

Eye on Malawi's Extractives – Strengthening Resource Governance in Malawi



The Status of Artisanal and Small-scale Gold Mining in Nathenje Area, Lilongwe

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Southern Africa
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Cover photo: view of artisanal and small-scale women gold miners in GVH Katondo, Nathenje Area.
Credit: ICAD, Malawi, 2020

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Background

The Initiative for Climate Action and Development (ICAD) was contacted by the Southern Africa Resources Watch (SARW) to undertake this study with the view of generating robust information to inform effective governance of the artisanal small-scale mining (ASM) sector, including enhancing formalisation of the sector, especially gold mining in Nathenje Area, Lilongwe District in the central region of Malawi. This project ultimately aimed at providing a clear understanding of the situation on the ground, and assessing the feasibility of the measures put in place by the government, by engaging different role players in the entire mineral value chain.

The overall objective of this study was to understand the status of artisanal and small-scale gold mining (ASGM) in Nathenje Area and to devise mechanisms aimed at protecting the host communities by equipping them with data for self-representation.

The following were specific objectives of the study:

1. To identify the key players of the sub-sector and their respective roles.
2. To describe national policies, institutional and legislative framework, strategies, and programmes related to ASM and gold.
3. To describe and understand the contribution of ASM to the local and national economy in terms of revenue, job creation, and value addition.
4. To identify the social operational challenges of ASGM in the central region of Malawi.
5. To identify cases of human rights violations and the role of government, local and national authorities in the management of the ASGM sector.
6. To identify and examine the impact (social, environmental) of the sector on local host communities to inform policy formulation.

Executive Summary

The mining sector in Malawi is dominated by artisanal and small-scale rock aggregate and limestone quarrying, coal mining and gemstone prospecting and mining in all three regions of the country.

In 2008, the first modern and relatively major mining operation for uranium was opened at Kayelekera in Karonga district in the northern part of the country. The mine, operated by Paladin (Africa) Ltd, was officially opened in April 2009 with a production average of 1.5 thousand tonnes of uranium per year. This mine put Malawi on the world map as a mining country and considerably increased the contribution of the mining sector to the GDP. The company suspended the mine's activities in 2014 as a result of the prevailing low uranium prices and the mine is currently under 'care and maintenance'.

The mining sector in Malawi accounts for about 1 per cent of the country's GDP. However, Malawi has several minerals with economic potential, including phosphates (apatite) at Tundulu in Phalombe, bauxite on Mulanje Mountain, kaolinic clays at Linthipe and Senzani in Dedza and Ntcheu respectively, coal in Rumphu, Karonga and Chikwawa, kyanite in Ntcheu, limestone in several districts in the country, rare earths (including strontianite and monazite) associated with alkaline rocks in Balaka and Phalombe, graphite in Salima and Lilongwe, sulphides (pyrite and pyrrhotite) in Lilongwe, titanium minerals along the lakeshore in Salima and Nsanje, vermiculite in Mwanza, and uranium in Karonga. Most of these minerals have been evaluated in the past by either the Geological Survey Department or private companies. Only phosphate, coal, limestone and uranium have been commercially exploited. In addition, rock aggregate is exploited in many parts of the country for the construction industry¹.

Production of rock aggregate is significant from small- to medium-scale level. The sector, however, seems to suffer from illegal practices. Companies producing rock aggregate for government projects are exempt from paying royalties but several of them also engage in commercial activities that are against the law. ASM in Malawi is generally carried out through labour-intensive methods of lime production, clay for pottery, and gemstones. Small-scale mining is facilitated by Mineral

¹ Malawi Extractive Industries Transparency Initiative (MWEITI FY 2015) 2017 Report.

Permits, Mining Claim Licences and Reserved Mineral Licences.

The most recent publications agree that there are about 9 million ASM operators in Africa and about 54 million people whose livelihoods depend on the sector². The Africa Minerals Development Centre (AMDC) considers this as a 'conservative estimate', citing an important lack of data on ASM, as the activity is often informal and operates illegally in several African countries³. Our report confirms that this is the case with ASM in Malawi.

