

**Priorities, proposals and best
practices
identified from the UNEA 5/12
intergovernmental consultations
for the Africa region**

Regional Stakeholders Consultative Workshop on Environmental and
Social Aspects of Africa Mining Vision and Critical Energy Transition Minerals

7th November, Nairobi



UNEA-5 Resolution 12 “Environmental Aspects of Minerals and Metals Management”

- United Nations Environment Assembly at its 5th session adopted **Resolution 5/12: “Environmental Aspects of Minerals and Metals Management”**, March 2022.
- Focus on improving environmental aspects of mining and metals along their full life cycle.
- Requested UNEP to: “...convene transparent and inclusive intergovernmental regional consultations” including relevant stakeholders, to:
 - Take stock of existing activities and best practices;
 - Identify opportunities for international cooperation (capacity-building, technological, technical, scientific);
 - Identify ‘Non Prescriptive Proposals’ for consideration at UNEA 6.



UNITED NATIONS EP

UNEP/EA.5/Res.12
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  **United Nations
Environment Assembly of the
United Nations Environment
Programme**

United Nations Environment Assembly of the
United Nations Environment Programme
Fifth session
Nairobi (hybrid), 22 and 23 February 2021
and 28 February–2 March 2022

**Resolution adopted by the United Nations Environment
Assembly on 2 March 2022**

5/12. Environmental aspects of minerals and metals management

The United Nations Environment Assembly,

*Recalling its resolution 4/19 on mineral resource governance and taking note of the report of the Executive Director of the United Nations Environment Programme entitled “Progress in the implementation of resolution 4/19 on mineral resource governance” and the report entitled *Mineral Resource Governance and the Global Goals: An Agenda for International Collaboration*;¹*

Recalling also its resolution 4/1 on innovative pathways to achieve sustainable consumption and production and the progress report thereon and its resolution 4/5 on sustainable infrastructure and the progress report thereon, and taking account of developments in resource efficiency, the circular economy and secondary resources,

Acknowledging that minerals and metals considered under the present resolution exclude mineral fuels, and that the scope of the present resolution includes the full life cycle of minerals and metals, including extraction, on-site and off-site processing, refining, management of mining waste and tailings, rehabilitation of sites and closed or abandoned mines, manufacturing, and recycling,

Reaffirming the Rio Declaration on Environment and Development and all its principles,

Welcoming the launch of the Global Industry Standard on Tailings Management as an important milestone towards the ambition of zero tailings dam failures and the protection of human health and the environment from tailings facilities, and encouraging the effective implementation of the global standard,

Underlining the specific environmental challenges related to artisanal and small-scale mining and their related health risks,

Stressing the need for enhanced action to support the environmental sustainability management of minerals and metals, and recognizing the regulatory and administrative capacity challenges faced by countries,

Acknowledging that clean technologies, highly dependent on minerals and metals, are important for combating climate change, and stressing the important contribution that the

¹ UNEP/EA.5/14.
² United Nations Environment Programme and University of Queensland, *Mineral Resource Governance and the Global Goals: An Agenda for International Collaboration* (Nairobi, 2021).

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UNEA Resolution 5/12 Intergovernmental Consultations - Process

- **National focal points:** 115 nominated government representatives, **34 from Africa**.
- **Co-chairs:** appointed from Pakistan and Switzerland.
- **Background documents:** prepared and published on a specially-established web platform.
<https://www.greenpolicyplatform.org/initiatives/environmental-aspects-minerals-and-metals-management/>
- **Virtual briefings:** 7 webinars held to prepare for and consult on the planned meetings.
- **Regional consultations and global meeting:**

Participants	Location	Date
Group of Eastern European Region States (EEG)	Geneva	24-25 April 2023
Group of Western European and Other States (WEOG)	Geneva	27-28 April 2023
Group of Latin American and Caribbean States (GRULAC) – hosted by Chile	Santiago	17-18 May 2023
Group of Asia and Pacific States (AP)	Bangkok	15-16 June 2023
African Group of States (AG) – hosted by Senegal	Dakar	5-6 July 2023
Global Meeting	Geneva	7-8 September 2023

