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Seeking better outcomes for West Africa's 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

Introduction

The West African gold sector has experienced remarkable growth in the past 15 years, significantly contributing to the region's socio-economic landscape. Artisanal and small-scale gold mining (ASGM) has played a significant role in the growth, with the spread and scale of ASGM expanding exponentially over the past two decades. While ASGM is now a critical source of livelihood, it remains largely informal, making it vulnerable to exploitation by criminal and conflict actors and hindering its development potential.

Previous efforts to combat informal or illegal ASGM in West Africa have tended to involve crackdowns on the sector. However, research has shown that rather than curbing criminality, crackdowns more often increase fragility and the criminal capture of gold mining operations and supply chains. As a result, there is a growing recognition of the need for alternative strategies, and approaches that seek to formalise the ASGM sector are gaining traction.¹ Formalisation entails integrating ASGM into the formal economy and regulatory system. However, it's a complex process, and there is a lack of clarity on effective policy and programmatic interventions in West Africa.² Fair and consistent regulation of land and mineral resources is essential, but it faces challenges, including land tenure insecurity and legal ambiguities.³

The ASGM sector is dynamic, and responses must adapt to evolving challenges, such as explosives and chemicals threats. Favouring supportive measures over punitive ones is essential to bringing ASGM into the regular economy.



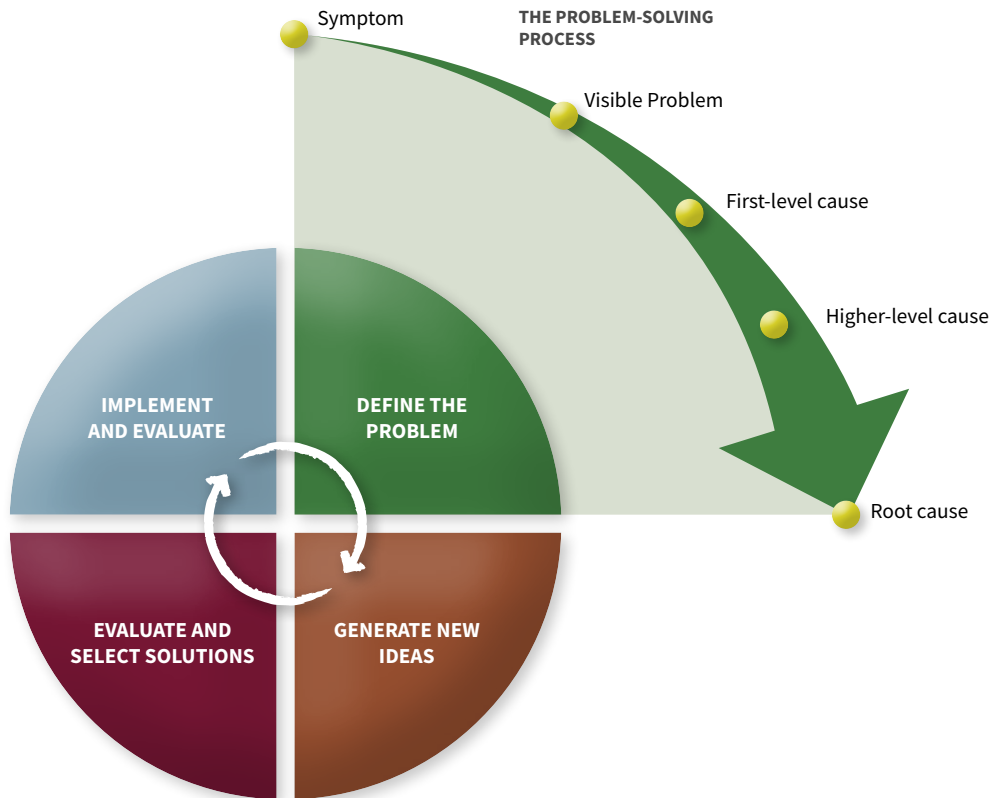
Artisanal gold mining at Camp Sirimana, Mali

Methodology: The problem-solving process

Formalising the ASGM sector has been described as a wicked problem. 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.⁴ 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.⁵ 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 consists of defining the problem, generating new ideas, assessing and selecting solutions, implementing and evaluating those solutions. 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.

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



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



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.

A dynamic and evolving sector

The ASGM sector is dynamic and evolving, challenging traditional perceptions of activities, actors and supply chains. 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. The increasing use of explosives and chemicals, particularly mercury and cyanide, in mining operations is also now a major threat across the region – a



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

Note: this is a licensed gold mine

result of the growing sophistication, technological advancement and regional interconnectedness of West Africa's ASGM sector.⁶

Enhanced cross-regional flows allow not only for the additional movement of gold, but also of knowledge, equipment, supplies and chemicals. New technologies 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 flows, particularly of chemicals, 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.⁷

The growing use of explosives across sites in Burkina Faso and West Africa more broadly 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.⁸