ASM is an important sub-sector in Malawi and its continued growth has led the Malawi government to draft an ASM policy in 2014, with provisions guiding the sector. ASM's importance in the Malawi context lies in its contribution to local livelihoods and its significant negative impact to the environment. Roughly 40 000 Malawians, 10 per cent of whom were women, were engaged in artisanal mining in Malawi as of 2002, that number having grown since then. Most artisanal miners are informal, and it is difficult to obtain statistics on their production and sales. In order to curb illegal marketing of gemstones, the Ministry of Mining has plans to set up a gemstone marketing centre⁴.

There is a growing recognition of the availability of gold in Malawi, associated with placer gold in the Lisungwe Valley, north of Blantyre to the west of Zalewa-Balaka road. Recent gold rushes have been seen in Makanjira area within the Unga River catchment and in Nathenje River catchment around Mazengera and Chimutu Traditional Authorities (TA)⁵.

According to the Gold Mining Potential in Malawi Report (2019) and the Ministry of Mining, auriferous quartz bands associated with arsenic-sulphide bands were observed in the Nathenje Area,⁶ which led to an influx of illegal gold mining activities especially in the area of GVH Katondo in TA Mazengera between 2017 and 2018. Spiegel et. al., (in press) stipulates that ASGM usually consists of two types: hard rock gold mining (primary ore) and alluvial gold mining

² Ledwaba & Nhlengetwa, 2016. Prospects and challenges of artisanal and small-scale mining in South Africa 2016. A journal of sustainable development law and policy, 7(1), 25-42.

³ Africa Minerals Development Centre, African Women in Artisanal and Small-scale Mining, 2015 report.

⁴ For more information, please refer to EITI's Website on www.eiti.org.

⁵ Gold Mining Potential in Malawi Report (2019), Grain Wyson Phillip Malunga, Minerals, Geology, Environment and Corporate Affairs Expert.

⁶ Gold Mining Potential in Malawi Report (2019), Grain Wyson Phillip Malunga, Minerals, Geology, Environment and Corporate Affairs Expert.

(secondary ore). Both mining types involve different types and grades of ore, different technologies, different uses of mercury, and different socio-economic characteristics⁷. In the 2020 Malawi State of the Nation Address (SONA), the president of the country indicated that the country loses approximately US\$85 million to illegally mined gold, which is mainly sold in the Middle Eastern countries⁸.

A slowdown of illegal gold mining activities in the area was noted between 2018 and 2019 due to massive arrests organised by the state. However, following the release and acquittal of the miners, gold mining activities resumed as the ASM-gold value chain has positive socio-economic impacts on their livelihoods.

This report covers the status quo. Findings and recommendations are made in order to improve the effectiveness in governance of the ASM-gold value chain, including formalisation of the sector. The outcomes of this study will assist policy makers and key stakeholders in the sector to comprehend the linkages between ASM-gold value chain activities, socio-economic and environmental concerns, and the impact of the sector on the attainment of sustainable development in Malawi. While underlying priorities of the national mining policies and strategies will continue to inform policy makers and the wider public on the state of the ASM-gold value chain in Malawi, better information will effectively assist policy makers to better understand the linkages between ASM activities, socio-economic impacts, and local livelihoods. This information can be used to improve policy design, decision-making and governance of the sector, contributing to monitoring and evaluation of the effectiveness of policies to promote sustainable development within the overall context of the mining sector in Malawi.

Chapter 1: Introduction

Gold occurrences in Malawi were observed in various exploration activities, among them Garson M.S. (1961), Kemp J. (1968), Overseas Geological Surveys (1961), Kirkpatrick I. M. (1962), British South Africa Company (1968) and Harrison D.R. (1969). Support for large-scale production was discouraged due to the

⁷ Spiegel, S.J., Agrawal, S., Mikha, D., Vitamerry, K., Le. Billon, P., Veiga, M., Ecological economics, Indonesia's small-scale gold mining sector. Ecological economics, 144, 1-11.

⁸ State of the National Address 2020, Malawi News Agency. Available on <https://allafrica.com/stories/202009060052.html> .

size of gold occurrences⁹. Alluvial gold occurrences have been reported in several areas across Malawi in the Geological Bulletins produced by the Geological Survey Department in the Ministry of Mining. These include Makanjira in Mangochi, Dwangwa in Nkhotakota, Lisungwe in Neno, Mchinji, Salima, and Nkhata Bay, with a significant potential of further gold occurrences as exploration continues in other regions of the country¹⁰.

