South American Workshop on Regional Cooperation to Support National Action Plans for Artisanal and Small Scale Gold Mining

17-19 March 2015
Lima, Peru

Thank you!
Gracias!
Obrigado!

Mercury management on small-scale gold mining: designing a strategy for a National Action Plan in Brazil

Edson Ferreira Mello
Director of the Department of Sustainable Development in Mining Sector, National Mining and Mineral Transformation Authority of Minas Gerais

Otavio Maioli
National Expert / Environmental Security Department, Ministry of Environment

edson.mello@mme.gov.br
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Secretariat of Geology, Mining and Mineral transformation
Ministry of Mines and Energy

Otávio Luiz Gusso Maioli
Technical Expert / Chemical Safety
Department of Environmental Quality
Ministry of Environment

GOVERNO FEDERAL
PÁTRIA EDUCADORA
Roadmap

I. Gold mining scenario in Brazil

II. Actions and strategies in the management of mercury in small scale gold mining in Brazil
I. Gold mining scenario in Brazil

Regions of gold production

Industrial gold production x small scale gold production
Industrial gold production x small scale gold production
Brazilian gold production (Kg) - Industrie x Small-scale gold mining
1978 - 2013

Garimpo = Small-scale gold mining
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Legal Issues: small scale mining licence and mine concessions

There is a distinction between the titles granted to mining companies and those assigned to the small-scale mining License. The latter is more Simple.
Small Scale Mining Licenses

1337 licences granted

- AM: 17
- MT: 104
- PA: 515
- RO: 65
- OTHERS: 13

Concessions
Requirements
Small Scale Mining Licence (2015)

Legend
- Federal Capital
- State Capital
- State
- Mining concession
- Small scale mining license
- Small scale mining requirement

Minas e Energia
Ministério de Minas e Energia

0 250 500 1,000 Km
Small Scale Mining Licenses for Gold and Protected Areas (2015)

Mining concessions (DNPM)
- Small scale licenses
- Protected Areas (ICMBio)
  - High restriction protected areas
  - Low restriction protected areas

Scale: 0 250 500 1,000 km
II. Strategies for reduction of mercury in Small Scale Gold Mining

Which strategies can be designed to achieve the formalization of ASGM?

1. Legal approach

2. Cooperation agreements with the Organization of Small-scale Cooperatives (OSCA)

Organization: the big challenge

Difficulties encountered by small businesses:
- poor technological and management training;
- access to information, whether technological or related to the market;
- obtaining appropriate credit facilities
Organization: the big challenge

Difficulties encountered by small businesses:
- poor technological and management training;
- access to information, whether technological or related to the market;
- obtaining appropriate credit facilities.
Given the investment needed to small businesses, working in partnership through cooperatives may be the best, if not the only solution.

There are 87 duly registered mining cooperatives in the Brazilian Cooperative Organization System (OCB) and currently operational.
The differences between small enterprises show that there is no fixed pattern for the functioning of mining cooperatives.

Moreover, this underpins the idea that capacity building of the small producers in the basic concepts of working together allows themselves to identify the most appropriate model for their mining cooperative.
Which strategies can be designed to achieve the formalization of ASGM?

1. Legal aproach

Law nº 12,844/2013

The Brazilian government worked in partnership with the private stakeholders and legislators in drafting a law which would regulate the purchase, sale and transport of gold.

The Law 12,844/2013 should provide:
- Encouraging the legalization of activity;
- Immediate access to the market, avoiding intermediation;
- Improvement of market regulation;
- Minimise the negative effects of illegal activity;
- and tracking the gold source.
Law nº 12,844/2013

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- encouraging the legalization of activity;
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- improvement of market regulation;
- minimize the negative effects of illegal activity;
- and tracking the gold source.
2. Cooperation agreement with the Organization of Brazilian Cooperatives (OCB)

3. Socioeconomic and Environmental Diagnosis of Small Scale Mining in Brazil Project

Loan from the International Bank for Reconstruction and Development - IBRD
COMPANHIA DE GERAÇÃO TÉRMICA DE ENERGIA ELÉTRICA

EXTRATO DE REGISTRO DE PREÇOS

Pregão Eletrônico nº 6/2014

A Companhia Energética de Minas Gerais (CETEG) não vai mais estar com a modalidade Pregão. Para a contratação de fatores globais, como o do projeto de energia, serão mantidos os seguintes procedimentos para que possam ser acompanhadas as despesas com a contratação de fatores globais, como o de energia. A Companhia Energética de Minas Gerais (CETEG) não vai mais estar com a modalidade Pregão. Para a contratação de fatores globais, como o do projeto de energia, serão mantidos os seguintes procedimentos para que possam ser acompanhadas as despesas com a contratação de fatores globais, como o de energia.

