

TERMS OF REFERENCE FOR RESEARCH TOPIC 1

SMALL SCALE MINING AND SUSTAINABLE DEVELOPMENT IN SOUTHERN AFRICA.

1. Background

The objective of the MMSD southern African Regional Project (MMSD SOUTHERN AFRICA) is to identify how the mining and minerals sector can best contribute to the Southern African transition to sustainable development.

The objective of this study is to determine how the small scale mining component of the mining and minerals sector can best contribute to the Southern African regional transition to sustainable development.

2. The specific terms of reference

- Characterize the nature and extent of small scale mining in six Southern African countries, viz., Malawi, Mozambique, South Africa, Tanzania, Zambia and Zimbabwe, including, but not limited to the following:
 - The nature of the sector to determine the percentage of small scale miners involved in
 - a. seasonal activities which complement other activities (e.g. agriculture) and have become integrated into the economic cycle;
 - b. activities which supplement other incomes;
 - c. activities which result from distress situations such as drought;
 - d. activities which are traditional and the principal livelihood and do not form part of a mixed economic system.
 - e. the number of women and children involved in the sector.
 - Numbers involved and minerals mined (current and potential future)
 - Production figures by mining methods (current and potential future)
 - Beneficiation methods
 - Waste disposal
 - Scope for environmental technology assessment (EnTA) and environmental impact assessment (EIA)
 - Review of legislative and institutional arrangements (roles and responsibilities)
 - Marketing arrangements

- Sustainable development issues – economic, social and biophysical??
- What kind of technical assistance projects have taken place in the last ten years? Who were the principal co-ordinators, were they government initiated or donor financed?
- What was the nature of interaction between large/small scale mining, both positive and negative? Refer to issues such as land, land invasion and disenfranchisement?
- Characterise the nature of laws and changes made to laws over the past ten years. Note where no changes have occurred. Have any laws incorporated improvements.
- What kind of small-scale mining organisations exist? What is the nature of these organisations?
- What financing or credit schemes exist for small scale miners. Are they effective and active?

This inventory should cover approximately the previous decade, from about 1990/1991. Where no data is available, this should be noted.

- Identify approaches and strategies used by various role players in dealing with and managing small scale mining within the region. Assess the effectiveness of these approaches and strategies (include lessons learnt, fatal flaws, best practice, major challenges, etc.). Refer to case studies wherever possible and compare to international experience wherever appropriate.
- Outline the key success factors, driving principles and guidelines that should be used to guide the transition to sustainable development with respect to small scale mining industry in Southern Africa. Include recommendations on key roles and responsibilities of role players. What structures should be used, established or identified to promote and manage small scale mining within the region.

This work must be undertaken within the context of Sustainable Development provided by the attached MMSD SOUTHERN AFRICA document: *“Locating The Mining and Minerals Sector Within The Southern African Vision For Sustainable Development”*.

Further clarity on the content of the report and potential interaction and integration with other research topics will be gained at a specialist’s scoping meeting planned for the 18th of April, 2001.

3. Additional requirements

- All reports should be submitted in electronic format.
- Reports must be compiled in MSWord, aerial 12 point font, 1.5 line spacing.
- Two additional hard copies of all maps and figures that are not in electronic format must be submitted with two hard copies of the draft and final reports.
- Researchers should budget time for at least 2 trips to Johannesburg. Researchers will be expected to attend a Specialist Scoping Meeting on the 18th of April, 2001, and a Research Review Meeting on the 24th and 25th of July, 2001.
- All reports will be reviewed and specialists should budget time for including reviewers' comments.

4. Gathering of information required for the study

The gathering of information required for the study is the responsibility of the specialist.

5. Time schedule

The time frame for the assessment is 11 weeks from the 18th of April, 2001, i.e. the draft report should be finalised on or before the 11th of July, 2001. Time should be allowed after this date for the inclusion of review comments. Final reports are due on the 15th of August, 2001.