According to interviews and observations, Nathenje Area is mining for alluvial gold with the potential of hitting hard rock gold mining. The area's alluvial gold mining is done without the use of mercury. Alluvial gold mining in Malawi is done illegally by artisanal and small-scale gold mining (ASGM) operators along the riverbanks and surrounding fluvial terrains. ASGM operators extract alluvial gold by flowing auriferous sand soil mixed with water (slurry) into an improvised simplistic 'sluice' box made from iron, with several perforations of diameters between 2 and 10mm at the base on one tilted end and supported sideward by planks of wood. A polyethylene sack with woven spirals is placed at the base of the improvised sluice box to capture the slurry believed to contain gold particles. The collected undersize gold particles are scooped from or scraped off the polyethylene sack into a plastic bowl for washing in order to eliminate the sand soil particles.

From several previous studies throughout Africa, ASGM has been historically undertaken mostly by poor rural people, as a way of supplementing their income from smallholder agriculture (Hilson 2016, Bryceson & Jønsson, 2009, Mpofu & Mpofu, 2017).

In Malawi, ASGM is associated with criminality and environmental damage. Both government and the wider public regard ASGM operators as disorganised people of questionable morals, involved in illegal activities such as smuggling, prostitution, child labour and other human rights violations. However, given the socio-economic challenges, including climate change impacts on the agricultural

⁹ Gold Mining Potential in Malawi Report (2019), Grain Wyson Phillip Malunga, Minerals, Geology, Environment and Corporate Affairs Expert.

¹⁰ ASM Handbook for Malawi with a regional perspective, Malawi Government 2019.

sector facing vulnerable and poor households in rural parts of Malawi, ASGM has become a key source of income for many households.

Despite its substantial contribution to the livelihoods of vulnerable and poor households in Malawi, ASGM remains illegal with miners and operators facing arrest and eviction from mining sites. This study noted that ASGM activities in Nathenje Area have brought in local service providers, and have seen the establishment of informal businesses which are supplying essential equipment used in the operations of ASGM, including informal social and basic services. It was also noted that due to the closure of schools as a result of Covid-19 Malawi government measures, issues of child labour are rampant, infringing on children's rights and increasing their exposure to health risks.



Pictures above show children engaged in ASM activities in GVH Katondo, Nathenje Area. Credit ICAD Malawi, 2020

Considering that ASGM as a sector has not yet been formalised in Malawi and remains illegal, government and key stakeholders need to put in place speedy measures and deliberate initiatives by establishing effective and licenced ASGM operators, providing new technologies through education and training, facilitating business partnerships and access to market information. Government needs to collaborate with key agencies and civil society organisations (CSOs) that deal with issues of child labour and children's rights, gender issues, and environmental concerns about the rehabilitation of mining sites at decommissioning stage. Ma-

Malawi can learn from other countries within the SADC region who are promoting and enhancing ASGM operations for the benefit of the national economy. For instance, Tanzania which borders Malawi to the north has benefited from ASGM operations through a well-structured and established ASM sector that is properly monitored and managed.

Chapter 2: Study approach and methodology

The approach and methodology of this study followed a review of available literature, including both online and desk reports on Malawi mining and the ASGM sector, combined with perspectives of key stakeholders in the value chain collected through a series of interviews (through a questionnaire administered face-to-face, by telephone and via emails) with categories of expert and non-expert respondents. The consultations were used to understand the status of ASGM in Malawi with specific interest in Nathenje Area, in order to devise mechanisms aimed at protecting the host communities by equipping them with data for self-representation. The literature review was conducted to highlight the status quo of policies, strategies and legal frameworks guiding ASGM operations in Malawi.

Table 1: Overview of stakeholders consulted and interviewed

Institution	Stakeholder category and section	Activities
Ministry of Mining	Policy maker and governing body at national level.	Custodian of mining policies, strategies and frameworks, licences issuing, regulatory and enforcement.
Ministry of Forestry and Natural Resources	Policy maker and governing body at national level.	Environmental impact assessments, inspections and environmental monitoring.
Local Government	Policy maker and governing body at national level.	Custodian of local government policies and structures and providing guidance to local leaders on land tenure issues.
Key CSOs with interest in resource governance in Malawi	Non-state actors	Monitoring, reporting on resource issues and championing transparency and accountability in the sector.
Geo-mining consultants and experts	Providing independent technical guidance.	Promoting research, technology development and transfer.

