

**ENHANCING
NATIONAL OWNERSHIP
IN THE MINING SECTOR:
DOMESTICATING THE
AFRICA MINING VISION**



Table of Contents

Acronyms and Abbreviations.....	2
Executive Summary.....	3
Rationale and Objectives.....	3
Key Messages and Recommendations.....	4
Welcoming Remarks by Prof. Joseph Semboja , Chief Executive Officer, UONGOZI Institute.....	9
Introduction Remarks by Ms. Natalie Boucly , UNDP a.i. Resident Representative, Tanzania.....	10
Opening Remarks by Hon. Doto Mashaka Biteko (MP), Minister for Minerals, Tanzania.....	12
An Overview of Africa Mining Vision.....	15
A Gap Analysis of Africa Mining Vision Implementation in Tanzania.....	18
Harnessing Local Content Policy to Increase Value Creation and Addition in the Upstream Mining Sector Africa: Lessons from Ghana's CMV for Tanzania.....	23
Challenges Encountered and Opportunities Created by Domesticating the Africa Mining Vision: A Case of Nigeria	32
Panel Discussion: Implementing Country Strategies.....	36
Natural Resource Management Initiatives in Tanzania.....	40
Draft SADC Regional Mining Vision.....	42
The Process of Preparing a Roadmap for Developing a Country Mining Vision	47
Way Forward	49
Closing Remarks by Prof. Simon Msanjilla, Permanent Secretary, Ministry of Minerals, Tanzania.....	51

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Acronyms and Abbreviations

AMDC	African Minerals Development Centre
AMV	Africa Mining Vision
ASM	Artisan and Small-Scale Mining / Miners
AU	African Union
CMV	Country Mining Vision
CSR	Corporate Social Responsibility
EAC	East African Community
EITI	Extractive Industries Transparency Initiative
FDI	Foreign Direct Investment
FYDP II	Five-Year Development Plan (2016/2017 - 2020/2021)
GDP	Gross Domestic Product
HRD	Human Resource Development
LED	Local Economic Development
LGA	Local Government Authority
PML	Primary Mining License
R&D	Research and Development
RDI	Research, Development and Innovation
RMV	Regional Mining Vision
SADC	Southern African Development Community
STAMICO	State Mining Corporation
STEM	Science, Technology, Engineering and Mathematics
UNDP	United Nations Development Programme
UNECA	United Nations Economic Commission for Africa

Executive Summary

The Africa Mining Vision (AMV), a policy framework created by the African Union to ensure that the continent utilises its mineral resources strategically for broad-based, inclusive development, was the basis for a two-day regional forum convened by UONGOZI Institute in collaboration with the Ministry of Minerals and United Nations Development Programme (UNDP) from 9 - 10 May, 2019, in Dar es Salaam, Tanzania.

According to the African Union (AU), the AMV aims to achieve: “The transparent, equitable and optimal exploitation of mineral resources to underpin broad-based sustainable growth and socio-economic development.” The AMV, adopted by African Heads of State in 2009, sets a guiding framework, action plans and criteria for implementing its objectives.

The forum under the theme, “Enhancing National Ownership in the Mining Sector: Domesticating the Africa Mining Vision” took place almost a decade after the AMV’s inception. Over those ten years it has widely been argued that implementation has been slow and there have been low levels of awareness about the framework among key stakeholders in the mineral sector. According to an Oxfam report (2017) there has been limited domestication or implementation of the AMV on the continent. So far, 24 out of 54 countries have started implementation of AMV. Only Lesotho has fully domesticated and used AMV to prepare her Country Mining Vision (CMV). There are now urgent calls for action at the highest level to ensure the aims of this transformative policy can be achieved in order to advance sustainable development across the continent.

Tanzania is among the signatories to the AMV, which is in line with the country’s Local Economic Development (LED) approach as well as the aspirations of the second Five-Year Development Plan (FYDP II), which covers 2016/2017 - 2020/2021. Recent changes in policy, regulatory and institutional frameworks on the governance of extractive industries aim to maximise the benefits of natural resources to Tanzanians. Tanzania joined the Extractive Industry Transparency Initiative (EITI) in 2006 and was deemed compliant in 2011 with its first publication. The government of Tanzania, through its FYDP II recognised the potential and importance of domesticating the AMV principles. Through the Ministry of Minerals, the government has undertaken a number of reforms that are consistent with the AMV principles. To fast track the process, the Ministry has sought technical and financial support from the United Nations Economic Commission for Africa (UNECA) and in particular the Africa Minerals Development Centre (AMDC).

To strengthen the regulatory regime relating to the minerals sector, the Tanzanian government formed four special commissions to examine different aspects of the mineral sector and laid grounds for the amendment of the Mining Policy of 1997 and Mining Act of 1998. Approval of a new mineral policy in late 2009 was followed in April 2010 by the passage of a new Mining Act. Beyond 2010, the country has continued to review policy, regulatory and institutional frameworks governing mining and natural resources all together.

Rationale and Objectives

In supporting domestication efforts, UONGOZI Institute in collaboration with UNDP conducted a study on the “Gap Analysis of Africa Mining Vision Implementation in Tanzania.” The study assessed the extent to which Tanzania’s national mining laws and policies are aligned with the AMV. The overall findings reveal that Tanzania’s performance in implementing the AMV principles is medium, indicating that the country is well on track towards domesticating the AMV.

Various challenges, however, continue to limit the national ownership of the mining sector and domestication of the AMV. These include (i) inadequate stakeholder engagement in the decision-making process; (ii) low revenue from mining and extractive industries relative to the value of the resource; (iii) inadequate capacity, particularly enhanced mining skills and technology, access to credit and marketing; (iv) inadequate involvement of Local Government Authorities (LGAs) in the licensing and concession of mining/extractives companies; (v) weak collaboration between central and LGAs; and (vi) inadequate translation of the benefits from the extractive sector to foster sustained LED. Implementing the AMV offers the opportunity to address some of these issues.

The forum therefore sought to address the following questions:

- What are the pre-requirements for implementing and domesticating the AMV Principles?
- What are the gaps in the implementation and domestication of Africa Mining Vision (AMV) principles in Tanzania?
- What are the challenges encountered, and opportunities created by domesticating the AMV in Africa?



Participants contribute to the forum's discussions.



Key Messages and Recommendations

Tanzania's interest in the AMV reflects the country's appreciation of the strategic role that the mining sector can play in achieving the country's development vision and a desire to put in place appropriate policies, strategies and practices to optimise benefits from exploitation of its mineral endowment. Equally, Tanzania's work towards a CMV is framed within the wider acknowledgement by the government that a lack of proper management and development of mineral resources will have serious consequences for communities, the administration, the mining industry and the wider nation.

Throughout the event, the presenters and delegates shared insights and experiences to identify the pre-requirements for implementing and domesticating the AMV principles. They also reviewed the 'gaps' in the implementation and domestication of Africa Mining Vision (AMV) principles in Tanzania. Finally, consideration was given to the challenges encountered and opportunities created by domesticating the AMV across the continent.

This report provides edited summaries from all presentations. Key messages and recommendations that emerged from the discussions are identified in the sections below.

The AMV broadly aligns to Tanzania's own views on using natural resources

The government and the UNDP resident representative reiterated support for the AMV to inform Tanzania's CMV but contextualised to the country's situation. There was also recognition that many of the initiatives that had been taken in Tanzania provided a 'good foundation' for a CMV. Initiatives implemented by Tanzania over the past two decades are a basis for a formal CMV modelled along the principles of the AMV. Many initiatives are 'aligned' with the AMV and this prevents the need for policy reversals going forward. A gap analysis of the AMV implementation in Tanzania, however, identified there is need for further tightening of some of the initiatives (for example on local content rules). More widely, the gap analysis reported that while the AMV provides the overarching direction of a country's policies and regulation, it recommended the implementation to phased and guided by the capacity of the different players to play their envisaged roles. The study also established that while the extractive resource policies and regulations are largely aligned to the aspirations of

AMV, the level of awareness about the vision across all stakeholders was notably low.

Formulation and implementation require capacity building

Domesticating the AMV requires solid comprehension not only of mineral economics, but also of the business, technical and social dynamics and issues associated with the production and use of mineral commodities. Capacity to formulate policies and strategies encompassing all of these, marshal the different players to play their parts, and oversee their execution with flexibility to recalibrate the plans and maintain focus on the key elements of the vision are prerequisites for translating that comprehension into socio-economic realities. It is essential that capacity assessment and building be comprehensive to incorporate both the official (bureaucracy) and private sector's ability to fulfil obligations towards a CMV and AMV.

Leverage resource ownership and regulatory authority to task companies

A country's possession of minerals is not always an 'exclusive feature'. Although mineral resource countries are generally considered in competition with each other

to attract the same pool of investors, there are limits to the competition since minerals can only be exploited where they are located. The fact that the resources belong to the state strengthens its hand in negotiating with potential investors regarding the terms on which the resources will be exploited. This position is further strengthened if a regional approach is taken and the higher the share of global reserves is under the control of the sovereign authority. A CMV should be formulated within this understanding of the state's position.

Case Studies are important

Tanzania could benefit from lessons drawn from other African countries that have developed their CMVs. African countries (including Ghana, Nigeria and Kenya who participated in the event) could usefully inform the planning of Tanzania. A CMV should also work to align with any relevant regional strategy which will also offer valuable insights and frameworks that can be reflected in any national planning. The Regional Mining Vision (RMV) by the Southern African Development Community (SADC) is designed to maximise strategic regional cooperation to address shared and common issues relating to the extractive sector.

Regional approaches may deepen CMV benefits

Regional collaboration in pursuit of mineral value retention through domestic value addition and supply has the potential to dramatically increase a country's bargaining power against mining companies. Southern Africa's significant and diverse mineral resources and production, together with its regional market and the ingenuity and energy of its diverse peoples, provides a huge opportunity for the local/regional manufacture and supply of mining and mineral processing inputs, thereby enhancing regional industrialisation aspirations.

Tanzania must own the management framework

A key principle and issue to consider in developing Tanzania's CMV relates to national ownership of the resources and management framework. To bear results within a reasonable time, there can be no alternative to national ownership of the programme, exercised through legitimate governance structures to ensure public support and equity in enforcement. Initiatives embedded in a CMV must be aligned to and consistent with the broader national development strategy or plan, enjoying ownership and support by the whole of government. Among others, this will ensure that actions are properly sequenced to expedite optimal realisation of expected impacts. It has also been emphasised that there is a need for strategic management for the resources: how can Tanzania get from minerals from mining to economic transformation?

Intergenerational equity is crucial

There is a need to understand that natural resources, including minerals, are a shared inheritance where the state is the trustee on behalf of the people to ensure that future generations receive the benefit of inheritance. Government will endeavour to ensure that the full value of the extracted minerals is received by the State. But how will those benefits be passed on to future generations? A CMV should confront the present generation's ethical dilemma over 'short changing' future generations by over-consuming exhaustible resources. This challenge could be relieved by a programme of converting the capital from these resources into exhaustible capital assets with the present generation living off the current flow of assets and labour.

Get it right the first time

There is no 'second chance' as international mining companies are often more experienced in the mineral value chain dynamic than host governments. They are also likely to implement, right from the onset, strategies to protect themselves against adverse effects of effective host country initiatives to optimise value retention. According to this scenario, if a fair deal cannot be achieved, the country is better off not developing the minerals until a fair outcome can be agreed or it has capacity to exploit the wealth itself. A CMV may be framed within this understanding of the dynamics of the industry presented during the forum.

Catalyse local socio-economic development

In relation to local socio-economic development and LGAs, it is appreciated that mining can catalyse broad-based, inclusive growth, but there are systemic challenges that need to be addressed. Local communities clearly bear the long-term impacts of mining. Positive impacts (such as employment or community development projects) may not adequately 'off-set' potential negatives (such as environmental impacts or land loss). Benefit optimisation strategies reflected in the CMV need to ensure direct benefits flow to local communities in addition to any national level benefits. In addition, corporate social responsibility initiatives often fail to have real socio-economic impact as they are integrated into the LGAs' development planning and often have limited geographical focus.

Local content needs enforcement and capacity building

Legislation is not enough and a framework for enforcing any law is key while capacity (in its broadest sense) is needed to fully realise the opportunities arising from any strategy set by government. Challenges to be met include the low level of private sector capacity to link up with extractive operations. There is also a lack of proactive initiatives by LGAs to convert revenue from mining operations into longer term revenue generating programmes and a lack of a long-term vision as required by the AMV.

Create upstream and downstream linkages

A CMV must incorporate key intervention strategies for realising valuable upstream and downstream linkages. This includes setting clear local content obligations for goods and services purchased by the extractive companies; target spending on research, development and innovation; options for auctioning mineral property licenses against linkages commitments; institute the state's right to a portion of output; reserve select key feedstock deposits for future needs; impose exports tariffs on crude exports that offer benefits for the country; levy import tariffs on inputs and key feed stocks that can viably be sourced locally or regionally; create access to capital for local upstream and downstream investors; and support Tanzanian businesses seeking to participate in upstream or downstream operations. A strategic national policy framework for a national supplier development programme for mining could enable the private sector to identify and take advantage of local content requirements. This would be preceded by a comprehensive assessment of the upstream extractive sectors, focusing on opportunities for local value addition based on key principles and imbued in a CMV.

Public vs Private Sector Capacity

Effective state participation in the exploitation of natural resources can be performed through state owned enterprises. Such bodies, however, may lack the capacity to effectively play the role. Government has the regular capacity or mandate to assign tasks to the private sector where it thinks they will be more effective (and efficient) in achieving certain objectives.

