

Intergovernmental Forum on Mining, Minerals, Metals and Sustainable Development
Annual General Meeting 2015
Post-Mining Transition and Environmental Management
October 27–29, 2015
Room XXVI, Palais des Nations, Geneva, Switzerland

Meeting Report

From October 27–29, 2015, the Intergovernmental Forum on Mining, Minerals, Metals and Sustainable Development (IGF) convened its 11th Annual General Meeting (AGM) in Geneva, Switzerland. The AGM was attended by more than 230 participants from 54 countries, including representatives from member and non-member governments, international organizations, industry associations and civil society organizations.

The Theme of the AGM: The Post-Mining Transition and Environmental Management

International attention on the importance of the post-mining transition and responsible environmental management in the mining sector continues to grow. It is increasingly recognized that integrated environmental management is a critical component of responsible resource development, and must be paired with economic and social plans and trajectories for sustainable post-mining transitions. It is also vitally important for local populations that their perspectives and expectations be included in the mine closure designs of companies to make successful reclamation and transition possible.

Noting these trends, “The Post-Mining Transition and Environmental Management” was selected as the theme of this year’s meeting by IGF members at the 2014 AGM, with a plan to focus on how to effectively manage environmental, economic and social challenges, and their associated financial implications, to maximize the opportunities that come with mine reclamation and greater community engagement.

Opening Sessions

Glenn Gemerts, Chairperson of the IGF and Policy Advisor to the Ministry of Natural Resources of Suriname, officially opened the AGM. Recalling that the IGF is the only intergovernmental forum that addresses mineral and mining challenges and opportunities, he emphasized the important role that the IGF serves as a venue for international dialogue on mining among international organizations, governments and civil society organizations. The chair welcomed the five newly joined members to the forum: France, Germany, the Islamic Republic of Iran, the Netherlands and Rwanda. The chair then thanked the United Nations Conference on Trade and Development



(UNCTAD) for its continuous support of the forum since its inception in 2005, and expressed gratitude to the governments of Canada and Germany for providing direct support to the IGF and its members. The chair noted that mining activities have the potential to significantly contribute to the achievement of the Sustainable Development Goals (SDGs), adopted in September 2015 by the UN General Assembly, and that the IGF is committed to providing a forum for discussing how governments, civil society and the private sector can work together to ensure that the mining sector makes a positive contribution to the achievement of the SDGs.

Samuel Gayi, Head of the Special Unit on Commodities of UNCTAD, then delivered welcoming remarks to the participants. Recognizing the significant role of the IGF in improving the governance of extractive industries and its ability to contribute to sustainable development, he acknowledged the forum's key inputs on establishing best practices in mining as well as on enhancing the capacities of developing countries to address the challenges that accompany the exploitation of the natural resources. Gayi further acknowledged the IGF's contribution to the global debate on policies that improve mineral exploitation, development and production activities in support of host countries' economic growth and sustainable development. In conclusion, Gayi expressed UNCTAD's interest in further strengthening cooperation with the IGF, particularly in establishing common ground for various stakeholders to address problems surrounding the post-mining transition.

Secretariat Updates

The International Institute for Sustainable Development (IISD) assumed the role of the IGF Secretariat at the October 2015 Annual General meeting. The Secretariat echoed the chair's comments, welcoming the five new members to the forum and expressing appreciation to UNCTAD for its substantial contributions to the forum over the years. It was then announced that the Government of Canada is stepping back from providing day-to-day administrative support to the Secretariat and that these secretariat functions had been transferred to the International Institute of Sustainable Development (IISD). The Government of Canada will continue to work for the IGF on donor coordination and will maintain its role in managing IGF projects.

The new Secretariat thanked Canada for its leadership in supporting the work of IGF over the past decade and its continued commitments to the forum. The Secretariat assured IGF members that it would make every effort to ensure that all of their perspectives were heard equally with regard to the forum. To achieve this, the Secretariat will reach out to each member country for their input and will continue to promote the exchange of information among member governments. Finally, the Secretariat noted that seats on the IGF Executive Committee were up for re-election, and called for each region to nominate a representative to sit on the committee for a two-year term.



