

## 1. Introduction

The Steering Committee of the African Mining Partnership (AMP) held its second meeting in Accra, Ghana from 20 – 21 October 2003 to discuss issues of common interest in mining on programmes and projects under NEPAD as agreed during its meeting in Cape Town, South Africa in February 2003. After reviewing the presentations, the meeting agreed on the following as NEPAD/AMP projects for consideration by AMP member states at their February meeting:

- Beneficiation
- Artisanal/Small Scale mining (ASSM)
- Environment/Sustainable Development
- Human Resource Development
- Promoting foreign investment and indigenous participation in mining ventures

## 2. Officials Meeting

A 2 –day officials meeting, chaired by Ghana, where documents were prepared for ministerial approval, preceded the Ministerial meeting. Honourable Susan Shabangu, Deputy Minister of Minerals and Energy, South Africa, officially opened the meeting. The theme of her address was “mining for poverty alleviation, for the revitalisation of the African continent”.

### PROJECTS

#### Beneficiation

##### *Project 1*

Develop a beneficiation strategy for precious minerals (gold, platinum, diamonds and gems) beneficiation into high-value fabricated products. Taking into consideration marketing, access to metals/mineral loans, skills development and accreditation, security, and access to finance. Liase with *Business e.g. African Development Bank.*

**Time:** Proposal by end March  
Carry out study by end December 2004

**Responsibility:** South Africa

##### *Project 2:*

Develop a common strategy for the processing of other mineral products with the NEPAD Trade and Industry Productive Capacity Initiative ( UNIDO).

**Time:** By end June

**Responsibility:** We need a volunteering country  
UNIDO and NEPAD

##### *Project 3:*

Develop a common investment facilitation strategy for beneficiation with the NEPAD Trade and Industry Productive Capacity Initiative (UNIDO). Strategy should be based on audit of the efficacy of current fiscal regimes across the continent and should also address the problem of competitive feedstock prices.

**Time:** End of June  
country

**Responsibility:** We need a volunteering  
SADC secretariat,  
UNIDO and NEPAD

### **Facilitation of Artisanal & Small-scale mining (ASSM) Development**

ASSM Strategy to be carried out by Mali Ethiopia & Nigeria, in liaison with the SADC secretariat to avoid duplication. Illegal mining will be an integral part of the study. *Sierra Leone offered to assist*

#### ***Project 1:***

Establish a Database of available mineral deposits and regulatory framework

**Responsibility:** National Governments

#### ***Project 2***

Develop a financing strategy appropriate to the needs of ASSM

**Time:** Proposal by end March  
Investigative studies by end of Aug

**Responsibility:** Nigeria

#### ***Project 3***

Develop a marketing strategy appropriate to the needs of ASSM

**Time:** Proposal by end March  
Carry out study by end August

**Responsibility:** Ethiopia

#### ***Project 4***

Develop a sustainable mining strategy for ASSM that addresses Health & Safety and environmental hazards

**Time:** Proposal by end March  
Carry out study by end August

**Responsibility:** Mali

#### ***Project 5***

Identify roles of and involve local communities, including women, in mining as an alternative livelihood, wealth creation, also formulate strategies in mitigating child labour and other social vices (crime' security, etc)

**Time:** End of May 2004 (proposal)  
Report in August 2004

**Responsibility:** Nigeria





## **Terms of Reference** *(These guidelines may change subject to affiliation to the AU)*

### **Objectives**

1. To initiate and promote intra-African mineral projects that enhances the AMP objectives, particularly those pertaining to eradication of poverty, in a sustainable manner.
2. To enhance, concretize and implement the objectives of NEPAD, particularly those that relate to the minerals, mining and metals sector namely; harmonization of mining polices, promotion of artisanal/small scale mining to a viable mining sector, development of African geo-scientific data, human resource development, beneficiation, encouragement of women and bringing indigenous/local people participation.
3. To facilitate the adoption of “best practice” available in minerals, mining, metals and associated policies.
4. To co-ordinate and network the existing African Mining School systems for the development of education, skills and training at all levels and establishment of Centers of Excellence in mining.
5. To ensure the provision of up-to-date geo-scientific information to support mineral exploration and promote diversification of mineral resource base.
6. To promote the exploitation and value addition for all minerals.
7. To ensure that all mining activities are carried out in a socially, economically and environmentally sustainable manner.
8. To build partnerships with the business sector and civil society.