SECRETARIA DE GEOLOGIA, MINERAÇÃO E TRANSFORMAÇÃO MINERAL

EXTRATO DE COOPeração TÉCNICA QUE ENTRE.

A Secretaria de Cooperação Técnica entre a Geologia, a Mineração e a Transformação Mineral, em parceria com a Organização das Nações Unidas para a Educação, a Ciência e a Cultura (UNESCO), tem como objetivo promover a cooperação entre as nações, com o objetivo de fortalecer as competências nas áreas de geologia, mineração e transformação mineral. A Secretaria de Cooperação Técnica entre a Geologia, a Mineração e a Transformação Mineral, em parceria com a Organização das Nações Unidas para a Educação, a Ciência e a Cultura (UNESCO), tem como objetivo promover a cooperação entre as nações, com o objetivo de fortalecer as competências nas áreas de geologia, mineração e transformação mineral.

MINISTÉRIO DO DESENVOLVIMENTO AGRÁRIO

NOMENCLATURA DE ORÇAMENTÁRIO

GABINETE DO MINISTRO

EXTRATO DE PREGÃO ELETRÔNICO N° 7/2014

Pregão Eletrônico nº 6/2014, realizado em 25-09-2014, onde se encontram todas as informações sobre a contratação de fatores globais, como o do projeto de energia, serão mantidos os seguintes procedimentos para que possam ser acompanhadas as despesas com o projeto de energia, serão mantidos os seguintes procedimentos para que possam ser acompanhadas as despesas com o projeto de energia.

INSTITUTO NACIONAL DE COLONIZAÇÃO E REFORMA AGRÁRIA

DIARIAMENTE, GESTÃO DA COORDENAÇÃO-GERAL DE ADMINISTRAÇÃO, GESTÃO DE SERVIÇOS E CONTRATAÇÕES, INSTITUIÇÃO DE SERVIÇOS E ORÇAMENTOS

EXTRATO DE REGISTRO DE PREÇOS

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INSTITUTO NACIONAL DE REGULARIZAÇÃO FUNDIÁRIA NA AMAZÔNIA LEGAL

EXTRATO DE TERMO ARBITRÍVO 1328/2011 - TASC 375013

GABINETE DO MINISTRO

EXTRATO DE REGISTRO DE PREÇO

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COMPANHIA DE GERAÇÃO TÉRMICA DE ENERGIA ELÉTRICA

EXTRATO DE REGISTRO DE PREÇOS
Ata de Registro de Preços n. CGTEE/DTC/020/2014

AVISOS DE LICITAÇÃO
PREGÃO N° RP14800008

SECRETARIA DE GEOLOGIA, MINERAÇÃO E TRANSFORMAÇÃO MINERAL

EXTRATO DE ACORDO DE COOPERAÇÃO TÉCNICA

Santos-SP, 2 de abril de 2014.
OSVALDO KAWAKAMI
Gerente-Geral

COORDENAÇÃO-GERAL DE ADMINISTRAÇÃO E RECURSOS HUMANOS
COORDENAÇÃO DE LICITAÇÕES E CONTRATOS
DIVISÃO DE LICITAÇÕES E CONTRATOS
SERVIÇO DE CONTROLE DE LICITAÇÕES E CONTRATOS

EXTRATO DE REGISTRO DE PREÇOS
Pregão Eletrônico SRP n° 03/2014. Processo n° 55000.00280/2013-13. OBJETO: Contratação de empresa especializada no fornecimento de Licenças na modalidade Select Plus incluindo o benefício de Software Assurance, de softwares e sistemas operacionais da Microsoft, destinados aos equipamentos (estações de trabalho, servidores de aplicações, banco de dados e outros sistemas de infraestrutura de TI), com o respectivo fornecimento de mídias, garantia de atualização das versões e suporte técnico on-site, com a finalidade de manutenção e modernização do parque computacional do Ministério do Desenvolvimento Agrário, mediante Sistema de Registro de Preços, visando atender a demanda do Ministério do Desenvolvimento Agrário - MDA, conforme especificações e condições constantes no Termo de Referência - Anexo I, do Edital. DATA DE ASSINATURA: 31/03/2014. VIGÊNCIA: 12 (doze) meses, a partir da data da assinatura, incluindo as eventuais prorrogações (art. 12 do Decreto n° 7.892/2013). Denuais informações encontram-se disponíveis no Portal...
Cooperation agreement in search of:

- Shared actions,
- aiming aggregation of knowledge,
- quality of life,
- value and better legal and institutional representation of the mining miners on small scale mining.
3. Socioeconomic and Environmental Diagnosis of Small Scale Mining in Brazil Project

4. Inter-Ministerial Working Group

Loan from the International Bank for Reconstruction and Development – IBRD

The products developed in the scope of this hiring process should provide:

- greater knowledge on small scale mining;
- better governability in the industry;
- initiatives to improve environmental and technical performance and socioeconomic development;
- establishment of more effective partnerships;
- acceptable revenue through productive mining practices to strengthen the local infrastructure and services;
- development of better practices;
- knowledge about the impact generated by inadequate mining practices.
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4. Inter-Ministerial Working Group

In January 2014 the Ministry of Mines and Energy has established an Inter-Ministerial Working Group to link and add the efforts of government in order to guide the formulation and implementation of joint activities and greater integration between the parties to the performance of its duties to the region of the Tapajos, to formalize the small-scale mining.

The group includes the participation of ministries, besides governmental and private organization:
- Ministry of Mines and Energy (coordinator),
- Ministry of Defense - Censipam (Operations and Management Center of the Amazonian Protection System),
- Ministry of Health and Minister of Planning and Budget,
- National Department of Mineral Production - DNPM,
- The Brazilian Development Bank - BNDS, and
- Brazilian Cooperative Organization - OCB.

The group should incorporate in 2015:
- Ministry of Environment and
- National Gold Association (representing companies, institutions and professionals linked to the gold markets).
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Actions to combat illegal ASGM concern to environmental protection

Complementary Law 140/2011
Brazil's current Institute of Environment and Natural Resources (IBAMA) is the agency responsible for planning and implementing its environmental activities and establishing procedures for the investigation of violations of environmental law committed by illegal activities.

One of the goals of IBAMA is to combat environmental offenses in federal priority areas, especially protected areas and indigenous reserves. That target is reached by working with other agencies such as the Federal Police, the National Indian Foundation (FUNAI), the Federal Public Ministry, and the National Congress of the Republic.

Law 6.938/1981
Assigns IBAMA jurisdiction to address illegal exploitation, marketing, and issuance of papers that harm the quality of life and environment.

IBAMA's actions to combat illegal ASGM concern to environmental protection

Conduction of Minamata Initial Assessment

MIA Project Components:

- MINAMATA PROJECT ORGANIZATION AND ADMINISTRATION
  - Project Office
  - Technical Committee
- MINAMATA PROJECT IMPLEMENTATION
  - Environmental Impact Assessment
  - Monitoring and Evaluation
- MINAMATA PROJECT COORDINATION AND COMMUNICATION
  - Stakeholder Engagement
  - Dissemination of Results
Complementary Law 140/2011

IBAMA (Brazilian Institute of Environment and Natural Resources) is the agency responsible for plowing auto environmental violations and establish administrative procedures for the investigation of violations of environmental law committed by illegal activities.

One of the targets of IBAMA is combating environmental offenses in federal priority areas, specially protected (UC) and in federal rivers. That target is reached by partnership with public agencies for joint operations with other agencies (DPF, Funai, EB, PM, FNS, DNPM, MP, ICMBio).

Law 6.938/1981

Assigns the IBAMA jurisdiction to authorize importation, production, marketing and use of mercury - a substance that behaves risk to life, quality of life and environment.
IBAMA’s actions to combat illegal ASGM concern to environmental protection
Conduction of Minamata Initial Assessment

MIA Project Components:

Expected Outcomes

GLOBAL ENVIRONMENT FACILITY (GEF)
PROJECT DOCUMENT

PROJECT IDENTIFICATION

Title of Project: Development of Minamata Convention on Mercury Initial Assessment in Brazil

Project Number: 6032 XXXX XXXX XXXX

Geographical Area: Brazil

Project Implementing Agency: Ministry of Environment of Brazil (IBAMA)

Duration of the Project: 2 years

Total Cost: $2,500,000

- GEF: $1,000,000
- In-Kind: Government of Brazil: $1,000,000
- Technical: $500,000
- Subsidies: $500,000

Project Summary: This project is aimed at facilitating the initiation and early implementation of the Minamata Convention by providing necessary infrastructure in Brazil with the scientific and technical knowledge and tools needed for that purpose. It is intended to improve the country's knowledge in addressing the risks of mercury. The sharing of information and knowledge will be essential throughout the project, also expected to be an important contribution to other similar initiatives.

