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**EXECUTIVE COUNCIL
Fourteenth Ordinary Session
26 - 30 January 2009
Addis Ababa, ETHIOPIA**

EX.CL/474 (XIV)

**REPORT OF THE AU CONFERENCE OF MINISTERS
RESPONSIBLE FOR MINERAL RESOURCES**

ADDIS ABABA, ETHIOPIA, 16-17 OCTOBER 2008

REPORT OF THE AU CONFERENCE OF MINISTERS RESPONSIBLE FOR MINERAL RESOURCES

Introductory Note

1. Control over the sources of supply of raw materials is increasingly becoming a strategic geopolitical issue. This has been compounded by the rise of new global actors, with fast growing resource-hungry emerging economies. Thus, the supply and demand capacity of the different actors (States, regions, enterprises, populations, households) become decisive in the evaluation of the bargaining power of the different stakeholders and can, ultimately, determine power balances. It is against this backdrop that Africa leaders are seeking to develop common and consistent positions on issues concerning the management of Africa's mineral resources. It is within this context that the Executive Council requested the African Union Commission (AUC) by **Decision no. EX.CL/Dec.368 (XI)**, to organize in collaboration with the United Nations Economic Commission for Africa (UNECA) and the African Development Bank (AfDB), the first African Union Conference of Ministers Responsible for Mineral Resources Development.

2. The First Ordinary Session of the African Union (AU) Conference of Ministers responsible for Mineral Resources Development was held at the AU Headquarters in Addis Ababa, Ethiopia, from 16 to 17 October 2008. The main objective of the Conference was to agree and propose to African leaders a strategic vision for the responsible management of Africa's Mineral Resources in order to promote growth, reduce poverty, and ensure sustainable development in Africa. The opening ceremony was presided over by H.E. Mr. Pierre Oba, Minister of Mines of the Republic of Congo.

3. Forty Member States (40), Five (5) Regional Economic Communities (RECs), and twenty-five (25) international organizations were in attendance. The Conference considered and discussed the report of senior officials and the African Mining Vision 2050. During the deliberations, the Ministers made the following key observations and recommendations on both documents:

- It was agreed that the adoption of the Mining Vision be deferred to February 2009 during the AMP Meeting in Durban, South Africa. This is to allow representatives of Member States to take the draft document to their respective capitals for closer, deeper consideration and enrichment;
- It was observed that the AMP meeting does not have the mandate to approve and adopt the Mining Vision outside the auspices of the Conference of Ministers of Mineral resources and the AU Commission;
- It was agreed that a parallel Session be held in Durban during the AMP meeting so that the Vision can be adopted. The AU Commission was requested to be present at Commissioner level. All Member States were also urged to study the document closely before the said Session;

- A concern was raised that the Mining Vision as well as the Declaration did not incorporate community issues, especially in volatile Mining States. The meeting urged that Member States should put up an enforceable framework on community issues. It was recommended that a paragraph be included in the Declaration to address those issues;
 - It was recommended that the AU Commission should prepare an Action Plan with defined timelines on the management of African mineral resources.
 - The meeting called on the expedition of the affiliation of the African Mining Partnership (AMP) to the African Union.
 - It recommended the establishment of an empowerment fund and a development fund. Contributions to the empowerment fund could be mobilized from the World Bank (WB), the International Monetary Fund (IMF) and other international organizations.
 - The meeting further recommended that appropriate action be taken to institutionalize the Conference of Ministers Responsible for Mineral Resources to become part of the regular meetings of the African Union policy organs and that the AMP be associated with the Conference.
4. At the end of the meeting, the Ministers adopted their Declaration and report.