### **Membership**

1. The African Mining Partnership is open to all African Union member States who have adopted NEPAD.
2. The members shall elect the Executive and the Secretariat who shall coordinate the affairs of AMP.
3. Non- governmental bodies shall participate as observers.

### **Executive Committee**

The Executive Committee shall consist of eight members, at least five of who shall be representatives of sub-regions, which are, North Africa, East Africa, West Africa, Central Africa and SADC.

The Executive shall include the Chair, Vice Chair, elected representatives of the five sub-regions and the Secretariat.

The term of office of the Executive committee shall be for an initial period of three years. The Committee may be re-elected for one additional term. For continuity, half the members of the Executive committee should remain in office.

#### Steering Committee

The Steering Committee shall dissolve upon the election of the Executive Committee and at the launch of AMP.

The Executive committee will carry out decisions and conclusions reached at the AMP General meetings.

#### Secretariat

1. The AMP shall be served by a Secretariat, who shall not be the Chair, headed by a Coordinator whose country would host the Secretariat. The Secretariat shall serve for an initial period of three years and may be re-elected for one additional term. This condition may change after the AMP's affiliation to the AU.
2. The Secretariat is to be entrusted with the responsibility of facilitating the implementation of the Forum's decisions.
3. The Secretariat shall co-ordinate and arrange for meetings, disseminate relevant information and reports to member States.
4. The Secretariat shall identify and mobilize resources for project implementation, monitoring and for fulfilling its functions.
5. The coordinator may appoint staff needed to fulfill the functions of the Secretariat as determined by the Members.

AFRICAN MINING PARTNERSHIP  
RULES OF PROCEDURE OF MEETINGS

These rules shall apply to working groups and subsidiary bodies of the AMP

*(Rules were adopted subject to the availability of the French version and the AMP's affiliation to the AU.)*

**I Meetings**

*1.1 REGULAR Meetings*

Regular Ministerial meetings of African Mining Partnership, hereafter referred to as the AMP, shall be held normally once a year for one working day to review the progress achieved during the year.

A two-day preparatory meeting of the officials will precede the annual Ministerial AMP meeting.

*1.2 SPECIAL MEETINGS*

Special AMP meetings shall be held by the decision of the AMP Executive Committee or at the written request of a Minister who is a member of the AMP.

In the latter case, the Chair shall forthwith communicate the request to all Ministers. If one-third of all the Ministers express support for such a meeting, within fourteen working days of the communication, the special meeting shall be convened, but not earlier than four weeks after the communication.

*1.3 PLACE OF MEETINGS*

The Minister holding the Chair shall generally host regular or special AMP meetings, and of a working group or a subsidiary body.

The AMP may accept the invitation of a Minister or an international organisation to host a regular or special meeting of the Ministers or of a working group or a subsidiary body.

*1.4 NOTIFICATION OF OPENING DATE OF MEETINGS*

The Chair shall notify the Ministers the date of the opening of each meeting of the AMP. Such notification shall be sent at least eight weeks in advance of the regular meeting and at least four weeks in advance of a special meeting.

**2 AGENDA**

*2.1 DRAWING UP AND COMMUNICATING THE PROVISIONAL AGENDA*

The Secretariat shall draw up the provisional agenda for each AMP meeting and shall submit it to all Ministers at least four weeks in advance of the opening of an AMP meeting.

The provisional agenda shall include all items called for by these rules, by earlier decisions of the AMP Ministerial meeting, or proposed by the Chair, a Minister, a Working Group or Subsidiary Body of the AMP. Each agenda item of the provisional agenda shall be adequately annotated in order to enable the Ministers to take informed decisions on the inclusion of the item in the definitive agenda.

## *2.2 DOCUMENTATION FOR ITEMS ON THE PROVISIONAL AGENDA*

Documentation concerning any agenda item shall be sent to all Ministers at least three weeks in advance of the opening of an AMP meeting.

Unless the Ministers decide otherwise, documents that have not been sent in time shall not be considered.

## *2.3 PROVISIONAL AGENDA FOR SPECIAL MEETINGS*

The provisional agenda for a special meeting of the AMP shall consist only of those items proposed for consideration in the request for the holding of the meeting.

