

# Modern Mining Law & Policy : A civil society perspective

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# Vision of the African Mining Vision, 2009

- **Transparent , equitable and optimal exploitation of mineral resources to underpin broad based sustainable growth and socio –economic development – Vision , 2009**
- ***TRANSPARENCY , EQUITY , OPTIMALITY & SUSTAINABLE GROWTH & SOCIO –ECONOMIC DEVELOPMENT***
- Overall the Vision seeks to integrate the exploitation of mineral resources into socio-economic development through linkages – **down ,up and side stream linkages**

# Transparency

- Must promote transparency
- Access to information to all stakeholders including Civil Society Organisations and Community Based Organisations
- Information is power
- Timely, credible and accessible information
- Allocation of mining claims , contracts negotiated and use of generated revenues
- Helps to manage tensions and conflicts

# Participation

- Participation by all stakeholders in mineral resource governance
- Mineral resources belong to the people and those that manage them does so in trust
- All stakeholders must participate in the policy and decision making processes ie in mining affairs board – CBOs , CSOs , Business & Government
- **Participatory** as opposed to **representative** democracy
- ***Tripartite partnerships – AMV***

# Shared benefits /Equity

- A sustainable and well governed sector that effectively garners and deploys resource rents and that is safe, healthy, gender and ethnically inclusive , environmental friendly, socially responsible and appreciated by surrounding communities
- Harness the potential of ASM sector to stimulate local/ national entrepreneurship , improve livelihoods & advance integrated rural social and economic development

# Accountability/ Remedies

- Impacts of mining on Environmental , Economic , Social and Cultural Rights of communities
- Need for accountability measures / remedies that are either judicial or non judicial
- Compensation payment based on international best practices / standards