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**AU CONFERENCE OF MINISTERS RESPONSIBLE
FOR MINERAL RESOURCES DEVELOPMENT
1ST ORDINARY SESSION
13-17 OCTOBER 2008
ADDIS ABABA, ETHIOPIA**

**AU/MIN/CAMRMRD /RPT (I)
ORIGINAL: ENGLISH**

REPORT OF THE CONFERENCE OF MINISTERS

**REPORT OF THE FIRST ORDINARY SESSION OF THE AU CONFERENCE OF
MINISTERS RESPONSIBLE FOR MINERAL RESOURCES DEVELOPMENT**

I. Introduction

1. The First Ordinary Session of the AU Conference of Ministers responsible for Mineral Resources Development convened at the level of Ministers from 16 to 17 October, 2008 at the AU Headquarters, Addis Ababa, Ethiopia. The opening ceremony was presided over by H.E. Mr. Pierre Oba, Minister of Mines of the Republic of Congo in his capacity as elected Chairperson of the Conference.

II. Attendance

2. The meeting was attended by the following Member States: Algeria, Angola, Botswana, Burkina Faso, Cameroon, Republic of Congo, Democratic Republic of Congo (DRC), Côte d'Ivoire, Djibouti, Egypt, Equatorial Guinea, Ethiopia, Gabon, Gambia, Ghana, Guinea, Kenya, Lesotho, Liberia, Libya, Madagascar, Mali, Malawi, Mauritius, Mozambique, Namibia, Niger, Nigeria, Rwanda, Saharawi Arab Democratic Republic, Senegal, Sierra Leone, South Africa, Sudan, Tanzania, Togo, Tunisia, Uganda, Zambia and Zimbabwe.

3. The following Regional Economic Communities (RECs) and international organisations also participated in the meeting: African Development Bank (AfdB), ECCAS, ECOWAS, CEMAC, SADC, UEMOA, World Bank, UNCTAD, UNDP, UNEP, CFC, ECA, Action Aid International – Africa, EuroGeo Surveys, Natural Resources – Canada, SARW, University of Leeds, Tax Justice Network – Africa, Third World Network – Africa, BGR, EITI, Heinrich Böll Foundation, Regional Geoscience Mapping, Anglo American Plc., Anglo Gold Ashanti Ltd, ICCM, MINTEK, PANA, PEAC, VALE. The full list of participants is attached as Annex 1.

III. Proceedings

Agenda Item 1: Opening of the Meeting

Address by the Minister of Mines of Ethiopia

4. After welcoming the participants to Ethiopia and to the Conference, H.E. Mr. Alemayehu Tegenu, Minister of Mines of Ethiopia, stated that the objective of the Conference was to bring together African Ministers responsible for Mineral Resources and experts in mining in order to discuss key issues related to mineral resources and propose a strategic vision and an Action Plan with a view to promoting economic growth, reducing poverty and achieving sustainable development. He then gave an overview of the continent's and more specifically Ethiopia's endowment in mineral resources. He further highlighted some of the challenges facing the sector and called on the AU to strengthen existing institutions in the extractive industry.

Address by the Representative of the United Nations Economic Commission for Africa (ECA)

5. On behalf of the Executive Secretary of the ECA, Mr. Abdalla Hamd recalled that the Conference was a logical follow-up to the 2007 Big Table and other Conferences that led to the Extractive Industries Transparency Initiative, the African Legal Study Group and other initiatives. After providing some statistical data on Africa's riches in mineral resources, he recommended that there should be more investment in the mining sector in order to increase the level and quality of products. He also called for revenues generated by the mining sector to be better managed and more fairly distributed. He further stressed the need to boost the capacity of African countries to negotiate better contracts and renegotiate existing ones while ensuring that intergovernmental and intergenerational equity govern the mining operations. He also advocated for mineral wealth to be used to promote resource-based industrialisation and diversification and in this regard called on the Conference to agree on a compact for change and come up with a template that can enable Africa to maximise benefits from its mineral sector.

Address by the AU Commissioner in Charge of Trade and Industry

6. On behalf of the Chairperson of the Commission, Mrs. Elisabeth Tankeu, Commissioner for Trade and Industry, warmly welcomed all participants and underscored the relevance of the theme of the Conference. She pointed out that the abundant wealth of the African sub-soil was in sharp contrast with the state of poverty in the Continent, and this in spite of the high demand for raw materials by the international market. Instead of being an engine for development, Africa's mineral resources have been lamentably used as tools of all kinds of destabilization.

