

**TRAINING WORKSHOP FOR CIVIL SOCIETY ACTORS (COSOC-GL) ON  
THE MONITORING AND REPORTING OF THE MINERAL SUPPLY  
CHAIN'S DUE DILIGENCE IN THE GREAT LAKES REGION**



**DECEMBER 16-20, 2016 NOB VIEW HOTEL, KAMPALA**



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## Acronyms

ICG LR                      International Conference on Great Lakes Region



CSOs	Civil Society Organizations
RINR	Regional Initiative against the Illegal Exploitation of Natural Resources
RCM	Certification Mechanism
EITI	Extractive Industry Transparency Initiative
UN	United Nations
COSOC-GL	Coalition of civil society organisation in the great lakes region against Illegal exploitation of natural resources
ASM	Artisanal Small Scale Miners
NGOs	Non-Governmental organizations
PROBICOU	Pro-biodiversity Conservationists in Uganda
PAC	Partnership Africa Canada
GIZ	German Technical Cooperation
MOFA	Ministry of Foreign Affairs
DD	Due Diligence
SEC	US Securities Exchange Commission
ISO 14001 8001	International Standards Organization14001 8001
ILO	International Labour Organisation
PROBICOU	Pro-biodiversity Conservationists in Uganda (PROBICOU)



## **Acknowledgements**

We are deeply indebted to the Canadian Government and Partnership Africa Canada (PAC) for providing financial support to the workshop. The strong partnership with PAC is commended for making the event a success.

We also would like to express our gratitude to the invaluable support made by Responsible Trade and the contribution made by the resource persons and facilitators who not only guided the workshop but also engineered active participation. Special thanks go to the team leader Mike Loch for organizing and preparing expert papers and presentations that enabled participants to effectively engage in the dialogue and discussion on the review of the monitoring and reporting tools.

We also would like to extend our sincere appreciation to Twebaze Paul and Robert Tumwesigye Baganda of the COSOC – GL Uganda Platform for their supportive role in organizing this meeting. Your contribution is highly valued.

**The Executive Secretariat of COSOC-GL**



## Executive Summary

The Government of Canada, through Partnership Africa Canada (PAC) under the Building Responsible Mineral Supply Chains Initiative, is supporting COSOC-GL and its members to improve the governance of supply chains for conflict-prone and high-value minerals and to promote legal trading routes in the Great Lakes Region. The program aims to increase the technical capacity of civil society to promote, monitor and report on responsible mineral supply chains in the Great Lakes Region. In order to promote a responsible natural resource sector, technical assistance is key; because it helps the Civil Society Players better understand the downstream requirements and needs. In keeping with the OECD Due Diligence (DD) Guidance, the private sector must assess risk in its supply chain, respond to any identified risks and report on the risk and corresponding action. This minimizes ad hoc reporting and increases civil society commitment at local, national and regional levels. The training extended technical support to civil-society in-region focusing on monitoring and reporting on supply chain due diligence.

The participants obtained:

- an overview of downstream legal compliance requirements, industry solutions and downstream perceived needs for conducting enhanced Due Diligence,
- an understanding of gaps between the upstream civil society monitoring and reporting and downstream needs for data and information and strategies to help bridge identified gaps.

The participants of the meeting were taken through key stages and processes of monitoring, collection, analysis of data using a number of templates developed jointly with civil society and downstream industry and aligned with the OECD/ICGLR. They got an opportunity to provide recommendations to help refine the draft tools, contributed views to improve the accuracy, and relevancy of the tools to make them more useful and user friendly for the private sector as well when carrying out its due diligence responsibilities. The tools were also pre-tested during a field based mining exercises which provided hands on training in applying the tools with special focus on monitoring, data collection, analysis and reporting. The training resulted into an enhanced capacity to monitor and report in accordance with international standards. The training also enhanced the credibility and profile of in-region civil society organizations in OECD Due Diligence (DD).



## SECTION I: INTRODUCTION

### 1.0 Background/Overview

Trade and investment in natural mineral resources hold great potential for generating income, growth and prosperity, sustaining livelihoods and fostering local development. However, a significant share of these resources are located in conflict-affected and high-risk areas, where they may contribute, directly or indirectly, to armed conflict, including terrorist financing, human rights violations and hinder economic and social development.

