective loans or donations facilitated by family or community members, including diaspora support. However, women find it challenging to access these mechanisms due to the perception that their assets will eventually become their husband's and pass into another family's control.

While formalisation was highlighted as underpinning the improvement of conditions and outcomes for women in the ASGM sector, formalisation efforts have not often been gender sensitive or targeted at women, and they have not often accounted for the unique barriers women face in the sector. For example, according to a representative from Women in Mining Ghana, an advocacy body for women working in the mining sector,<sup>47</sup> 'while formalisation has brought some benefits to women in ASGM in Ghana, it has not addressed the underlying structural barriers that limit their access to land and mining rights'. Some of the key challenges women face include limited access to finance and resources, gender-based discrimination and violence, limited access to land and mining rights, and limited representation in decision-making.<sup>48</sup>





*Malian women working at an artisanal gold mining site in Sadiola (northwestern Mali)*

Furthermore, if not well planned and executed, formalisation efforts have the potential to further exclude and intensify the vulnerability of women in the sector. In Ghana and Cote D'Ivoire, for instance, legislation related to mining and land rights is gender neutral – in theory providing men and women with equal and fair opportunities. However, these laws have disparate impacts in practice, as women face unique challenges and historic and systemic hurdles that result in their marginalisation. For example, Section 47 of Ghana's Land Act 2020 (Act 1036) requires a person, male or female, to obtain their spouse's consent before engaging in land-related activities, although 'consent must not be withheld unreasonably'.

Initiatives to address the particular challenges and impacts women face in the mining sector have been limited and mainstream gender initiatives generally fail to reach women engaged in ASGM. Groups that support women in the sector include FEMIMA, Women in Mining (WIM), which has chapters in Ghana and Côte d'Ivoire, and the Association of Small-Scale Women Miners, a subsidiary of the National Association. ASGM miners in Côte d'Ivoire and Ghana laud the creation of mining groups, cooperatives and associations as part of the formalisation processes. For them, such grouping gives them a voice and recognition, and provides a framework to organise and pool efforts to advocate for improved access and status for women in the sector.

Women's participation in the mining sector was the workshop's most divisive topic, reflecting the social and cultural barriers to women's integration in West Africa's mining sector. The discussion underscored the need for significant sensitisation and broad engagement in efforts to promote women's participation in ASGM, the gold trade and other related industries.

### **Options for responses: Generating new ideas**

Emerging from the growing consensus around the need to move away from crackdowns on ASGM and towards alternative response frameworks, formalisation pathways have become central to addressing harms and realising the potential of the ASGM sector. There are seven key elements for consideration in formulating an effective approach to supporting ASGM formalisation, drawing from regional emerging best practices. Although on their own they by no means form a comprehensive response, these seven elements do begin to tackle the central challenges of formalisation that have been identified.

A number of these elements draw from recent practice, experience and lessons learned in Mauritania, where the gold rush that began in 2016 provided the country with a unique opportunity to learn from its regional neighbours when developing policy and legislative frameworks to govern the ASGM sector.<sup>49</sup> Key to the strength of Mauritania's approach was the overarching drive to regulate ASGM operations, rather than suppress them, as well as the significant financial investment by the government in the ASGM sector,<sup>50</sup> which

was channelled through National Agency for Minerals in Mauritania (MAADEN) established in 2020 to oversee the ASGM sector.<sup>51</sup>

## Land and mining rights

Facilitating ASGM access to land and gold deposits is a necessary foundation for formalisation efforts. Improving processes for licensing and securing concessions has been considered a potential way forward. However, of the initiatives discussed, the establishment of mining corridors – a key element of Mauritania’s approach – and the role of industrial mining operations in collaborating with the state and ASGM stakeholders to make land available to the ASGM sector were felt to hold particular promise.

### Mining corridors

Mining corridors provide structured areas for formalised mining activities, ensuring proper oversight and regulation. There have been several efforts to establish mining corridors or other types of zones allocated for ASGM across states in West Africa and more broadly.