Institution	Stakeholder category and section	Activities
Community leaders (Traditional Authorities, village heads and church leaders)	Custodians of customary land and local leadership.	Providing land, resolving disputes and engaging with authorities.
Informal artisanal and small-scale gold miners	Artisanal and small-scale miners and operators.	Non-expert gold exploration, processing and marketing.



One of the expert interviews carried out during the study (with Dr G. Malunga).
Credit: ICAD Malawi, 2020



One of the expert interviews carried out during the study (with GVH Katondo).
Credit: ICAD Malawi, 2020

Chapter 3: Structure and benefits of the ASGM Sector in Malawi

According to our findings and the literature review of other recent research reports, it was difficult to establish data on employment estimates for the ASGM sector in Malawi – this calls for a future comprehensive study on the labour market for the ASGM sector in Malawi (including number of dependants) in order establish data per district and a national perspective. However, according to GVH Katondo from Nathenje area, an estimated of 500 to 1000 people are engaged in ASGM in the area, depending on the availability of gold and market opportunities.

There is no formal structure in place for ASGM operations, making it difficult to estimate gold production or to estimate how much gold is being smuggled out of Malawi. However, government is planning to establish a state-owned mining

investment company to regulate precious metal market prices, offering training and guidance on processing and value addition

ASGM operations in Malawi are carried out by unskilled miners, illegal buyers and smugglers who often use young men and women from host communities or elsewhere as vendors.

According to the interviews conducted, most miners from GVH Katondo in Nathenje Area operate in small disorganised groups comprised of family members and friends with no formal structures such as cooperatives and associations in place. They operate in fields where new gold discoveries have been made through 'trial and error' (no proper assessments) which involves a lot of labour-intensive excavation to remove soils for processing. Another critical issue we uncovered in Nathenje Area is that mining fields were previously farm fields owned customarily by different farming families who are now selling to the informal ASGMs and illegal buyers. This has a negative impact on food security as land that would have been available for future agriculture activities is fast growing into mining fields.

Due to lack of a formal structure for ASGM in Malawi, miners from GVH Katondo in Nathenje Area continue to face a wide range of challenges, which include lack of access to a fair market (currently prices varies between US\$28 and US\$36 paid in local currency), unfair labour prices, poor occupational health and safety standards, and conflicts.

Despite ASGM operating through informal processes, socio-economic gains continue to benefit the locals in the area. This was evidenced by a good number of mining families that were interviewed reporting that their household economic security levels had increased. Some have built houses with iron sheets, installed solar electricity, purchased motor cycles and bicycles, and purchased agricultural inputs and livestock. A few have invested their mining returns into other small-scale businesses such as tea rooms, restaurants, buying and selling grain, or loan-shark businesses.

Formalising the ASGM sector would ensure the inclusion of marginalised miners throughout the process of developing, adapting and revising legal frameworks

and support. If well designed this process would foster enabling conditions to integrate ASGM into the formal economy, potentially transforming the lives and safety of vulnerable people who depend on the sector.



On-site gold weighing and purchasing by an illegal buyer seen at GVH Katondo in Nathenje Area. Credit: ICAD Malawi, 2020



One of the ASGMs showing gold particles that he managed to secure from GVH Katondo mining sites in Nathenje Area. Credit: ICAD Malawi, 2020

Chapter 4: Contextual information and analysis of ASGM operations in Nathenje Area

4.1. Overview of ASGM operations in Nathenje Area

Gold mining in Nathenje Area is dominated mainly by locals from GVH Katondo, with a few people coming in from surrounding villages. GVH Katondo is comprised of 24 villages with two main rivers that cross through the villages. Based on interviews conducted with GVH Katondo, about 500 to 1000 people are currently involved in excavation of gold, including transportation of excavated soils to Talira and Mchera Rivers and the surrounding streams for processing. The number of people involved in excavation of gold varies from time to time depending on food insecurity levels of the area, production quantity levels, and market availability and prices. It was noted that the mobilisation of labour for gold mining activities is very easy to undertake since people come from close locations and are able to easily acquire information.

Labour-intensive mining operations are predominantly done by men who often employ women and children as part-time labourers, and who receive wages of between K500 to K700 (approximately US\$0.7 to 0.9) per day.

