

Pre-meeting briefing package
Global forum on artisanal and small-scale gold mining
7–9 December 2010
Manila, Philippines

*Meeting location: Sofitel, Philippine Plaza
CCP Complex Roxas
Boulevard Pasay City 1300, Manila*

Introduction

By its decision 25/5 III of 20 February 2009, the Governing Council of the United Nations Environment Programme (UNEP) requested the Executive Director to convene an intergovernmental negotiating committee with the mandate to prepare a global legally binding instrument on mercury which would begin its work in 2010 with the goal of completing it prior to the twenty-seventh session of the Governing Council in 2013. The use of mercury in artisanal and small-scale gold mining will be a major consideration in these negotiations.

UNEP and its Global Mercury Partnership partners will convene a global forum on artisanal and small-scale gold mining in Manila from 7 to 9 December 2010. The meeting will be conducted in English, French and Spanish.

Artisanal and small-scale gold mining is widely recognized as a complex global development issue that presents challenges and opportunities in many countries around the world. The forum will provide an opportunity to consider optimal means to tackle mercury-related issues in artisanal and small-scale gold mining and to initiate a dialogue on a broader range of issues associated with such mining.

The objectives of the forum are:

- (a) To identify and discuss the challenges and opportunities of artisanal and small-scale gold mining and how they relate to mercury;
- (b) To identify potential solutions from among replicable case studies and explore lessons learned;
- (c) To explore the role of policy, legal, technical and financial considerations in addressing artisanal and small-scale gold mining issues in the context of a global legally binding instrument on mercury;
- (d) To discuss the role of other mechanisms in addressing artisanal and small-scale gold mining issues;
- (e) To strengthen the UNEP Artisanal and Small-Scale Gold Mining partnership area, including by:
 - (i) Encouraging participation in the partnership;
 - (ii) Making recommendations to donors on options for scaling up artisanal and small-scale gold mining efforts that reduce mercury use and releases globally;
 - (iii) Enhancing global collaboration and coordination of activities related to addressing artisanal and small-scale gold mining;
 - (iv) Identifying examples of partnership activities undertaken to date, together with current gaps and potential future activities.

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Proposed draft agenda (as of 24 November 2010)

*Meeting Location: Sofitel, Philippine Plaza
Address: CCP Complex Roxas, Boulevard Pasay City 1300, Manila*

Tuesday, 7 December 2010

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| 8.15–9 a.m. | Registration |
| 9 – 9:15 a.m. | Welcoming remarks
(Senator Juan Miguel Zubiri, Chairperson, Philippines Department of Environment and Natural Resources) |
| 9.15 – 9.30 a.m. | Introductory remarks (David Piper, UNEP) |
| 9.30–10 a.m. | Introduction of participants |
| 10–10.45 a.m. | Introduction to artisanal and small-scale gold mining (ASGM):
(a) What it is (size, location, economy, stakeholders, issues)
(b) Why mercury is a good entry point for accomplishing broader goals
(c) Technical, financial and policy responses
(d) Ice breaker: example presentation of a gold-buying shop (film or live demonstration) |
| | Discussion |
| 11–11:30 a.m. | Presentation: Update on the global mercury negotiations and description of the Global Mercury Partnership (Brenda Koekkoek, UNEP) |
| 11.30 a.m. | Presentation: An introduction to the approach of the Philippines Government Department of Environment and Natural Resources (Atty. Juan Miguel T. Cuna, Director of the Environmental Management Bureau) |
| 12–12.30 p.m. | Summary of the morning session; question-and-answer session |
| 12.30–2 p.m. | Lunch |
| 2–3.30 p.m. | Panel session 1: Mercury use and ASGM
(Facilitated by Kevin Telmer, Artisanal Gold Council) |
| | Introduction to the draft technical guidance document under development, followed by three presentations on case studies that demonstrate simple mercury reduction solutions:
(a) Moving away from mercury whole-ore amalgamation
(b) Reducing open burning
(c) Dangers of combining mercury and cyanide |
| | Discussion |
| 3:30–5 p.m. | Break-out groups |
| 5–6 p.m. | Plenary report-back and discussion time
Summary discussion and day 1 wrap-up |