Promote transparency and inclusivity

An essential element of sound governance of the extractive industries relates to transparency and inclusivity. Tanzania has undertaken various initiatives to promote transparency plus inclusivity. Government must ensure both are embedded in the development of a CMV just as they are in the wider management of natural resources and accountability in extractive revenues. Transparency and accountability received a 'low' score in the gap analysis of the AMV implementation in Tanzania.

Ensure stakeholder validation

Throughout the CMV development process the input of stakeholders is vital and there should be systems for continually responding to their opinions. The gap analysis of the AMV implementation in Tanzania gave a 'weak' score for the involvement of private sector and the mining companies in decision-making. 'Real stakeholders not experts' must get the opportunity to share the vision they have for the sector and the country. This process will then build a consensus and determine the priority areas which the country mining vision must address.

Support for the ASM

A 'low' score was given by the gap analysis of the AMV implementation in Tanzania for support given to Artisan and Small-Scale Mining/Miners (ASM). The sub-sector, however, plays an important role in the context of AMV realisation in Tanzania, as it accounts for about 95 per cent of the mining sector's total employment. ASMs, however, face formidable challenges. Recent efforts initiated by the government indicate the prospects for improved performance in the sub-sector as it seeks to recognise and support ASM in a manner advocated by the AMV. Any CMV will have to include strategies to address a weak and ill-prepared business sector; weak frameworks for collaboration between central and local government; and the highly rigid and inflexible institutional structures of relevant public institutions that are among the key constraints diminishing the efficacy of efforts to improve ASM.

Time is of essence

The rapid growth of some economies around the world presents a window of opportunity for mineral rich countries. This opportunity may not last forever as changes in technology may render currently valuable industrial minerals less so in the future. It is also noteworthy that, in many areas, capacity to increase national benefits from mining operations can only be developed incrementally and over an extended period. Tanzania is therefore urged to now create a CMV given the possible future changes that may impact the value of minerals within its borders.

Create a Roadmap

Six action points were identified as the key milestones for Tanzania to domesticate the AMV through a CMV. As a first step, Tanzania should complete the gap analysis study, updating the findings to incorporate the more recent developments in mining both nationally and globally. It is particularly recommended that the analysis include assessment of opportunities for regional collaboration within East African Community (EAC) and /or SADC.

Stakeholder validation of the updated report should then involve LGAs, civil society plus the private sectors, including ASM and mining companies. In addition to enhancing the report's completeness and accuracy, such stakeholder engagement will also contribute to higher public awareness and support during subsequent stages of the initiative.

Thirdly, a draft CMV with implementation plan can be drafted by government working with a limited number of subject experts. It should be remembered that significant technical analysis may be required to support the planning process.

The adaptation process by stakeholders and authorities will then take place with the CMV and implementation plan being formally launched. The implementation can then be undertaken by the relevant institutions. Strong coordination, through a dedicated unit based either in the Ministry of Minerals or another ministry responsible for national economic planning will be required. Monitoring and evaluation, with Peer Review and peer-to-peer learning, will finally be needed.



Prof. Joseph Semboja on "Embracing principles of the AMV for Tanzania's socio-economic transformation."

Welcoming Remarks by Prof. Joseph Semboja, Chief Executive Officer, UONGOZI Institute

In his welcoming remarks, Prof. Semboja expressed appreciation to the Minister for Minerals for being the Guest of Honour and stated that his presence was a reflection of the importance he attaches to the forum. Appreciation was also given to the UNDP, recognised as one of the Institute's closest partners in matters relating to extractives, for co-funding and co-organising the event. He expressed special gratitude to the UNDP for funding the "Gap Analysis of Africa Mining Vision Implementation in Tanzania." The findings from the study were recognised as being a stimulus to discussions on domesticating the AMV in the country.

Special welcome was extended to all participants coming from outside the country, specifically partners from UNECA and the AMDC, as well as colleagues from Botswana, Lesotho, Ghana, Nigeria, Kenya and Uganda. Their willingness to share knowledge and experience in this important area was appreciated.

Prof. Semboja said that the forum aimed to discuss the extent to which policies and the regulatory regime in the Tanzania's mineral sector are aligned with the AMV principles and to propose the roadmap and strategy for formulating a vision for Tanzania's extractive sector. He recognised the expertise in the room, drawn from countries with huge experience in formulating and

implementing policies and regulatory regimes for managing the mining industry. It was anticipated that Tanzania would draw valuable lessons from this rich resource, for the benefit of the extractive sector in the country and elsewhere in Africa.

He further highlighted the organisation's experience in facilitating policy and regulatory regime discussions in the extractive sector. He stated that the Institute felt privileged to continue working with the Ministry of Minerals to hold this important discussion for the betterment of Tanzania's extractive sector and the economy at large. He stated:

"We believe that embracing the principles of the AMV will work to sustain the benefits from the extractive sector and enhance the country's socio-economic transformation."

Finally, Prof. Semboja affirmed his belief that the discussions would produce results that would assist African governments and other relevant stakeholders to move forward their agendas for ensuring that the extractive sector contributes its rightful share of socio-economic transformation.



Ms. Natalie Boucly: Tanzania is on a good track in domesticating the Africa Mining Vision.

Introduction Remarks by Ms. Natalie Boucly, UNDP a.i. Resident Representative, Tanzania

In her introductory remarks, Ms. Boucly expressed appreciation to Minister Biteko, on behalf of the UNDP country office and the UNDP regional bureau for Africa in Addis Ababa in Ethiopia, for being present at the dialogue. She assured the Minister of their commitment to collaborating with the government to strengthen their capacity in governing the extractive sector. This includes the governance of the mining sector, through various interventions locally regionally and globally. It was also affirmed that the UNDP will work with the Ministry of Minerals and other partners to support this important sector with the aim of enhancing the socio-economic development of the people through poverty reduction and employment creation. Appreciation was also extended to the participating stakeholder, including those from France and Belgium.

Ms. Boucly explained in early 2014, the government of Tanzania through the then Ministry of Energy and Minerals submitted a request to UNDP to support the formulation of a CMV as an important step to domesticate the AMV in Tanzania. Following this request, the UNDP engaged its extractive support team at the regional office in Ethiopia and partners at UNECA

through the AMDC to respond to this request. She explained that several activities have been implemented since then in collaboration with various partners, particularly in creating awareness on the AMV; building capacity in negotiating extractive contracts; studies to analyse gaps in domesticating the AMV in Tanzania; and the Mineral Value Survey.

Noting that:

“[The] government’s commitment to implement the Africa Mining Vision at national level through a nationally-owned country mining vision is likely to provide Tanzania with a leading role at a regional and international level in promoting the increased contribution of the extractive sector to long term socio-economic development objectives.”

Ms. Boucly recognised that as Tanzania is striving to become a middle income country by 2025 along with achievement of Vision 2025, the extractive sector is seen as one of the key sectors in achieving this transition. The sector is considered to have a direct role in achieving the country’s five-year development plan targets,

including that of industrialisation. The contribution of the extractive sector to the economic growth, however, was recognised as being ‘very low’:

“For many years, besides its potential in poverty alleviation, Tanzania has yet to fully exploit the extractive sector to improve people’s livelihood.”

The discovery of huge natural gas deposits, the ongoing extraction and use of this gas especially for power generation was considered ‘a good step forward’. The construction of an LNG plant in Lindi for export and domestic, for example, were recognised as having ‘multiple benefits’ to Tanzania. These include employment creation; GDP increase through various taxes; urban development in the south of the country; together with business creation and entrepreneurship activities. The increased use of natural gas by households for cooking was seen as being able to significantly reduce the consumption of charcoal and fire wood. This will help in protecting the forests which are declining at an ‘alarming rate’.

With regard to the “Gap Analysis of Africa Mining Vision Implementation in Tanzania,” it was stated the UNDP financed the study to analyse the AMV integration gaps in the country. Ms. Boucly stated the objective of the study was firstly to review the national legal and policy frameworks related to minerals and hydrocarbon with regards to alignment with the AMV. This was guided by the AMV co-documents such as the AMV action plan. Secondly, the study aimed to propose a realistic roadmap for implementing and aligning the national legal institutional, policy and regulatory frameworks with the AMV.

According to Ms. Boucly:

“The overall findings of the gap analysis study show that Tanzania’s performance in implementing the Africa Mining Vision principles is medium, indicating that the country is somehow on a good track in domesticating the Africa Mining Vision.”

She commended the government for undertaking key reforms, some of which are consistent with the AMV principles. She went further to note the existing institutional and financial challenges and stated:

“The domestication of the Africa Mining Vision through the development and implementation of a country mining vision will help in addressing most of the existing challenges identified in this report and gap study.”

By way of conclusion, Ms. Boucly stated the findings of the analysis and the results of this dialogue over the next two days would be valuable in shaping the work towards supporting the government in governing the extractive sector for socio-economic development of the country. Ms. Boucly finally said that the UNDP is currently finalising the design of a project named, “Tanzanian Extractive Industry Governance for Sustainable Development.” She explained the UNDP would collaborate with the government and other partners in implementing the project which, among other things, will focus on supporting the government in implementing the CMV and other resource mobilisation plans to support its implementation.



Minister Biteko: Successful domestication of the AMV in the country requires all actors.

Opening Remarks by Hon. Doto Mashaka Biteko (MP), Minister for Minerals, Tanzania

In welcoming Minister Biteko to make his opening remarks, Prof. Simon Msanjilla, Permanent Secretary in the Ministry of Minerals noted the ‘revolution’ occurring within in relation to the government’s involvement in the extractives sector. He emphasised, however, that clarity and vision was crucial to achieve the objective of domesticating the AMV in Tanzania. He then invited Minister Biteko to open this important forum to address this objective.

In his opening remarks, Minister Biteko thanked UONGOZI Institute and UNDP for the invitation. He acknowledged their wider efforts in addressing important issues in the extractive sector that

complement the government’s work in seeking the best ways of managing extractive resources for the benefit of the country and future generations. Minister Biteko noted that President John Pombe Joseph Magufuli was giving special attention to the extractive sector as he saw its critical role in facilitating socio-economic transformation for the country and therefore wished to see that it is well managed and coordinated.

Minister Biteko also thanked UNECA and the AMDC for promoting the AMV. Gratitude was also extended to UONGOZI Institute and UNDP for funding the “Gap Analysis of Africa Mining Vision Implementation in Tanzania.” He acknowledged that the study provides

important feedback to the government in relation to the domestication of the AMV and input into the development of the country’s extractive sector’s vision. A special welcome was extended to all participants coming from outside the country.

He noted that the forum had come at a the ‘right time’ as the government, through the Ministry of Minerals, had already undertaken a number of reforms that are consistent with the AMV principles. Minister Biteko affirmed that Tanzania wanted to enhance the competitiveness of the mining sector and contribution of these resources to the socio-economic development of the country:

“The contribution can be in terms of job creation, inclusive development, participation of the local community (across genders) to ensure they receive a proportionate share of the benefits; the inter-linkage of the sector with other sectors of the economy; increased exports; as well as the contribution to GDP.”

He said that according to the Tanzania Economic Survey of 2017, mining and quarrying economic activities grew by 17.5 per cent, which is the highest growth rate compared to other economic activities during that period. He added that the share of mining and quarrying activity to GDP in 2017 was around 4.8 per cent. The value of mineral exports was said to be USD 1.81 billion in 2017, equivalent to 14.2 per cent of the total export. The Minister did not consider this contribution to GDP to be ‘satisfactory’ and the government therefore planned to ‘significantly increase’ the sector’s contribution to socio-economic development.

Minister Biteko went on to observe:

“The large reserves in the mining sector provide a remarkable economic opportunity as well as challenges of how to develop the sector to ensure it gives maximum benefit to the country and avoids the resource curse. Clearly these reserves have the potential to transform the country’s economy. However, there are two key policy concerns we need to address to achieve the desired objectives. The first relates to local content: how can we maximise local participation in commercial mining activities in a way that benefits the larger economy and the lives of our people. The second

relates to capacity: how can we enhance the ability of government and other stakeholders to support critical developments in the mining sector?”

Minister Biteko explained that Tanzania ratified the AMV because the government believed the framework would help the country to enhance its capacity to exploit our mineral resources sustainably and manage its mineral wealth for the benefit of our people. He stated that this was in line with Tanzania’s LED approach as well as the national FYDP II. He added:

“Management of our extractive sector is guided by policies and legal frameworks that are closely connected with its historical, political and economic dynamics at both national and international levels. These policies and laws are regularly reviewed to align with local and international realities.”

He provided an example of the Mining (Local Content) Regulations 2018 and the Mining (Mineral and Gem Houses) Regulations 2019 that were recently promoted to improve local content and value addition. Minister Biteko stated that many of Tanzania’s extractive policies and regulations are therefore consistent with the AMV and that the government continued to work towards implementing most of the AMV aspirations.

Acknowledging the challenges in domesticating the AMV, the Minister said:

“The challenges in implementing the Africa Mining Vision still exist. Some are institutional, while others relate to inadequate human resource capacity. The key point is that, even though Tanzania does not have a Country Mining Vision as per the Africa Mining Vision guidelines, the policies, laws and regulations substantially embrace its aspirations. The ideas behind our vision and mission are largely consistent with the principles of the Africa Mining Vision.”

Minister Biteko recognised that full domestication of the AMV in the country was necessary in order to sustain the benefits from the mining sector. However, he noted that the domestication process needed to address pertinent issues, such as human capacity and skills development:

“These must be facilitated through research and development, knowledge networks involving academia, think tanks, private sector, government agencies and other stakeholders. We must appreciate that building such capacity requires resources and time.”