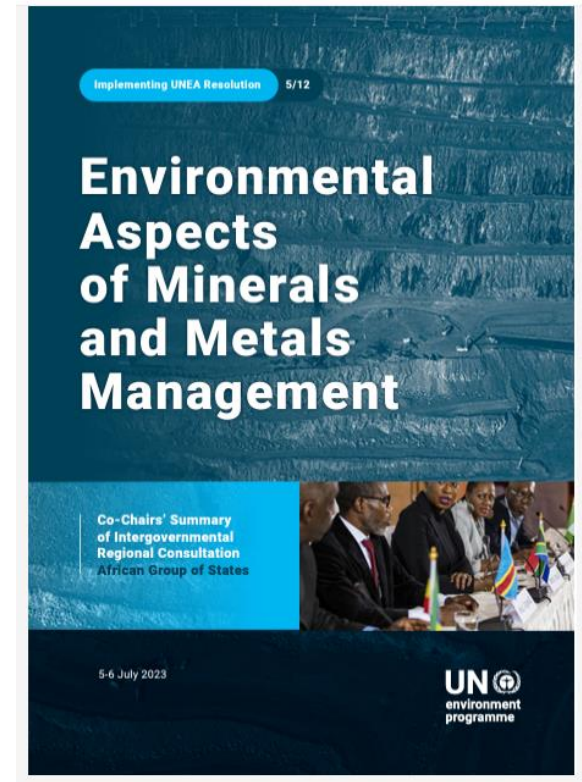
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Africa Regional Meeting, Dakar 5-6 July 2023

Member States attending	Algeria, Cameroon, Chad, Comoros, Cote d'Ivoire, Democratic Republic of Congo, Egypt, Equatorial Guinea, Eswatini, Ethiopia, Gabon, Gambia, Ghana, Kenya, Liberia, Mali, Mauritius, Nigeria, Senegal, Sierra Leone, Somalia, Togo, Tunisia, Uganda, United Republic of Tanzania, Zambia, Zimbabwe.
Observers attending	Centre for Human Rights and Climate Change Research, Earthworks, the International Council on Mining and Metals (ICMM), the Intergovernmental Forum on Mining, Minerals, Metals and Sustainable Development (IGF), Principles for Responsible Investment (PRI), United Nations Economic Commission for Europe (UNECE), and UNEP



Summary Report

<https://www.greenpolicyplatform.org/initiatives/environmental-aspects-minerals-and-metals-management/Intergovernmental+meetings>

Africa Regional Meeting, Dakar July 2023

Analysis of the discussions at the Africa Regional Meeting shows:

- **8 thematic priority areas** identified;
- **8 other thematic areas of interest** identified, relating to environmental aspects of minerals and metals.

Please now **write down** 2 or 3 key thematic areas of concern in relation to environmental aspects of mining and metals in your country.

We can see how they match up with the UNEA 5/12 Africa Regional consultation outcomes.



Priority Area 1

National Governance, Compliance, Enforcement

- Lack of strong laws.
- Poor inter-agency coordination.
- Insufficient capacity and resources within government to monitor and enforce compliance.
- National policies that prioritise economy and investment over environment.
- Insufficient or unreliable information flow.
- Asymmetry of power between Government and mining company.
- Over-reliance upon corporate disclosures.
- Lack of transparency within Government.
- Need for better anti-corruption measures.
- Public participation and community engagement not supported by law.
- Crime associated with mine sites.

Priority Area 2

Navigation and Alignment of Different Third-Party Standards and Initiatives

- International standards useful to pushback in national rule-making about minerals.
- But...need for harmonisation.
- Confusion about which standards to apply, when.

50 instruments identified relevant to African region

- Lack of consistency in application.
- Less impact where standards are not binding.
- Lack of compliance regimes.
- Lack of focus on environment, and gender.
- International Organisations could coordinate and collaborate better.

48 different organisations identified working on mining in Africa

Priority Area 3

Management of Tailings and Mine Waste

- Risk of dam failure.
- Chronic environmental impacts.
- Legacy sites.
- Legislative gaps.
- Lack of inventory and classification of sites.
- Need for more technical guidance, and audit capabilities at national level.
- Low uptake of Global Industry Standard on tailings management.
- Re-mining or re-use of tailings potential.
- Need for legislation and policy to develop circular economy approaches.
- Need to coordinate mineral governance with disaster preparedness planning.

Priority Area 4

Sand Extraction and Use

- Increased demand for sand and aggregates for infrastructure.
- Wide ranging sand extraction: inland, coastal, wetlands, rivers, lakes, oceans.
- Lack of standards and policies.
- Monitoring challenges.
- Overlooked, informal sector. Illegal sand mining.
- Hazards include coastal erosion.
- Challenges around accuracy, transparency, and accessibility of data.
- Need early warning indicators.
- Research into alternatives for sand.
- Use of desert sand? Use of mine waste?
- Alternative livelihoods and education programmes can assist communities move away from illegal sand mining.
- Support idea of a Global Sand Observatory: data collection, information sharing.