6. Budget and payment schedule

The total budget is R 140,000.00 (including applicable taxes such as VAT). This budget is fixed and cost over-runs will only be considered in cases where such costs are incurred as a result of events not under the control of the consultant.

The payment schedule will be as follows:

Appointment:	30%	
Draft Report:	40%	11 July, 2001
Final Report:	30%	15 August, 2001

It is expected that all payment will be made within 30 days of receiving an invoice.

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TERMS OF REFERENCE FOR RESEARCH TOPIC 2 HIV/AIDS, THE MINING AND MINERALS SECTOR AND SUSTAINABLE DEVELOPMENT IN SOUTHERN AFRICA

1. Background

The objective of the MMSD southern African Regional Project (MMSD SOUTHERN AFRICA) is to identify how the mining and minerals sector can best contribute to the Southern African transition to sustainable development.

The objectives of this study are to determine the effect of HIV/AIDS on the mining and minerals sector and to determine the effect of the mining and minerals sector on HIV/AIDS. This information must be used to develop recommendations for management of the pandemic in alignment with sustainable development in the Southern African region.

2. The specific terms of reference

Based on readily available information and interviews with key role players in the mining and minerals sector:

- Determine the extent of HIV/AIDS in the mining and minerals sector and compare it with similar data from other key sectors in the Southern African region. Assess the impact of the disease on sustainable development in the region (include an assessment of the extent to which the mining sector influences the spread of HIV/AIDS and understand the reasons for this, e.g. migrant labour, single sex hostels, prostitution etc.).
- Document approaches and strategies (e.g. cultural acceptance, prevention, coping the disease and looking after bereaved dependents) used by various role players in the mining and minerals sector to cope with HIV/AIDS along with restrictions or constraints which have prevented better management. Assess the effectiveness of these approaches and strategies (include lessons learnt, fatal flaws, best practice, major challenges, etc.). Refer to case studies wherever possible and compare to international experience wherever appropriate.

- Identify the key success factors, driving principles and guidelines that could be used in the mining and minerals sector to manage the pandemic in line with sustainable development in the Southern African region.

This work must be undertaken within the context of Sustainable Development provided by the attached MMSD SOUTHERN AFRICA document: *“Locating The Mining and Minerals Sector Within The Southern African Vision For Sustainable Development”*.

Further clarity on the content of the report and potential interaction and integration with other research topics will be gained at a specialist's scoping meeting planned for the 18th of April, 2001.

3. Additional requirements

- All reports should be submitted in electronic format.
- Reports must be compiled in MSWord, aerial 12 point font, 1.5 line spacing.
- Two additional hard copies of all maps and figures that are not in electronic format must be submitted with two hard copies of the draft and final reports.
- Researchers should budget time for at least 2 trips to Johannesburg. Researchers will be expected to attend a Specialist Scoping Meeting on the 18th of April, 2001, and a Research Review Meeting on the 24th and 25th of July, 2001.
- All reports will be reviewed and specialists should budget time for including reviewers' comments.

4. Gathering of information required for the study

The gathering of information required for the study is the responsibility of the specialist.

5. Time schedule

The time frame for the assessment is 11 weeks from the 18th of April, 2001, i.e. the draft report should be finalised on or before the 11th of July, 2001. Time should be allowed after this date for the inclusion of review comments. Final reports are due on the 15th of August, 2001.

6. Budget and payment schedule

The total budget is R 140,000.00 (including applicable taxes such as VAT). This budget is fixed and cost over-runs will only be considered in cases where such costs are incurred as a result of events not under the control of the consultant.

The payment schedule will be as follows:

Appointment:	30%	
Draft Report:	40%	11 July, 2001
Final Report:	30%	15 August, 2001

It is expected that all payment will be made within 30 days of receiving an invoice.