In addition to this example, Minister Biteko asked:

“How do we build mechanisms for promoting transparency and accountability, fostering inclusive decisions, enhancing knowledge transfer through local content, creating linkages and establishing effective and friendly fiscal regimes that ensure that the government is able to collect revenues effectively and efficiently?”

According to him, successful domestication of the AMV in the country requires all actors both public and private to commit their efforts towards the realisation of the sectors’ aspirations and priorities. He called upon all stakeholders to continue supporting the domestication processes and hoped that the event would ‘give light’ to the government not only in the domestication of the AMV but also how to improve our policies, plans, programmes and strategies to increase the pace of socio-economic transformation of the country.

By way of initiating the discussion, Minister Biteko offered some key questions:

“What are the prerequisites for implementing and domesticating the Africa Mining Vision Principles? What are the gaps in the implementation and domestication of the Africa Mining Vision principles in Tanzania? Are there opportunities to be created by domesticating the Africa Mining Vision in Tanzania? What are the likely challenges to be encountered in the domestication process?”

In conclusion, Minister Biteko thanked all those who were willing to support the government through the Ministry of Minerals in moving towards the domestication of the AMV in Tanzania. He wished all a fruitful discussion.

An Overview of Africa Mining Vision

Presenter: Dr. Paul Jourdan, Independent Mineral Policy Analyst, Mintek South Africa

In his introduction to the first presentation, Dr. Jourdan explained he had been working on the AMV with a team consisting of the AMDC, AU and UNECA for 10 years. Dr. Jourdan considers the AMV as a landmark when it was initiated in 2009 because it looked behind just the ‘physical’:

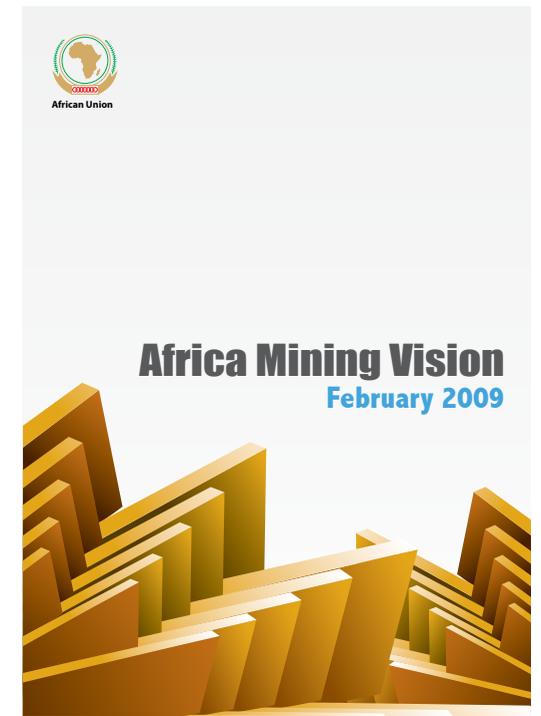
“Until then everyone had been saying, ‘Are we getting a fair share of mineral rents?’ The Africa Mining Vision suddenly just realised that minerals offer way more than the rents. The rents were important but they offer a basis for resource-based industrialisation, use all of the linkages and that is what the Vision is about: using those linkages.”

In formulating the AMV the models that were looked at included Finland, Germany and Sweden. Dr. Jourdan explained all of them used their natural resources to go up-stream, down-stream and side-stream. He contrasted those economies with the Asian tigers which were not resource-based but human (largely based on cheap labour). He quoted Professor Ha-Joon Chan, the renowned South Korean institutional economist:

“Why are you looking at tigers, Africa you do not look like a tiger at all, if anything maybe you are a lion. But you should be looking at resource-based examples.”

He then went on to briefly explain the geological origins to Africa’s vast natural resources but observed:

“What is important is we know very little about Africa, you can see the big gaps in known deposits actually coincide with superficial cover that we have not looked underneath so I would say most of Africa we actually do not know what we have, so we can not really say Africa is rich or poor.”



Dr. Jourdan noted that most African countries are not surveyed at a 100,000 scale or geologically surveyed. He asserted that:

“The most important minerals [are those] we need for our development, not to send to Europe and North America for them to clean up emissions; they are phosphates for our farmers, they are bauxite aluminium which goes into obviously our electricity grids and into construction ... obviously polymers which is the big one, of course to drive cars but for industrialisation, its polymers, plastics. It’s copper for electrification; iron ore is by far the biggest mineral in the world; total global consumption of steel is more than ten times all other metals combined ... we must start developing African minerals for Africa.”

Dr. Jourdan also challenged the idea of Africa's mineral economies being 'rich' in natural resources:

"I hear so many people getting up and saying Africa is so rich, no we are not actually, we are not 20 per cent of the world's resources and we are 20 per cent of the surface or 16 percent of the population; but that is not what we really are."

Global demand for natural resources since 1945 was divided into three phases in Dr. Jourdan's presentation. An intense use of minerals by 'old rich countries plus Japan' during the time African countries started achieving independence. A failure of global growth followed with rich countries moving into services with mineral usage falling. Global growth resumed with 'dragonflies' like Taiwan and South Korea. Consumption and mineral usage was confined, however, by the sizes of their population said Dr. Jourdan. The new 'giants', however, like China and India heralded a new and wider era of growth beyond the old colonial countries.

Hartwick's rule for sustainability that prescribes reinvesting resource rents, thus keeping the value of net investments equal to zero, was included in the presentation. The rationale of Hartwick's rule was considered 'critical':

"If you have a million dollars in the ground at a mine, every year you are mining it and as a country you have less than a billion and eventually you have zero, you have a hole in the ground, so Hartwick's principle says you are going to get poorer and poorer as you rip out your minerals, unless you re invest in other forms of productive capital like infrastructure and people."

According to Dr. Jourdan's research, however, instead of re-investment within Africa, 90 per cent is going to the foreign investors and he urged states to use minerals for the 'long term', to invest in people and infrastructure. He cautioned about trans-nationals talking mining being sustainable:

"Mining is by definition finite, a deposit is finite, it is not sustainable. The only way it can be sustainable is indirectly through the linkages, and that is what the AMV is saying. We sustain it not in mining but in other sectors."

Dr. Jourdan advanced the transparent, equitable and optimal exploitation of mineral resources to underpin broad basis sustainable growth and socio-economic development. He emphasised on down- and up-stream linkages and how that can be achieved:

"To do that we have to use the rents into STEM, HRD and R&D or RDI research development and innovation."

He stressed that such development cannot be achieved then the resources should not be exploited:

"I say leave it in the ground if we cannot maximise its developmental impact to uplift our people. There is no country in Africa that does that."

He also expressed a concern with Foreign Direct Investment (FDI) to achieve objectives for the natural resources sector. He considered this a short-term strategy due to a lack of capital skills and technology with the need for local content and good governance being essential in this situation:

"Six per cent of payroll from every mining company must go into training the next generation. We can also do the same with R&D, they must not do their R&D back in their home countries, they must start doing it here to develop that technology development capacity which then goes into the backward linkages."

Dr. Jourdan recognised that the solution is ultimately local mining capital and for nations to avoid becoming tax havens to attract investors and create 'FDI corruption':

"We say look, we are open for business but not from tax havens or we have a higher withholding tax like Brazil does, if you are from a tax haven they just assume you are cheating and the withholding tax goes from 10 to 25 per cent."

In conclusion, he finally suggested that the focus for the extractive sector should be the 'critical minerals' for Africa's development and not 'exotics' going to the West:



Dr. Paul Jourdan: The only way mining can be sustainable is indirectly through the linkages and that's what the AMV is saying.

"Fossil fuel for power, base metals, polymers, ferrous, cement and MPK. Those are what we should be concentrating and we should be doing this at a regional level."

In a subsequent Q and A session, Dr. Jourdan discussed how Africa's mining can shape the continent's role in the global economy. For him, mining is a key part of a diversified and vibrant industrialised African economy – which aligns with the standpoint of the AMV. Africa's mining with its related linkages can help the continent become a stronger participant in national, continental and international capital and commodity markets:

"The Africa Mining Vision is all about manufacturers... we want to be able to seel consumables, explosives, detonators, flocculants, reagents into the global economy."

He also re-emphasised the necessity for Africa's regional economic communities, which constitute key building blocks for economic integration for the continent, to work towards harmonising their mineral policy strategies. Dr. Jourdan identified this as essential to avoiding the 'race to the bottom' between African countries arising from generous tax holidays and exemptions that compromise state revenues. Instead, countries may instead work to minimise the use of tax exemptions and holidays.

The harmonisation of fiscal regimes across a regional economic community can help achieve sub-regional AMV compliance and regional integration. This will help cultivate a Pan-African mineral sector more resilient to harmful competition among the AU member states.

Dr. Jourdan also highlighted the importance of configuring mechanisms for developing domestic mining capital, including the mineral linkages industries and indigenisation requirements. In order to rapidly acquire capital, skills and technology, Africa mainly uses FDI due to a lack of domestic capital. This, however, can compromise the development of the crucial resource linkages. FDI can have negative fiscal effects in addition to negative impacts upon backward, forward and knowledge linkages. He, nevertheless, argues that appropriate extractives policies and strategies can develop domestic mining capital.

Tanzania's approach to natural resource management was commended by Dr. Jourdan especially in relation to natural gas to help alleviate local dependence on diesel fuel and hydro-electricity for power generation. He contrasted Mozambique's approach to offering domestic gas supplies with Tanzania's aim to see gas used as a domestic cooking fuel in addition to supplying important industrial users (such as cement or fertilizer producers). Shallow offshore fields of Songo Songo and Mnazi Bay presently feed gas into centres including Dar es Salaam.

A Gap Analysis of Africa Mining Vision Implementation in Tanzania

Presenter: Dr. Josaphat Kweka, Senior Research Associate, Talanta International

Dr. Kweka offered an introduction to his study by setting out the context for the work; then explained the approach and methodology taken; its main findings; and finally, recommendations. He also recognised the contributions of Dr. Godfrey Nyamrunda and Dr. Daniel Ngowi for the study that was conducted a year ago.

By way of background, Dr. Kweka explained the objective of AMV to shift the current 'resource-for-development' model to a structural transformation of African economies where mineral resources can be leveraged to catalyse broad-based and inclusive growth and development. Economic diversification and industrialisation would be fostered across the continent. He emphasised that the vision aims to build transparency. The research objective for the study was to provide a gap analysis which involved three activities: the gap analysis itself to provide baseline information; an investigation about what happening on the ground in terms of the downstream; and an assessment of the capacity for Tanzania actually to implement the AMV.

The sources used included desk reviews of laws, policies, regulations and relevant documentation relating to the AMV/CMV programme. Secondly, interviews with key actors at the national and local level. Finally, field visits to 13 local government authorities around major mining and oil/gas areas were undertaken.

Dr. Kweka firstly noted Tanzania is among the signatories to the AMV, which is in line with Tanzania's LED approach as well as the aspirations of the national FYDP II. It was also observed that recent changes in policy, regulatory and institutional framework on the

governance of extractive industries aims to maximise benefits of natural resources to Tanzanians.

The findings were divided into four key areas, the first one being about the implementation itself which identified that there is a very low level of awareness of the AMV across all stakeholders. In terms of the implementation and domestication of AMV, it was also found that while the extractive resource policies and regulations are largely aligned to the aspirations of AMV, several challenges undermine its relevance. These include: inadequate stakeholder engagement in the decision-making process; low revenue relative to the value of output; inadequate human and institutional capacity; weak collaboration between central and LGAs; and low translation of mining benefits into LED to foster inclusive growth.

He explained the report has a matrix which outlines different actions taken by the Government of Tanzania and other stakeholders for each of the proposed 12 AMV mining principles. These range from policy changes, to the licensing and adoption of innovative taxation regimes to promoting research and development.

In the second matrix from the study, the achievements and challenges for each proposed AMV principles/activities are identified then rated. The challenges or weaknesses are assessed as either low, medium or high. In summarising the gap analysis, Dr. Kweka stated:

"The assessment shows that Tanzania is actually scoring medium in the sense that the country is on good track toward domestication of AMV."



Dr. Josaphat Kweka sharing findings and recommendations from the AMV Gap Analysis Study.