Reports on Pilot Projects

Reporting on IGF-related activities carried out since the previous AGM, experts from IISD provided an overview of the IGF's Mining Policy Framework (MPF) and presented the methodology developed by IISD for assessing countries' readiness to implement the MPF. IISD then presented the findings of three pilot assessments, carried out respectively in the Dominican Republic, Uganda and Madagascar. For the assessments, a team of mining experts reviewed each country's mining laws and policies and identified where strengths, weaknesses and gaps lay for each of the six pillars of the MPF. Preliminary findings, based on these three pilot experiences, showed that these countries have a medium level of readiness to implement the MPF in the areas of legal and policy framework, financial benefit optimization and environmental management, while weaknesses exist in the laws and policies governing socioeconomic benefit optimization, the post-mining transition, and artisanal and small-scale mining. It was stressed that these findings should not be taken as applicable across all IGF member states; however, they do offer some preliminary indication of areas of mining policy and law in need of particular attention and capacity building moving forward.

Drawing on the assessments, IISD was also able to identify key priorities for IGF moving forward. First, it was recommended that further MPF assessments be conducted for additional member states. Capacity building at the national, regional and IGF levels must also be expanded for member states to address weaknesses in legislation and policy. Support is required to help members develop and implement action plans addressing MPF gaps and weaknesses. And finally, given the challenges of enforcing mining law and policy on the ground, the IGF should examine supporting new approaches to compliance with and enforcement of the obligations of mining companies under domestic laws and mining contracts.

IISD then shared its experience in assessing how the mining sector interacts with water-energy-food (WEF) security in the mining regions of Suriname. The work included the development of a WEF assessment methodology and toolkit, which can be applied in other member countries. After presenting the WEF assessment findings and the tool, IISD shared with participants some of the conclusions and recommendations for future actions that it had submitted to the Government of Suriname at the close of the project.

Aligning Mining Activities with SDGs

The first morning concluded with a discussion led by the Global Team on Extractive Industries of the United Nations Development Programme (UNDP) on how to align the activities of the mining sector with the global sustainable development agenda, as laid out in the SDGs. Building on the Millennium Development Goals (MDGs), the 17 SDGs,



adopted by all UN member states in 2015 after an extensive global consultation process, seek to rebalance and integrate the economic, social and environmental pillars of sustainable development, with a central focus on people, planet, prosperity and peace.

In order to align the activities of the mining sector with these global goals, UNDP has conducted a mapping exercise that identifies the key ways in which mining activities can have a positive or negative impact on the achievement of each of the SDGs. The mapping exercise they have undertaken has identified those positive direct and indirect impacts of mining on sustainable development that should be enhanced, and those negative impacts that must be mitigated. The map helps to identify those areas of policy and practice in need of direct action from relevant stakeholders. Governments are recognized as key actors in this respect: they must ensure that sustainable development goals are aligned with and integrated into national mining policies and legislation. That said, the important role of all stakeholders in this process, from the private sector and development partners to civil society and multilateral organizations, must also be noted. Finally, in order for the extractives sector to positively contribute to the achievement of the SDGs, continued progress is required in improving governance, regulations and transparency; in promoting dialogue and partnerships; and in building capacities.

Session 1: Environmental and Social Considerations

The afternoon sessions of October 27 began with a panel discussion on environmental and social considerations that apply across the life cycle of a mine. The Canadian International Resources and Development Institute (CIRDI) moderated the panel, and speakers from the Prospectors & Developers Association of Canada (PDAC), the African Union and the University of Queensland discussed the importance of building resilient environmental and social ecosystems in the planning stages of the life cycle of a mine. Panelists discussed the importance of early community engagement in mine planning, drawing on personal experiences and on international best practices. Panelists shared strategic orientations and development objectives from the perspective of the African region and discussed how the mining sector can contribute to the achievement of these goals. Panelists and participants also engaged in discussions based on how to ensure the effectiveness of certification schemes and standards around sustainability in mining.

Session 2: Mine Closure Planning as a Prerequisite for Mining Investment

The last session on the first day of the AGM provided guidance from practitioners on the importance of treating mine closure planning not as an option, but rather as a requirement. Mine closure is a complex process, with plans evolving over time to reflect changes in the operating context that occur over the life of the mine. And while mine closure used to be the responsibility of the mining entity and the government, community ownership of the process is increasingly essential; these communities have to be involved in the design and implementation of closure plans for these plans to be



viable in the long-run. Closure is a core part of the business, and community involvement in the planning process will help to ensure that there is lasting value coming out of the mine that extends beyond operations themselves.

