

United Nations Development Programme



*Empowered lives  
Resilient nations*

# Extracting Good Practices

---

A Guide for Governments and Partners to Integrate Environment  
and Human Rights into the Governance of the Mining Sector

---

**Copyright @ UNDP 2018**

By the United Nations Development Programme  
1 UN Plaza, New York, NY 10017 USA

**All rights reserved.** No part of this publication may be reproduced, stored in a retrieval system or transmitted, in any form or by means, electronic, mechanical, photocopying, recording or otherwise, without prior permission.



*Empowered lives.  
Resilient nations.*

# Extracting Good Practices

---

A Guide for Governments and Partners to  
Integrate Environment and Human Rights  
into the Governance of the Mining Sector

---

Margaret Wachenfeld,  
Themis Research

With support from:  
Kathryn Sturman,  
University of Queensland,  
Centre for Social Responsibility  
in Mining

# Foreword

Achieving the 2030 Agenda and the Sustainable Development Goals represents both a tremendous challenge and opportunity. Land degradation has reached critical levels and threatens the livelihoods of over 3 billion people. We are losing species 1000 times faster than at the natural extinction rate. Reversing these and similar trends requires a paradigm shift in the way we prioritize investments and balance short-term economic growth with social development and environmental protection.

Mining can make a significant contribution to economic development. Minerals and metals are needed for advancing durable growth and developing green technologies required for a low-carbon future. If managed well, the sector can contribute to accelerating progress towards achieving multiple SDGs, including in the Least Developed Countries and fragile states.

Large-scale mining, however, can also cause great environmental and social harm. It can damage ecosystem services which provide women and men with water, food, fuel, medicine and shelter. Land degradation, and water and air pollution caused by mining often affect community health and livelihoods. Mining also has a large carbon emission footprint at odds with climate goals, and the exploitation of metals and minerals often exacerbates and sustains social and violent conflicts around the globe. These negative impacts harm those who are already furthest behind and have the least power to influence decision-making and demand accountability and redress.

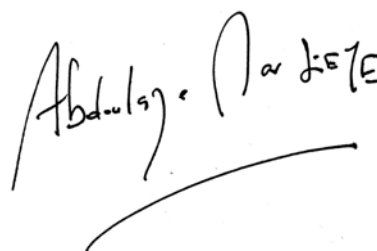
As the demand for metals and minerals continues to grow, greater efforts are needed to protect human rights as well as the biodiversity and ecosystems on which local communities and society more broadly depend.

This joint Guide by the Swedish Environmental Protection Agency and the United Nations Development Programme seeks to support governments and other stakeholders to better manage the environmental and social aspects of mining, in a way that rebalances relations in favour of more just and sustainable outcomes for local communities and vulnerable groups, including women and children, now and in the future.

The Guide provides an overview of tools and approaches for governing the human rights and environmental impacts of the sector in a more integrated and holistic manner. We hope that users of this Guide will find it a valuable tool in their efforts to chart a more inclusive and sustainable course for governance of the mining sector.



**Martin Eriksson**  
Director, Swedish Environmental  
Protection Agency



**Abdoulaye Mar Dieye**  
United Nations Assistant Secretary-General  
Director, Bureau for Policy and Programme  
Support, UNDP



# Contents

Executive Summary.....	11
Annex I.....	140
Annex II.....	152
Annex III.....	166

## 22

**Step 1:** Establish the Foundations for Resource Stewardship: Policy, Regulations, Institutions and the Rule of Law



## 60

**Step 2:** Participatory Planning For Extractives from Exploration to Closure



## 75

**Step 3:** Exploration



## 81

**Step 4:** Feasibility and Licensing



## 102

**Step 5:** Mine Development and Construction



## 114

**Step 6:** Production



## 127

**Step 7:** Closure



## 134

**Step 8:** Post-Closure









# Glossary

## Aarhus Convention

The United Nations Economic Commission for Europe (UNECE) [Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters](#) (1998) establishes a number of rights of the public (individuals and their representative associations) with regard to the environment. The Aarhus Convention puts Principle 10 of the Rio Declaration on Environment and Development into practice and paves the way for its universal application, as the convention is open to accession from all countries and not just those in Europe. (See below and see Background under 1.):