This matrix rates the achievements and identifies challenges for each proposed AMV principles/activities

AMV PRINCIPLE/ ACTIONS	CHALLENGES/WEAKNESSES	PROGRESS RATING
AMV Principle 1: To change policy. Licensing and adopt and innovative fiscal (taxation) regimes	<ul style="list-style-type: none"> Extractive resources development agreements are confidential, thus little or no public participation in licensing decision-making Developers are not required to consult with communities at all stages of the assessment and planning process, including project briefs or production/ revenue disclosure Inadequate stake holder consultations in the policy making decision process, resulting into unresolved investor concerns 	Medium
AMV Principle 2: To establish geological and mining information systems	<ul style="list-style-type: none"> No reliable estimate of deposits Inadequate capacity and resources invested in the geological survey of Tanzania and the Tanzania mining training institute 	Medium
AMV Principle 3: To create transparent and accountable mineral sector governance	<ul style="list-style-type: none"> Revenue from extractive industry still very low compared with known resource wealth Inadequate capacity to audit mineral production and exports There are limited national government capacities to negotiate extractive resources agreements with the private sector and limited expertise within government in international laws governing the extractive industry Government revenues from mining taxation and royalties do not always translate into local development gains Many stakeholders (NGOs communities, public entities) widely view the taxation and royalty systems as strongly geared towards the benefit of the private sector and foreign investors often to the detriment of local communities 	Low
AMV Principle 4: To Transform the artisanal and small- scale mining	<ul style="list-style-type: none"> There is no long-term strategy or budgeted funding to formalise the ASM sector which remains overwhelmingly informal and continues to be a source of conflict with large scale miners and loss of revenue ASM miners have little or no knowledge of mining legislation and are provided insufficient regulatory capacity Unrealistic formalisation efforts Use of low mining technology and inadequately capacitated with training and mining equipment, sometimes causing loss of life due to inadequate safety Inadequate actions to eliminate child labour in mining 	Low

AMV PRINCIPLE/ ACTIONS	CHALLENGES/WEAKNESSES	PROGRESS RATING
AMV Principle 5: To create linkages, promote investment and diversification	<ul style="list-style-type: none"> Insufficient local production of goods and services needed in the extractive industry Inadequate stable energy supply and high energy costs Inadequate awareness of industry requirements Low value addition in mining that hinders substantial economy-wide linkage 	Medium
AMV Principle 6: To build human and institutional capacities and build stakeholders capacities	<ul style="list-style-type: none"> No clear information on extractive industry skill needs Limited investment in building local technological skills Extractive industry institutions created but inadequately capacitated 	Medium
AMV Principle 7: To improve free flow of information among all stakeholders	<ul style="list-style-type: none"> Free flow of information from mining companies still a challenge, Communication and advocacy strategy is weak due largely to inadequate funding 	High
AMV Principle 8: To support regional integration and cooperation	<ul style="list-style-type: none"> Regional integration and cooperation implementation of agreed actions still weak Inadequate monitoring of implementation of agreed actions 	High
AMV Principle 9: To integrate CRS in local and national development plans	<ul style="list-style-type: none"> CSR still voluntary under Tanzania's policies and regulations and therefore at discretion of the investor. Weak spending of CSR resources compared to say use of "Force Account" at local level 	Medium
AMV Principle 10: To uphold highest standards of safety, health and environment protection	<ul style="list-style-type: none"> Inadequate enforcement of environment laws and regulations for large and small scale miners. The effectiveness of environment management standards and guidelines is severely diminished by limited capacity and personnel to adequately monitor and regulate environmental issues. Waste management structures do not adequately manage geotechnical risks and environmental impacts throughout the mine cycle. Emergency preparedness plans are not sufficiently comprehensive, not based on ongoing communication with community stakeholders, and not adequately monitored; sometimes endangering the lives of mine workers, especially in small scale mining operations. 	Medium

AMV PRINCIPLE/ ACTIONS	CHALLENGES/WEAKNESSES	PROGRESS RATING
Research and development	<ul style="list-style-type: none"> No particular attention to research and development Inadequate budget to conduct research and development 	Low
Infrastructure and value-addition	<ul style="list-style-type: none"> Inadequate infrastructure investment for artisanal and small-scale mining sub sector Little mineral value-addition to date but plans underway to add value to minerals as part of Tanzania's industrialisation goals 	Medium
Post-mining Transition	<ul style="list-style-type: none"> Weak enforcement of the mining laws and regulations on mine closure Lack of detailed requirements for mine closure Low capacity to monitor and enforce legal and regulatory frameworks for closure Mining act and regulations fail to require all developers to provide adequate financial assurance for mine closure: requirement to pay an environmental performance bond or other mechanisms to make effective the law requirements for closure Lack of a clear system for collecting holding managing and using the reclamation funds Government has not taken action to address issues and opportunities related to orphaned and abandoned mines, despite existence of the regulations and guidelines for mine closure 	Low
Overall assessment		Medium

Areas with a low score, however, include transparency and accountability also the weak involvement of private sector and mining companies in decision-making as well as inadequate artisanal and small-scale miner sector support. The areas with a high score include: the free flow of information; Extractive Industries Transparency International compliance and regional integration cooperation in the sector (for example, the ratification of the SADC Mining Protocol); and achievement made on the Uganda-Tanzania oil pipeline.

The LED impact and the profile of LGAs was then explained. In summary, Dr. Kweka said:

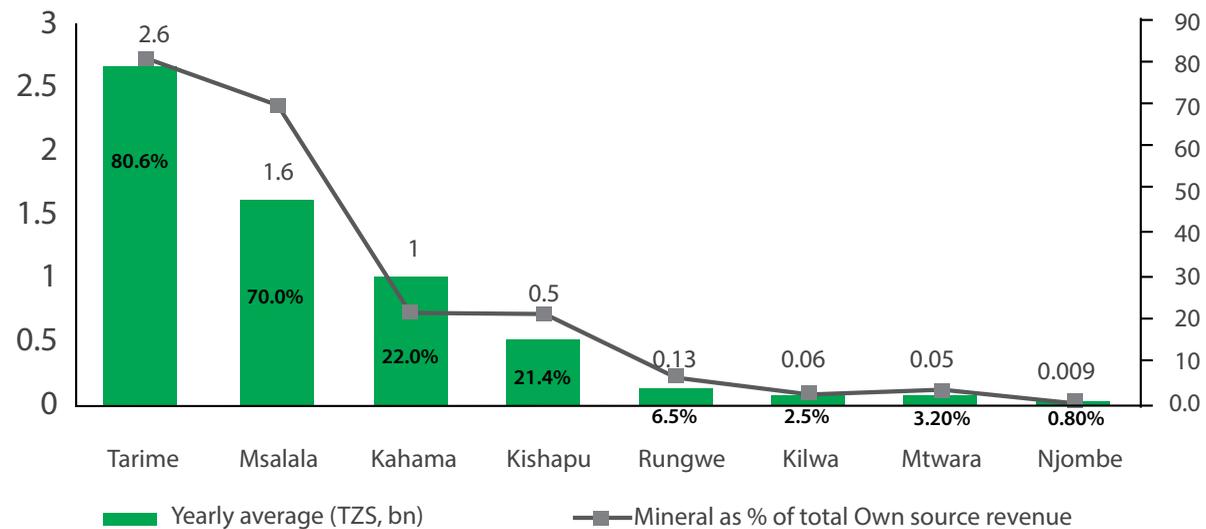
“The extractive sector has potential to catalyse broad-based and inclusive growth but there are systemic challenges to address.”

Firstly, this relates to the low level of private sector development and hence the limited linkage effects of mining operations. Second, inadequate support to ASMs to tap its potential to enhance LED was identified. Their low level of productivity was considered in terms of access to suitable infrastructure, equipment and information. Third, a lack of proactive initiatives by LGAs to convert revenue from mining into longer-term revenue generating programmes and finally a lack of long-term vision as required by the AMV.

Both mining companies and ASMs were identified as having supported the provision of development projects, mainly focusing upon social services (education, health, water and roads). The impact, however, is assessed as being limited due to two major factors: Corporate Social Responsibility (CSR) projects are not integrated into the development planning systems of LGAs and there is a limited geographical focus of the development projects undertaken. This often means companies are focused on the wards or specific areas they are operating within. These two issues are a source of concern to LGAs since the monetary value of CSR projects are much bigger compared to that of service levy but the impact is low. Dr. Kweka highlighted with all these factors, there were variations in terms of how respective LGAs actually gain from mineral wealth. The average contribution of mineral revenue to LGAs own-source revenue (captured in field data from the study) ranged from 80 per cent in Tarime district to 0.8 per cent in Njombe.

Importance of revenue from mineral/EI in total own source revenue differ dramatically among LGAs

Figure 4 Average contribution of mineral revenue to LGAs own source revenue (TZS, billion per annum)



Source: Authors based on respective council field data

Dr. Kweka then explained that although ASMs play a strategic importance in the context of the AMV in Tanzania, there is 'inadequate support' for them. According to the study, ASM accounts for some 95 per cent of the mining sector's total employment, it directly supports 500,000 to 1.5 million people and every individual directly in this activity generates a further three jobs.

It was recognised that ASM fosters LED through its strong multiplier and backward linkage effects while SME development is also stimulated through local purchases. The study states:

"Artisanal and small-scale mining is a precursor to large mines and allows the exploitation of deposits that are not amenable to large-scale mining. However, the sub-sector is beset with formidable challenges, and (until recently) are largely neglected."

According to the study, however, ASM is impacted by limited capacity leading to low productivity; a lack of coherent policy support (dealing with micro and informal activities); and difficult working environments with inadequate infrastructure. Dr. Kweka stated that 'commendable' efforts have been undertaken by the Tanzanian government to recognise and support ASM and these align with the aspirations of the AMV:

"The policy environment is improving and that is where Tanzania I think is making a huge headway to assisting the artisanal miners."

Initiatives include improving the geological knowledge of deposits for ASM while over 589,613 ha of land is now being demarcated for ASM to define the mineable reserves and guide the miners. Financial and technical support has been provided to operators who comply with requirements to access the small-scale mining finance facility of TZS 8.1 billion. The Primary Mining License (PML) is now decentralised and also the processing time is reduced to one month compared to four months in 2011. There is now a regular monitoring and evaluation of ASM sites as evidenced by substantial increases in the number of audits conducted for the sub-sector. The study also highlights the establishment of the Small-Scale Mining Development Division under the Commissioner for Minerals.

These initiatives have led to varied impacts and outcomes. More ASM are being registered with the number of PMLs reached 35,000 in 2015 compared with 14,800 in 2009. There has been an increase in royalties from TZS 143m in 2009 to TZS 3bn in 2013.

Nevertheless, continuing policy challenges in relation to the artisanal sector, according to the report, related to the regulatory framework remaining top-down while funding remains an ongoing issue. Dr. Kweka explained:

"We do not have a mechanism in which the ASM actually can influence the policy. The focus has been on gold and gemstones but less on industrial minerals, which may be important to the country's industrialisation strategy and have a greater potential for integration with other sectors."

According to the study, there is also a low level of understanding of the ASM and its potential for socio-economic development. LGAs are also seen as lacking resources for supporting ASM; while the State Mining Corporation (STAMICO) have limited scope on the sub-sector. There is a lack of funding and local infrastructure to support research, development and innovation.

In terms of capacity challenges for leveraging mining for development, the study poses four key questions:

- To what extent are the benefits from mining integrated in the planning system for LGAs?
- What are the key factors determining implementation of development programs?
- How effective are the initiative to build capacity of local businesses to respond to business opportunities in collaboration with central Government?
- Do LGAs undertake economic analysis for informing dynamics and role of mining in LED?

Dr. Kweka stated:

“Overall, [the] implementation capacity is remarkably subject [to] funds. We did not find significant capacity building initiatives, although [the] willingness and needs are evident. Integrating mining in the Local Government Authority planning is an overarching priority.”

Responses from the local government interviews conducted during the study reveal the narrow scope of capacity at the LGA level.

In response, the study offers a proposed strategy for capacity building mindful of the key constraints relating to a weakly prepared business sector; weak collaboration between central and local government authorities; and rigid structure that limits LED. The strategy recognises key opportunities, including the use of local skills and supplies to increase LED impact. It recognises that LGAs can leverage mining revenue for longer-term income generating projects. District Planning Officers are seen as being keen to customise the role of mining in LED and that trade officers could support the capacity building of businesses at the local level. Key priorities for the strategy cover a needs assessment and mapping, including assessment of training institutions; the preparation of a ‘Skills Development Plan’; and a monitoring and evaluation plan.

The first of the study’s seven recommendations is to take advantage of the AMV to speed up the domestication process by preparing a Tanzania CMV. Secondly, to improve ‘local beneficiation’ and LED impact by providing more support to LGAs, as Dr. Kweka explained:

“So far the focus has been hugely at the central government national level, less on local government authorities which are left to determine their own fate.”

Thirdly, to foster sustainability of LED by developing a rule-based stabilisation fund from the mining wealth revenues to benefit current and future generations. Fourthly, to review ASM policies to harness their potential for transformation. Next, to address capacity gaps through key actions, including needs assessment and training for the oversight bodies as part of UNDP/UONGOZI Institute projects. Then to review the extractive resources utilisation based upon known reserves. Finally, to promote policy analysis as a routine responsibility of the policy and planning cadre.

In conclusion after responses to the presentation from the audience, Dr. Kweka acknowledged that policy, legal and regulatory framework changes require the study to be updated. It was asserted, however, that Tanzania still remains ‘on track’ to domesticating the AMV within the country.



Dr. Kojo Busia: The AMV offers a ‘new paradigm of thinking.’

Harnessing Local Content Policy to Increase Value Creation and Addition in the Upstream Mining Sector Africa: Lessons from Ghana’s Country Mining Vision for Tanzania

Presenter: Dr. Kojo Busia, Chief, Natural Resources Section, UNECA

To contextualise the presentation, Dr. Busia explained how the AMV adopted in 2009 was a collective response of the continent to the global changes that were taking place in terms of mineral resources, notably the emergence of China as the biggest consumer of Africa’s minerals – both oil and metals.

A rise in prices of minerals was also seen in global markets following the rise of this new player. The AMV was also put within the context of the history of mining on the continent whereby the benefits of mineral extraction to the economies of Africa had not been significant or transformative enough. He therefore

considers the AMV to be a 'collective response' by the AU through the thinking of its leading experts in this sector and aimed to address the question:

"How does Africa take advantage of this new global context of more discovery of resources, increasing prices on the global market and yet the abject poverty on this continent?"

The AMV as a vision is therefore considered by Dr. Busia as offering a 'new paradigm of thinking' about mining on the continent. Rather than just 'managing' mining the vision seeks to transform the sector. In recognising that the AMV, however, has not always gained sufficient 'traction' to achieving this aim across all of the 23 signatory countries, Dr. Busia stated:

"I acknowledge there has been tremendous movement in the mining sector and extractives as a whole in Tanzania in the last 2–3 years which are in consistent with the Africa Mining Vision. But what are the challenges that remain? How can Tanzania learn from other peer countries?"