In a bid to mitigate the risk arising from exploitation of natural and mineral resources, there is international recognition of the need for standards to ensure mineral supply chain transparency and integrity. Civil society is an important player, in promoting a responsible natural resource sector. However its effective involvement calls for increased capacity to effectively engage in influencing key decision making processes, participation in monitoring and reporting, as well as generation and dissemination of data.

It is against this background that the Building Responsible Mineral Supply Chains Initiative, implemented by Partnership Africa Canada (PAC) and funded by the Government of Canada, is supporting COSOC-GL and its members to improve the governance of supply chains for conflict-prone and high-value minerals and to promote legal trading routes in the Great Lakes Region. As part of the initiative, PAC has continued to strengthen the capacity of civil Society by extending designated training in OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas (OECD Guidance).

Since its adoption in May 2011, the OECD Guidance has become the leading industry standard for companies looking to live up to the expectations of the international community and customers on mineral supply chain transparency and integrity. The OECD Guidance clarifies how companies can identify and better manage risks throughout the entire mineral supply chain, from miners, local exporters and mineral processors to the manufacturing and brand-name companies that use these minerals in their products. The OECD Guidance aims to help companies respect human rights, observe applicable rules of international humanitarian law in situations of armed conflict, avoid contributing to conflict and cultivate transparent mineral supply chains and sustainable corporate engagement in the mineral sector. The objective of the OECD Guidance is ultimately to promote responsible private sector engagement in post-conflict fragile states. The OECD Guidance was developed by OECD and non-OECD countries (including countries from the International Conference on the Great Lakes Region), industry and civil society, as well as the UN Group of Experts on the Democratic Republic of the Congo. It integrates recommendations developed by the Financial Action Task Force (FATF), which sets standards and promotes the effective implementation of measures to combat money laundering and terrorist financing. The OECD Guidance is now referenced and used in binding



regulations in the United States and serves as the basis for an EU regulation on responsible mineral supply chains. It is also part of the legal framework in several African countries, notably the DRC, Burundi and Rwanda. The OECD Guidance is applicable to all minerals and global in scope, although early focus is now on Tin, Tantalum, Tungsten and Gold (3TG). Companies sourcing or using minerals in their operations are expected to ensure their supply chains are clean and transparent. Illegally exploited minerals include, but are not limited to, gold and those found in finished good and consumer products such as tin (used in laptops), tantalum (mobile phones, fibre optics) and tungsten (light bulbs).

In keeping with the OECD Guidance, the private sector must assess risk in its supply chain, respond to any identified risks and report on the risk and corresponding action. The meeting was therefore part of the technical support to civil-society in-region focusing on monitoring but also reporting on supply chain due diligence by developing tools specifically tendered for use by civil society and private sector. These specific tools were developed jointly by civil society and downstream industry and aligned with the OECD/ICGLR.

### 1.1 Objectives of the training workshop

This training was the first part of the technical support for due diligence monitoring and reporting. The objectives of the workshop were:

- To provide an overview of downstream legal compliance requirements, industry solutions and downstream perceived needs for conducting enhanced Due Diligence
- To build the capacity of Civil Society Leaders in the Great Lakes Region to understand where gaps exist between the upstream civil society monitoring and reporting and downstream needs for data and information and strategies to help bridge identified gaps
- To provide an opportunity to provide feedback and recommendations to help refine the draft tools for use during their upcoming pilots field missions- facilitated by a visit a gold mine site and group exercises using draft tools
- To suggest a process for validating, communicating and housing the Summary Monitoring Reports of COSOC- GL member's monitoring activities.

### 1.2 Workshop Methodology and scope

The workshop was attended by Civil Society Leaders from Uganda, Democratic Republic of Congo (DRC), Rwanda and Burundi. *The list of participants in Annexed.* The four day workshop was held in Kampala from the 16<sup>th</sup> -19<sup>th</sup> December, 2016. The workshop was facilitated by key resource persons from Responsible Trade LLC, Partnership Africa Canada (PAC), and the COSOC-GL Secretariat. The workshop was structured into sessions and was run using a combination of approaches. These include: Power point presentations, plenary discussions, questions and





answer sessions, group work, as well as experience sharing. There was also a site visit to an Artisanal Gold Mining Site in Mubende District, where the groups pretested the monitoring and reporting tools. The site visit was conducted in one day. The Workshop was conducted in two official languages; English and French.