7. The Commissioner stressed that the objective of this Conference was to refocus the exploitation of mineral resources on its function as lever of growth and the eradication of poverty, for the well being of the populations. In this regard, she listed some measures the implementation of which would free the continent from the Dutch Disease and contribute to the achievement by the continent of the MDGs. These measures include several components: technological, regulatory, institutional, capacity building, harmonization of mining policies, enlisting the contribution of the private sector and civil society, mechanisms for consultations and sharing of experience, and the establishment of a network of African mining countries according to resources.

8. The Commissioner commended the quality of the work carried out by the experts in preparation for the Ministerial Session and expressed the gratitude of the Commission to its partners, particularly the ECA, which contributed to the organization of this Conference. In conclusion, she highlighted the expectations of the Commission and of Africa as a whole, from the deliberations of the Conference.

Agenda Item 2: Election of the Bureau

9. The meeting endorsed the following Bureau:

Chair	: Republic of Congo (Central Africa)
First Vice-Chairperson	: Zambia (Southern Africa)
Second Vice-Chairperson :	: Algeria (North Africa)
Third Vice-Chairperson	: Sudan (East Africa)
Rapporteur	: Nigeria (West Africa)

Agenda Item 3: Adoption of the Agenda

10. The meeting considered its agenda and following extensive discussions, decided to remove the item regarding the meeting with CEOs from the regular agenda and to make it a parallel event. The agenda was then adopted with this single amendment.

Agenda Item 4: Organization of Work

11. The meeting adopted the following working hours:

Morning: 10:00 hrs – 13:00 hrs
Afternoon: 15:00 hrs – 18:30 hrs

Agenda Item 5: Consideration of the Report of Senior Officials

12. Following a presentation of the report of Senior Officials by its Chairman, the Chair pointed out that the report highlighted the current issues confronting the mining sector in Africa and called for collective and concerted action by all Member States of the African Union to use mineral resources to improve the welfare of the people of Africa.

13. In the discussions that followed, the Ministers noted that quite a number of the presentations that were made in the meeting of Senior Officials were done by external presenters and encouraged the use of internal human resources. Concern was also raised on the level of participation of Ministers in the Conference.

14. There were calls to integrate and maximise benefits from mineral resources to ensure development and poverty eradication in Africa through increased value addition and processing of the various natural resources that are found in abundance on the continent. Emphasis was placed on the need to ensure that the Small Scale Mining Sector is developed in light of the role it plays in developing African economies. The need to harmonise policies in the small scale mining sector was also highlighted.

15. The meeting called on the expedition of the affiliation of the African Mining Partnership (AMP) to the African Union.

16. It recommended the establishment of an empowerment fund and a development fund. Contributions to the empowerment fund could be mobilised from

the World Bank (WB), the International Monetary Fund (IMF) and other international organisations. In this regard, a blue print on the modalities will need to be prepared that will also focus on the development of geological infrastructure. Other issues that will further need attention in the development of the mining sector in Africa include good governance and discipline at the national level.

17. The meeting further recommended that appropriate action be taken to institutionalise the Conference of Ministers Responsible for Mineral Resources to become part of the regular meetings of the African Union policy organs and that the AMP be associated with the Conference.

18. The meeting encouraged the participation of all countries in the Extractive Industries Transparency Initiative (EITI); some countries have included forestry industry under this initiative. The Ministers emphasised the need to urgently develop mining infrastructure as well as transport systems that will enhance efficiency in the sector. National governments should take the lead in this effort and not wait for donors as this will lead to further delays. Mineral resources extraction also needs to be managed in such a way that it does not lead to conflict and wars within and between countries. In this regard, there is need for a cooperation framework to avoid such conflicts and possible incursions.

19. In response, the Commissioner for Trade and Industry informed the meeting that a Memorandum of Understanding (MOU) was to be signed between the African Union and AMP and that the document was being examined in the office of the legal Counsel. She also informed the meeting that Africa's development partners like India were willing to cooperate and build the capacity of Small and Medium Scale Enterprises (SMEs). On the issue of the affiliation with AMP, she observed that the paragraphs in the declaration could be strengthened.