Mali, Burkina Faso and Niger have all experimented with implementing variations of mining corridors or zones.<sup>52</sup> Under Mali’s regulatory framework, artisanal gold mining must be delineated in Mali’s so-called gold mining corridors and managed by local communities benefiting from technical advice from the central government. Burkina Faso and Niger have also provided for gold mining zones.<sup>53</sup> However, these systems have generally been poorly implemented and such initiatives have not experienced large-scale success.

One reason for the lack of success is that there are no profitable gold deposits in the zones. For example, efforts to establish mining corridors in Senegal have been unsuccessful, due in part to definitions of corridors not always encompassing existing and newly discovered gold deposits. Alternatively, ASGM miners may not believe that the zones host profitable gold deposits and so choose not to mine in the zone, even if there are proven gold deposits there.<sup>54</sup> What is more, ASGM miners often do not meet the minimum requirements set by existing regulations to mine in the zones, such as belonging to collective bodies, and so that can present additional challenges.<sup>55</sup>

Facilitating ASGM access to land and gold deposits is a necessary foundation for formalisation efforts

*Artisanal gold mining at Camp SIRIMANA / Klein-Goldbergbau*





*Sluices being used to capture gold bearing ore*

*Note: this is a licensed gold mine*

These issues reflect global lessons learned. For example, in Indonesia, ASGM has not seen a large uptake, despite the law allowing for ‘community mining zones’ (*wilayah pertambangan rakyat*), and despite the existence of significant backing by the UN and foreign donors prepared to invest large sums into formalising ASGM operations. The limited engagement is primarily due to challenges in gaining land rights and government approvals. Illustratively, in one case, Danish donors were prepared to provide significant funding to conduct technology interventions and support cooperative structures, but the government decided not to designate the area a community mining zone and instead gave the license to a private company. This decision is reflective of wider challenges in ASGM resource rights allocation that ultimately undermine management of the sector.<sup>56</sup>

An exception is Mauritania, which has seen some success in establishing and restricting ASGM to mining corridors. Unpicking the approach identifies a few key elements that have contributed to the nascent success of the mining corridor. First, ASGM is allowed outside of the corridor with the proper license,<sup>57</sup> giving ASGM miners some freedom to select mining locations and the ability to decide whether they will mine within the corridor or elsewhere. In addition, the policy has been actively supported by the government, with new corridors, such as the Cheggat corridor in the far north of the country, repeatedly opened up to artisanal gold panning.<sup>58</sup> Such actions provide miners with options for mining locations and reinforce the government’s position that they are working to support the sector and make gold deposits available to ASGM. Additionally, in agreement with the National Agency for Geological and Mining Heritage Research (*Agence Nationale de Recherches Géologiques et du Patrimoine Minier*), a gold mining map will be drawn up with the dual aim of serving as a reference and a guide for gold miners and investors. This is valuable because a major concern elsewhere is that geological mapping intended to benefit ASGM will be misappropriated and used to establish or benefit industrial mining operations. By opening additional mining corridors and making geological information available to ASGM stakeholders, the government of Mauritania is actively and visibly supporting the formalisation of the sector, which in turn is beneficial to stakeholder engagement and encourages ASGM operators to take part in other formalisation efforts.

This is not to suggest that the policy is a silver bullet. There are myriad challenges in regulating the ASGM sector, including the need for enhanced risk management across occupational, social and environmental issues. However, some elements of the policy could form the basis for replication or adaptation of living frameworks elsewhere.<sup>59</sup>

To harness the potential benefits of establishing artisanal mining zones and increase the potential for long-term success, several steps need to be taken. These include engaging with ASGM stakeholders early in the process, including them in meaningful engagement throughout, and ensuring that the locations selected are productive.<sup>60</sup>

## Recommendations

Governments should:

- Develop and implement a comprehensive legal framework tailored to enable and regulate ASGM operations within mining corridors.
- Provide reliable and accessible geological data so that government bodies and miners may make informed decisions and identify areas with potential mineral deposits.
- Encourage voluntary land relinquishment by communities. Engaging local communities and creating awareness about the benefits of mining corridors can help foster a willingness to relinquish land for formalised mining activities.
- Put in place transparent and fair compensation mechanisms to ensure that the rights and interests of communities are respected.
- Implement robust security measures and foster cooperation between relevant authorities and stakeholders to create a safe and secure environment for miners, including by ejecting criminal groups from mining corridors.
- Improve access to social amenities such as healthcare, education and infrastructure, as doing so contributes to the overall well-being of miners and local communities.
- Actively involve local communities in decision-making processes and ensure that their voices are heard, as doing so can foster a sense of ownership and responsibility. This can be achieved through meaningful consultations, partnerships and the establishment of mechanisms for community engagement.
- Allocate specific areas or blocks exclusively for female miners, thereby improving the opportunities and representation of women in the mining sector.
- Review and update corridor maps to ensure they can accommodate changes in mining sites, such as the discovery of new sites or the depletion of older ones.

## Cooperation with industrial mining operations

To succeed, approaches must align the interests of both industrial miners and ASGM stakeholders, allowing them to coexist as harmoniously as possible and maintain good relations with neighbouring communities. LSM companies will need to move beyond security-based approaches and establish a strong understanding of and relationship with ASGM stakeholders and other local actors. Open communication channels between ASM and LSM operations and legal pathways for feasible cooperation are also needed.<sup>61</sup>

At the interface of LSM and ASM, two frequently arising issues are land rights and access to tailings. Proposed ideas include industrial mining companies sharing geological data and relinquishing unused or unwanted portions of their concession. . A similar approach was adopted in Zimbabwe, where a tributer system<sup>62</sup> has created an opportunity for land agreements between larger mining operations and ASGM miners. Under a tributer agreement, ASGM miners are allowed to mine on part of an LSM concession in exchange for paying a portion of the value of the ore raised to the mine owners. The agreement also creates opportunities around buyback arrangements and technical support. There is not enough evidence to assess whether the tributer system has been successful in Zimbabwe to date. Alternatively, or as part of a tributary system, arrangements for ASGM stakeholders to process LSM tailings could also be considered.<sup>63</sup>

While governments are best placed to mediate relations between ASM and LSM actors, mining companies also need to be proactive in taking on this role. Indeed, myriad industry standards and instruments call for large-scale operations to engage with ASM, including the Organisation for Economic Co-operation and Development Due Diligence Guidance for Meaningful Stakeholder Engagement, the Initiative for Responsible Mining Assurance, and the International Council of Mining and Metals Performance Expectations.<sup>64</sup>

### Recommendations

LSM companies should:

- Relinquish unused or unwanted portions of their concessions or enter into tributary agreements with ASGM stakeholders.
- Establish mechanisms for dialogue and collaboration with ASGM stakeholders.
- Share geological data where possible to enable informed decisions about where ASGM can best take place.
- Ensure that approaches to ASGM are driven by community engagement, rather than security concerns.

Governments should:

- Establish and support mechanisms for dialogue and collaboration between industrial miners and ASGM stakeholders.
- Ensure legal frameworks allow for and encourage cooperation between industrial mining operations and ASGM operators.

### Cooperatives and other mining bodies

The establishment and support of collective bodies such as cooperatives was another approach that received support. Establishing cooperatives was seen to deliver a range of benefits, including by allowing miners to pool their resources and access financing collectively, enabling them to overcome individual financial constraints and providing greater financial stability. Collective bodies could also make it more feasible and effective to deliver training and sensitisation efforts, such as implementing regulations for training and authorisation in the use of explosives or promoting the adoption of mercury- and cyanide-free processing technologies. Establishing cooperatives could also aid in formalising gold supply chains and make ensuring transparency and accountability in the gold trade more feasible.