To date, the number of miners involved has decreased compared to 2017 and 2018 when there was a gold rush and an influx of illegal buyers and operators from all over the country and some from Mozambique, Tanzania and Zambia.

Nationals of China, Nigeria and local nationals of Indian origin operate as silent middle-men with unregulated market prices which contribute to minimal economic benefits for the locals.



Men from GVH Katondo processing for gold in one of the illegal mining sites in Nathenje Area, Credit: ICAD Malawi, 2020

The study discovered that gold smugglers use illegal routes to neighbouring countries, mostly Mozambique and Tanzania, where they find their way to sell gold through illegal channels. The study failed to ascertain the people involved at each stage of the value chain due to the illegal and informal gold production and

marketing structure that is in place, partly from illegal buyers using local young women and men as direct buyers. During the research, interviewees were unable to reveal any knowledge on the source of money being used in buying gold or to provide names – we therefore conclude that high-profile people are involved in gold mining in Malawi.

It was very difficult to find data on exact production levels of gold as it is sold directly onsite to illegal middlemen who are camped in mining sites and were unwilling to provide such information. However, the study was able to estimate production, based on interviews conducted with locals, ASGMs and the chief as indicated in table below.

Estimates on production for illegal gold mining, the case of Nathenje Area as of August, 2020.

Raw material	Estimates in US\$
Land (which is mostly arable), rented out per acre	28
Simple tools	12
Water	0
Labourers wage (per day) for 8 people	7.2
Food (per day) maize, fish and beans	
including fuel wood for 8 people	6.3
Total investment per day	53.5
Estimated total cost of gold per gram per day	36
Estimated production of gold per day 25 grams	900

These estimates are subject to change due to changing levels of food insecurity, production and changes in unregulated market prices by illegal buyers

It was also noted that the presence of unregulated heavy machinery (such as generators and stone mills) on mining sites increases the potential for accidents that could lead to serious injuries or death. The machinery is smuggled in from Mozambique and parts are brought in from China through illegal routes.

4.2. Challenges of ASGM formalisation and operationalisation

This section of the report highlights issues that were identified under the following categories: policy and legal frameworks; health and safety issues; and social and environmental issues.

4.2.1. Policy and legal frameworks

The ASM sector is guided by the Malawi National Artisanal and Small-scale Mining Policy of 2018 and an Artisanal and Small-scale Mining Handbook of 2019. These frameworks aim to provide guidance and information on mineral tenements, governance, environment, geology, mining, mineral processing, and value addition for the ASM sector in Malawi. However, the instruments are not fully disseminated to relevant stakeholders in the sector, especially to the artisanal and small-scale miners who suffer from high illiteracy levels. The study revealed that the ASGM sector does not have a stand-alone policy which would help in formalisation and operationalisation (licencing, revenue generation and taxation) of the sector, and there is a lack of sustained political will and change in government political priorities. Other critical reasons uncovered for the failure of ASGM formalisation include fear of taxation, royalties and fees by ASGM operators, which are instead an incentive to sell gold on black market.

Gold miners in Malawi lack financial resources such as credit to invest in better technologies, which stems from a lack of support from financial entities.

While the efforts and processes to formalise and operationalise the ASGM sector are ongoing, it is imperative for government and key stakeholders to invest in education, training and awareness initiatives for the ASGM sector while engaging policy makers (such as the parliamentarians and cabinet) for speedy approval. If well managed and effectively coordinated, the ASGM sector would contribute to economic diversification through which Malawi could increase its exports, attract foreign direct investment (FDI), diversify government revenues, and contribute to wealth and job creation.

4.2.2. Health and safety issues.

4.2.2.1 Health issues

Gold mining activities in Nathenje Area continue to expand, leading into unhygienic health practices such as open defecation, unavailability of potable water, poor disposal of waste and unsafe mining practices. The area covering gold mining sites is approximately 5 square kilometres with only a few makeshift toilets that are poorly used and not specifically for men, women or children. Water is brought to the mining sites by miners and operators from their houses, while some access water from the nearby rivers. Food is prepared on-site with disregard of proper hygienic practices such as covering of food. There were reports of an increase in diarrhoeal cases in the area.