It shall be transmitted to the Ministers at the same time as the notice convening the special meeting.

## *2.4 SUPPLEMENTARY ITEMS*

The Ministers may decide to include in the definitive agenda of a meeting items that were not included in the provisional agenda. Any proposal to include such a supplementary item shall be accompanied by a supporting statement from the delegation initiating it, indicating the urgency of the consideration of the item and the reasons that precluded its inclusion in the provisional agenda.

## *2.5 ADOPTION OF THE AGENDA*

The Ministers shall at the beginning of each meeting adopt the agenda for that meeting on the basis of the provisional agenda.

A Minister who has proposed the inclusion of an item in the provisional agenda or has requested the inclusion of a supplementary item shall be entitled to be heard by the meeting on the inclusion of the item in the agenda.

## *2.6 ALLOCATION OF ITEMS*

The AMP meeting may decide to defer the treatment of any item to a future meeting or to the meeting of a working group.

The Ministers shall allocate items between themselves and working groups and may refer items without preliminary debate back to the proposer of the item, for further information or documentation.

### **3 REPRESENTATION**

#### **3.1 REPRESENTATIVES, ALTERNATES AND ADVISERS**

In each officials meeting, each Minister shall be represented by a delegation, consisting of at least one representative.

#### **3.2 CREDENTIALS**

The names of representatives shall be submitted to the Secretariat not less than three days before the first meeting they are to attend.

### **4 EXECUTIVE COMMITTEE, CHAIR AND VICE-CHAIR**

#### **4.1 SELECTION AND SPECIAL RESPONSIBILITIES**

After every three years, at its first regular meeting, the AMP meeting shall elect an Executive Committee.

The Executive Committee shall consist of eight members, five of whom shall be representative of sub-region and the remaining three shall be elected based on other criteria that shall be adopted by Members.

The Executive Committee shall include the Chair, Vice Chair, the Secretariat and elected members.

In the election of the Chair and Vice-Chair consideration shall be given for equitable regional representation.

#### **4.2 TERM OF OFFICE**

The Executive committee shall hold office for a period of 3 years from the first day of the month following their election and shall be eligible for re-election.

No committee shall hold office for more than two consecutive periods.

#### **4.3 ACTING CHAIR**

If the Chair finds it necessary to be absent during a meeting or any part thereof, he/she shall designate either the Vice-Chairman or another Minister from the executive Committee to take his/her place.

#### *4.4 REPLACEMENT OF THE CHAIR OR VICE-CHAIR*

If the Chair or Vice-Chair ceases to be able to carry out his/her functions, the Executive Committee shall elect a new Chair or Vice-Chair for the remaining term.

### **5 WORKING GROUPS**

#### *5.1 ESTABLISHMENT*

The AMP meeting may establish and define the composition and the terms of reference of: the Working groups

### **6 ADMINISTRATIVE SUPPORT**

#### *6.1 DUTIES OF THE CHAIR*

The Chair shall be responsible for all arrangements that may be necessary for Ministerial meetings, including entry formalities for those attending.

In cases where a Minister other than that holding the Chair hosts a meeting, the host Minister shall together with the Chair be responsible for all arrangements necessary.

Unless otherwise decided by AMP meeting, the Chair, through the Secretariat shall ensure:

- a) The reception and circulation of documents;
- b) The production and circulation of the records of the meetings, the decisions of the meeting and other documentation;
- c) The retention and custody of the documents;
- d) The performance of other tasks as requested by the AMP meeting.

### **7 LANGUAGES**

#### *7.1 WORKING LANGUAGES*

The working languages of the AMP meetings will be, initially, English and French. When funds are available, Portuguese and Arabic will be added.

#### **7.2 INTERPRETATIONS AND TRANSLATION**

A Minister may make contributions to the discussion, orally or in written form, in any other language if he/she provides for interpretation or translation into all the working languages.

A Minister may choose to provide only a summary translation, into the working languages, of a document or written contribution made in another language.

## 8 RECORDS OF MEETINGS

### 8.1 WRITTEN AND SOUND RECORDS

Summary written records of the AMP meetings shall be made under the responsibility of Chair and retained by the Secretariat.

Similar records may also be made and kept of the meetings of working groups unless otherwise decided by the AMP meeting.

Records may be made by sound recordings. In that case a written summary thereof shall also be made.