Tensions between livelihoods, stability, and criminal exploitation

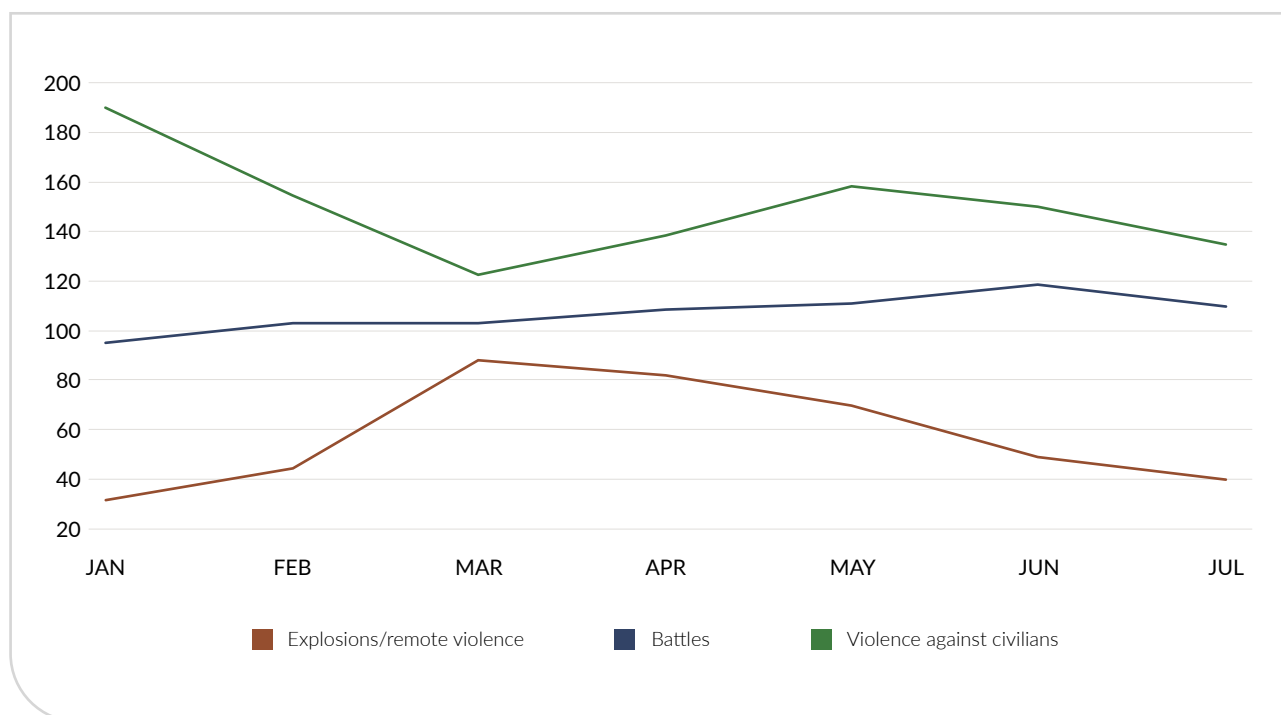
The tension between ASGM as a source of livelihood and stability, criminal exploitation of the gold sector, including via corruption, and the role of the gold sector in conflict dynamics has been well documented, including in West Africa.⁹ Balancing ASGM's role as a source of livelihood and stability with its criminal exploitation, especially by non-state armed groups, continues to be a key challenge in designing effective responses.

Organised crime networks infiltrate the sector, exploit its informality for gold smuggling, money laundering and violence, and undermine formalisation efforts. Non-state armed groups in the Sahel and Nigeria tax goods, including gold, as a source of financing.¹⁰ Some groups also control and profit from ASGM sites in the Sahel.

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). ASGM 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. 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.

The OCWAR-T report 'Labour-trafficking in ASGM: Assessing risks in the Sahara-Sahel goldfields' further underscores the importance of gold as livelihood. The geographic and political isolation of certain Saharan

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



Source: ACLED

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 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.¹¹

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. Thus, access to land and gold deposits is a necessary foundation to any formalisation effort. Securing financing, ensuring security at mine sites, regulating operations, safeguarding human rights and addressing environmental harm can all be linked back to land and mining rights and access. Yet making deposits available for ASGM and getting ASGM miners to work within designated areas have been significant challenges across West Africa

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. Thus, the tension between industrial mines and ASGM over land rights is a challenge that 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.

Marginalisation and disempowerment of women in ASGM

Women are estimated to account for 20% to 50% of the workforce in artisanal and small-scale mining (ASM) in Africa, with variations based on the country, value chain and mineral type.¹² In West Africa, many women depend on gold mining for their livelihoods, with the money earned often invested in other income-generating activities. For example, in Mali, some women entrepreneurs rent equipment to ASGM operations. With the

Access to land and gold deposits is a necessary foundation to any formalisation effort

support of the Federation of Women in Mining of Mali (FEMIMA), these women have organised themselves into cooperatives and achieved success within mining communities.

