Liberia: Update of the Minerals and Mining Act

INDABA Side-Event on Attracting Responsible Mining Investment in Fragile and Conflict Affected Settings

Mark Mattner, GIZ
6 February 2014
Objectives

- Update 2000 Mineral and Mining Act to improve investment climate and industry regulation:
  - *Harmonization*: Bringing Law in line with evolving legal framework (e.g. environmental law)
  - *Modernization*: Sector parameters and actors changed over the last decade (few incremental changes so far)
  - *Efficiency*: Improving cooperation and division of labor of government agencies (clarifying mandates)
  - *Continuity*: Implement 2010 Minerals Policy (AMV Principles) and EITAF recommendations (World Bank)
Challenges

• How to support Liberian-owned process that is technically sound without undermining Government?
  – Ministry of Lands Mines and Energy does not have all the requisite technical capacity
  – Conflicting interests and lack of trust between different stakeholders
  – Lack of technical understanding among stakeholders
  – History of form over substance in policy making and multiple overlapping reform initiatives
  – Lack of information and mismatch of expectations
Process Design

- **Management: MLME**
  - Clear focal point within the Ministry
  - Public endorsement by principal
  - *Supported* by GIZ and World Bank

- **Ownership: Inter-Agency Steering Group**
  - Participation of all relevant agencies (principals)
  - Regular consultation and continuous feedback
  - No donor / embassy participation

- **Technical Inputs: International & National Experts**
  - Team of international and Liberian experts
  - Mixed skills and backgrounds (mining engineers & lawyers)

- Participatory process to seek inputs and validate content
Consultations and Drafting

✓ **Up-country consultations**
  - 5 events covering all counties (~600 participants)
  - Transparent methodology to select participants
  - Publication of outcomes

✓ **Monrovia consultation workshop**
  - 200 participants, mostly Monrovia-based
  - Formal end to consultation period

✓ **Production of first draft**

✓ **Feedback on first draft**
  - 4 workshops in Monrovia (disaggregated by stakeholder group)
  - Written feedback

• **Final draft for consideration**
  - Validation exercise
  - Further feedback if necessary (TBD)
Emerging Results

• Communities now have better understanding of mining sector and regulatory frameworks
• Companies are aware of the process & the new MMA
• Provisions in draft Act have legitimacy and are owned by all of Government (and stakeholders)
• External expertise complemented with local knowledge through consultative process
• Contribution to improving internal coordination and processes within MLME
• Government has improved understanding of capacity needs for implementation of new MMA
For further information, please contact:

• Hon. Sam Russ, Deputy Minister for Operations, Ministry of Lands, Mines and Energy, Republic of Liberia, sgargar2002@yahoo.com

• Mark Mattner, GIZ Project Manager, mark.mattner@giz.de