However, experience has shown that when working with the ASGM sector, government agents, donors and foreign experts need to be sensitive to the complexities of miners' organisational structures and power dynamics. They must avoid empowering a small number of individuals to the detriment of the larger group or contributing to negative outcomes for traditionally marginalised groups. In the Democratic Republic of Congo, for example, requirements to form mining cooperatives did not account for pre-existing social structures, usually headed by the local elite, that extended to mine sites.<sup>65</sup> As a result, the intervention enhanced the influence of the elite, leaving ASM miners with less power, their salaries subject to greater taxation. In other African contexts, cooperatives have been hijacked by dealers, brokers and exporters who use them to perpetuate pre-existing forms of resource capture and revenue sharing arrangements.<sup>66</sup>

The creation of mining groups, cooperatives and associations holds promise for empowering women within the sector increasing opportunity for voice and recognition. In some instances, however, the creation of associations or syndicates has been shown to have a negative impact on women. For example, a study of

women in mining in Rwanda found that belonging to a cooperative as opposed to a private company in the country did not necessarily improve women's financial outcomes or lower violence rates." In fact, coerced transactional employment sex was found to be higher in the cooperative. Nevertheless, cooperative work may expand women's legal consciousness and conceptions of rights: The study found that cooperative members demonstrated a greater understanding of supply chains, government functions and conflict resolution pathways. These results indicate that cooperatives are not a panacea for women's marginalisation but a starting point for enhanced understandings of socio-economic and legal equities.<sup>67</sup>

Thus, while the formation of collective bodies offers significant potential benefits for miners, governments and downstream consumers, monitoring and analysis are needed to ensure that desired outcomes are achieved and that any unintended consequences are quickly identified and addressed.<sup>68</sup>

### Recommendations

Governments should:

- Ensure legislative and regulatory frameworks are in place that allow for and encourage the formation of collective bodies in the ASGM sector.
- Ensure that monitoring and evaluation mechanisms are in place to assess collective bodies and protect against bodies being abused or marginalising vulnerable groups such as women or minorities.
- Incentivise the formation of collective bodies by offering benefits such as favourable tax rates, training and access to personal protective equipment or mining and processing equipment.

### Including gender in policy and programme design

To alleviate the challenges of women in the sector and enable them to experience the full benefits of ASGM formalisation, deliberate efforts should be made at the regional and national levels through affirmative laws and policies. Gender-sensitive formalisation policies will present female miners with more opportunities for inclusion and growth in the sector.

There are a number of promising initiatives that shed light on how interventions supporting women in the ASGM sector could be structured. In Ghana, the establishment of the gender desk at the Mining Commission in 2019 was an important positive step in addressing inequalities in the system. The Commission has started a review of the Mineral and Mining Law, and the gender desk is actively engaged to make it more gender sensitive.

The Ghana Artisanal Small Scale Mining Framework of 2015–2023 is one of the few documents in the country's ASGM regulatory framework that clearly seeks to address gender equality and the inclusion of women in the sector. The last of the six objectives of the framework aims to 'discourage all forms of gender biases in the ownership of ASGM concessions.'<sup>69</sup> However, the objective is allocated the lowest level of funding with a budget of 50,000 Ghana Cedis (12,106 Euro),<sup>70</sup> representing 0.2% of the total budget and showcasing how further prioritisation is needed.

In 2020, the Ivorian government launched the 'He for She' campaign in the country, a global UN-sponsored initiative aimed at promoting gender equality across various sectors in multiple countries by involving men in supporting gender equality efforts. In Côte d'Ivoire, the initiative specifically focused on improving working conditions for women in the mining sector through active advocacy for gender equality, efforts to combat discrimination and addressing all forms of harassment.<sup>71</sup>

Chart 5: Mapping gender components



Source: Adapted from International Women in Mining, Toolkit: Gender impact assessments for projects and policies related to artisanal and small-scale mining, <https://internationalwim.org/wim-reports/toolkit-gender-impact-assessments-for-projects-and-policies-related-to-artisanal-and-small-scale-mining/#:~:text=The%20toolkit%20offers%20a%20strategic,Assessment%20for%20ASM%2Drelated%20initiatives>

The variety of proposed options reflects the need for multifaceted assessments and responses to understand gender impacts and empower women in the sector. Various resources exist that can provide guidance to countries on developing gender-sensitive programming.<sup>72</sup>

### Recommendations

Governments should:

- Adopt legislation and regulations that are gender sensitive.
- Set aside government and donor funding dedicated to gender-sensitive initiatives.
- Ensure access to mining corridors, which could include dedicating specific spaces for women miners.
- Ensure that licensing and mining concession policies and procedures account for the unique challenges women face and are adapted accordingly.