However, women face discrimination and marginalisation in the ASGM sector. For instance, the denial of women's land rights has persisted, despite the development of legal frameworks that expand their property rights.¹³ This is exacerbated by the presence of criminal actors, who are reported to perpetuate traditional and societal gender inequalities that denigrate and deprioritise women.

In turn, 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. Systemic factors marginalise women, make it more difficult for them to achieve more lucrative positions in the sector, and preclude them from enjoying greater economic benefits from ASGM.

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 a central – but complex – element of the response to the challenges posed by ASGM. 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.

Land and mining rights

Facilitating ASGM access to land and gold deposits is a necessary foundation for formalisation efforts. The establishment of mining corridors or other designated areas for ASGM has been promoted and shows promise. Mining corridors have been a key element of Mauritania's approach to date, which has seen some early success. 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.¹⁴

Formalisation pathways have become a central – but complex – element of the response to the challenges posed by ASGM



Close to the border with Burkina-Faso

Recommendations

- 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 governments 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 in mining corridor areas, 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 for 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.

To succeed, approaches must align the interests of both industrial miners and ASGM stakeholders, allowing them to coexist as harmoniously as possible. LSM companies will need to move beyond security-based approaches and establish a strong understanding of and relationship with ASGM stakeholders. Open communication channels between ASM and LSM operations and legal pathways for feasible cooperation are also needed.¹⁵

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 between industrial miners and 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

Establishing collective bodies such as cooperatives has the potential 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. Establishing cooperatives could also aid in formalising gold supply chains and make ensuring transparency and accountability in the gold trade more feasible.

There is a need to be sensitive to the complexities of miners' organisational structures and power dynamics

At the same time, there is a need to be sensitive to the complexities of miners' organisational structures and power dynamics. Stakeholders, including government agents, donors and foreign experts, 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 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.¹⁶ 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.¹⁷

Recommendations

- 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 will present female miners with more opportunities for inclusion and growth in the sector. There is a 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.¹⁸

Recommendations

- 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

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. 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. However, other countries have not seen the success of Mauritania when it comes to establishing processing centres, highlighting the need for consistent, dedicated government support, as well as strong safeguards against corruption.

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. By providing access to water at processing centres, the government has been able to exercise stronger control over processing activities and take a firmer stand on regulating processes to mitigate 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.

Recommendations

- 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.

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.¹⁹ However, oversight of purchasing offices can be difficult, potentially increasing corruption risks. As such, a balance needs to be found based on context and capacity.

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.

For gold buying structures to be successful, they need to be tailored to the specific challenges, policy objectives and capacities of states.

Recommendations

- Coordinate the management of gold-buying programmes between central banks, who are often charged with buying gold, and other relevant ministries and regulatory bodies.
- 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 making 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.²⁰

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. 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.

Efforts are also needed to improve vertical coordination between authorities at the local, provincial (or its equivalent), national and regional levels. 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.

Recommendations

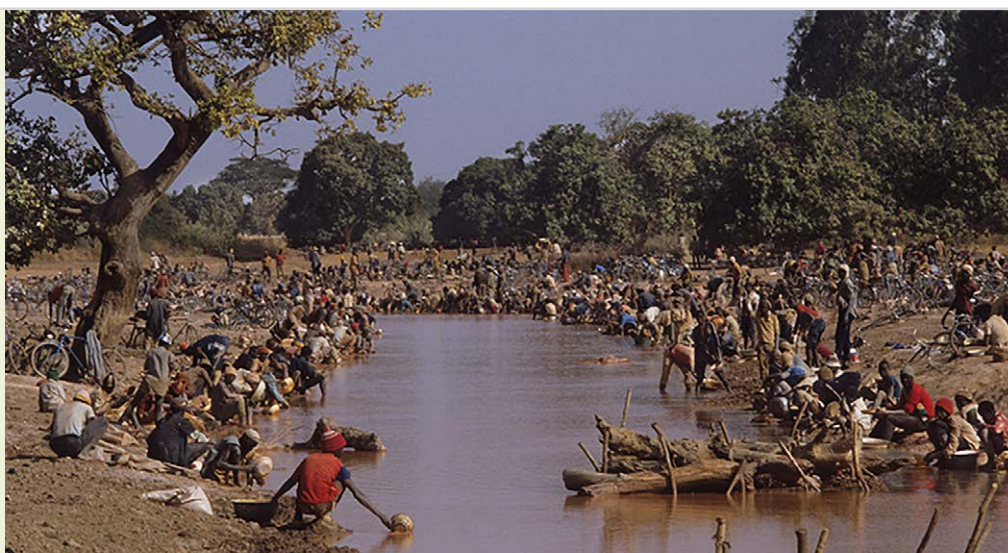
- Promote institutional coordination by establishing mechanisms and systems for information sharing, as well as working groups or platforms to bring various actors together.
- Ensure that a wide range of stakeholders – including from mining, environment, trade, customs, law enforcement and finance (central 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

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. It needs to be a holistic, comprehensive and cyclical process that is continually being evaluated. 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.

*Artisanal miners,
Kalsaka Village,
Burkina Faso*



Notes

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