It was noted that Tanzania sits within two regional economic communities (SADC and the EAC) and that the highly developed mineral region/sub-region of SADC offers the country a lot of opportunities to learn from other members. He also suggested the country looked further afield:

"Just because Tanzania sits in SADC and EAC does not mean it cannot learn from Economic Community of West African States (ECOWAS) form Ghana, in fact if you look at the structure of Tanzania's economy, the history of mining is much more similar to Ghana than perhaps it is to Kenya or Uganda."

Dr. Busia explained that this thinking was the inspiration for asking how can Tanzania learn from what Ghana is doing in the same context of developing a country mining vision and what are some of the lessons for Tanzania?

Dr. Busia outlined that he would offer a brief of the structure of mining in Ghana and the local content policy it has adopted, if value addition is being achieved and what the country can teach Tanzania about achieving value-added local content and how the enabling policies may be used as a tool to industrialise the economy. He explained this includes the example from Ghana of a supplier development programme which systematically focuses on the opportunities provided by local content to support local businesses and institutions to be able to lead that industrialisation and diversification.

The economy of Ghana was explained as being 'shaped' by mining but Dr. Busia stated that sustainable linkages with the broader economy had been extremely limited, it has not led to this desired outcome:

"The manufacturing of inputs, services and capital goods continues to be supplied from outside the Ghanaian economy... these are missed opportunities for Ghana to use to industrialise, yet the potential is great."

Dr. Busia explained there was annual operational expenditure for the gold mining industry alone in Ghana for the year 2015 of USD 1.21 billion, equivalent to 3 per cent of Ghana's GDP. Additionally, the regional market for procurement on the gold sector accounted for USD 2.66 billion in neighbouring countries like Mali, Burkina and Cote d'Ivoire.

According to him, as a result foreign companies located in the local economy import goods (or get supplies from foreign firms located in Ghana) to 'feed' the mining industry yet ignore all the local industries in terms of opportunities to actually add value: "It is a missed opportunity; it is a market that is sitting there unexplored."

So what does Ghana want to do? Dr. Busia explained that Ghana wants to start a CMV, based on the AMV, to 'transform' its mining sector to achieve industrial diversification.

The presentation was based on the study and report on 'Scaling Up Value Creation and Local Development in the Mining Sector in Ghana' conducted by the AMDC during 2017–18. The study was identified by Ghana's Country Mining Vision Gap Analysis as the most important missing link in Ghana's mineral resources sector and governance. The overall aim of the study is to support Ghana's broader industrial agenda, using the mining sector as a key leverage and local content policy as a strategic tool for industrialisation and diversification.

The report made a thorough assessment of the overall economic context in Ghana with a particular focus on the mining sector's contribution to various dimensions of linkages. The study underscores the structural challenges impeding the country's drive to diversification and industrialisation and the challenges facing local industries from taking up opportunities to supply the mining industry and other economic sectors.

In response to the question: Why mining has not spurred industrialisation in Africa? Dr. Busia started by suggesting that there is too much focus on rents maximisation:

"That simply means we only focus on the taxes that government can/the revenue that government can raise from the sector, everything else we leave to the company to decide. So we wait for this boom, when revenues are high governments raise taxes, when there is a bust... well, the prescription is that you try to attract more investors therefore you lower your taxes."

In this situation, Dr. Busia believes high commodity prices 'disincentivise' investments in diversified activities – rents and revenues satisfy industrial interests, political leaders and technocrats:

"Instead of focusing on competitive value chains that will spill over to other sectors, we focus only on rents. So whenever the rents fall in terms of exports, our economies are shuttered and then it leads to another cycle."

This situation, where a focus on rents maximisation rather than building competitive value chains that will stimulate other sectors for wider industrialisation, was seen in the collapse of the last commodity super cycle (2001–11). He explained how this led to falls in export earnings, revenues, profits and employment with devastating impacts for the economy.

By way of contrast, Dr. Busia compared this 'vicious cycle' to Chile:

"Twenty years ago, Chile was probably similar to [a] typical African mining country, but today they have a robust supply chain along the value chain of the copper industry. Chile is exporting mining services and capital goods to countries like Australia and Canada."

Dr. Busia however highlighted that at least one third of global mineral resources come from Africa yet value addition is 'negligible':

"This is the reality of the structural imbalances in mineral extraction and those countries in Africa that are dependent on mineral resources but have no value addition, this is where we have to change."

Past industrialisation efforts, it was argued, have not harnessed the mineral sector as a key driver of industrialisation. For Dr. Busia, there has not been enough linkages of industrial policy with the local content policy in the mining sector. Mining is seen as tending to operate in an 'enclave' – direct job creation and spill over effects are limited compared with other sectors, its infrastructure is isolated. Few attempts are made to link infrastructure with other sectors.

Yet, as Dr. Busia indicated, other countries like Chile, Australia and Canada show how high value activities in industry and services provide greater basis for a diversified economy using the mineral endowments as the springboard.

In the case of Ghana, it was explained that mining provides 2.3 per cent of GDP, it is a key export in terms of foreign exchange while 50 percent of the FDI comes from mining and other extractive sectors. Dr. Busia, however, points out it provides almost a 'negligible' 1.1 per cent of jobs:

"This contribution does not translate into jobs and until you see that significant job creation by the industry... structurally you are not impacting on the local economy."

He notes mining sector policy in the country is centralised and focuses on rents and taxes. The ASM and the large-scale mining are not well integrated which completely undermines the ability to harness a greater potential. Where ASM and the large scale are well integrated the value chain flows into each other, such as Chile where the artisanal small-scale copper production is an integral part of the large scale extractive operations.

Ghana's local content framework, formulated into a policy since 2006, prioritises local value addition for local materials, services located in Ghana and companies owned by Ghana citizens. It is noted, however, that according to most observers the law did not call on companies to take action to boost local procurement and employment. The initiative was voluntary, the enforcement mechanism was described as 'weak', so in 2012 there was an amendment regulation ('Law 2173') to address the gaps in local content regulation which means if you hold an exploration or mineral license, or if you a mine support services, this law applies to you.

Weaknesses in the law, however, became clear as the discretion for procurement was left to mining companies. According to Dr. Busia:

"There was no issues of rules of origin; how much local is local content? What is the percentage of locally value added whether in terms of labour or the actual raw materials to produce... is it really made in Ghana? And then also packaging, re-packaging; a lot of companies will import and repackage in Ghana... so those rules of origin was important."

In addition, some companies were not actually owned by citizens of Ghana and 'fronting' occurred whereby a foreign-owned company registered locally would then just bring in the desired goods. He said that Ghana has now launched a systematic national supplier development programme as a catalyst for industrialisation. He explained that this aimed to 'bridge the gap' between the firms and the mining companies, thereby providing a systematic effort to help local industries integrate into the global value chain of the sector:

"What you need to do is to create an ecosystem that would deliver a world class product and services to meet the changing competitiveness of this whole mining sector."

By way of example, the Mandela Precinct in South Africa was offered where the universities research community and the mining companies have come together to create an ecosystem of support to for local industries so that they can be competitive globally. Dr. Busia however would later point out that South Africa on the 'consumable part' does not face the challenge of other countries on the continent as they have a robust manufacturing sector that can supply the mining industry's requirements. While commenting on South Africa, it was also noted that the country has to integrate black economic empowerment requirements into local content planning whereas countries like Ghana or Tanzania are focussed on 'indigenisation'.

Dr. Busia emphasised that supplier development programmes requires wide-ranging effort, including skills development among the workforce, with government providing the 'institutional environment' and organisations like UNECA with the AMDC providing technical assistance. It cannot simply be achieved by one ministry alone and requires a multi-sectoral approach with joint venture partnerships with the private sector. He stated:

"Local content do not come by chance, it comes by systematic capacity development, the law alone does not make a difference. So you need to support your local producers which will then have spill over impacts on other sectors."

In conclusion, Dr. Busia emphasised that value addition is a key strategic objective when considering local content policy. Looking in broader terms, he said:

"The challenges facing local supplies are due to weak capacity, capabilities and competitiveness in the mining supply chain and that the mining companies themselves have not committed fully to developing and nurturing these competitive supplies. Hence there is a need for a comprehensive national supplier development programme to create a serious ecosystem for local suppliers."

This is seen in terms of linking up the relevant institutions; promoting research and development; and creating economic free zones with centres to advance technology. This approach would create the enabling environment for developing local linkages (backward, forward, and lateral) and creating a more diverse economy. Foreign capital from mining is seen by Dr. Busia as a 'springboard' to develop other sectors, over a time a government can then overcome the 'rent maximization dependence' from natural resources. As for Tanzania, he observed:

"There have been some key fundamental policy changes in the regulatory environment over the last few years and that should be commended, but it should not end there; for example, the local content framework and requirements have been laid within the context of these regimes, there is rigorous compliance and monitoring tools being developed and I've seen some of them...yet it is not enough. Mining companies have to be consulted and engage in the development of these policies..."

Dr. Busia emphasised the need for a strategic policy framework for a national supplier development programme in the mining sector in Tanzania to allow the private sector to take full advantage of local content requirements. This requires urgent actions, including a comprehensive assessment of the structure of the mining sector and its potential for creating a conducive environment in the upstream sector.



Dr. Oladiran Bello: We will not improve extractive governance outcome in Africa if we still rely on data largely collected from the colonial era.

Challenges Encountered and Opportunities Created by Domesticating the Africa Mining Vision: A Case of Nigeria

Presenter: Dr. Oladiran Bello, Executive Director, Good Governance Africa

The presentation began with a description of Nigeria as an 'outlier' in relation to mining, coming from a 'low-base' with oil/gas dominating public finances and commercial interests. The government, however, have a target to have mining contribute increasingly to GDP to reach some USD 27 billion dollars by 2027.

Today that figure is around 0.5 per cent of GDP and it is aimed to have it rise by some 3 per cent by 2025.

Dr. Bello suggested Nigeria's most important mining lesson is in limestone:

"Without much in the way of transparent governance or a well-communicated plan, Nigeria's limestone/cement sector has become one of the drivers behind Dangote's widely admired story."

He explained that with a handful of well-organised cement manufacturers (Dangote, BUA, Lafarge and others) allowed to operate freely in a relatively enabling 'oligopolistic' market environment have used limestone to 'transform' Nigeria. Dr. Bello observed that within a decade, the country had gone from being a cement importer to being a leading exporter and FDI provider for the commodity in Africa.

With reference to the AMV and compliance, Dr. Bello evaluated it on two levels in relation to Nigeria: technocratic (box ticking) and substantive (transformational) which he suggests can both indicate progress and are not 'mutually exclusive'. First as a 'box ticking exercise': meeting the 'straight forward' requirements to try and align the country with a number of AMV principles. He suggested that Nigeria has made substantive steps, especially since election of the President Buhari's first administration in 2015, with a Mining Road Map (2017) essentially setting out a number of steps, policy changes and amendments to laws. This outlines a number of technical, operational, consultative and other steps envisaged for achieving sustainable management of the sector. These steps have brought the country more 'in line' with sensible mineral sector governance with much of it being 'a nod' to the precepts of the AMV.

Dr. Bello's second evaluation related to determining what are the substantive transformational changes beyond being 'compliant on paper'. He asserts there has been a limited 'buy in' by national institutions compounded by wider pressures:

"Nigeria has also been grappling with some of the challenges imposed by the falling oil prices, the global oil price nose dive around 2014, that has created a lot of constraints in our public finance, Buhari was very clear to the leaders of our mining ministry about what targets he wanted them to meet in his first administration, what I see now is that reality is probably now biting..."

Progress is not always made at the speed many would want:

"On the substantive AMV compliance side, there are ingrained systemic structural challenges intricately bound up with Nigeria's history of governance failure in oil and gas, which have in turn held up mining sector transformation."

Also highlighted was the 'Derivation Principle', the country's revenue-sharing formula that is encapsulated in Nigeria's constitution and refers to the percentage of the revenue oil-producing states retain from taxes on oil and other natural resources produced in the state. This is considered to 'hold back' government efforts to provide incentives to stimulate the sector. The states therefore need to have a 'meaningful stake' in the mineral wealth within their boundaries which may require constitutional reform.

Dr. Bello asserted that political plus institutional buy-in is key for CMV success but observes:

"It is ironic that pockets of impressive and commendable progress that Nigeria has made in oil and gas – the anchor extractive industry – has not translated into practical interventions informing mining sector Governance, even as broader continental level lessons/support for mining being sought."

Dr. Bello however was more complimentary about the national multi-stakeholder group (MSG) formed to oversee the activities of Nigeria's implementation of the Extractive Industries Transparency Initiative (EITI) process, a global initiative that seeks to promote transparency in company payments and government revenues from oil, gas and mining. Dr. Bello suggested advances by this group demonstrate that it is key for CMVs across Africa to emulate synergy between such multi-stakeholder groups and senior political leadership:

“I also think that I must emphasise the dimension of not just political buy-in at a very high level but also you need some degree of institutional level domestication if some of the principles being set out in a country mining vision are to last beyond specific administrations.”

The governance process was later considered in terms of accountability with the suggestion that the ‘active engagement of citizens to keep politicians honest’ was a necessity for all countries. Following on from underlining the importance of political and institutional ‘buy in’ was Dr. Bello’s consideration of having the ‘requisite level’ of investment as central for managing and scaling up the sector:

“We will not improve extractive governance outcome in Africa for example if we still rely on data largely collected from the colonial era.”