Panel discussions first focused on the role of governments in the promotion of mining projects, with examples both of the risks that governments can present to attracting investment and the ways in which they can promote their domestic mining industries. The next presentation featured a country-specific example of mine closure legislation from Chile, and the experiences and challenges of putting the legislation into practice. Specific features of the legislation that were highlighted included requirements for: mandatory progressive closure across different operational stages of the mining project; periodic auditing of closure plans; the establishment of a funding mechanism to cover post-closure costs; and the differing closure requirements and procedures that apply to large and small mining operations.

Following the Chile example, the panel discussion focused on how to improve the mine closure planning process: how to optimize the planning process, including by approaching each phase of the mining life cycle as though it were the last phase and will require closure; developing and applying appropriate closure and communication skills; communicating and working with stakeholders, as well as managing expectations; and the importance of bringing the social aspects of closure to the fore. The session closed with a discussion of the challenges associated with the lack of knowledge on mine closure, and the absence of mine closure considerations in many investment discussions. It was stressed that closure, rehabilitation and the post-mining transition must be a part of mining negotiations; mine closure has to be planned from the very beginning of the mining activities, not simply before the mine is set to close.

Session 3: Successes and Challenges of Reclamation and Remediation in the Mine Life Cycle

The AGM reconvened on October 28 with a session devoted to the successes and challenges of reclamation and remediation in the mine life cycle. The Centre for Sustainability in Mining and Industry (CSMI) at the University of Witwatersrand facilitated the session, which consisted of panel discussions focusing on the perspectives of industry, government and international organizations with regards to the issue.

Industry Perspective

The first panel discussed the challenges and possible solutions from an industry perspective. The Mining Association of Canada provided an update on the Towards Sustainable Mining (TSM) initiative, an initiative established in Canada in 2004 that focuses on accountability, transparency and credibility within the industry. Over the past two years, the TSM has moved from being a national initiative in Canada to an emerging



global standard. The initiative has now been adopted at the national level by Canada and Finland, and by mining companies headquartered in 11 other countries. Recent results of company assessments have demonstrated a significant improvement of site-level management by members, particularly in the areas of community engagement and tailings management. However, challenges remain in the areas of biodiversity conservation management, and energy usage and greenhouse gas management. The importance of setting clear targets and enforcing those targets was discussed in this context.

The International Council on Mining and Minerals (ICMM) then shared some key findings of a recent ICMM-commissioned study on how, where and why regulations vary, focusing on case studies in 10 jurisdictions. The study showed that an increasing number of regulations are becoming risk-averse. The majority of the regulations studied continue to focus on environmental cleanup and reclamation, and emerging issues, such as climate change and water—which will affect the regulations in time—are not yet reflected. International standards are playing an important role in some developing countries. However, the socioeconomic aspects of mine closure are not yet well reflected in their regulations. The study also confirms the consensus among the ICMM members that the next big challenge is the issue of “social closure”: taking account of the full spectrum of social implications when planning for mining closure and the post-closure transition. ICMM then shared some key emerging themes from its recent member discussions, including: the importance of partnerships; the need for a shared long-term vision from all stakeholders to manage expectations and avoid unfulfilled promises; the need to more closely align mining plans with social investment strategies; and the importance of a long-term view that reflects the long life span of mines. As a concluding remark, ICMM shared its vision of a successful closure: the mining company relinquishes the site with no liability, the government has no ongoing burden, and the community is thriving and self-sustaining moving forward.

Angkor Gold, a Canadian company with operations in Cambodia, provided its perspective on the challenges in the mining cycles and proposed solutions to these challenges. Challenges include land rights and responsibilities, governance and tax regimes, corruption, difficult partners, a shortage of local skills, and finding the right balance between artisanal and scale mining and commercialization. Potential solutions include increased transparency, enhanced collaboration and stronger relationships at all levels, alternative options suitable for local culture, clear and measurable standards with enforcement mechanisms, and the provision of training in best practices.

