

CONCEPT NOTE

1ST AFRICA MINING VISION CIVIL SOCIETY FORUM (AMV-CSF) (AMDC ENGAGEMENT WITH CIVIL SOCIETY ON AMV IMPLEMENTATION)

Date: September 14-15, 2016

Venue: Nairobi, Kenya

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Introduction

The Africa Mining Vision (AMV) was adopted by the Africa Union Heads of State and government, in February 2009. The Vision’s ultimate goal is **“to enhance transparency, equity and optimal exploitation of mineral resources to underpin broad-based sustainable growth and socio-economic development”**.

The AMV’s overall goal resonates with the objectives of **AU’s Agenda 2063** and the global **Agenda 2030** – Sustainable Development Goals (SDGs) – particularly to eradicate poverty and promote inclusive growth through rapid socio-economic structural transformation of the continent’s economies.

Agenda 2063, a “strategy to optimise use of Africa’s resources for the benefits of all Africans” identifies the minerals sector as one of the fundamental sectors that could propel achievement of the aspirations of Africa’s growing population.

The AMV, AMV Action Plan and Agenda 2063 underscore the critical role of civil society in building capacities of communities, advocacy to safeguard community interests, participate in policy making to ensure all stakeholder including inter-generational interests are secured. The African Minerals Development Centre (AMDC), a specialised technical agency of the AU Commission, which is currently

hosted by the United Nations Economic Commission Agency (UNECA), is charged with the implementation of the AMV and its associated policy instruments across the continent.

Following the adoption of the AMV Action Plan in 2011, CSOs and other non-state actors have played critical roles including raising awareness about the Vision and its domestication, research, analysis, and sub-regional and national advocacy aimed at stimulating alignment of mineral sector policies with the AMV. Indeed, CSOs were involved in the drafting of the AMV (and its predecessor the ISG report). In spite of these efforts, the pace of implementation of the AMV remains slow at best. There is still very low popular awareness and buy-in to the AMV. Furthermore, there is inadequate synergy and coordination between the Pan-African institutions responsible for mineral sector governance, and vis-à-vis national governments and non-state actors in the mineral sector such as civil society and affected communities.

In a number of cases, policies adopted by some African countries undermine the AMV and these countries' ability to harness the transformative power of the mining sector to promote inclusive and sustainable growth to improve the quality of life of the average citizen. The commodity price boom of the last decade has indeed widened the gap between the rich and poor. It also reinforced the enclave nature of the mining industry. All these factors have collectively stifled the level of popular support and momentum towards the implementation of the AMV.

Context

The remarkable extractives-driven economic growth of the last decade across Africa has failed to trickle down. It benefitted foreign corporates and the local elite, and only served to widen the gap between the rich and the poor.

Today, mineral and oil dependent African economies are in distress as they face severe fiscal and macroeconomic crises. From minerals to oil and gas, commodity prices have plummeted in the last few years. The price of copper, for example, has dropped by 67 per cent and oil by more than half since 2011. Mining companies are terminating contracts of mine workers and shutting down mines on account of falling commodity prices and demand. Mining countries are also beginning to water down terms and awarding unnecessary incentives to attract mine investors.

Adopted seven years ago, the AMV sought to avert precisely this scenario: a race to the bottom and encourage African countries to use the mineral sector as the bedrock to propel transformative development across the continent.

The adoption of the AMV as Africa's overriding framework to spearhead a knowledge-driven mineral sector that catalyses and contributes to the broad-based growth and development of, and is fully integrated into, a single African market through down-stream linkages into mineral beneficiation and manufacturing; up-stream linkages into mining capital goods, consumables and services industries; and side-stream linkages into infrastructure and skills technology development has triggered several initiatives from within and without the African continent.

Externally, AMV has triggered counter initiatives from governments and multilateral bodies that perceive the continent as a cheap source of raw minerals and metals to fuel their economic progress.