- The right of everyone to receive environmental information that is held by public authorities (access to environmental information)
- The right to participate in environmental decision-making (public participation in environmental decision-making)
- The right to review procedures to challenge public decisions that have been made without respecting access to information or public participation rights or environmental law in general (access to justice)

## Artisanal and small-scale mining

Artisanal and Artisanal and small-scale mining (ASM) ranges from informal individual miners seeking a subsistence livelihood, to small-scale formal commercial mining entities producing minerals in a responsible way. For many countries, ASM is an important source of livelihoods and of environmental damage. There is now a growing and recognized need to enhance the quality of life for ASM miners working outside of formal legal and economic systems, to help them transition to the formal system and to enhance the contribution of the sector to sustainable development.<sup>1</sup>

## Impact Assessments

- Impact assessment is the process of identifying the future consequences of a current or proposed action.<sup>2</sup> Impact assessments can be used to look at policies, plans, programmes or projects.
- Environmental and Social Impact Assessment (ESIA): refers to the assessment of the environmental and social impacts of a potential project, including the interaction between the two types of impacts.
- Environmental, Social and Human Rights Assessment (ESHR): refers to the integrated assessment of environmental, social and human rights impacts of proposed projects.
- Strategic Environmental Impact Assessment (SIA): refers to a range of analytical and participatory approaches that aim to integrate environmental considerations into policies, plans and programmes and evaluate the interlinkages with economic and social considerations.<sup>3</sup>
- Strategic Environmental and Social Assessment (SESA): adds the social element more specifically to a strategic environmental impact assessment, looking at the potential environmental and social impacts of policies, plans and programmes.

1 The International Institute for Sustainable Development, IGF Guidance for Governments: Managing artisanal and small-scale mining (2017), <http://igfmining.org/resources/asm-guidance-document>

2 The International Association of Impact Assessment, <http://www.iaia.org>

3 OECD, "Applying Strategic Environmental Assessment: Good Practice Guidance for Development Co-operation," (2006), <http://www.oecd.org/dac/environment-development/36451340.pdf>



<b>Environmental authorities</b>	The term ‘environmental authorities’ is used in this Guidance Note to indicate ministries or authorities or agencies responsible for all areas of environmental protection.
<b>Environmental and Social Management Systems (ESMS)</b>	Drawing on the elements of the established business management process of ‘plan, do, check, and act’, an ESMS is the system mining companies put in place to manage environmental and social risks and impacts in a structured way on an ongoing basis. A good ESMS appropriate to the nature and scale of the mining project promotes sound and sustainable environmental and social performance, and can lead to improved financial, social, and environmental outcomes. <sup>4</sup>
<b>Free, Prior and Informed Consent (FPIC)</b>	The principle of free, prior and informed consent is a term used in international law (ILO Convention 169 and the UN Declaration on the Rights of Indigenous Peoples) to describe the conditions under which indigenous peoples participate in decision-making with government authorities and the private sector, including mining companies, with respect to a decisions that have important implications for their lives – including the management of their traditional lands and natural resources, the control and protection of sacred sites, and any proposed resettlement. It is closely related to the right to self-determination of indigenous peoples that is compatible with the territorial integrity of states.
<b>Gender Equality and Women’s Empowerment</b>	Gender equality and the empowerment of women includes advocating for the equal rights of women and girls, combatting discriminatory practices, challenging roles and stereotypes the can lead to inequality and exclusion, and removing barriers to women’s engagement. It can involve gender-specific, targeted interventions and/or mainstreaming attention to gender throughout government actions.
<b>Government Authorities with a Human Rights Mandate</b>	The phrase ‘government authorities with human rights mandates’ is used in this Guide to indicate ministries or authorities or agencies: (i) charged specifically with a human rights mandate – such as a Ministry of Justice, National Human Rights Institution (NHRI), Ombudsperson, etc.; and (ii) those responsible for the human rights of workers – i.e., labour ministries/authorities; and (iii) those that have a mandate to protect particular groups of the population – such as women, children or minorities. There may be an overlap with government authorities addressing

预览已结束，完整报告链接和二维码如下：

[https://www.yunbaogao.cn/report/index/report?reportId=5\\_11862](https://www.yunbaogao.cn/report/index/report?reportId=5_11862)