Priority Area 5

Full Cost Accounting and Supply Chain

- Need for better understanding of resources and natural capital.
- Locally used development minerals.
- Need for policies on value chain development.
- Improve local inclusion in supply chains.
- Lack of supply chain transparency.
- Certification and traceability schemes.
- Life cycle assessment.
- Consumer and investor action.

Priority Areas 6, 7 and 8

Artisanal and Small-Scale Mining	Environmental Management	Mine Closure
<ul style="list-style-type: none"> • Prevalent sector in the region. • Evasion of regulation. • Human health and safety concerns. • Environmental concerns: pollution of soil, water, food chain; land degradation. • Impact on women and youth. • Need to formalise and regulate. • Need to educate. • Improve access to markets and supply chain traceability. • Alternative livelihood options. • Mobility cross-border. 	<ul style="list-style-type: none"> • Need for Strategic Environmental Assessment upskilling. • Mineral resources located in high biodiversity or protected areas. • Impacts from mining on water quality and supply. • Land degradation, deforestation. • Barriers to community participation. • Conflicts and corporate capture affecting decision-making. 	<ul style="list-style-type: none"> • Poor planning for closure. • Lack of site rehabilitation. • Long term environmental liabilities. • Lack of funding mechanisms.

Africa Regional Meeting, Dakar July 2023

SUMMARY: analysis of the discussions shows **8 priority areas**:

1. National Governance, Compliance, Enforcement.
2. Harmonization of Standards and Initiatives
3. Tailings Management
4. Sand
5. Full Cost Accounting and Supply Chain
6. Artisanal and Small-Scale Mining
7. Environmental Management at Extraction
8. Mine Closure



Capacity Building Topics for Today

Other Topics?

Other areas raised in the regional meeting July 2023:

1. Circularity
2. Climate Change and Disasters
3. Community Participation
4. Regulatory Capture
5. Transboundary Issues
6. Social Licence to Operate
7. Technology
8. Deep Seabed Mining

Positive Case Study Examples

National Governance	- Clear roles across government, and effective inter-agency cooperation for regulating mining and environmental impacts.	Chad, Liberia, Senegal.
Sand	- Prohibition on sand extraction in sensitive areas.	Algeria, Gabon, Gambia, Senegal, Uganda.
	- Sourcing alternatives and substitutes for sand for construction.	Mauritius.
Supply Chain	- Pilot project compliance certification for sustainable gold.	Gabon.
Artisanal and Small-Scale Mining	- Minamata National Action Plan on Mercury and ASM.	Mali, Nigeria, Senegal, Tanzania, Uganda, Zimbabwe.
	- Formalisation of ASM sector.	Nigeria.
Environmental Management	- Reducing mine water consumption water accounting. - Effective use of EIA for mining projects.	Namibia. Cameroon, DRC, Ethiopia, Senegal, Tanzania, Zambia.
Mine Closure	- Use of financial security to guarantee miners' closure and post-closure obligations.	DRC, Gabon, Senegal, Tanzania.

UNEA 5/12 Outcomes and UNEA 6 (February – March 2024)



A. Policies and tools

<u>AG, AP, GRULAC, WEOG</u> 1. Global assessment of existing instruments	<u>AG</u> 2. International metal certifications	<u>AG, EEG, GRULAC, WEOG</u> 3. Establish a Global Sand Observatory	<u>AG, GRULAC</u> 4. Promotion of sustainable consumption and production, circular economy.	<u>AP, GRULAC</u> 5. Capacity building, technical assistance, transfer of know-how and support national implementation.	<u>AG</u> 6. Environmental peer reviews
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B. Minerals and metals along the entire life cycle

<u>AG</u> 7. Global mapping and classification of tailings facilities 8. Manual for design and construction of tailings facilities 9. Technical guideline and standards for safe and environmentally sound management of tailings facilities	<u>GRULAC</u> 10. Implementation of Global Industry Standard for Tailings Management 11. Mine closure criteria & guidelines 12. Re-development of mine sites	<u>WEOG</u> 13. Inter-agency collaboration on mine closure 14. Research on mine closure finance	<u>EEG</u> 15. Inventory of abandoned mine sites
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C. Platforms for international cooperation

