

KENYA



Finalizing, Piloting, and Capacity Building on the Artisanal Mining Committee Manual

The Environmental and Social Impact Assessment (ESIA) Guidelines for the Mining Sector, and the Mine Decommissioning and Rehabilitation Guideline

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INTERNATIONAL TRAINING PROGRAMME 308
Mine Water & Mine Waste Management



THE CHANGE PROJECT

The need to develop guidelines for the mining sector arose from the dire state of mine sites at their end of life. Most of them having been mined unsustainably, before being left open, or haphazardly backfilled, resulting in ecological deterioration, and endangered community health and safety, which is an issue for both the National Environment Management Authority (NEMA) and the Ministry of Mining (MoM).

NEMA in collaboration with the MoM and other stakeholders have develop an Artisanal Mining Committee Manual, Environmental and Social Impact Assessment (ESIA) Guidelines for the Mining Sector, and Mine Decommissioning and Rehabilitation Guidelines. The guidelines are aimed at enhancing environmental sustainability in mining. This was the result of a collaborated effort of Group 1 and 5 in the international training program “ITP 308” Mine water and mine waste management.

Group 5, through the Environmental Governance Project (EGP) of the UNDP is set to undertake the piloting of the three documents with the aim of appraising them to determine gaps and areas of improvement prior to their final roll out, which is scheduled to take place before June 2023.

The goal of NEMA and the MoM is to ensure that there are effective and working documents to guide mining operators, Ministries, Departments, Counties and Agencies (MCDAs), environmental practitioners, private sector, Civil Society Organizations (CSOs), etc. in setting up, operating, decommissioning, and rehabilitating mine sites. This will ensure protection of the environment as well as community health and safety through elimination of adverse environmental effects borne out of the mining operations. The long-term vision is to realize a mining sector that promotes a clean, healthy, and sustainable environment for all.



National Validation workshop.

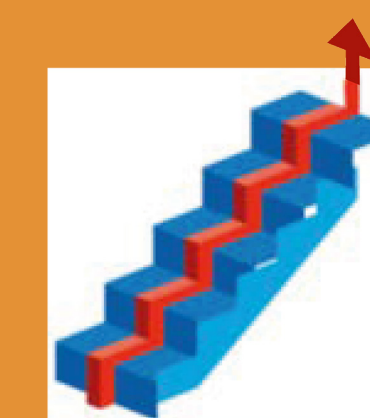


SIGNIFICANCE FOR THE PEOPLE AND THE ENVIRONMENT

The ESIA Guidelines provides for effective engagement and inclusive participation of Project Affected Persons (PAPs) and communities in decision making processes relating to mine operations, waste management, impact mitigation, etc. The mine closure guideline ensures that the ESIA prescriptions for closure are met and improved upon, while the Artisanal Mining Committee Manual guides artisanal mining committees on what is required of them in law.

Organizations and companies – They get to propagate sustainable development in line with the Sustainable Development goals. This provides for community acceptance, national and international visibility, and reduced operational risks (eg. Litigation owing to accidents and incidents; losses brought about by mine failure etc) hence cost cutting.

Individuals and the community – The roll out of the 3 guiding documents will result in communities and individuals enjoying their right to a clean and healthy environment, hence improved community health and output as a result.



RESULTS AND ACHIEVEMENTS

The work was done by engaging stakeholders (through the help of the EGP steering Committee and County Government departments) in meetings (miners, miner organizations and representatives from mining committees) to develop, review and finalize the 3 guidelines. The guidelines will be applicable to mining operators, government entities, civil society organizations, academia, environmental practitioners, private sector, and communities. Guidelines will be administered nationally as documents of reference by all stakeholders in the mining sector and will ensure that the community is not left with an unacceptable liability. The piloting exercise will give a second opportunity to the society to revamp the guidelines by introducing aspects that had been overlooked or loosely captured. Once piloted the documents will proceed to publishing, and will then be rolled out and made accessible online on NEMA’s website (<https://www.nema.go.ke>), and that of the MoM (<https://www.petroleumandmining.go.ke>).



THE WAY FORWARD

The efforts of this project will be upheld through implementation of the guidelines as well as continuous evaluation and monitoring of its performance. The resultant guidelines from this project are living document which should be adopted and implemented by all for the good of our extractive industry. Organizations should not view it as an extra statutory burden but a simplified tool to offer guidance during and at the end of a mine’s life. Colleagues should take note that the guideline is not cast on stone and therefore should be customized where need be to serve all subsectors of the industry, including artisanal, small scale and large-scale mining operators.

The outcome of the project will be communicated through the guidelines once published. It is expected that the unveiling ceremony of the final document will be graced by ministers responsible for environment and mining and other relevant stakeholders including media, private sector, and some organizations/ companies in the mining sector.



Abandoned small scale gold mine in Kakamega County.



Abadoned Silica Sand Mine in Msambweni.