### 8.2 RECORD OF MEETINGS

A summary of records made shall be distributed in provisional form as soon as possible to all delegations participating in a meeting. Ministers may, within ten working days of their receipt, submit corrections to the Chair of the body concerned. At the end of meetings and in other special circumstances, the time for submitting corrections may be extended by the Chair.

The Chairperson of the body to which the record relates, after consulting interested Ministers and, where available, the sound recordings of the proceedings, shall decide any disagreement concerning such corrections. Separate corrections to provisional records shall normally not be issued.

The records of the AMP meetings shall be distributed promptly to Ministers once all corrections have been made. If it so decides, the meeting could arrange for further dissemination of the records.

### 8.3 DECISIONS AND STATEMENTS

The text of decisions and statements adopted by the AMP meeting shall be distributed in print to all Ministers within a month after the meeting.

## 9 CONDUCT OF BUSINESS

### 9.1 QUORUM

The Chair may declare a meeting open and permit the debate to proceed when delegations of at least one third of all Ministers are present.

### 9.2 GENERAL POWERS OF THE CHAIRPERSON

In addition to exercising the powers conferred upon him/her elsewhere by these Rules, the Chairperson shall declare the opening and closing of each meeting, direct the discussions, ensure observance of these rules, accord the right to speak, and put questions up for decision.

The Chairperson, subject to these rules, shall have complete control of the proceedings of the AMP Ministerial meeting and over the maintenance of order at the meetings. He/she shall rule on points of order. He/she may propose to the meeting: the closure of the list of speakers; a limitation on the time to be allowed to speakers and on the number of times a delegation may speak on an item; the adjournment or closure of the debate; and the suspension or adjournment of a meeting.

The Chairperson, in the exercise of his/her functions, remains under the authority of the AMP Ministerial meeting.

### 9.3 POINTS OF ORDER

During the discussion of any matter, a Minister may, at any time, raise a point of order, which shall be decided immediately by the Chairperson in accordance with these rules. A Minister may appeal against the ruling of the Chairperson. The appeal shall be decided immediately by the meeting.

Such a Minister may not, in raising a point of order, speak on the substance of the matter under discussion.

### 9.4 SPEECHES

No one may address the meeting without having previously obtained the permission of the Chair. The Chair shall call upon speakers in the order in which they signify their desire to speak.

Debate shall be confined to the question before the meeting, and the Chair may call a speaker to order if his/her remarks are not relevant to the subject under discussion.

The meeting may limit the time allowed to speakers and the number of times delegations may speak on any question. Permission to speak on a motion to set such limits shall be accorded only to two delegations favouring and to two opposing such limits, after which a decision on the motion shall be taken immediately by the meeting. Interventions on procedural questions shall not exceed two minutes unless the meeting decides otherwise. When debate is limited and a speaker exceeds the allotted time, the Chair shall call him/her to order without delay.

### 9.5 CLOSING OF LIST OF SPEAKERS

During the course of a discussion the Chair may announce the list of speakers and, with the consent of the meeting, declare the list closed. When there are no more speakers, the Chair shall, with the consent of the meeting, declare the discussion closed. Such closure shall have the same effect as closure by decision of the meeting.

## 9.6 RIGHT OF REPLY

The Chair shall accord the right of reply to a Minister who requests it. Speakers should attempt, in exercising this right, to be as brief as possible and preferably to deliver their statements at the end of the meeting at which this right is requested.

## 9.7 ADJOURNMENT OF DISCUSSION

A Minister may at any time move the adjournment, suspension or closure of the item under discussion. Permission to speak on the motion shall be accorded only to two Ministers favouring and two opposing the adjournment, suspension or closure, after which the motion shall be decided immediately.

## 9.8 SUBMISSION OF PROPOSALS AND SUBSTANTIVE AMENDMENTS

Proposals and substantive amendments from Ministers shall normally be submitted in writing to the Chair who shall ensure circulation of copies to the members. Unless the meeting decides otherwise, proposals and substantive amendments shall be discussed or decided upon not earlier than the next working day after copies have been circulated.

An amendment is a proposal that does no more than add to, delete from or revise part of another proposal

# 10 DECISION MAKING

## 10.1 METHOD OF DECIDING

Decisions of the meetings shall be made by consensus of all Ministers present.