<u>AG, GRULAC, WEOG</u> 16. Open-ended working Group	<u>AG, GRULAC</u> 17. UN-supported multi-stakeholder dialogues 18. Cooperation between international organisations	<u>AG</u> 19. Collaboration with the Minamata Convention.	<u>EEG, WEOG</u> 20. Collaboration with CBD on deep sea mining environmental safeguards	<u>GRULAC</u> 21. LAC network on mining and sustainability 22. Explore international agreement on <u>mining</u> 23. Implementation of Escazu Agreement 24. International SDGs mineral programme
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Looking Ahead



United Nations Environment Assembly
of the United Nations Environment Programme
Sixth session
Nairobi, 26 February–1 March 2024

Resolution adopted by the United Nations Environment Assembly on 1 March 2024

6/5. Environmental aspects of minerals and metals

The United Nations Environment Assembly,

Recognizing that sustainable management of mineral and metal resources contributes significantly to the achievement of the Sustainable Development Goals,

Recalling its resolutions 4/19 of 15 March 2019 on mineral resource governance and 5/12 of 2 March 2022 on environmental aspects of minerals and metals management, and taking note of the report of the Executive Director of the United Nations Environment Programme on progress in the implementation of resolution 5/12 on environmental aspects of minerals and metals management,¹ as well as the report of the Executive Director on effective, inclusive and sustainable multilateral actions to tackle climate change, biodiversity loss and pollution,²

Emphasizing that the minerals and metals considered under the present resolution exclude mineral fuels and that the scope of the resolution covers the full life cycle, including extraction, on-site and off-site processing, refining, management of mining waste and tailings, rehabilitation of sites and closed or abandoned mines, manufacturing and recycling,

Stressing the need for enhanced action to support the environmentally sustainable management of minerals and metals,

Underlining the specific environmental challenges related to artisanal and small-scale mining and their related health risks,

Reaffirming the Rio Declaration on Environment and Development³ and all its principles,

Noting General Assembly resolution 76/300 of 28 July 2022 on the human right to a clean, healthy and sustainable environment,

Building on the outcomes of the intergovernmental consultations conducted pursuant to the implementation of Environment Assembly resolution 5/12,

¹ UNEP/EA.4/9.

² UNEP/EA.6/2.

³ *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3–14 June 1992, vol. 1, Resolutions Adopted by the Conference (United Nations publication, Sales No. E.93.1.8 and corrigendum), resolution 1, annex 1.*

- UNEA Resolution 6/5: “Environmental aspects of minerals and metals”.
 - Build on existing work and UNEA 5/12 process, national focal points, stakeholders.
 - (a) Establish a **digital knowledge hub** to compile information on existing good practices relevant to the environmental aspects of minerals and metals;
 - (b) Develop **capacity-building opportunities** relating to environmental aspects of minerals and metals with experts on the subject from each region, including but not limited to online training;
 - (c) Support **enhanced cooperation among Member States** to strengthen policy, technological, technical and scientific elements of the management of environmental aspects of minerals and metals.
- National Focal Point list check.
 - Survey about hub and capacity-building.
 - Establishing communities of practice.

Thank you

Resources

UNEA resolution 5/12 on environmental aspects of minerals and metals management:

<https://wedocs.unep.org/bitstream/handle/20.500.11822/39927/ENVIRONMENTAL%20ASPECTS%20OF%20MINERALS%20AND%20METALS%20MANAGEMENT.%20English.pdf?sequence=1&isAllowed=y>

UNEA resolution 6/5 on environmental aspects of minerals and metals management:

<https://documents.un.org/doc/undoc/gen/k24/008/13/pdf/k2400813.pdf>

All the papers relating to the Res.5/12 intergovernmental process:

<https://www.greenpolicyplatform.org/initiatives/environmental-aspects-minerals-and-metals-management/Intergovernmental%20meetings>

UNEP report Sand and Sustainability: 10 Strategic Recommendations to Avert a Crisis:

<https://www.unep.org/resources/report/sand-and-sustainability-10-strategic-recommendations-avert-crisis>

Marine Sand Watch: <https://unepgrid.ch/en/marinesandwatch>

Global Tailings Portal: <https://tailing.grida.no/>

Global Industry Standard on Tailings Management: <https://globaltailingsreview.org/global-industry-standard/>

Compendium of papers prepared for the Global Tailings Review: <https://globaltailingsreview.org/compendium/>