Research Team

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**TERMS OF REFERENCE FOR RESEARCH TOPIC 3
MINING, MINERALS AND SOCIETY AND THE TRANSITION TO SUSTAINABLE
DEVELOPMENT IN SOUTHERN AFRICA**

1. Background

The objective of the MMSD southern African Regional Project (MMSD SOUTHERN AFRICA) is to identify how the mining and minerals sector can best contribute to the Southern African transition to sustainable development.

The objective of this study is to determine how social issues within the mining and minerals sector can be resolved in line with sustainable development in Southern Africa.

2. The specific terms of reference

- Assess and describe the status quo with respect to key social issues related to the mining and minerals sector in Southern Africa, including but not restricted to the following issues:
 - Gender
 - Privatisation and Social Management
 - Local Economic Development in the Mine Life Cycle.
 - Resettlement

The above aspects of the topic will consider the following issues

- Cultural change
 - Job Creation
 - Migrant labour
 - Poverty
 - Human rights
 - Conflicts
 - Livelihoods
 - Mine closure
-
- Identify approaches and strategies used by various role players in managing and maximising the social benefits of the mining and minerals sector, including:
 - Lessons learnt
 - Best practice – compare to international experience where appropriate
 - Stakeholder engagement

- Governance principles
 - Effective participation
- Outline the key success factors, driving principles and guidelines that should be used to guide the transition to socially inclusive sustainable development in the region. Include recommendations on roles and responsibilities of key stakeholders.

This work must be undertaken within the context of Sustainable Development provided by the attached MMSD SOUTHERN AFRICA document: *“Locating The Mining and Minerals Sector Within The Southern African Vision For Sustainable Development”*.

Further clarity on the content of the report and potential interaction and integration with other research topics will be gained at a specialist's scoping meeting planned for the 18th of April, 2001.

3. Additional requirements

- All reports should be submitted in electronic format.
- Reports must be compiled in MSWord, aerial 12 point font, 1.5 line spacing.
- Two additional hard copies of all maps and figures that are not in electronic format must be submitted with two hard copies of the draft and final reports.
- Researchers should budget time for at least 2 trips to Johannesburg. Researchers will be expected to attend a Specialist Scoping Meeting on the 18th of April, 2001, and a Research Review Meeting on the 24th and 25th of July, 2001.
- All reports will be reviewed and specialists should budget time for including reviewers' comments.

4. Gathering of information required for the study

The gathering of information required for the study is the responsibility of the specialist.

5. Time schedule

The time frame for the assessment is 11 weeks from the 18th of April, 2001, i.e. the draft report should be finalised on or before the 11th of July, 2001. Time should be

allowed after this date for the inclusion of review comments. Final reports are due on the 15th of August, 2001.

6. Budget and payment schedule

The total budget is R 175,000.00 (including applicable taxes such as VAT). This budget is fixed and cost over-runs will only be considered in cases where such costs are incurred as a result of events not under the control of the consultant.

The payment schedule will be as follows:

Appointment:	30%	
Draft Report:	40%	11 July, 2001
Final Report:	30%	15 August, 2001

It is expected that all payment will be made within 30 days of receiving an invoice.

Research Team

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OUTLINE OF SCOPE OF WORK AND PROPOSED WORK PROGRAMME
AS PART OF THE MMSD (Southern Africa) INITIATIVE

RESEARCH TOPIC 4: BIOPHYSICAL ENVIRONMENT

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1. Introduction and preliminary comments on the original Terms of Reference

The original Terms of Reference received for *Research Topic #4 – Biophysical Environment* are shown in Appendix 1 of this document for reference. These Terms of Reference are extremely broad in scope and, in essence, require a detailed overview of how the wide variety of impacts on the biophysical environment that are attributable to the mining and minerals sector, can be managed in line with the transition to sustainable development in southern Africa. In view of the breadth of the scope of work required, the proposed fixed timescale of eleven weeks and the available budget of R140K are unrealistic.

Accordingly, it is essential that a compromise be reached that will still permit a useful body of work to be completed in the time available, and which will provide answers to at least the most important and relevant issues concerning impacts attributable to the mining and minerals sector. It is also important that the findings of this study provide a solid foundation for further work that will need to be continued in future.