A makeshift toilet at one of the mining sites at Nathenje Area. Credit: ICAD Malawi, 2020

4.2.2.2 Safety issues

Gold mining is done without following any proper mining training and standards. The miners themselves were not wearing any form of protective gear, and the

mines did not have pillars that would strengthen mining shafts that are poorly excavated. In 2018, a serious mining accident occurred in one of the mines in GVH Katondo, resulting in the loss of two lives. Unreported accidents and injuries continue to occur due to unsafe occupational health and safety mining practices. The area has massive deserted pits and shafts which are potential risks for both humans and animals. These pits also pose as potential hotspots for communicable diseases such as malaria, diarrhoea and other waterborne diseases. The study further revealed that there were no best hygiene and health practices being followed, and no dissemination of information on services provided to the ASGM miners and operators. No Covid-19 measures (such as social distancing, wearing of masks or washing of hands) were followed, thereby increasing the risk of people contracting the virus.

Government and key stakeholders need to adopt a progressive approach to eliminate all forms of hazardous and unhealthy practices in the ASGM sector through awareness raising and deployment of health care workers who need to train miners on prevention, diagnosis, and treatment of diseases or infections that may arise due to unsafe mining practices, including having preparatory plans for dealing with hazardous chemicals associated with gold mining (such as mercury) in case miners in the Nathenje Area hit hard rock gold in the near future.



Deserted mining pits at GVH Katondo, Nathenje Area. Credit: ICAD Malawi 2020

4.2.3. Social and environmental issues

4.2.3.1. Social issues

As previous noted, men dominate the ASGM operations in the area, leaving women employed as part-time labours who are involved in ferrying water, fetching firewood, cooking, transporting soils for processing, and actual excavation including taking care and handling of tools. Women often attend and provide care to their children right at the mining sites, while older children are considered as additional labour, and other children are left at home to take care of their younger siblings.

Percentage of Nathenje ASGM Workforce

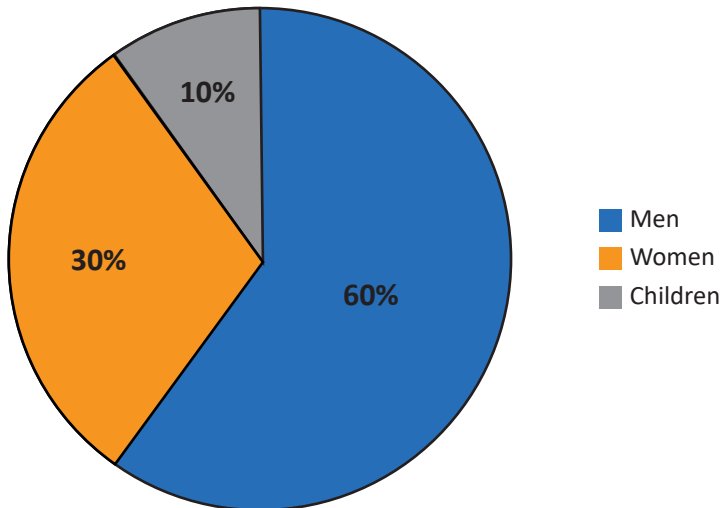


Chart: Indicates percentage of workforce in ASGM Nathenje Area

All these issues further push women and children (particularly girls) involved in ASGM into violence and sexual abuse, and expose children left behind in homes to unforeseen risks. The mining sector generally presents gender-differentiated environmental, social, cultural, and health-related risks. Some parents and guardians from the area send their children (especially girls) to mining sites to sell small items and to undertake piece work (locally known as 'Ganyu'), thereby exposing

them to intensive child labour practices and sexual exploitation. The study also noted escalating cases of early marriages and pregnancies, exacerbated by the Covid-19 closure of schools.

The sector needs to have affirmative action programmes in place to ensure that changes do not exacerbate gender inequality and discrimination, but rather assist women to reap the benefits and opportunities the sector provides equally and in meaningful ways.

Social services such as child protection, sexual reproductive health and gender programmes are not available through government or other stakeholders. Most of the existing literature on ASGM focuses on general challenges, leaving out specific gendered impacts of ASGM on women and wage labour. This therefore calls for future nation-wide research and action to influence policies and address the need for safeguarding the rights of women to equal pay, access to unions, and secure contracts.