20. Following these comments, the Ministers took note of the report of the Senior Officials.

Consideration and Adoption of African Mining Vision 2050

21. The African Mining Vision 2050 was introduced by the ECA. It aims at ensuring: **'Transparent, equitable and optimal exploitation of mineral resources to underpin broad-based sustainable growth and socio-economic development'**.

22. The tenets highlighted within the report are, amongst others, to foster a sustainable and well governed minerals sector with well managed resource rents, distributed and smartly invested with emphasis on intergenerational equity, environmental and material stewardship and corporate social responsibility (CSR) respected; safe, healthy and advanced as well as empowered stakeholders.

23. Amongst the reasons for the formulation of an African Mining Vision is the need to have a common African voice on how to use mineral resources for growth and development within the hindsight that the current commodity boom provides a new window of opportunity. Entry points of the Vision were seen to be resource rents that are invested to improve physical and social infrastructure with physical infrastructure seen as a step to open up other resource potential (i.e. agriculture,

forestry, tourism) and access zones with lower economic potential (i.e. densification, spatial development programmes) Upstream, downstream and side stream linkages were highlighted so as to counter the risk incidence of the “Dutch Disease”.

24. Strategies that were seen as aiding in the realisation of the Vision included amongst others the improvement of the level/quality of Africa’s resource potential data (geological survey and mineral inventory), which strengthens the continent’s bargaining power, introduction of innovative licensing schemes to boost competition – going beyond the “first-come, first-served” approach and explore competitive auctioning through differentiation of terrains as now being done in Liberia.

25. Implementation of the vision was seen to require a shared vision within Member States, however this vision should be phased (i.e. short, medium and long-term actions) and more importantly be context specific to differing policy space, as there is no “one size fits all”. These phases are not mutually exclusive, political will and proactive government action is key and a collective and concerted action in light of regional integration (i.e. An African Voice) is indispensable.

26. Following the presentation, the following observations and recommendations were made:

- Member States acknowledged that the Mining Vision is an important document that fits into the Poverty Reduction Strategy Programmes (PRSPs) of many African Countries. However, the period 2050 was viewed to be too long to benefit the current generation. It was proposed that the period be brought back to 2025 so that those adopting the document today have the opportunity of making a review in 2025;
- It was agreed that the adoption of the Mining Vision be deferred to February 2009 during the AMP Meeting in Durban, South Africa. This is to allow representatives of Member States to take the draft document to their respective capitals for closer, deeper consideration and enrichment;
- It was observed that the AMP meeting does not have the mandate to approve and adopt the Mining Vision outside the auspices of the Conference of Ministers of Mineral resources and the AU Commission;
- It was agreed that a parallel Session be held in Durban during the AMP meeting so that the Vision can be adopted. The AU Commission was requested to be present at Commissioner level. All Member States were also urged to study the document closely before the said Session;
- A concern was raised that the Vision as well as the draft Declaration did not incorporate community issues, especially in volatile Mining States. The meeting urged that Member States should put up an enforceable framework on community issues. It was recommended that a paragraph be included in the Declaration to address those issues;
- It was also recommended that the AU Commission should prepare an Action Plan with defined timelines on the management of African mineral resources.

Agenda Item 6: Consideration and Adoption of Ministerial Declaration

27. The Conference considered the draft Ministerial Declaration and adopted it with amendments. It also decided that a decision should be submitted to the AU Executive Council with a view to institutionalizing the AU Conference of Ministers responsible for Mineral resources.

Agenda Item 7: Date and Venue of the next meeting

28. The Ministers decided to hold their next meeting from 5 to 7 February 2009 in South Africa.

Agenda Item 8: Any Other Business

29. No issue was raised under this item.

Agenda Item 9: Vote of Thanks

30. On behalf of the Conference, the Namibian Minister expressed appreciation to the AU Commission and the ECA for organizing the meeting which has given Africa the opportunity to exchange views on the situation of the mineral sector in Africa and above all to formulate a vision that should bring a necessary change to Africa's former ways of exploiting and managing the sector. He called for the implementation of the Vision and Declaration following their endorsement by Heads of State and Government in January 2009.