The proposed compromise can be achieved by restricting the focus of this study to water-related issues and, further, by selecting specific geographical areas for coverage. Clearly, the “revised” emphasis would still need to be correctly contextualized within the broader framework of the management and control of impacts on the biophysical environment. Details of the proposed revision to the Terms of Reference are given below.

2 Recommended (specific) changes to the Scope of Work

The following recommendations are made to revise the Scope of Work associated with this project, as outlined above:

- The Project Leader will make every effort to sub-contract another researcher from a SADC country. However, if this process proves to be unproductive, the Project Leader will undertake this project alone;
- The report will provide an introductory, broad-brush overview of the types and significance of impacts associated with the mining and minerals sector in southern Africa;
- This will set the scene for the main emphasis of the report, namely: a close focus on impacts on the water environment;
- The focus on the water environment will be further restricted to focus on three specific catchments in southern Africa, namely: the Zambezi, Limpopo and Olifants basins;
- Close attention will be paid to the approaches that are in use across the SADC region to manage and mitigate impacts on the biophysical (and especially water) environment;
- The report will pay close attention to the various methodologies such as stakeholder engagement processes, statutory requirements, and best industry practices, to achieve good environmental performance;
- The key success factors, as well as the principles and guidelines that guide management actions, will be highlighted; and
- Recommendations will be made as to the roles, responsibilities and accountabilities of key stakeholders in the process.

3. Specified deliverables of the proposed work programme

The deliverables associated with this project will consist of the following three items:

- A draft Final Report to be delivered to MMSDsa on 11 July 2001;
- An illustrated (verbal) presentation of the report contents and findings (if so required) at the Research Review Meeting to be held in Johannesburg on 24 and 25 July;
- An interim draft final report on 31 July; and
- A revised and final version of the Final Report to be delivered to MMSDsa by 16:30 on Friday 7 September 2001. (This report will incorporate suggestions made by reviewers of the draft Final Report).

Each of the reports will be delivered as printed MSWord documents, accompanied by two electronic copies of the reports and two electronic copies of all maps and diagrams contained in the reports.

4. Specific timing implications of the proposed work programme

The Project leader will be away from South Africa for almost the entire month of August. Thus, the revised final version of the Final Report cannot be produced in time to meet the original deadline of 15 August (see Gantt Chart, Section 8). Accordingly, I propose that I incorporate all suggested changes and revisions to the Draft Final report on my return to office at the end of August, to deliver the final version of the Final Report to MMSDsa by 16:30 on Friday 7 September 2001. This point needs to be formally accepted by MMSDsa before further work continues on the project. In the event that this timing problem is unacceptable to MMSDsa, I will need to hand over responsibility for this project to another sub-contractor chosen by MMSDsa.

5. Budget implications of proposed work programme

If the revised Scope of Work and its proposed timescale (outlined above) are accepted by MMSDsa, then there are no additional budget implications. However, should the revised Scope of Work as presented in this document be amended or added to, the budget will need to be revised accordingly.

The proposed schedule of payments (as shown in Appendix 1) is acceptable.