Women involved in ASGM activities at GVH Katondo in Nathenje Area. Credit: ICAD Malawi, 2020

4.2.3.2. Environmental issues

ASM in Malawi is a poverty-driven activity, dominated by a number of people engaged in informal activities that are not regulated and that bring with them serious environmental problems. Most of the ASM operations impact negatively on the environment during exploration, exploitation, processing and closure. The

existing environmental regulations and provision of technical solutions cannot solve the environmental problems as most of the operators are scattered across the country in very remote areas and may be difficult to reach by regulatory authorities¹¹. For instance, before 2017, the area of GVH Katondo in Nathenje Area had very good forest cover and rivers flowing through its fertile fields undisturbed all year round.

After the gold rush between 2017 and 2018, the area saw an influx of illegal mining and ASGM operations which accelerated grave environmental concerns including erosion of areas adjacent to workings that have been de-vegetated for construction materials and fuel wood leading to increased suspended sediment loads in Talira and Mchera Rivers and nearby streams.

It was also noted that these rivers had increased instability of their banks and scouring as a result of the excavation of flood terraces, including the alteration of river channels and flows due to mining of alluvial deposits in the river bed. Gold panning and the operation of sluice boxes has increased loads of suspended sediments in downstream reaches of Nathenje Area.

Air pollution was noted as a result of wind-blown dust from unprotected tailings and waste rock dumps which enter the aquatic environment of Talira and Mchera Rivers and streams. There is a loss of arable land due to lack of rehabilitation. Large tracts of land have quickly become a safety hazard for people and livestock in the area.

¹¹ ASM Handbook for Malawi with a regional perspective, Malawi Government 2019.



A view of extensive environmental damage due to ASGM operations at G VH Katondo in Nathenje Area. Credit: ICAD Malawi, 2020

The above social issues and environmental concerns will require a multi-sectoral collaborative approach which brings together efforts to involve local structures such as ASGM miners and operators, community leaders, the church and civil society organisations in order to effectively address the challenges. Another crucial aspect that would help in curbing these challenges is the need for speedy and effective formalisation of the sector, in particular supporting the establishment of ASGM cooperatives and associations in order to formerly encourage inclusive participation of rural communities in the social and economic activities. Formalisation will also enable government to establish ASGM statistics for policy guidance as well as facilitating marketing, regulation of gold mining, and proper rehabilitation of mining sites in Malawi. In addition, government will need to put in place water management and biodiversity regulatory tools that would be used for watershed-level mine water management in order to preserve biodiversity in a sustainable manner, improve gender equality and environmental management, and contribute to the United Nations Sustainable Development Goals.

Chapter 5: Recommendations and conclusion

5.1. Recommendations

Below is a list of recommendations which need to be followed up by relevant stakeholders.

Recommendations	Description	Potential institution
Develop conducive and comprehensive legal frameworks	Comprehensive legislation specific to ASGM needs to be developed. These legal frameworks should account for ASGM's diverse character, and inform reforms to existing legislation that prioritises ASGM as a sector for national development. Legislation should include licencing; access to land; gender equality; community participation; and environmental, safety and labour standards.	Government of Malawi through the Ministries of Mines, Forestry and Natural Resources, and the legislature.
Provide access to geological data	We noted that lack of geological data is leading ASGM miners to enter environmentally sensitive areas, creating tension between ASGM miners and large-scale mining companies in Malawi. This may also create challenges when requesting bank loans or other support services when ASGM miners do not have geological information as collateral. Without access to geological data the ASGM sector is often left with little to drive their activities except guess work or trial and error resulting in low yields, loss of investments and increased environmental degradation.	Geological Survey Department, Ministry of Mining.

Recommendations	Description	Potential institution
Develop capacity building and training	Effective capacity building can enhance successful formalisation of the ASGM sector in Malawi if training programmes are made available to promote best practices with a focus on practical mining topics which are also geared towards women and their integration into the sector. We recommend tailor-made socio-economic characteristics for individual mining communities and provision of education and resources on how to foster partnerships with stakeholders including CBOs and the private sector.	Government through the Ministry of Mining, NGOs, development partners, private sector, institutions of higher learning such universities and technical colleges.
Stakeholder networking, collaboration, and effective coordination	In order to create long-term and sustainable formalisation of ASGM strategies, a platform for positive and regular dialogue between government and stakeholders including ASGM miners and operators needs to be created to provide a conduit for consultation on changes, research outcomes, ASGM complexities, including creating roadmaps that outline initiatives and programmes with input from various stakeholders at all levels.	Government and all concerned stakeholders.