## Decentralised service centres

### Processing

Concentrating control over processing centres – nodes central to the gold supply chain – is perceived to have been one of the central tenets of Mauritania’s approach to formalising ASGM, which has seen nascent and partial success to date. Mauritania’s method for regulating the ASGM sector has included establishing state-run processing centres and areas designated for cyanidation plants, which are pivotal to gold supply chains, thereby concentrating the management of chemicals like mercury and cyanide. ASGM processing centres can centralise and streamline the processing of mined materials, providing necessary infrastructure and technical support, reducing costs and improving efficiency. These services can be attractive to miners, motivating them to engage with the government and with regulatory efforts.

In Mauritania, significant investment has been put into establishing and maintaining processing centres, and the government has mandated that ASGM miners bring their minerals to approved processing facilities in Chami and Zouerat. In 2020, approximately 900 wet pan mills were in operation at the processing sites and between 2015 and 2020 the operation of these wet-pan mills led to the substantial buildup of significant quantities of tailings.<sup>73</sup> MAADEN is constructing a large new facility 30 kilometres north of the gold mining town of Chami to keep mineral processing away from residential areas.<sup>74</sup> The cumulative investment in ASGM activities presently stands at around 7 billion Mauritanian Ouguiya (€17 million), with processing plants accounting for 84% of these funds. Current annual production is 259.29 kilograms, with 67% of gold production coming from the Chami processing centre. Processing centres incorporate a range of processing machines, including 2–22 crushing machines per workshop.<sup>75</sup>

Other countries have not seen the success of Mauritania when it comes to establishing processing centres, however. In Zimbabwe, for example, international donors and state authorities supported the creation of local mineral processing centres where gold miners could pay mill owners a small fee to process their ore. These same centres provided training to promote awareness of legalisation procedures. One well-known donor-funded project was the Shamva gold processing mill, established in 1987 and further developed during the 1990s.<sup>76</sup> The Shamva project was widely viewed as a proactive step towards improving economic efficiency by sharing technology and creating incentives for ASM actors to become licenced, as only registered miners could use the milling services. Yet the Shamva mill and other similar projects did not find long-term success and were abandoned. The failure was attributed to insufficient support from the national government, corruption and abuse of power, and it highlighted the need for consistent, dedicated government support, as well as strong safeguards against corruption.<sup>77</sup>



The remote nature of ASGM sites and the long distances between locations can create challenges for establishing processing centres. As such, determining the number and location of processing centres is a balancing act between centralising activities and ensuring that centres are accessible and attractive options for ASGM miners. In Mauritania, the limited water supply has worked to the government's benefit in this regard. Access to water and energy is crucial for mining activities, including at the point of processing. Government's provision of energy and water infrastructure has become a strategic tool to attract miners to areas where such infrastructure exists. This serves as a means of planning and oversight. By ensuring access to water, the government gains better control over mining operations and can effectively prevent environmental pollution. This is reported to be a major factor in the nascent success of Mauritania's processing centres.

Mauritania's approach sparks considerations around how governments can exert control over the inputs and resources necessary to mine and process gold-bearing ore as part of larger ASGM regulatory efforts. While regulating access to water is an approach that could be assessed by other Sahel states that share climatic conditions characterised by water scarcity, in locations where water is more easily accessible, states will need to look for other ways to incentivise miners to use processing centres and engage with formalisation efforts.

### Recommendations

Governments should:

- Establish service centres in accessible areas with essential amenities such as water, electricity, healthcare, police, food markets, housing, financial services, and nearby regulatory offices for efficient oversight and management.
- Establish and exert control over community processing sites, recognising the challenges of doing so in the immediate context of sharp instability.
- Consider how to exert control over inputs and resources pivotal to gold supply chains, with the aim of making engagement with the regulated sector attractive to miners.

### State approaches to buying gold produced by ASGM

Establishing gold buying counters, or *comptoirs*, is another approach countries have pursued to capture gold flows and engage with ASGM miners. Decentralised buying options close to gold producing areas can increase engagement with miners and further formalisation efforts. In some contexts within West Africa, including in areas of Senegal, such decentralised structures have not proved particularly attractive to ASGM miners, partly due to the prices offered by informal buyers being higher.<sup>78</sup> In addition, oversight of purchasing offices can be difficult, potentially increasing corruption risks. As such, a balance needs to be found based on context and capacity.

