



A gold miner wears a head torch as he breaks rocks at a gold mine in Lukingl village, Mubende district. Mineral discovery in Uganda was started by artisans

Expedite legal recognition for artisanal mines — experts

By John Odyek

Artisanal and small scale mining in Uganda has important implications for sustainable development. However, to date, it has not received enough attention despite its potential to impact livelihoods, provide crucial inputs for domestic economic development, have closer links with the local economy, generate jobs and contribute to poverty reduction, according to experts.

Artisanal and small scale mining operations, they say, are constrained by an uncertain legal and regulatory environment. They also cite insufficient publically and easily accessible geological data, which worsens wasteful exploration and discourages investment in the sector.

Mineral discovery in Uganda was started by artisans. They mined iron, salt and gold. Artisanal and small scale mining today provides a direct livelihood for over 400,000 people, who use basic tools such as pick axes, hoes, hammers and spades. Another two million are indirectly employed in this sector, according to the Ministry of Energy and Mineral Development.

If well harnessed, Uganda's minerals can be a cash cow for the country's economy. The increased global dependency on information and communication technology and the desire for green technology in the automobile industry creates immense opportunities for Uganda, which is blessed with minerals that are the drivers of these industries, such as tin, tungsten, tantalum, gold, graphite and rare earth elements.

However, in a 2016 value for money audit of the regulation, monitoring and promotion of the mining sector

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by the Ministry of Energy and Mineral Development, the Auditor General, John Muwanga, concluded that the formalisation and regularisation of the mining operations of the artisanal activities has not been implemented and enforced.

Muwanga noted that the ministry was supposed to regularise and improve artisanal and small scale mining.

This was to be attained by providing information on available production and marketing facilities, carrying out awareness campaigns and ensuring health and safety

standards for all mining operations.

"The inadequacy of the prevailing mining regulatory framework creates challenges in regulating the mining sector, thus hindering realisation of the of the sector's intended objectives," Muwanga stated.

He added that the National Development Plan emphasises value addition as an area of focus and a key driver for economic development, but the act and regulations did not provide for value addition of the raw minerals.

According to Gerald Karuhanga, the deputy chairperson of the Public Accounts Committee, in some areas, artisanal miners had formed SACCOS, but in other areas, such organisation is not there.

"We need suggestions to improve the law and regulations on artisanal mining," Karuhanga said.

Vincent Kedi, the principal engineer of mining at the department of geological survey and mines, said many African countries were grappling with how to manage the artisanal miners.

"Some artisanal miners are migratory; they believe they own the country. We are training them, giving them technology. We began training them in mining methods, basic geology, policy and laws and environment protection in 2005," Kedi said.

According to Peter Lokeris, the state minister for minerals, the Government has plans to formalise the artisanal miners. We are encouraging them to form groups and register," Lokeris said.

Amani Mustafa Mhinda, the founder of HakiMadini, a Tanzania-based non governmental organisation that does advocacy work on mining, environmental and community issues, said Artisanal and small scale mining, whether organised or not, has huge political consequences and cannot be ignored.

"Legalisation for Artisanal and small scale mining is often confused for 'formalisation'. The process, however, raises a lot of dilemma. Do we license livelihoods or enterprises? This question is common for all informal sectors. There are not enough incentives for formalisation, thus miners feel little difference between being legal and illegal," Mhinda said.

While making a presentation on Artisanal and small scale mining in Kampala recently, Mhinda said specific legal definitions and categories for artisanal mining should be developed to make the mining legislation and regulatory framework more responsive to local priorities.

"Laws and policies should be developmental, focusing on harnessing the potential rather than policing and managing a 'menace'. It should give the small scale miners a voice as citizens and as partners in development," he said.

Mhinda added that the Tanzanian government runs a grants programme with about Tsh8b (sh12b) earmarked for small scale mining support.

"An unbalanced emphasis on regulation and enforcement combined with increased taxes and fees is likely to drive miners deeper underground and widen the gap between the Government and Artisanal and small scale mining. Informality begets informality," he said.

Mhinda said Artisanal and small scale mining cannot be left to the minerals ministry or Governments alone.

"This sector requires a multidisciplinary approach from geologists, mineral processors, marketers, business planners, resource managers, safety and occupational health experts, security, environmentalists, local government, revenue authorities, bankers, lawyers, the civil Society and researchers," he said.

Mining