Wednesday, 8 December 2010

- 8.30–9.30 a.m. Regional consultations (regional groups will be asked to review a series of questions in preparation for the day)
- 9.45–10 a.m. Opening, summary of day 1 and introduction to day 2 programme of work
- 10–11 a.m. Presentation: Trade, gold and the economics of ASGM
(Patrick Schein, President, S&P Trading, and Executive Board Member, Alliance for Responsible Mining)
- (a) Brief history of gold, its role and properties
 - (b) Gold market: supply, demand and pricing
 - (c) Financing: a key factor in mining
 - (d) Consumer awareness and demand for traceability
 - (e) An opportunity for ASGM; creating demand for ASGM
- Discussion
- 11 a.m.–12.30 p.m. Panel session 2: Legal and regulatory issues
(Facilitated by Samuel Spiegel, Resource Policy Analyst, University of Cambridge)
- Introduction to formalization, including a presentation on tools available to support policy development. Consideration of government experiences in: land ownership and concessions; access to licensing systems and requirements, e.g., environmental impact assessment; and decentralized regulation.
- Confirmed speakers:
Experiences in Latin America (Laura Barreto, Alliance for Responsible Mining)
- Discussion
- 12.30–2 p.m. Lunch
- 2–3 p.m. Panel session 3: Social issues
(Facilitated by Richard Gutierrez, BAN Toxics, Philippines)
- (a) Minors Out of Mining, a partnership for global action against child labour in small-scale mining (International Labour Organization)
 - (b) Relationship between small-scale and large-scale mining
 - (c) Human health considerations in mining communities (review of health issues, support available and outreach opportunities in health)
- Discussion
- 3–4.30 p.m. Break-out groups
- 4.30–5.30 p.m. Summary discussion and day 2 wrap-up

Thursday, 9 December 2010

- 8.30–9.30 a.m. Regional consultations (regional groups will be asked to review a series of questions in preparation for the day)
- 9.45–10 a.m. Opening, summary of day 2 and introduction to day 3 programme of work
- 10–11.30 a.m. Panel session 4: Financing the transition away from mercury
(Facilitated by Susan Keane, Natural Resources Defense Council)
- (a) International assistance approaches:
 - (1) World Bank, Tanzania Development Agenda example (Alex Magayane, Tanzania Ministry of Energy and Mines (to be confirmed))
 - (2) Global Environment Facility activities, looking beyond the Global Mercury Project (Ludovic Bernaudat, United Nations Industrial Development Organization (UNIDO))
 - (b) Model financing for miners, including cooperative approaches, self-financing, and bilateral aid projects. Speakers:
 - Manuel Reinoso, SONAMIPE, Peru (to be confirmed)
 - Golden Hainga, Mwanza Regional Miners Association, Tanzania (to be confirmed)
 - Tsengel Damdindorj, Bonuur Miners Association (to be confirmed)
 - Eunice Negele, Tanzania Women’s Miners Association, Tanzania (to be confirmed)
 - Jane Dennison, United States Department of State
- Discussion
- 11.30 a.m.–12.30 p.m. Negotiation of a global legally binding instrument on mercury: description and update on progress and process
(David Piper, UNEP, and Glenn Wiser, UNEP consultant)
- Discussion
- 12.30–2 p.m. Lunch
- 2–3.30 p.m. Regional break-out groups: Discussion about mercury treaty negotiations, with structured questions:
- (a) It is often observed that ASGM is a complex global development issue that involves social and economic challenges far broader than the issue of mercury use alone. With that in mind, what advice can be provided to negotiators in considering the issue of ASGM in relation to the treaty?
 - (b) During the treaty negotiations, which interim activities related to ASGM should the Global Mercury Partnership focus on in order to support the development of the treaty and its future implementation?
 - (c) ASGM occurs primarily in developing countries and countries with economies in transition, often informally and in areas where Governments may have little capacity to regulate it. Given these challenges:
 - (1) What are the most important steps that national Governments could take to tackle the issue of mercury use in ASGM in an effective and sustainable manner?
 - (2) What are some of the provisions on ASGM that could be contained in the global instrument on mercury?
 - (3) Which provisions on ASGM in the global instrument on mercury could be *mandatory* (requiring countries to obey them)? Which provisions might be considered *discretionary or voluntary*?
 - (d) What financial and technical assistance do developing countries and countries with economies in transition need with respect to ASGM? Which other financial and technical assistance options might be considered beyond a global legally binding instrument on mercury?
- 3.30–5:30 p.m. Groups report back.
- Summary discussion and day 3 wrap-up; summary of meeting
- 5:30–6 p.m. Closing remarks
(Secretary Ramon JP Paje, Department of Environment and Natural Resources, Philippines)

Reference materials for participants

Following is a list of reference materials that will be referred to during the Global Forum. Delegates are expected to be familiar with this material in advance of the meeting.