Consensus means that no Minister present at the meeting when the decision is to be taken expresses a formal objection to that proposed decision.

## 10.2 PARTICIPATION OF OBSERVERS

A working group may invite representatives of the mining industry, international organisations and/or interested parties to participate in its deliberations as Observers.

Such an invitation may be made on a permanent or a temporary basis.

The AMP Ministerial meeting may take a decision at any time to revoke an invitation.

Observers may, subject to these Rules of Procedure, make interventions during meetings of the officials, or working groups. They may also submit proposals and amendments. They however will not participate in decision-making.

## 11 AMENDMENT OF RULES OF PROCEDURE

### 11.1 METHOD OF AMENDMENT

Any of these rules may be amended by a decision of the AMP Ministerial meeting.

## Final Communiqué

9 February 2004

The African Mining Ministers met in Cape Town, South Africa on 9 February 2004 to launch the African Mining Partnership (AMP) and discuss issues of common interest in mining, and to adopt the projects which were recommended during the second steering committee meeting held in Accra, Ghana from 20 –21 October 2003.

Twenty-One African Ministers responsible for mining from Angola, Burkina Faso, Chad, Republic of Congo, Democratic Republic of Congo (DRC), Djibouti, Egypt, Ethiopia, Gambia, Ghana, Kenya, Malawi, Mali, Mauritania, Namibia, Nigeria, Senegal, Sierra Leone, South Africa, Sudan, Tanzania, Uganda participated. Representatives from Algeria, Benin, Lesotho, Morocco, Mozambique, Rwanda, Swaziland, Tunisia and also Zimbabwe participated. In attendance were, the Minister responsible for Mining in Papua New Guinea, Canada, SADC Secretariat, representatives of the Mining Industry Associations of Southern Africa (MIASA), organised labour and business groups.

Projects in the following areas were discussed and adopted:

- Beneficiation;
- Artisanal and Small-Scale Mining;
- Human Resource Development;
- Environment / Sustainable Development;
- Promoting foreign investment and indigenous/local participation in mining ventures.

The Ministers adopted the Terms of reference and Rules of procedure of meetings, which shall apply to working groups and subsidiary bodies of the African Mining Partnership.

The Ministers decided to identify mineral resources, which have local beneficiation potential. Key elements of such project's beneficiation potential should be identified in order to develop an economically viable value-addition strategy.

The Ministers agreed that the mineral development strategy would include the development and implementation of comprehensive health and safety programmes and environmental management plans.

Various ways of utilising Artisanal and Small-Scale Mining as a vehicle for the alleviation of poverty, economic empowerment of women in the minerals sector, and regional economic growth were discussed. It was agreed that each country should develop legal and financial strategies that will enable this sector, including industrial minerals, to have access to finance and international markets. The Ministers reiterated the need to promote foreign and local investment through, amongst others, ensuring that Geoscientific and other mineral related information is upgraded.

The Ministers noted that minerals could play an important role in poverty alleviation across the continent and the AMP urged member states to ensure that this important sector forms part of their National Poverty Alleviation Strategies.

As a way forward, it was resolved that each State should identify the constraints and opportunities in their respective minerals and mining sector so as to put in place effective and harmonized strategies which will promote and accelerate the implementation of the adopted projects.

The meeting reiterated the decision of the AMP Steering Committee meeting held in Accra, Ghana on 20-21 October 2003 regarding the Global Dialogue and Extractive Industries Transparency Initiative that the AMP should be proactive and take a greater role in initiatives that impact on Africa. In this regard the AMP reiterates its conviction that Extractive Industries come high in the priorities of many African countries in their sustainable development programs and can also be considered as an effective means of poverty alleviation. Therefore it is noted with concern that the Extractive Industries Review (EIR) final recommendations could have a negative impact on the development of the continent's mineral sector and resolved to engage the World Bank directly on a sustainable African minerals development strategy.

The Executive Committee consists of Ghana as the Chair, Mali as the Vice Chair, South Africa as the Secretariat and the following regional representative:

North Africa-Egypt;

Central Africa-Republic of Congo;

West Africa-Nigeria;

Southern Africa-Namibia; and

East Africa-Ethiopia.

The AMP was hereby formally launched.

The meeting expressed its profound gratitude to the people and government of South Africa for their hospitality and excellent arrangements put in place in hosting the launching of the AMP.