Government Perspectives

The next panel focused on national-level perspectives on the successes and challenges of mine closure. The lead editor for Australia’s Leading Practice Sustainable Development (LPSD) *Mine Closure and Completion* handbook outlined some of the



challenges faced by Australia, including the importance of the social license to operate and the need to: foster sustainable mining practices; improve government capacities to integrate economic, social and environmental aspects throughout the life of the mine; promote transparency and accountability; enhance government capacities to ensure active stakeholder participation in the process; and enhance government capacity in natural resource management, mining policy and regulation, and water resource management.

The Government of Canada outlined how a history of abandoned mines led to improvements in the mine-permitting process so that closure plans were included and are now required. Closure plans must now include, among other requirements: consultation with communities and indigenous groups, auditing requirements, and the establishment of financial assurances for closure and rehabilitation. A national multistakeholder initiative has been launched to address orphaned and abandoned mine sites. A speaker from the Government of Peru then stressed the significance of the mine closure problem in his country, and outlined how—similar to Canada—new, stringent legislation has been put in place to ensure that adequate closure plans are included in permitting processes. Finally, Uganda highlighted its challenges with dealing with abandoned and orphaned mines following political instability in the 1970s, the state’s efforts to re-start mining activities at abandoned sites that still retain some economic value, and current processes underway to update policies and legislation to improve mine closure and post-mining transition aspects within these legal instruments.

Perspectives from International Organizations

The last panel of the session provided insights on some of the relevant recent programs developed by international organizations for the mining sector. UNDP introduced its capacity-development program for mineral institutions and small-scale private sector actors mining low-value minerals in African, Caribbean and Pacific (ACP) countries. The program was developed to address a significant gap in the global mineral discussions, where low-value minerals, which represent a large portion of global mineral production, are largely ignored. UNDP urged that policy debates and discussions should be designed to keep these low-value minerals in mind; compared to other minerals, low-value minerals are usually consumed locally, are responsible for more jobs and are more directly linked to local supply chains. In addition, women are more represented in low-value mineral mining than in other sectors of mineral industry. The program aims to work with selected countries to provide more detailed and comprehensive assessments of this part of the sector and to provide roadmaps for capacity development within each country.

Following UNDP’s presentation, the Canadian Standards Association (CSA), which works closely with the International Organization for Standardization (ISO), introduced an ISO initiative established in 2013 to develop international standards on mine closure and



reclamation management. The CSA provided an analysis of how the proposed international standards can benefit government, industry practitioners and civil society organizations, and noted that the ISO is currently exploring options for applying the standards at the national and international levels.

Session 4: Human Resources in Responsible Mining

The afternoon session focused on the responsible management of human resources in mine closure, as well as worker re-deployment. The Mining Industry Human Resources Council (MiHR), the national sector council for the Canadian minerals and metals industry, first discussed national occupational standards, effectively the skills and knowledge required to perform a job safely and productively. Also highlighted were national certification programs for mine workers to help with training and safety and with creating transferrable skills to facilitate employee mobility, as well as guidance on workforce transitions when nearing mine closure. Three examples from Canada of positive mine closures were presented to participants.

Mining Dialogues 360°, a South Africa-based non-partisan mining dialogue facilitation platform, then discussed the social impacts of mine closure, drawing on experiences from the South African platinum belt. In the case study example, a lack of diversified livelihoods around the mine site combined with environmental degradation means that the reliance of the local community on the mine for employment and livelihoods is high, and a mine closure would have catastrophic economic and social implications for the local population. Each miner in turn supports a significant number of people, in terms of families and tertiary markets, and there is no social safety net to protect these miners or their dependents from a mine closure. Levels of social resilience are also quite low, given health, education, gender and social cohesion deficiencies and inequalities in the region. Women and children are particularly vulnerable to the impacts of mine closure. To respond, communities, states and companies themselves all have a role to play, and must cooperate to minimize negative social impacts.

Session 5: Environment and Health Management of Mines

The second day of the AGM concluded with a session looking at the management of the environment and health aspects of mine closure. Facilitated by the Government of Canada, the panel focused on the special issues that need to be addressed to prevent closed mines becoming a risk to human health, aquatic life and ecosystems more broadly.