6. Administrative issues

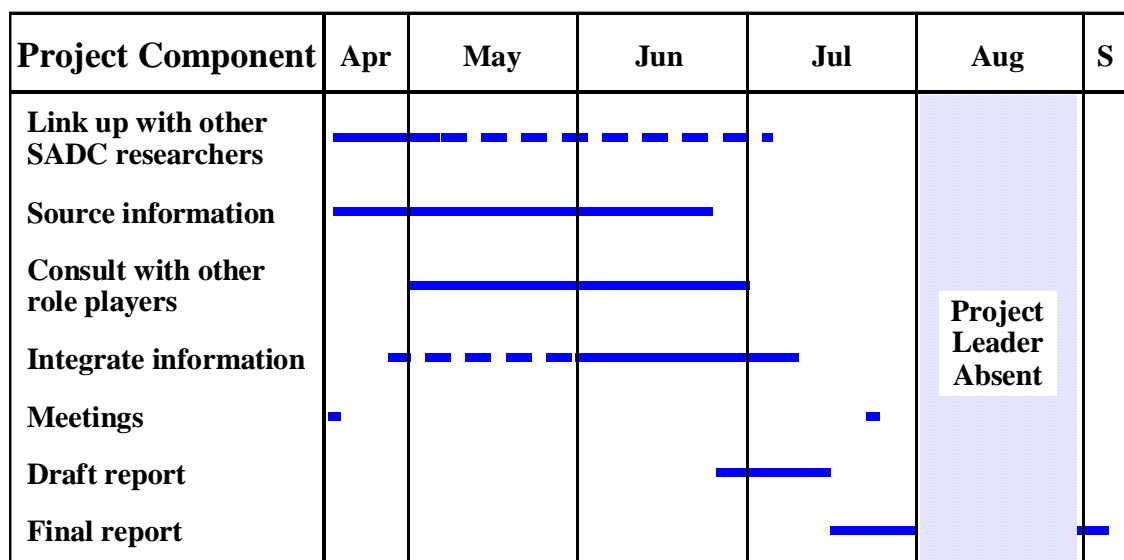
Copies of all external correspondence associated with this project will be handed/sent to the MMSDsa Secretariat, and will also be kept on a Project File held by the Project Leader.

7. Anticipated problem areas

If the proposed revision of the Scope of Work is accepted, the only problem areas are anticipated to be those associated with obtaining appropriate data and information in the timeframe available.

8. Gantt chart

The proposed Gantt chart for execution of the revised Scope of Work is shown below. I shall be unavailable for almost the entire month of August 2001 as I will be away from South Africa. Accordingly, I propose that I deliver the draft final report by the middle of July and incorporate any suggested changes on my return at the end of August. The final version of the report would then be delivered to MMSDsa by 16:30 on Friday 7 September 2001. The specific implication of this situation is that: I will NOT be able to submit the (revised) final report by 15 August as requested in the original Terms of Reference (see Appendix 1).



P.J. Ashton

Water Resources and Water Quality Specialist

APPENDIX 1:

ORIGINAL TERMS OF REFERENCE FOR RESEARCH TOPIC 4

MINING, MINERALS, THE BIOPHYSICAL ENVIRONMENT AND THE TRANSITION TO SUSTAINABLE DEVELOPMENT IN SOUTHERN AFRICA

1. Background

The objective of the MMSD southern African Regional Project (MMSD SOUTHERN AFRICA) is to identify how the mining and minerals sector can best contribute to the Southern African transition to sustainable development.

The objective of this study is to determine how biophysical environmental impacts associated with the mining and minerals sector can be managed in line with sustainable development in Southern Africa.

2. The specific terms of reference

- Assess and describe the status quo with respect to biophysical environmental issues related to the mining and minerals sector in Southern Africa.
 - Particular attention should be paid to impacts on the water environment, as this is a limited resource in many parts of the region.
- Identify approaches and strategies used by a cross-section of role players in managing and mitigating the biophysical impacts of the mining and minerals sector.
 - The research team should describe the approaches used across the region (e.g. Environmental Impact Assessment, ISO14000) and provide a critical evaluation of their effectiveness and shortcomings, using case studies relevant to the mining and minerals sector wherever possible.
 - Include issues such as stakeholder engagement, performance monitoring, best practice sharing, voluntary as well as statutory initiatives, closure and ways of achieving good environmental performance. Compare to international experience wherever appropriate.
- Outline the key success factors, driving principles and guidelines that should be used to guide the transition to sustainable development with respect to the biophysical environment in the region. Include recommendations on key roles and responsibilities of all stakeholders.

This work must be undertaken within the context of Sustainable Development provided by the attached MMSD SOUTHERN AFRICA document: "*Locating The Mining and Minerals Sector Within The Southern African Vision For Sustainable Development*".