Mercury and artisanal and small-scale gold mining

Mercury – A Priority for Action (UNEP), 2008. Available in English, French and Spanish at: www.unep.org/hazardoussubstances/Mercury/MercuryPublications/ReportsPublications/AwarenessRaisingPackage/tabid/4022/language/en-US/Default.aspx
See in particular the introductory booklet and Module 3.

Squeezing Gold from a Stone (UNEP), November 2009. Available in English at: www.unep.org/hazardoussubstances/Mercury/PrioritiesforAction/ArtisanalandSmallScaleGoldMining/Reports/tabid/4489/language/en-US/Default.aspx

Draft technical measures for incorporation into the U.N. international guidelines on mercury management in artisanal and small-scale gold mining (UNIDO), June 2007. Available in English at: www.unep.org/hazardoussubstances/Mercury/PrioritiesforAction/ArtisanalandSmallScaleGoldMining/Reports/tabid/4489/language/en-US/Default.aspx

Trade, gold and the economics of ASGM

Information to be available at:
<http://hqweb.unep.org/hazardoussubstances/GlobalForumonASGM/tabid/6005/Default.aspx>

Social, legal and regulatory issues

Guidance Document: Developing a National Strategic Plan for Artisanal and Small-Scale Gold Mining (UNEP), June 2009. Available in English, French and Spanish at: www.unep.org/hazardoussubstances/LinkClick.aspx?fileticket=5RGhZdLsuvI%3d&tabid=3527&language=en-US

Financing the transition away from mercury

Background on the UNIDO Global Mercury Project, 2002. Available in English at: www.globalmercuryproject.org/about/about.htm

Background on the World Bank Communities and Small-Scale Mining (CASM) Group. Available in English at: www.artisanalmining.org/index.cfm

Global policy development

Draft elements of a comprehensive and suitable approach to a global legally binding instrument on mercury (UNEP(DTIE)/Hg/INC.2/3), 29 October 2010. Available in English (and soon to be available in Arabic, Chinese, French, Russian and Spanish) at: www.unep.org/hazardoussubstances/Mercury/Negotiations/INC2/INC2MeetingDocuments/tabid/3484/language/en-US/Default.aspx

Questions for participants¹

Before the workshop, participating Governments are asked to collect the following information and submit it to UNEP (Damien.wirths@unep.org by 30 November 2010). This information will be a useful knowledge base for participants in contributing to the Global Forum and the intergovernmental negotiating process.

Sectoral profile questions:

- How many people are engaged in ASGM mining in your country?
- Where does mining take place within the country (throughout, or concentrated geographically)?
- Who does the mining – family landowners, migrant workers, immigrant workers, workers hired by landowners? Are women and children involved in the work? Do they work as individuals, collectively, or how?
- How much gold do these miners produce each year? What price do they get for gold? How much are they typically earning per year (or day)?
- How do the miners get access to mercury? At what price?
- How much mercury do they use to produce gold? [(K)g/mercury per (k)g/gold produced is most useful metric.]
- What are the common technologies and practices used by the miners? Which of these use the most mercury? How is crushing performed? Is mercury added to the whole ore (before or during crushing) or to concentrates? How is amalgamation performed? How is the amalgam burnt?
- How do they purify the gold (if they do) – charcoal stove, gas torch, other?
- What is the local availability of alternative technologies/local workshops? What is the level of local knowledge about alternatives?
- What do the miners think about mercury versus alternatives?
- Who buys the gold from the miners? Where does the purchase take place? Do the buyers process the gold? If so how – do they use any environmental protection methods when processing the gold?

Environmental Questions:

- What is the scale of the impacts they are having on the landscape (take photos if possible photos)?
- How much habitat (land and water) has been impacted?
- Are there any studies or data on environmental contamination or health impacts from ASGM?

Legal/social questions:

- What is the legal/ regulatory status of small scale mining? If not already legal, what issues could arise with legalization?
- How are miners organized?
- Do miners have access to capital?
- What is the current system by which miners get gold to market (Who do they sell gold to? Where do they get their mercury? Who are the final exporters?)
- Are miners sensitive to price of mercury?
- Besides miners, who are the key stakeholders at national regional and local levels, including community-based organizations active in mining communities? Please list and provide contact information where possible.

Please describe how all information was obtained.

¹ Questions are extracted from UNEP's *Guidance Document: Developing a National Strategic Plan for Artisanal and Small Scale Gold Mining*, June 2009.