On the continent, the AMV has spurred a number of initiatives by both state and non-state actors. Some examples include the development of Country Mining Visions (CMV) as a means of policy alignment with the AMV and articulation of national aspirations for the mineral sector, and the regional harmonisation undertaken by sub-regional bodies such as ECOWAS. However, the uptake and implementation of the CMVs has been slow. Very few countries have fully aligned their mining laws and frameworks to the AMV's tenets. Furthermore, CMV processes have been heavily state-driven, with inadequate participation and engagement of civil society and affected communities.

Civil society, including community advocacy groups have been influential in raising awareness about the AMV. Where governments have sought to align domestic and regional laws and frameworks in line with the AMV, CSOs have been advocating for inclusivity, transparency and broader public participation.

Indeed, civil society's involvement in the process is thus critical to realization of the mining vision aspirations of using Africa's huge mineral wealth to propel structural transformation across the continent.

Two important implementing instruments for the AMV were created in the last two years. The first, an AMV Compact with the private sector, modeled on the UN Compact, seeks to identify a set of principles for corporate accountability, human rights and development outcomes within the ambit of the AMV, in line with global best practices.

The African Mineral Governance Framework (AMGF), another implementing instrument, is a home-grown governance framework structured around the AMV that was adopted by African Ministers responsible for Mineral Resources Development in May 2016. The AMGF is distinct from other EI governance frameworks by covering the entire mineral value chain beyond revenue maximisation, and embodies often neglected areas such as the human rights of affected communities, artisanal and small

scale mining, and skills building, linkages and diversification. The political and civic support for the AMGF so far demonstrates the potential for a deeper, constructive engagement between Pan-African institutions and civil society on AMV implementation.

However, it is important that the momentum towards the creation of the AMGF and AMV Compact is sustained for their national implementation. In general, the slow progress in implementing the AMV and its associated policy instruments is a major impediment to the continent's aspiration towards overcoming the pessimism of the natural resource curse and moving towards a more sustainable model of economic development.

To this end, the convening of an inaugural AMV CSO Forum by the AMDC, AU Commission and civil society, which will create a platform for critical, constructive dialogue to further the implementation of the AMV and its associated policy instruments, is timely and commendable. The CSO Forum presents a strategic opportunity to review AMV implementation across the continent, identify key challenges and the role of CSOs in addressing these gaps, and create more opportunities for CSOs to effectively engage with and influence AMV implementation at the national, sub-regional and continental levels as well as refine the framework of engagement between civil society and the African Minerals Development Centre.

Objectives

The AMV CSO Forum seeks to bring together a wide array of civil society representatives to deliberate on core issues surrounding AMV implementation, share their work on the AMV and agree on ways to synergise their efforts to maximize the impact of the AMV on broad development outcomes in Africa. Thus, key objectives of the AMV-CSF inaugural meeting are as follows:

- 1) Critically examine progress in the implementation of the AMV, and its associated policy instruments, including the AMV Action Plan, AMGF and CMVs, to determine challenges and gaps, and the role of civil society in addressing identified challenges
- 2) Agree on strategies for AMV implementation by Pan-African institutions and civil society, including the creation of an annual AMV Policy and advocacy calendar to give a clearer idea of what could be undertaken together towards realising objectives of the AMV
- 3) Establish a Working Group to lead the AMV-Civil Society engagement with clear functions and resources

- 4) Foster an open, mutually beneficial and constructive relationship between Pan-African institutions and civil society on AMV implementation and broader mineral sector policy issues.

Expected outcomes

Key outcomes expected from the Forum are:

- 1) A shared understanding of the challenges to AMV implementation and clear roles and opportunities for civil society to contribute to address these;
- 2) Establishment of an AMV CSO Working Group with clear functions and resources
- 3) Development an annual AMV policy and advocacy calendar
- 4) A Declaration of Intent between Pan-African institutions and civil society on the partnership to enhance AMV implementation

Format of the Forum

The Forum will bring together about 60 representatives from civil society, mining sector unions, women's rights and gender justice groups, mining affected communities, faith-based groups and other non-state actors, as well as Pan-African institutions – the AMDC, AU Commission and Economic Commission for Africa.

The Forum will be based on a roundtable format, with interactive panel discussions, and break-out sessions focused on specific elements of AMV implementation.

Date

The Forum will take place from September 14-15, 2016, in Nairobi, Kenya.

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