Some states mandate the sale of gold to state institutions to capture gold supply chains, but mandatory buying schemes can be counterproductive. If artisanal miners and traders in artisanally mined goods believe that they receive less value for their gold by selling it to the compulsory state purchasing agency – perhaps because of taxes or because the prices offered by the state agency are not competitive – they might prefer to sell to informal dealers.

In Mauritania in 2018, Decree No.002 granted the Central Bank of Mauritania and its approved *comptoirs* exclusive authority to buy gold. The hope was that this measure would combat the emergence of organised criminal smuggling networks. However, *comptoirs* have been reported to not be fully operational, and there has been a drop in official gold exports since 2020. The central bank's gold buying programme totalled 3.5 tonnes in 2021, compared to 4.6 tonnes in 2020 – a decline of 22.9%. In 2022, gold production in the sector fell to 2 383.39 kilograms,<sup>79</sup> and it is suspected that the drop may be due in part to gold being smuggled out

of the country. Although the fall in sales may be remedied by state comptoirs becoming operational, it raises concerns that gold is being diverted to illicit channels.

Numerous approaches to state buying schemes and gold trade regulations have been implemented in Ghana, with varied results. Prior to 2006, the Precious Minerals Marketing Corporation (PMMC), a government entity, was the only entity permitted to buy and sell gold in Ghana. This changed with the Minerals and Mining Act, 2006,<sup>80</sup> which allowed for the Minister of Mines – acting on the advice of the Minerals Commission – to issue gold buying licenses. The PMMC was still able to issue licenses to buying agents to purchase gold from ASGM miners on its behalf.<sup>81</sup> This privatisation and the resulting increased competition are believed to have helped deter smuggling, as they resulted in higher prices for gold within Ghana. In 2016, the PMMC stopped exporting gold when it was designated the National Gold Assayer; instead, gold had to be exported by licensed gold exporters.<sup>82</sup> The adoption of the ‘Gold for Oil’ scheme in November 2022 again changed buying and export rules. All gold produced via ASGM must now be sold to the PMMC, and licensed gold exporters can no longer export gold.<sup>83</sup> Concerns about the policy have been raised, including the risk that it will result in outcomes similar to those of the pre-2006 PMMC monopoly, namely an increase in smuggling. Other factors, such as export tax rates, have also impacted the rate of gold smuggling out of Ghana.

For gold buying structures to be successful, they need to be tailored to the specific challenges, policy objectives and capacities of states. Additionally, what may be an ideal buying structure in the long term may not be possible in the short term due to capacity constraints. As such, to best fit a country’s unique situation and goals, gold buying structures need to be informed by a strong understanding of formal, informal and illicit gold markets, and they should be continually assessed and coordinated with regional partners. Stakeholders need to adopt strategies to engage with established networks, including miners and traders.

#### **Recommendations<sup>84</sup>**

Governments should:

- Coordinate the management of gold buying programmes between central banks, who are often charged with buying gold, and other relevant ministries and regulatory bodies, all the way from central to local levels.
- Offer competitive and sustainable pricing for gold without compromising operational capacity. Reaching an agreement on who will absorb the costs and establishing their willingness to do so is paramount to successfully implementing this approach. Other incentives, such as providing access to financing that can be linked to purchasing schemes, also need to be considered.
- Ensure liquidity. State buyers need to have enough cash on hand to reliably purchase all gold presented for sale. Electronic banking systems could play a role in overcoming this challenge and make it easier to track financial transactions, but they may, at least initially, prove less attractive to miners than cash and may thus require gradual introduction.
- Tailor due diligence policies to the current context and to government capacity and objectives. A ‘no questions asked’ policy has the benefit of lowering barriers to entry, which furthers the policy objectives of increasing engagement with ASGM stakeholders and capturing a greater share of gold revenues. However, this approach may undermine efforts to minimise negative impacts and raise standards in the gold sector.
- Ensure that a share of revenues generated from gold sales remains within the community. This may help to increase community buy-in and incentivise communities to pressure miners to sell within formal supply chains.<sup>85</sup>