Action at the regional level was also considered with reference to the African Continental Free Trade Agreement creating an opportunity for a ‘fresh reflection’ upon mining in relation to government, trade and investment. He pointed to opportunities, such as shared regional standards, and said that there is a ‘lot more that we can do’ to regionalise the principles in the AMV.

His presentation also outlined how regional-level co-ordination will allow African states to ‘leverage’ upon each other. This applies to ‘know how’ (especially among regulators); standard setting and ‘moral persuasion’ (through peer pressure); shared efficiencies (for example implementing comparable environmental standards); and pooling of resources (for large investments such as regional geo-mapping or data management).

Dr. Bello’s concluding remarks began by observing that with high oil prices, Nigeria’s ‘transfer federalism’ would continue to discourage the few states ‘thinking hard’ about developing mining. He also considered the AMV itself, asking:

“Do we provide enough clarity, practical guidance and implementation support in the context of this framework? A lot has been achieved through the country mining vision process but...for African countries to increasingly buy in the future we need to raise our game.”

Reference was made to the AMDC moving from UNECA in Addis Ababa to a permanent location in Conakry in Guinea and its potential to further advance vital institutional and technical linkages needed by states.



From L-R: Mr. Terence Ngole, Dr. Lacina Pakoun, Dr. Kojo Busia, and Dr. Paul Jourdan.

Panel Discussion on Implementing Country Strategies

Panelists:

- **Mr. Terence Ngole, Assistant Commissioner (Local Content and CSR), Ministry of Minerals, Tanzania**
- **Dr. Paul Jourdan, Independent Mineral Policy Analyst, Mintek South Africa**
- **Dr. Lacina Pakoun, Technical Specialist, UNDP, Ethiopia**
- **Dr. Kojo Busia, Chief, Natural Resources Section, UNECA, Ethiopia**

The panel firstly considered the issue of local content with Dr. Busia observing it is not simply a matter of definition and legislation but also to determine what a government wishes to achieve through a local content policy across all sectors. For Dr. Busia, the 'driving factor' is that local content should be used as a 'catalyst' for industrialisation and that it occupies a prominent place in mining compared with other industries. He also highlighted the complexion of mining's global value chain and how local content can prevent illicit outflows of money from a jurisdiction by reducing the practice of transfer pricing:

"If companies are sourcing locally, the less opportunities they have to undertake transfer pricing."

He also differentiated between enacting a local content policy by law and governments creating the conditions, such as access to finance within the banking system, to enable local companies to have the operating capacity to meet the supply demands of the industry. The government is considered to be a key part of a whole 'ecosystem' addressing such issues as skills development; STEM education; and research and development. This

makes a local content policy 'meaningful' with mining becoming the 'main anchor sector' for building the economy.

Dr. Pakoun considered local content in terms of revenue sharing and how this has been mainly dominated by tax revenue. For Dr. Pakoun, this approach has resulted in creating 'large-scale poverty' in resource-rich countries, especially within mining communities. The link was made between the risk of large-scale poverty causing large-scale conflict. Reference was also made about the

difference between local content and local procurement. This can result in companies referring to the purchase of goods and services from domestic suppliers as 'local content'. From Dr. Pakoun's perspective:

"Local content policy will be stronger if we [are] able to indigenise the mining policy, the mineral regulation to cover all those aspects and make sure that a very minimum portion of the value chain is left behind."

Dr. Jourdan agreed with Dr. Busia that local content features more mining than other industries as it is a leased state asset – but a depleting one – so governments are under pressure to optimise the revenue derived from it. The law is considered 'critical' to local content for Dr. Jourdan as it is ultimately the threat of losing a mining license that makes companies (the key driver) work to make it work. The differentiation was also made between local content in terms of employment (indigenisation) and inputs covering goods and services.

Mr. Ngole began his observations by placing local content within wider concerns about the extractive sector. He made reference to Tanzania's special mining taxes, including royalties, that are additional to the general income taxes and other forms of taxation paid by most sectors. For this speaker, however, this form of compensation to the country for the depletion of non-renewable resources was insufficient:

"What we are getting is peanuts compared to the value of the resource that we are wasting."

With specific reference to local content, which Mr. Ngole considers a counter balance to this situation, he referred to Tanzania's three new acts on resource management passed in 2017. These were intended to have far-reaching impacts on contractual arrangements in the extractive sectors. Under this new legislation, mining companies must satisfy new provisions on local content, CSR and there are requirement for mineral rights holders to make an integrity pledge. He noted, however, that strategies for Tanzanians to fully realise the commercial opportunities this legislation presents have not

succeeded in building the necessary capacity. Access to credit was also highlighted as a challenge, for example insurance companies wishing to cover the mining sector. Technical capability was also mentioned in relation to local content. Shortages of qualified employees are a key obstacle for generating local content in countries like Tanzania. Education and skills enhancement at all levels is a major requirement.

Capacity as a cross-cutting issue was then considered in terms of LGAs, government and the private sector within the context of Tanzania domesticating the AMV. Dr. Jourdan considered this in terms of government creating the legislative conditions while the private sector provides the capital. Special reference was made in relation to when countries do not grant licenses through a legal framework that fully governs the rights and obligations of the state and the company. He warned against countries, like Niger or Sierra Leone, granting mining rights to companies through individually negotiated agreements. Such a deal can be less favourable for the host government and population. Such mining contracts may even sit outside of the legal framework of the country altogether, so that no subsequent changes in legislation – whether fiscal, environmental or social— will apply to that mining deal. Dr. Jourdan urges countries like Tanzania to opt for a licensing regime that limits the types of and extent to which terms can be negotiated:

"Keep it simple... and have a national law they [companies] must comply with. And keep government to the minimum and use the private sector to create those capacities."

Mr. Ngole highlighted the lack of capacity for domesticating the AMV in terms of small-scale miners while much of the focus is mainly on large-scale, foreign corporations. Initiatives to address this issue were cited, such as the African, Caribbean and Pacific Countries – European Union Development Minerals Programme that has supported key stakeholders (including small-scale miners) to achieve sustainable and inclusive development across areas of mining.

Dr. Busia pointed to the challenge facing many African states who lack the resources to domestically meet such a huge capital demands of mining while also having to present their jurisdiction as 'attractive' to mining corporations. While Dr. Busia recognised the centrality of legislation to safeguard national interests the reality can present a serious challenge:

"The reality in most of mining jurisdictions in Africa is desperation, countries that are desperate for foreign capital and investment."

He therefore asked how can governments effectively negotiate suitable deals and have the public sector capacity to manage agreements and regulate better. He also pointed to the development challenge of African states which have primarily agricultural economies with an insufficient tax base to provide key services. In such circumstances the creation of conditions conducive for management of the industry extends beyond legislation:

"So using the law alone as a means to enhance local content is not going to be enough, we need to build the capacity first to be able to take advantage of the opportunities for local content."

He cautioned against relying on legislation for implementing local content objectives as countries may be 'waiting forever' due to 'push back' from mining companies. A comprehensive national supplier development programme with a clear industrial strategy is proposed as an effective option for building national capacity:

"We need to build the capacity in the country in the public sector, the private sector... even civil society as a watch dog, then use that to be able to effectively take advantage of the local content opportunities that exist in the country. And this for me is where capacity and legal framework must go hand in hand."

Mr. Ngole also highlighted the importance of small-scale mining. While the informal and mostly un-mechanised nature of such operations mostly results in low productivity, the sector represents an important livelihood and income source for low income populations. Sudan's controversial gold production was cited as a country where its mining is primarily undertaken through artisanal mining.

R&D was also mentioned with increased linkages between academia, universities and mining. Geoscience knowledge being more closely aligned to priorities for African mining (especially small scale) was cited as an example.

The discussion went on to consider local content in relation to Botswana's diamond industry that has advanced through a broad-based consensus. This achievement in Botswana has contributed to it being one of the few countries in sub-Saharan Africa that has really benefited from its mineral wealth. It must be noted, however, that high unemployment and limited export diversification, the wider and long-term benefits offered by mining has been questioned.

This wide-ranging discussion on local content recognised the importance of how clearly defined policies can act as a strategic instrument with resulting legislation with leads to a clear and long-term plan for implementation. On capacity building, the need to meaningfully include all stakeholders to address major technical and financial issues (addressing both ASM and large-scale mining) was also considered to be important.



Mr. Jambo Ramadhani on Natural Resource Management Initiatives in Tanzania.

Natural Resource Management Initiatives in Tanzania

Presenter: Mr. Jambo Ramadhani, Researcher, UONGOZI Institute

This presentation focused on mining resources (or mineral resources) initiative management in Tanzania to explain what has already been done in sector towards domesticating the AMV. The presentation was framed within the recognition of the country having a rich, varied array of natural resources (including 10 per cent of Africa's gold). The government's aspiration for mining was considered in terms of creating an industry that is very competitive but also contributes to socio-economic development. This includes job creation through a socially inclusive industry with strong participation by local communities. The linkages between mining and other economic areas were recognised while the environmental impact of the industry was also highlighted.

It was explained that Tanzania has been reviewing policy, regulatory and institutional frameworks which govern the mining sector and the natural resource sector altogether. Part of this work has included Tanzania becoming a signatory to the AMV which is considered to largely align with the nation's approach towards economic development and its second five-year development plan. Strategies promoting information management and public participation were also highlighted. Institutional coordination was explained in terms of how the Ministry of Minerals increasingly coordinates with the Mineral Resource Institute, STAMICO, the Tanzania Geology Centre as well as the Mining Commission, established with extensive powers to regulate and monitor the mining industry and mining operations.

The country's commitment to greater transparency in the global extractive industry has been reflected in the Extractive Industry Transparency and Accountability Act (2015). Industry oversight was explained with reference to the National Assembly, the National Audit System, the Prevention and Combating Corruption Bureau and the Public Procurement Regulatory Authority Ethics Secretariat. Public awareness campaigns, such as programmes aired by the Tanzania Broadcasting Corporation, were also mentioned.

The impact of mining upon the environment and citizens was considered with reference to the Strategic Environmental Assessment, introduced in 2018, which is now a legal requirement and prerequisite for a mining license. This forms part of a growing momentum in the country to promote greater compatibility between the mining industry and environmental conservation.

Furthermore, Mr. Ramadhani highlighted CSR programmes in relation to addressing local community social and environmental concerns. Explaining that CSR is now a requirement under Tanzania's mining law, with investments being closely monitored by the government and companies working with local authorities to improve local infrastructure, health services and education - albeit with mixed results.

The debate over the perceived gap between the income of mining companies and how ordinary citizens benefit from mineral resources led to a new regulatory framework in July 2017. This new framework, that affects existing MDAs, aims to protect Tanzania from the international exploitation of its mineral resources. Legal reforms have also had other effects upon mining, including having the payment of withholding tax of 5 per cent by small-scale miners stopped in 2019 and plans to establish mineral trading hubs aimed at eliminating illegal exporting while also cracking down on tax evasion. According to him, this will formalise the present trading system, giving small-scale miners access to a government-regulated market. This means they can directly and legally trade precious metals or stones without having to travel to major cities. Mr. Ramadhani added:

"These amendments have resulted in the government being entitled to own a stake to the mining projects operating in the country, as well as expansive powers to renegotiate existing mining contracts. On the other hand, the new laws have also drastically changed the investment climate in the country especially on how Tanzania is viewed by extractive companies."

Mr. Ramadhani recognised the importance of mining linkages to the wider economy. He also acknowledged the importance diversification for achieving sustainable economic growth in Tanzania. This aim forms part of a wider national industrialisation plan to transform the economy, generate sustainable growth and reduce poverty.

Challenges were identified in relation to co-ordinating strategies and plans relating to the sector. He also welcomed the opportunity for Tanzania to see best practice case studies to help improve transparency around contract disclosure in the mining industry. Access to geoscience information was discussed in relation to how a public national geological survey organisation, with limited budgets, can access data from the private sector.

Before concluding, Mr. Ramadhani acknowledged the challenge of establishing an appropriate fiscal regime for the mining industry. The government has the challenge of achieving a balanced approach that does not limit mining activity (and ultimately constrain government revenues) but will ensure the nation's mineral wealth is sustainably harnessed for the benefit of all citizens. The effectiveness of environmental impact assessments as an environmental protection tool requires the processes of strategic environmental assessment and environmental audits. He summarised the challenge of effective and efficient enforcement, not only in terms of the biophysical and social environment, but also across the exploration, prospecting, pre-feasibility and mining phases. State owned enterprises (fulfilling commercial, regulatory or administrative functions) continue to face financial and government challenges. Finally, the challenge of allocating revenue from mining remains in terms of having balanced systems and governance together with macroeconomic policies to achieve better development outcomes for the whole nation.