Further clarity on the content of the report and potential interaction and integration with other research topics will be gained at a specialist's scoping meeting planned for the 18th of April 2001.

3. Additional requirements

- All reports should be submitted in electronic format.
- Reports must be compiled in MSWord, aerial 12 point font, 1.5 line spacing.
- Two additional hard copies of all maps and figures that are not in electronic format must be submitted with two hard copies of the draft and final reports.
- Researchers should budget time for at least 2 trips to Johannesburg. Researchers will be expected to attend a Specialist Scoping Meeting on the 18th of April, 2001, and a Research Review Meeting on the 24th and 25th of July, 2001.
- All reports will be reviewed and specialists should budget time for including reviewers' comments.

4. Gathering of information required for the study

The gathering of information required for the study is the responsibility of the specialist.

5. Time schedule

The time frame for the assessment is 11 weeks from the 18th of April 2001, i.e. the draft report should be finalised on or before the 11th of July 2001. Time should be allowed after this date for the inclusion of review comments. Final reports are due on the 15th of August 2001.

6. Budget and payment schedule

The total budget is R 140,000.00 (including applicable taxes such as VAT). This budget is fixed and cost over-runs will only be considered in cases where such costs are incurred as a result of events not under the control of the consultant.

The payment schedule will be as follows:

Appointment:	30%	
Draft Report:	40%	11 July, 2001
Final Report:	30%	15 August, 2001

It is expected that all payment will be made within 30 days of receiving an invoice.

Research Team

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TERMS OF REFERENCE FOR RESEARCH TOPIC 5 MINING, MINERALS AND ECONOMIC DEVELOPMENT AND THE TRANSITION TO SUSTAINABLE DEVELOPMENT IN SOUTHERN AFRICA

1. Background

The objective of the MMSD southern African Regional Project (MMSD SOUTHERN AFRICA) is to identify how the mining and minerals sector can best contribute to the Southern African transition to sustainable development.

The objective of this study is to determine how the mining and minerals sector can best contribute to the Southern African regional transition to sustainable development in terms of **economic development**.

2. The specific terms of reference

- Review, using existing knowledge, the contribution (past, current and potential future) of the mining and minerals sector to economic development in Southern Africa. Pay particular attention to the progression of development from primary to tertiary activities (mineral processing and beneficiation) and the linkage between managing mineral wealth and social development. Include comment on:
 - Globalisation
 - North-South dynamics
 - Dutch Disease
 - Protectionism
 - Country and regional competitiveness and the effects of competition
 - Downstreaming
 - Closure and down-scaling

(Section One is largely descriptive and is focused on the current state of affairs)

- Identify approaches and strategies used by various role players in aligning the economic contribution of the mining and minerals sector with sustainable economies in the region. Traditional minerals-based economies are not sustainable. Aligning the minerals and mining sector with the concept of sustainable development includes re-investing profits from this sector in economic activities not dependant on finite non-renewable resources. Examples include investment in and skills training for agriculture, tourism and other sectors. Comment on the potential for the sector to play a role in poverty alleviation/eradication (Include an evaluation of best practice with respect to the use of mineral rents/funds captured by government). Compare to international

experience wherever appropriate. A case study on the privatisation of Zambia Consolidated Copper Mines (ZCCM) will be used for this section.

- Identify guidelines, methods, principles and governance arrangements which can improve and help ensure the sector's contribution to sustainable economic development. Include recommendations on key roles and responsibilities of role players. Use will be made of best and worst practice case studies. Lessons learnt from these case studies will be extracted and synthesized so that the mining and minerals sector in the region can improve future performance.

This work must be undertaken within the context of Sustainable Development provided by the attached MMSD SOUTHERN AFRICA document: "*Locating The Mining and Minerals Sector Within The Southern African Vision For Sustainable Development*".

Further clarity on the content of the report and potential interaction and integration with other research topics will be gained at a specialist's scoping meeting planned for the 18th of April, 2001.