Recommendations	Description	Potential institution
<p>Ensuring alternative livelihoods for ASGM initiatives.</p>	<p>Policy makers and development practitioners will need to develop alternative livelihoods initiatives that support mining families who are slowly becoming dependant on gold mining in Nathenje Area with economic empowerment, climate-smart agriculture practices and activities, environmental rehabilitation, business management and saving skills.</p>	<p>Government agencies, development partners, NGOs, CSOs and financial institutions.</p>
<p><i>*Special recommendation to SARW</i></p> <p>In line with the study objective, we strongly recommend devising an effective and sustainable mechanism in the form of a project aimed at protecting the host communities beyond Nathenje Area by equipping them with data for self-representation.</p>	<p>We noted a lack of interest by donors in supporting the development and formalisation of the ASGM sector. The proposed project “Just Gold in Malawi – Artisanal and Small-scale Gold Miners Initiative” will aim to develop an independent, equitable and sustainable system that brings legal, conflict-free, and traceable gold from artisanal mining sites in Malawi. The proposed project will cover the following main components:</p> <ul style="list-style-type: none"> • A comprehensive study on national trends in ASGM and policy implications in Malawi. • Advocacy • Capacity building and institutional strengthening • Alternative livelihoods promotion • Strengthening information sharing and dialogue between ASGM stakeholders 	<p>Potential SARW-ICAD project stakeholders.</p>

5.2. Conclusion

Despite striving for conducive and comprehensive legal frameworks for formalisation and operationalisation of the ASGM sector and investing in better technologies and education initiatives for the sector, it is crucial for the Malawi government and key stakeholders to consider the site-specific characteristics of ASGM as a whole and the needs of the mining host communities (bottom-up approaches), and to effectively engage directly and empathetically with miners and local stakeholders to build trust. It is therefore essential that policy makers understand the status of ASGM in Malawi, with Nathenje Area as a special case study, and its contribution to socio-economic development, environmental and social impacts to inform new legislation for its formalisation and operationalisation.

National and local stakeholders need to promote and enhance the use of cost-effective and sustainable initiatives for the growth and realisation of the sector. For instance, using simple language with graphics or pictures can better support dialogue with and engagement of miners and their communities.

Another important point is to involve multiple stakeholders to decide the socio-economic acceptability and technical feasibility of non-hazardous mining technologies for gold coupled with specific community perspectives.

Such approaches should, however, be implemented with a long-term perspective without negative political intrusions and with evidence-based programming that enables a just transition of ASGM operations to licenced and legally acceptable large-scale gold mining cooperatives and associations while promoting and investing in alternative livelihoods and diversification (hence the need for support from international donors and the development partner community).

In addition, considering and observing that women are greatly involved in almost all ASGM operations in Nathonje Area and in other gold mining locations in Malawi, issues of gender and human rights need to be carefully addressed and integrated into programming and national level plans as well as advancing women-led artisanal small-scale gold mining cooperatives and associations and ensuring elimination of all forms of child labour and abuses in the gold mining value chain in Malawi.



SARW Objectives

Monitor corporate and state conduct in the extraction and beneficiation of natural resources in Southern Africa, and assess to what extent these activities uplift the economic conditions of the region's communities.

- Generate and consolidate research and advocacy on natural resource extraction in Southern Africa.
- Create informed awareness of the specific dynamics of natural resources in Southern Africa, building a distinctive understanding of the regional geo-political dynamics of resource economics.
- Provide a platform of action, coordination and organisation for communities, activists, researchers, policy-makers, corporations, regional and global governing bodies in the watching and strengthening of corporate and state accountability in extractive industries.
- Engage with and support government on building accountable and transparent management of extractive resources.
- Build capacity for communities, civil society, parliaments, and media to hold governments and corporations to account, and to participate in decisions about resource management.
- Advocate and promote human rights and environmental protection in resource extraction activities.
- Support efforts to legislate mandatory public disclosure of and access to financial, social, environmental and regulatory compliance information in the extractives industry.
- Promote extractive industries that create wealth for local communities.

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