Agenda Item 10: Consideration and Adoption of the Report of the Ministerial Conference

31. The Ministers considered and adopted their report.

Agenda Item 11: Closure of the meeting

32. In his closing remarks, the Chair thanked all participants for the high level of contribution and specified that the meeting was not closed but suspended until February 2009 in South Africa. Meanwhile, the AUC should introduce the outcome of the meeting as well as the decision agreed upon to the AU Executive Council and Summit.

EX.CL/474 (XIV)
Annex

**ADDIS ABABA DECLARATION ON DEVELOPMENT AND
MANAGEMENT OF AFRICA'S MINERAL RESOURCES**

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**ADDIS ABABA DECLARATION ON DEVELOPMENT AND
MANAGEMENT OF AFRICA'S MINERAL RESOURCES**

ADDIS ABABA DECLARATION ON DEVELOPMENT AND MANAGEMENT OF AFRICA'S MINERAL RESOURCES

We, the African Union Ministers Responsible for Mineral Resources Development, meeting in Addis Ababa, Ethiopia on 16 and 17 October 2008 during the First Session of our Conference,

Deeply concerned about the high incidence of poverty and underdevelopment in Africa in spite of its abundant endowment of mineral resources;

Aware of the significant contributions that prudent and efficient development and management of our mineral resources can make towards the achievement of the Millennium Development Goals (MDGs) and meeting the challenges of poverty eradication and broad-based socio-economic development in our countries;

Also aware that much of Africa's mineral resources remain under-explored and under-exploited and that geoscience knowledge is at a relatively too low level to attract exploration and investment;

Considering the Yaounde Vision on Artisanal Small-scale Mining (ASM) activities in Africa, adopted in Yaounde in November 2002, which underlines the importance of these activities in the development of rural communities and in poverty reduction;

Convinced that Africa needs policy space, and **Recognizing** in this regard, the importance of a pro-active development state to achieve fair and equitable fiscal and investment regimes and to maximize the benefits derivable from mineral resources exploitation;

Aware of the establishment by UNECA of the International Study Group (ISG) to review Africa's Mining Regimes;

Conscious that the African Development Bank (AfDB) has established the African Legal Support Facility (ALSF) to enhance the capacity of African Member States to negotiate complex commercial transactions including mining contracts;

Determined to avoid the "Dutch Disease" in the management of Africa's mineral resources and to ensure that mineral resources become a blessing and not a curse for our countries and peoples;

Aware that minerals are finite resources, the exploitation of which cannot last forever and must be prudently utilized for the benefit of present and future generations;

Taking account of the increasing competition and demand for Africa's mineral resources in the new geopolitical and economic era;

Taking note of the "Draft Africa Mining Vision 2050" formulated by the Technical Task Force that was established jointly by the AUC and UNECA;

Also taking note of the existence of the Africa Mining Partnership (AMP) and its proposed affiliation to the AU, and other regional, continental and global initiatives aimed at maximizing the development outcomes of mineral resources exploitation;

Having regard to the Durban Declaration on Sub-regional and Regional Cooperation for the Development and Efficient Utilization of Energy and Mineral Resources in Africa adopted in Durban, South Africa on 22 November 1997 by the Second Conference of African Ministers Responsible for the Development and Utilization of Mineral and Energy Resources in Africa organized by UNECA;

Hereby:

REQUEST the AUC, in collaboration with UNECA, AfDB, AMP, the RECs and all other stakeholders, to formulate, taking into account the recommendations made by the Experts Meeting, a concrete Action Plan for the realization of the Vision after its adoption;

RE-AFFIRM our commitment to prudent, transparent and efficient development and management of Africa's mineral resources to meet the MDGs, eradicate poverty, and achieve rapid and broad-based sustainable socio-economic development;

CALL ON AU Member States to work together to ensure that international agreements that they enter into enhance rather than undermine Africa's policy space for integrating mineral resources development into their economies and in this regard, **URGE** them and the Regional Economic Communities (RECs) to ensure that the ongoing Economic Partnership Agreements (EPA) and World Trade Organisation (WTO) negotiations do not limit this space;