Draft SADC Regional Mining Vision

Presenter: Dr. Paul Jourdan, Independent Mineral Policy Analyst, Mintek South Africa

Dr. Jourdan firstly explained that as part of the team that produced the AMV, regional economic communities were not given full consideration. He recommended that CMVs should align with a regional strategy. He went on to explain the importance of a regional mining vision for effective natural resource governance:

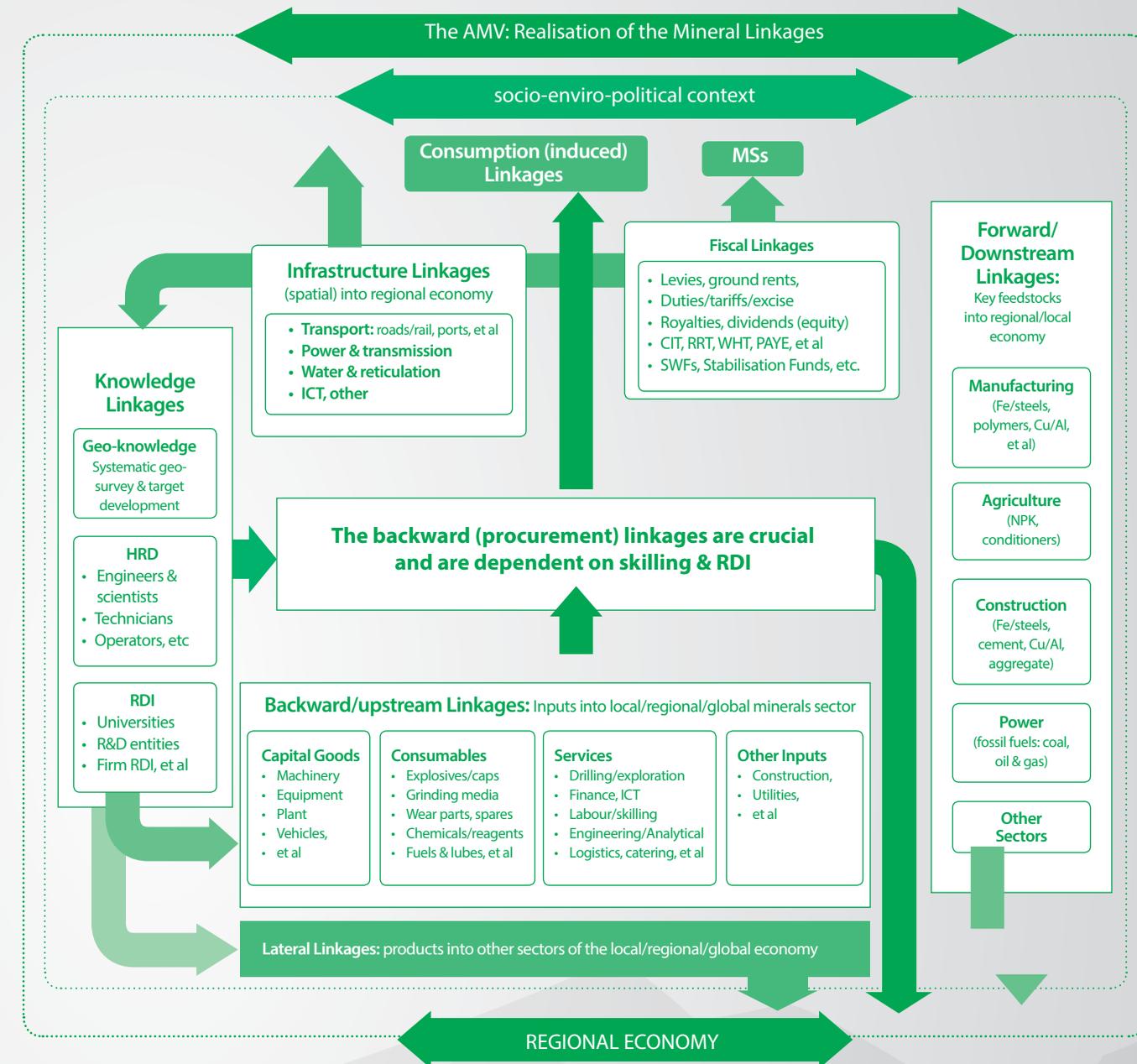
“When we tried to do Country Mining Visions in countries (like Malawi) where the markets are too small to make the linkages and they have to work together as a region to get those linkages ... A regional strategy gives us a huge market ... We have a huge opportunity ... so to fully really realise these huge opportunities we need regional strategies starting with a Regional Mining Vision.”

He explained that SADC’s RMV came out of the Action Plan for SADC’s Industrialisation Strategy and Roadmap 2015-2063. This strategic regional cooperation, designed to address shared and common issues in the extractive sector, was considered in terms of the implementation of the SADC’s Mineral Benefication Plan implementing a regional strategy for the manufacturing of capital goods for mining; and the SADC Raw Material Initiative designed to ensure member states cooperate on access to raw materials and their use for value addition.

Dr. Jourdan further explained:

“We also cover many of the other action plan pillars of the region; global value chains obviously, all our mining is in global value chains, diversification of industrial production through the linkages, development and expansions of clusters particularly the input clusters, the services, the consumables, the capital goods and closer public-private cooperation.”

In terms of private-public partnerships, it was proposed that the ‘private’ side split into foreign and local. Foreign companies are seen as offering technological know-how as part of their wider industry expertise, while local capital would be built by local entities and government acts as a regulator.



Procurement channels through which capital goods, consumables, services or other inputs flow between a company and its suppliers which in turn creates a network of interdependence linked to the mining industry was highlighted by Dr. Jourdan as a key consideration:

“Our ultimate objective is the [development] of Backward Procurement Linkages because they are the path to industrialisation or what the SADC industrialisation Strategy calls Factory SADC.”

He went on to identify lateral (or horizontal) linkages as the ‘long term objective’ whereby new commercial opportunities are created based on capabilities and skills from mining value chain. This can diversify the economy away from the extractive sector as Dr. Jourdan explained:

“We want to industrialise beyond finite mining ... so when the mining is finished we want these capital goods companies to be producing completely different things.”

Development minerals were highlighted as a key focus for SADC. According to Dr. Jourdan, materials and minerals considered low-value (like granite, gravel or sand) that are mined, processed, manufactured then used locally in industries from construction to agriculture deserve greater attention in the region:

“We must focus on what our people need, the raw materials they need to develop, and we will change their lives.”

The challenge of mineral processing technologies (refining raw materials into finished products) was highlighted because of the barriers to entry presented by the scale of production and necessary investment. SADC was seen to offer opportunities for the coordinated development of processing capability.

Dr. Jourdan presented the draft of the SADC’s RMV statement:

“The SADC region strives to attain a transparent, equitable and optimal exploitation of regional mineral resources to underpin broad-based sustainable

regional growth, socio-economic development and inter-generational equity, through the realisation of all of the mineral linkages, in line with the SADC Regional Development Agenda and other continental and international aspirations.”

He explained it was anchored in the tenets of the AMV and accordingly is aimed at optimising the sustainable developmental impact of mineral resources extraction across the region whilst being cognisant of the differing maturity of the minerals sector in the Member States.

Resource-Based Industry strategy options for Regional Economic Communities to overcome single state constraints

- Increase market size and scale economies for both mining inputs and outputs, for both intermediates and semi-fabricated products (key feedstocks into local-regional development)
- Access a much wider range, quality and size of mineral deposits for key strategic mineral feedstock requirements
- Widen and strengthen STEM skilling and RDI capacity / capability
- Improve regional geo-knowledge through cross-border collaboration in geological research
- Harmonise and align mineral regimes to create a uniform operating environment supportive of linkages development
- Strengthen minerals sector oversight, auditing and revenue collection
- Enhance infrastructure capacity and efficacy through harmonisation and alignment of transport, power and water systems and multi-MS resource-based development corridors
- Enhance local economic and social impacts of mineral projects through harmonised corporate social responsibility and investment mechanisms
- Improve worker health and safety through alignment of codes improve environmental sustainability through alignment of codes/SEA/EIA

A key element of the RMV raised by Dr. Jourdan relates to the issue of ‘variable geometry’. This is because SADC Member States are at widely varying levels of development, which impacts on their ability to benefit from regional strategies :

“Consequently robust instruments need to be developed to manage variable geometry and “level the playing field” for weaker economies, less able to reap the benefits of a regionalised mining vision.”

Main challenges to developing regional mineral value chains

- Lack of coherent regional mining supply chains development strategy
- Lack of SADC strategies/instruments to address “variable geometry”
- Sub-economic market sizes of Member States for scale economies for linkages industries
- Serious energy constraints in almost all Member States (especially Zambia, DRC and Zimbabwe)
- Poor transport infrastructure (high logistics costs)
- Tariff barriers and non-tariff barriers to intra-regional mining inputs trade
- Poor minerals technology (RDI) capacity
- Inadequate STEM skills formation and mobility
- Constrained access to finance
- Lack of incentives/disincentives to add value
- Water constraints (especially Namibia, Botswana and SA)
- Weak mining regimes and weak governance, resulting in poor backward linkages development
- Lack of Member State mining regimes alignment with AMV/CMV
- Prevailing Member State “self-sufficiency” doctrines/policies/strategies

To manage variable geometry, Dr. Jourdan proposes various measures, firstly regional local content recognition:

“We recognise our neighbours but discounted at the inverse of their richness; so we discount the rich ones the most and the poor ones we give the bigger break.”

Improving logistics is also a key requirement as countries have different abilities to trade and realise a regional market so SADC needs some way of overcoming it. Cost of capital is third with SADC having to intervene with a regional fund, financed by the mining industry and governments, DFIs and development partners to create a Venture Capital Fund for new businesses.

Knowledge is another key focus, with Dr. Jourdan proposing mining companies are required to invest 5 per cent of annual payrolls in to skills development but within SADC countries only. Similarly, R&D is to be kept within the country where mining operations occur or other activity in other SADC countries could count towards the expenditure.

Key linkage license obligations would set concrete local content targets for goods and services. Infant industry protection could apply for new investments into mining and mineral processing inputs and key feed stocks industries. Discounted regional value addition is also proposed with goods and services from other SADC countries qualifying if there is no availability within the country where operations are taking place.

Value addition targets above a base state for strategic minerals, adding more value to these resources within a country’s borders, is also identified as a major objective. This could also be extended out to processing in neighbouring states. Dr. Jourdan also suggests the state should have a ‘right’ to 30 per cent following the processing of primary commodities that are used to produce goods, finished products, energy, or intermediate materials that are feedstock for future finished products. This is based on a ‘reasonable return on investment’.

Dr. Jourdan proposed ‘ameliorated instruments’ to balance South Africa’s dominance in the mining within SADC and ‘level the playing field’. It was recognised, however, that each Member State has different feed stocks and even South Africa, while mining nearly 100 minerals, has no potassium and alumina. His conclusion therefore stated that Southern Africa significant and diverse mineral resources and production. Combined with the size of the regional market together with the ingenuity and energy of its diverse people, SADC provides a huge market opportunity for the local regional manufacture and supply of mining and mineral processing inputs. This has the potential to enhance regional industrialisation aspirations. However, it can only be achieved through the development of a SADC mineral supply chain and strategy within the governing framework of a RMV for the benefit of all of citizens.

The Process of Preparing a Roadmap for Developing a Country Mining Vision

Presenter: Dr. Kojo Busia, Chief, Natural Resources Section, UNECA

Dr. Busia began by noting that there is no ‘one size fits all’ template to the CMV exercise and it would be wrong to be prescriptive. He however recognised that UNECA’s ‘A Country Mining Vision Guide Book’ (published 2014) provides general guidelines for countries, adding that:

“Each country would do it differently in terms of process and also in terms of the product of what we call the Country Mining Vision, it has to be context specific tailored to the specific needs, aspirations but also the specific political economy, political culture, technocratic abilities if you like or capacity.”

While a ‘template’ may not be appropriate, Dr. Busia acknowledged the value of sharing principles that should be observed in developing a roadmap for Tanzania’s CMV. He first addressed the process of ‘how do you get there’, describing it as a ‘dynamic interaction’ or engagement which in that process leads to an outcome which will inform the way forward. He said:

“That process must be participatory to ensure the sustainability of the Country Mining Vision itself, in other words it must have all stakeholders on board with the view to align the interests of all ... from the citizen at the bottom all the way to the state at the top ... So we need to align all these interests through an interaction, through engagement and then come up with something optimal that we can call Country Mining Vision.”

He stressed that the key is considered to be the production of a ‘consensus document’:

“In other words we cannot do a Country Mining Vision for a government, we do it for the nation, for the country, for the people and therefore must go beyond specific election or specific regime.”

Dr. Busia described it as a ‘document or a contract between the state and its citizens’, formed by national consensus around how natural resources must be used in the interest of the people, not in the interest of a particular government or a political party. The business community, government, parliament, civil society, plus representatives from communities must contribute to and validate the document. In addition, he stated that both the ‘political economy dimension’ of natural resources management plus the ‘social dynamics’ must be well articulated, understood and addressed.

The process was recognised as being formed around analysis that identifies its ‘strategic pillars’ with stakeholder validation (in its broadest sense) being crucial. Dr. Busia referred to ‘real stakeholders not experts’ who must get the opportunity to share the vision they have for the sector and for the country. This process will then build a consensus and determine the priority areas which the country mining vision must address. Effective stakeholder engagement and communication strategies, as outlined in the ‘A Country Mining Vision Guide Book’ are considered to be essential.

He then posed a question: How then do we generate a shared blueprint that will become the CMV for Tanzania? Dr. Busia went to propose an iterative process with planning that can adapt based on feedback, changes in the project assumptions or scope. Furthermore, constant review and rethinking based upon ‘real stakeholders’

or interest groups who can take ownership of the identified 'priority areas' or even include more for the CMV. He said that an 'action plan' to address these issues identified for the CMV is needed. To add more, he suggested that an 'overarching coordinating body' in the country was needed because of the multi-sectoral and multidimensional nature of the process. He pointed out examples of country steering committees made up of different ministries and departments, in some cases as high as the office of the president being involved and chairing the steering committee. Ghana has had an economic management team under the vice president. This body has led the CMV work and given it 'political weight', drive and resources. He explained:

"A national body that will oversee the entire process of implementing a Country Mining Vision to provide direction but also to give direction to the external partners as well ... Often if you are not careful some of these projects can be side tracked by external influences and external interest i.e. loans from the World Bank and even the bilateral donors sometimes takes over national agenda and diverts it. We need to be vigilant in that sense so you need that political weight."