Lausitzer und Mitteldeutsche Bergbau-Verwaltungsgesellschaft (LMBV) provided a case study on the process of restoring a watershed affected by a large-scale lignite mining operation in Germany. The presentation analyzed problems encountered when carrying out the restoration and shared with participants lessons learned during the process. It



suggested that remediation is an opportunity to promote structural change, create new landscapes and support sustainable development, and, as such, should be integrated into the entire life cycle of the mining process, starting from the very beginning of the mining operation. Case studies and examples from Canada and South America supported this finding, highlighting the importance of developing a risk-management approach to ensure safe and stable land use as well as the need to recognize and address closure issues at an early stage of the mine life cycle.

Finally, Mining Dialogues 360° shared findings from recent studies on the health impacts of mining operations:

- There is a general lack of access to clinics in mining areas.
- Lack of privacy is a main concern preventing patients from receiving proper health care.
- Mental health issues are not fully addressed when assessing the health impact of mining operations.
- Mine workers have a significantly higher risk of developing tuberculosis than workers in other sectors.
- There is no clear evidence showing that migrant workers increase the risk of tuberculosis and HIV to native populations, but rather that migrants are more vulnerable to these diseases due to discriminatory treatment and limited access to health care.

Session 6: UN Panel on Mining and Social Development

The last day of the AGM opened with a panel of speakers from various UN agencies. Noting that mining is an extractive activity with a finite life cycle that is often isolated from the local economy, panelists acknowledged the challenge of ensuring that mines yield sustainable net benefits to the local economy across its operating life or by the time it is closed. Nevertheless, panelists examined several policy options governments can undertake to promote sustainable development from mining activities for local communities.

A speaker from UN Research Institute for Social Development presented the results of its research on the contribution of social policies to mineral-led development strategies and how mineral rents can be used to finance social development. UNCTAD then evaluated policy options for enhancing sustainable job creation in the extractive industry. Finally, a speaker from the African Mineral Development Centre (AMDC) of the UN Economic Commission of Africa reiterated the significance of incorporating post-mining action plans into every phase of the mine life cycle.

Session 7: Financing for Mine Closure



The final panel discussion focused on the financial aspects of the mine closure and sustainable mining practices. Acknowledging that the best plans for mine closure are ineffective if they are not properly funded and the funds not properly managed, panelists discussed key questions such as how closure plans should be funded and examined the roles of different stakeholders in the process. A speaker from IISD noted that, as a core principle, mining companies should be fully responsible for properly financing closure and rehabilitation plans. They should work to ensure that funds are available in case of premature mine closure. IISD also examined various key elements to developing an effective and efficient financing plan, including: the amount of financing to be guaranteed, the form of the guarantee, and the collection and management of the guarantee. Closure costs are significant; it was noted that no mining entity has ever overestimated mine closure costs.

Following IISD's presentation, speakers from Uganda and Indonesia shared their countries' experiences with financing mine closure. Uganda is undertaking a revision of its mine policy to address the weaknesses identified in the MPF assessment. Reflecting on the capacity-building training workshops provided by IGF and IISD as part of the assessment process, the Government of Uganda shared its priorities in addressing closure-related funding issues as well as the challenges it is facing. Indonesia introduced its approach to regulating mine closure activities, focusing on the country's legal regime and the procedures for assessing, approving, implementing and reporting on mine closures.

Closing Session

Integrating sustainable development into mining activities remains a major challenge. Given its significant role in local livelihoods, national economies and the global market, better aligning the practices and policies of the mining industry with the SDGs will be a key part of successfully achieving the global development agenda between now and 2030. Participants recognized that, as the leading global policy forum on mining and sustainable development, the IGF has an important role to play in this alignment.

In closing, the IGF chair thanked delegates for their participation and UNCTAD for its invitation to hold the next AGM in Geneva in late 2016. The dates for the meeting will be coordinated with the UNCTAD Secretariat in early 2016 and will be communicated to all stakeholders as soon as they are finalized.

The AGM was held in conjunction with several side events. On October 26, the IGF held two workshops on the topics of "Designing of Closure with Community Engagement" and "Introduction to the Mining Policy Framework." On October 30, the IGF also held a workshop providing guidance for governments on managing artisanal and small-scale mining.