IBAMA combat to protect environment
GLOBAL ENVIRONMENT FACILITY (GEF)  
PROJECT DOCUMENT

PROJECT IDENTIFICATION

Title of Sub-Programme: Persistent Organic Pollutants

Title of Project: Development of Minamata Convention on Mercury Initial Assessment in Brazil

Project Number: IMIS: XXXX-XXXX-XXXX
IMIS: XXXX-XX-XX

Geographical Scope: Brazil

Project Executing Agency: Ministry of Environment of Brazil (MMA)

Duration of the Project: 2 years

Commencing: January 2015
Completion: December 2016

Total Cost: US$

GEF: Full Project 821,918
Co-financing:
In Kind: Government of Brazil 1,650,000
In-kind: UNEP 40,000

Subtotal Co-Ft Phase 2,511,918

Project Summary: The project is aimed at facilitating the ratification and early implementation of the Minamata Convention by providing key national stakeholders in Brazil with the scientific and technical knowledge and tools needed for that purpose. Brazil will benefit from new and updated information about the mercury cycle in the country and building capacity in managing the risks of mercury. The sharing of experiences and lessons learned throughout the project is also expected to be an important contribution to other similar countries.
MIA Project Components:

Expected Outcomes

- Use of existing Coordination Mechanism (CONASQ) and organization of process
- Assessment of the national infrastructure and capacity for the management and monitoring of mercury, including national legislation
- Development of a mercury inventory using the UNEP mercury toolkit including the identification of mercury contaminated sites
- Preparation, validation of National MIA report and implementation of awareness raising activities and dissemination of results
• Use of existing Coordination Mechanism (CONASQ) and organization of process
• Assessment of the national infrastructure and capacity for the management and monitoring of mercury, including national legislation
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• Preparation, validation of National MIA report and implementation of awareness raising activities and dissemination of results
Expected Outcomes

- Brazil makes full use of enhanced existing structures and information available dealing with mercury management to guide ratification and early implementation of the Minamata Convention.

- Full understanding of comprehensive information on current infrastructure and regulation for mercury management enables Brazil to develop a sound roadmap for the ratification and early implementation of the Minamata Convention.

- Enhanced understanding of mercury sources and releases facilitates the development of national priority actions (including ASGM).

- Brazil and key stakeholders, made full use of the MIA and related assessments leading to the ratification and early implementation of the Minamata Convention on Mercury.
Brazil makes full use of enhanced existing structures and information available dealing with mercury management to guide ratification and early implementation of the Minamata Convention.

Full understanding of comprehensive information on current infrastructure and regulation for mercury management enables Brazil to develop a sound roadmap for the ratification and early implementation of the Minamata Convention.

Enhanced understanding of mercury sources and releases facilitates the development of national priority actions (including ASGM).

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Minamata Convention – Ratification in Brazil

- February 19th 2014 – 11th meeting of Mercury Work-group of CONASQ – Preparation of Explanatory Memorandum (Exposição de Motivos).
- November 4th 2014 – Submission to National Congress.
- November 12th 2014 – Special Committee constituted and composed of 5 following committees: Foreign Relations and National Defense; Social Security and Family; Environment and Sustainable Development; Economic Development, Industry and Trade; Mines and Energy and Constitution and Justice and Citizenship.

Considering Brazil is conducting the ratification process of Minamata Convention, it has not yet declared mercury use in ASGM as “more than insignificant” per Article 7 of the Minamata Convention.

However, early implementation of Minamata Convention as the development of National Action Plan for ASGM is underway.
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South American Workshop on Regional Cooperation to Support National Action Plans for Artisanal and Small Scale Gold Mining

17-19 March 2015
Lima, Peru

Thank you!
Gracias!
Obrigado!

Mercury management on small-scale gold mining: designing a strategy for a National Action Plan in Brazil

Edson Farias Mello
Director of Department of Sustainable Development in Mining
Secretariat of Geology, Mining and Mineral Transformation
Ministry of Mines and Energy

Otavio Luiz Gussi Maioli
Technical Expert / Chemical Safety
Department of Environmental Quality
Ministry of Environment

edson.mello@mme.gov.br
otavio.maioli@mma.gov.br