## Capacity and collaboration: Strengthening national bodies and regional coordination

Due to the multifaceted nature of ASGM and illicit gold markets, a wide range of actors – including mining, environmental, trade, financial, development, law enforcement and health stakeholders – are engaged in the issue. The most effective responses have been achieved when multiple government agencies engage in information sharing and coordinated action. Effective engagement with non-state stakeholders, such as cooperative groups, miners' associations, and women miners' associations, is essential. To facilitate interagency cooperation, specialised task forces or platforms could be established.<sup>86</sup>

However, collaboration and regulatory reforms are only as effective as the agencies and departments of state responsible for their administration. Innovative and otherwise well-considered reforms are frequently undermined by insufficient support. Thus, relevant authorities need to be adequately staffed, funded and trained. Additionally, strong political commitment and clear directives from the leaders of these institutions are essential. Without them, the mere existence of a formal platform or taskforce may not lead to substantial action, as individuals often await guidance from their respective hierarchies.

Efforts are also needed to improve vertical coordination between authorities at the subnational and national levels. This will ensure the flow of bottom-up information and input into policy processes, which is valuable to understanding formalisation efforts and the dynamics in gold producing areas.<sup>87</sup>

Regional collaboration and cooperation can play a major role in the success of policy interventions. Collaborative efforts, through institutional coordination and information sharing, can promote best practices, address common challenges and create a conducive environment for sustainable mining practices. Regional and multilateral institutions can support efforts by providing platforms for information sharing, engagement and coordination.

The need for collaborative efforts is particularly evident with regards to border control. This will require greater information sharing and coordination between law enforcement, customs, financial intelligence units (FIUs) and other relevant bodies. Poorly controlled and porous borders not only facilitate arbitrage and gold smuggling, but also support some of the more pernicious organised crime effects of ASGM. For example, loose border control facilitates the spread of weapons, which enable violent extremist groups and organised criminal groups to profit from the gold trade by seizing control of mine sites and trade routes to exact taxes on the trade.<sup>88</sup>

### Recommendations

Governments should:

- Promote institutional coordination by establishing mechanisms and systems for information sharing, as well as working groups or platforms to bring various actors together.
- Ensure that a wide range of stakeholders – including from mining, environment, trade, customs, law enforcement and finance (central banks) – and other relevant actors are involved in developing and implementing responses.
- Seek support from development partners, such as international organisations and donor agencies, to provide technical assistance, capacity building and financial aid to the ASGM sector.

## Conclusion

Recognising ASGM as a ‘wicked problem’ lays bare why formalisation and the realisation of the sector’s development potential are both very important and very difficult. The deteriorating security situation across the Sahel and Nigeria is increasingly impacting other coastal states across West Africa, making it more important to effectively regulate ASGM – thereby mitigating the sector’s exploitation by conflict and criminal actors – and yet more difficult to do so, as states’ policy agendas and resources are understandably stretched.

The ASGM sector is dynamic and constantly evolving. In turn, the challenges and responses are constantly evolving, as well. This is reflected in discussions around terminology and the growing threat of explosives and chemicals in West Africa and the Sahel region. But while the sector is exploited by criminal actors, it is also an important source of livelihood for many rural populations and is expected to grow further. As such, supportive measures that bring ASGM into the regular economy should be favoured over punitive measures that push the sector further underground.

The problem-solving process is a valuable framework to define the challenge, identify root causes, generate new ideas and implement solutions. Formalising the ASGM sector requires a holistic, comprehensive and cyclical process that is continually being evaluated. This paper, informed by the multistakeholder Abidjan workshop, illustrates and informs the first two steps of problem-solving: seeking to define the challenge and generating new ideas for responses. While there are many different facets to this process, addressing issues around land rights and tensions between livelihoods and criminality will be a critical foundation to formalisation efforts. Additionally, including female perspectives and developing gender-sensitive responses should be a woven throughout. The need for context-specific and locally informed policy interventions is significant.

*Côte d’Ivoire*

*Note: this is a licensed gold mine*



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