UNDERSCORE the need for greater local beneficiation and value addition of Africa's mineral resources and the enhancement of its industrial base through mineral sector upstream, downstream and side stream linkages;

AGREE to promote investment in mineral resources human skills development, research and development, geological, and geophysical data infrastructure;

ALSO AGREE to harness the potentials of Public Private Partnerships (PPPs) in the development and management of mineral resources;

WELCOME the various geomineral information system initiatives in Africa, including the African European Georesources Observation System (AEGOS);

ENDORSE the establishment of an African Spatial Development Programme and the creation of a network of key development corridors across Africa to realize the continent's resources and their associated potentials;

UNDERTAKE to improve our mineral resource policies, legal, regulatory and administrative frameworks and enhance the capacity for auditing, monitoring, regulating and improving mineral resource exploitation regimes; and for developing the linkages of the mineral sector with the domestic economy;

REQUEST the AU Commission in collaboration with UNECA, AMP and the RECs to develop templates, guidelines, standards and codes to assist African countries to optimize the potential benefits of their mineral resources, building on the work of the International Study Group (ISG);

CALL ON the AfDB to operationalize the ALSF to strengthen the capacity of African member States to negotiate better mineral contracts;

ALSO CALL on the AU Commission and the AfDB to facilitate the establishment of local capital markets and commodity exchanges with a view to enhancing local participation in mining ventures;

URGE African mineral producing countries to facilitate the establishment of specialized mineral producers associations with a view to strengthening the continent's bargaining power;

STRESS that improvement in the governance of mineral resources is critical to maximizing sustainable investment and development outcomes in the mineral sector;

CALL ON the (African Peer Review Mechanism (APRM))o Secretariat to include in the forthcoming country reviews a chapter on natural resources governance;

SUPPORT the establishment of national oversight bodies and independent committees to monitor mining projects;

CALL ON Member States of the African Union to mainstream governance best practices such as the Extractive Industry Transparency Initiative (EITI) into their respective policies, laws, regulations, codes and standards and **ON** development partners to make significant contributions to the Multi-Donor Trust Fund (MDTF) for the EITI established by the World Bank;

ALSO CALL ON AU Member States to establish appropriate inclusive institutional frameworks comprising of Ministries of Natural Resources, Infrastructure, Industry, Trade and other stakeholders to ensure optimisation of mineral resources management for broad-based development;

WELCOME the subscription of some diamond producing Member States of the African Union to the Kimberly Process Certification Scheme and **URGE** other African diamond producing countries to do so;

ALSO WELCOME the launching of the EITI ++ by the World Bank to address upstream and downstream issues such as licensing, procurement, ownership, and sustainable development and **CALL** for its urgent operationalization;

CALL ON the mining companies operating in Africa to adopt good corporate governance and adhere to the Sustainable Development Charter of the International Council on Mining and Metals (ICMM) and to the Global Reporting Initiative (GRI);

EQUEST the AUC to engage the EC in policy dialogue for the purpose of developing a ring-fenced capacity-building instrument in the forthcoming EU policy on minerals;.

FURTHER REQUEST the AU Commission, in collaboration with the UNECA, AfDB and other relevant partners, to assist AU Member States in their auditing, review and renegotiation of existing mining agreements;

CALL ON Africa's Development Partners to enhance their support for the building of physical and resource knowledge infrastructure and for the strengthening of the institutional, human, and technical capacities needed to develop the continent's mineral resources potentials;

AGREE to cooperate at regional and sub-regional levels on the development of mineral and human resources;

ALSO AGREE ON the urgent need to accelerate intra-regional harmonization of laws, regulations and fiscal regimes to create intra-regional synergies and promote intra-regional mobility of goods, services and capital for the development of the mineral sector and **REQUEST** the AUC, in collaboration with RECs, UNECA, and the AfDB to take action in this regard;

CALL ON the mining companies operating in Africa to adopt a more holistic corporate social responsibility approach that pays as much attention to intergenerational equity, environmental and materials stewardship, human rights, gender dimensions, social and economic choice, cultural heritage and to the uplifting and empowerment of local communities as it does to financial success.

Addis Ababa, 17 October 2008

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