Dr. Busia then addressed the 'how': what would be the areas that would be considered strategic pillars for a CMV in Tanzania? And how do you even put it together as a document? He believed that the country's policies are in place, which together with changes in legislation, are largely consistent with the AMV principles and agenda. The laws that have been passed, however, require regulation acts need to be implemented which means setting up new institutions to make sure that the 'physical regime' is actually a 'practical reality'.

Country and regional local content considerations were then discussed: what kind of capacity building programmes and projects do you create to get local businesses engaged in the mining sector? What are the regional agenda and aspirations? The two were considered to be complimentary by Dr. Busia who suggested that national local content laws with a capacity building project (including the national supply development programme) with aspirations to achieve this on a regional level was necessary. These were considered mutually reinforcing.

Local economic development was also identified as a strategic pillar with Dr. Busia explaining:

"Ultimately the biggest indicator for a shared benefit mining sector is to be judged by the immediate localities and communities where the mines are based, it does not matter how much benefits it brings nationally to the physical regime in terms of revenue if the communities themselves are not benefiting, the social license to operate must come from the immediate community."

Finally, the cross-cutting strategic pillar of capacity building was considered in relation to meeting the specific needs of a particular program or project to support the mining industry. Dr. Busia cautioned against the natural resources sector using 'traditional donor methodology approaches' to capacity building in Africa with donors largely driving both the dialogue and outcomes:

"We still want to wait for donors to tell us what to do to build capacity for the sector which is the core for transformation on our continent, we have to stop that ... We must invest in the sector to build skills to build the knowledge base, to build the industries that will help us to participate in creating this value that we want to create."

In conclusion, Dr. Busia emphasised that 'the process is as important as the product'. The outcome or product will be determined by validation by interest groups and stakeholders using agreed strategic pillars, some of which were mentioned in the presentation. An 'overarching document' is then required and he urged Tanzania to swiftly complete this phase.

Way forward

Mr. Terence Ngole, Assistant Commissioner (Local Content and CSR), Ministry of Minerals, Tanzania, on behalf of the Commissioner for Minerals

Mr. Ngole began by thanking all participants for their valuable contributions shared during the event, which forms part of the preparations towards producing Tanzania's CMV. He recognised the support of UONGOZI Institute and UNDP in this process and stated:

"To achieve this, the Africa Mining Vision fundamentals and guidelines are absolutely vital for realising the inclusive and broad-based socioeconomic benefits of our countries in Africa from the mining sector."

He acknowledged that the "Gap Analysis of Africa Mining Vision Implementation in Tanzania" would inform the planning together with the experience of other African countries (including Ghana, Nigeria and Kenya) who participated in the event.

In concluding, Mr. Ngole stated that the Ministry of Minerals will propose that the Tanzanian government establish a team that will be responsible for formulating the roadmap leading to the production of the country's mining vision.



Prof. Simon Msanjila delivering closing remarks.

Closing Remarks by Prof. Simon Msanjila, Permanent Secretary, Ministry of Minerals, Tanzania

Prof. Msanjila began his closing remarks by expressing appreciation to UONGOZI Institute for being given the opportunity to conclude the proceedings of the forum. The Permanent Secretary acknowledged that the continent still has to overcome many challenges in order to effectively utilise its natural resources. He then posed the question: "Why are we failing to effectively use what we have?" Tanzania was given as an example of a country rich in natural resources, yet since independence the state remains poor despite minerals being mined and exported.

He noted that Tanzania immediately became a signatory to the AMV after it was instituted and that the 'revolutionary changes' happening within Tanzanian mining are 'in line' with it. This includes the introduction of 'free carried interest' whereby an equity interest is now granted to the state by the company holding a mining license. The free carried interest is currently charged at 16 per cent for all mining licences. In addition to the free carried interest shares, the government shall be entitled to acquire, in total, up to 49 per cent of the shares of a mining company commensurate with the total tax expenditures incurred by the government in favour of the mining company.

He also touched on the efforts to maximise Tanzanians' participation in mining through the ASM sub-sector and promotion of local content policies. He cited the Tanzania Extractive Industries Transparency Initiative as an example of government efforts to maximise the monetary, social, and environmental value of mining by deepening extractives transparency and improving revenue collection. He said that all these measures were aimed at ensuring the country and its people benefit as much as possible from the mining industry.

The Permanent Secretary expressed his hope that the forum had identified 'gaps' that exist in the harmonisation of Tanzania's approach to mining and the AMV while acknowledging the reforms that have been implemented. He also cautioned against regulatory or policy documents having to 'remain on shelves' if the mindset of stakeholders did not change. He underlined the importance of putting national interests before personal motives in order to overcome corruption.

Prof. Msanjila recognised the forum as a valuable opportunity for the participants to offer guidance to the state as it seeks to maximise the benefits of the mining industry for the country. He advised that he would be awaiting, together with the Minister for Minerals, for a report from the forum and stated:

"I assure you that we will implement your recommendations."

Appendix 1: Programme

Day 1

Time	Description
08:00 – 08:30	Registration
08:30 – 08:40	Welcoming Remarks Prof. Joseph Semboja Chief Executive Officer, UONGOZI Institute
08:40 – 08:50	Introductory Remarks Ms. Natalie Boucly UNDP a.i. Resident Representative
08:50 – 09:00	Welcoming the Guest of Honour Prof. Simon Msanjilla Permanent Secretary, Ministry of Minerals
09:00 – 09:45	Opening Remarks Hon. Doto Mashaka Biteko (MP) Minister for Minerals
09:45 – 10:05	Presentation 1: An Overview of Africa Mining Vision Dr. Paul Jourdan Independent Mineral Policy Analyst, Mintek South Africa
10:05 – 10:30	Discussion
10:30 – 11:00	Group Photo and Tea Break
11:15 – 11:45	Presentation 2: A Gap Analysis of Africa Mining Vision Implementation in Tanzania Dr. Josaphat Kweka Senior Research Associate, Talanta International
11:45 – 12:15	Discussion
12:15 – 12:45	Presentation 3: Harnessing Local Content Policy to Increase Value Creation and Addition in the Upstream Mining Sector Africa: Lessons from Ghana's Country Mining Vision for Tanzania Dr. Kojo Busia Chief, Natural Resources Section, UNECA
12:45 – 13:15	Discussion
13:15 – 14:15	Lunch Break

Time	Description
14:15 – 14:45	Presentation 4: Challenges Encountered, and Opportunities Created by Domesticating African Mining Vision: A Case of Nigeria Dr. Oladiran Bello Executive Director, Good Governance Africa (GGA)
14:45 – 15:15	Discussion
15:15 – 15:55	Panel Discussion on Implementing Country Strategies <ul style="list-style-type: none"> • Mr. Terence Ngole, Assistant Commissioner (Local Content and CSR), Ministry of Minerals, Tanzania • Dr. Paul Jourdan – Independent Mineral Policy Analyst, Botswana • Dr. Lacina Pakoun, Technical Specialist, UNDP, Ethiopia • Dr. Kojo Busia - Chief, Natural Resources Section, UNECA, Ethiopia
15:55 – 16:45	General Discussion (reflections on panel discussion)
16:45 – 17:00	Closing Prof. Ammon Mbelle Facilitator
18:00 –	Iftar and Networking

Day 2: Preparing the Roadmap for the Country's Mining Vision

Time	Description
08:00 – 08:30	Registration Secretariat
08:30 – 09:00	Recap of Day 1 Prof. Ammon Mbelle Facilitator
09:00– 9:30	Session 1: Natural Resource Management Initiatives in Tanzania Mr. Jambo Ramadhani Researcher, UONGOZI Institute
9:30-10:00	Session 2 Draft SADC Regional Mining Vision Dr. Paul Jourdan Independent Mineral Policy Analyst, Mintek South Africa
10:00-10:30	Discussion
10:30 – 11:00	Tea Break
11:00 – 11:45	Session 3: The Process of Preparing a Roadmap for Developing Country Mining Vision Dr. Kojo Busia Chief, Natural Resources Section, UNECA
11:45 – 12:20	Discussion
12:20 – 12:25	Way Forward Mr. Terence Ngole, Assistant Commissioner (Local Content and CSR), Ministry of Minerals, Tanzania
12:25 – 12:35	Health Break
12:35 – 12:50	Summary Mr. Mugisha Kamugisha
12:50 – 13:00	Closing Remarks Prof. Simon Msanjilla Permanent Secretary, Ministry of Minerals
13:00 –	Lunch and end of event

Appendix 2

List of Delegates

S/N	Name	Organisation
1	Hon. Doto Biteko (MP)	Minister for Minerals, Tanzania
2	Mr. Abbas Kitogo	UNDP – Tanzania
3	Mr. Adolf Kisima	Ministry of Minerals, Tanzania
4	Mr. Ahmad Mulokozi	Tanzania Association of Environmental Engineers
5	Mr. Albert Dede	Ministry of Natural Resources and Tourism, Tanzania
6	Mr. Alfred Luvanda	Federation of Miners' Associations of Tanzania
7	Mr. Ali Said Ali	Ministry of Minerals, Tanzania
8	Mr. Ally Maganga	Tanzania's Mining Commission
9	Ms. Amaha Lui	GO2 Experts
10	Mr. Amini Juma	Geological Survey of Tanzania
11	Prof. Ammon Mbelle	University of Dar es Salaam
12	Mr. Andrew Mwangakala	Tanzania's Mining Commission
13	Ms. Asnath Mnkeni	Ministry of Minerals, Tanzania
14	Ms. Beatrice Nahonyo	Tanzania Trade Development Authority
15	Mr. Benard Nsyani	State Mining Corporation
16	Mr. Benedict Mrisho	Tanzania Revenue Authority
17	Ms. Cecile Frobert	Embassy of France – Tanzania
18	Ms. Consolate Rwegasira	Tanzania Women Chamber of Commerce/Tanzania Women Miners association
19	Ms. Diana Masalla	Tanzania Revenue Authority
20	Mr. Dominic Rwekaza	Tanzania Industrial Research and Development Organisation
21	Mr. Donald Njonjo	Tanzania's Mining Commission
22	Mr. Edgar Matandiko	Mineral Resources Institute
23	Mr. Edward Kessy	National Economic Empowerment Council
24	Mr. Edward Joseph	State Mining Corporation
25	Mr. Edward Ndimila	EWURA
26	Mr. Elard Mawala	International Peace Information Service
27	Dr. Emmanuel Maliti	University of Dar es Salaam
28	Ms. Esther Gachuri	Venmo Agency (SDG)
29	Mr. Evans Rubara	JUMKUTA (Tanzania ASM Dialogue Platform)
30	Mr. Faustine Ninga	UNDP – Tanzania
31	Dr. Felician Kilahama	African Forestry
32	Mr. Francis Mihayo	Ministry of Minerals, Tanzania

S/N	Name	Organisation
33	Mr. Frank Mmbando	Ministry of Industry and Trade, Tanzania
34	Mr. Fredrick Mangasini	Mineral Resources Institute
35	Mr. Godfrey Kilolo	Tanzania Investment Centre
36	Mr. Godfrey Mahundi	National Development Corporation
37	Mr. Goodluck Kambindu	Prime Minister's Office
38	Mr. Griffin Mwakapeje	Ministry of Constitutional and Legal Affairs, Tanzania
39	Mr. Halifa Hemedi	Tanzania Global Diaspora Council (TDC Global)
40	Dr. Hans Merket	International Peace Information Service
41	Dr. Hidebrand Shayo	TIB - Development Bank
42	Ms. Irene Ngabirano	Uganda Chamber of Mines & Petroleum
43	Mr. Isaac Kamande	Ministry of Petroleum and Mining, Kenya
44	Mr. Jambo Ramadhani	UONGOZI Institute
45	Ms. Joan Vwamu	Independent Consultant
46	Dr. Josaphat Kweka	Talanta International
47	Prof. Joseph Semboja	UONGOZI Institute
48	Mr. Kaisi Kabenga	Tanzania National Business Council
49	Mr. Kungulu Kasongi	Ministry of Minerals, Tanzania
50	Ms. Marion Caussanel	Embassy of France – Tanzania
51	Mr. Maruyuko Msechu	Geological Survey of Tanzania
52	Mr. Mohato Moima	Ministry of Mining, Lesotho
53	Ms. Mwamini Mohamed	Tanzania Private Sector Foundation
54	Ms. Natalie Boucly	UNDP – Tanzania
55	Dr. Ola Bello	Good Governance Africa
56	Dr. Paul Jourdan	Mintek South Africa
57	Eng. Salmu Juma	Ministry of Minerals, Tanzania
58	Eng. Samwel Tanguye	President's Office - Public Service Recruitment Secretariat
59	Mr. Simon Mwanjali	Prime Minister's Office – Labour, Youth, Employment and Persons with Disability, Tanzania
60	Ms. Sylvia Daulinge	Tanzania Media Women's Association
61	Mr. Ted Silkiluwasha	Tanzania Revenue Authority
62	Mr. Terence Ngole	Ministry of Minerals, Tanzania
63	Mr. Thomas Scurfield	Natural Resource Governance Institute
64	Ms. Tulalumba Bangu	UNDP – Tanzania
65	Mr. Yessa Sanga	Tanzania Revenue Authority
66	Ms. Zena Kongoi	State Mining Corporation
67	Eng. Zephania Nsungu	Ministry of Minerals, Tanzania