3. Additional requirements

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- Reports must be compiled in MSWord, aerial 12 point font, 1.5 line spacing.
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- All reports will be reviewed and specialists should budget time for including reviewers' comments.

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5. Time schedule

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allowed after this date for the inclusion of review comments. Final reports are due on the 15th of August, 2001.

6. Budget and payment schedule

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Final Report:	30%	15 August, 2001

It is expected that all payment will be made within 30 days of receiving an invoice.

Research Team

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Reviewer

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TERMS OF REFERENCE FOR RESEARCH TOPIC 6 BASELINE ASSESSMENT

1. Background

The objective of the MMSD southern African Regional Project (MMSD SOUTHERN AFRICA) is to identify how the mining and minerals sector can best contribute to the Southern African transition to sustainable development.

The objective of this study is to provide a baseline characterisation of the mining and minerals sector in the Southern African region. This baseline will provide a context for determining how the mining and minerals sector can best contribute to the Southern African regional transition to sustainable development.

2. The specific terms of reference

Characterise the nature and extent of the mining and minerals sector in Southern Africa, including, but not limited to the following:

- Mining, Minerals and Sustainable Development
 - Regional interpretation of sustainable development – what are the priority topics on the region's sustainable development agenda? The revision process for the working definition of sustainable development in the region will provide this input.

- Industry Description
 - size, major minerals, contribution to national income and foreign exchange earnings, structure and stages of production and transformation
 - brief history of mining in the region, its interactions with communities, labour, local economies and the environment.
 - trends in environmental, social and economic impacts of the sector
 - role of small scale and artisanal mining in the region
 - supply chain issues
 - land access and use issues in the region

- Drivers of Change
 - industry changes including supply/demand considerations,

- changing corporate profiles, technologies and structures
- o legislation and policy changes
- o stakeholder pressures and concerns in the region
- o regional initiatives and activities currently underway or recently completed – proponents, successes, challenges, problems, lessons
- o impact of globalisation on the sector and the challenges of sustainable development – e.g. influence of WTO, multi-lateral environmental agreements, EU legislation, and other external influences on the development of the sector

This work must be undertaken within the context of Sustainable Development provided by the attached MMSD SOUTHERN AFRICA document: “*Locating The Mining and Minerals Sector Within The Southern African Vision for Sustainable Development*”.

Further clarity on the content of the report and potential interaction and integration with other research topics will be gained at a specialist’s scoping meeting planned for the 18th of April, 2001.

3. Additional requirements

- All reports should be submitted in electronic format.
- Reports must be compiled in MSWord, aerial 12 point font, 1.5 line spacing.
- Two additional hard copies of all maps and figures that are not in electronic format must be submitted with two hard copies of the draft and final reports.
- Researchers should budget time for at least 2 trips to Johannesburg. Researchers will be expected to attend a Specialist Scoping Meeting on the 18th of April, 2001, and a Research Review Meeting on the 24th and 25th of July, 2001.
- All reports will be reviewed and specialists should budget time for including reviewers’ comments.

4. Gathering of information required for the study

The gathering of information required for the study is the responsibility of the specialist.

5. Time schedule

The time frame for the assessment is 11 weeks from the 18th of April, 2001, i.e. the draft report should be finalised on or before the 11th of July, 2001. Time should be allowed after this date for the inclusion of review comments. Final reports are due on the 15th of August, 2001.

6. Budget and payment schedule

The total budget is R 65,000.00 (including applicable taxes such as VAT). This budget is fixed and cost over-runs will only be considered in cases where such costs are incurred as a result of events not under the control of the consultant.

The payment schedule will be as follows:

Appointment:	30%	
Draft Report:	40%	11 July, 2001
Final Report:	30%	15 August, 2001

It is expected that all payment will be made within 30 days of receiving an invoice.

Researcher

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Reviewer

Roger Baxter. Chamber of Mines of South Africa. rbaxter@bullion.org.za South Africa.