## SECTION II: WORKSHOP PROCEEDINGS

### 2.0 Introduction

This section presents the detailed proceedings of the workshop. It highlights the summary of key issues and the flow of the discussions at the meeting.

### 2.1 Day1: Opening Ceremony

The workshop was officially opened by the Executive Secretary COSOC-GL Mr Cyprien Birhingingwa. He addressed dignitaries and observed the protocol. He then requested the participants to introduce themselves. In his remarks, he appreciated the relationship between PAC and COSSOC-GL, acknowledged the presence and thanked the international expert Mr Mike Loch for sparing time to come to this important event. He welcomed colleagues from COSSOC- GL Member countries to Uganda. He went further to explain that the meeting was part of the series of activities that were to be implemented by COSOC –GL with support from PAC over the 3 next years on the monitoring and reporting on minerals supply chains Due Diligence in the Great lakes Region. He observed that the meeting was aimed at achieving the following targets;

- A common civil society understanding on the global view of certification and due diligence
- Understanding monitoring and the role of civil society in monitoring – downstream and upstream.
- Hands on training and through Pretesting and validation of civil society led monitoring and reporting tools for mine sites, through a pilot exercise in Mubende.

Mr. Birhingingwa also gave highlights of the PAC/COSOC-GL program and requested for active participation. He noted that this was a training workshop not a lecturer, and called on members to exercise active participation, share learning experiences and wide knowledge and experience. He explained the need for concentration other than concentrating on Phones, Whatsapp and internet etc.

Mr Cyprien Birhingingwa noted the importance of presence of an alternate member of the ICGLR Audit Committee<sup>1</sup> on behalf of COSOC-GL/Uganda as well as a member of Uganda’s civil society elected chairperson of the Audit committee, noting that this provides an opportunity for this meeting to feed into the ICGLR which will be flagging off the certification.

### 2.2 Remarks by Madame Carmen Teichgraber, PAC

Madam Carmen Teichgraber welcomed participants and thanked them for making it to this Important Meeting. She noted that the meeting was supposed to be in DRC but the

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<sup>1</sup> Two Members of the Audit Committee of the ICGLR were Present. These were Mr. Twebaze Paul and Mr. ....

government of Canada does not actually grant visas to enter the DRC due to political disruptions and security reasons. This is why the Executive Secretariat of COSOC-GL suggested to hold the meeting in Kampala. She welcomed the international expert, Mr Mike Loch. Madam Teichgraber also observed that the meeting was part of the PAC-COSSOC-GL program in the Great Lakes Region, which was key in strengthening upstream civil society competence to engage in the downstream on mineral resources.

She gave a brief on PAC and the area of Focus. She introduced Mr Jean Paul Lonema who is a staff of PAC working in Bunia, DRC. She also noted that this meeting was key because it aimed at coming out with effective Due Diligence monitoring and reporting tools. She informed the participants of the field work/visiting a mine site to pilot a monitoring and reporting tool. She noted that, at the end of the workshop there would be a common tool owned by all civil society leaders. She also emphasized the need for active participation before thanking the Executive Secretariat members for their efficiency in the logistical preparation of this event.

### 2.3. Remarks by Mike Loch

Mr. Mike Loch, on behalf of Responsible Trade LLC, started by thanking COSSOC-GL for the invitation to facilitate the workshop. He appreciated the effort of COSSOC – GL and described it as “the best of the best”. He expressed the need to facilitate a lively and active meeting. He also noted that there were no “stupid questions” and that questions can be asked at any time. He observed that every participant was entitled to his/her opinion. He also emphasized the need for exchange of information, ideas and the need for participants to learn from each other. He finally emphasized that the participants were to travel to the mine sites, to pre-test tools and provide input into tool improvements and modifications so that it would be a tool that would meet COSOC-GL needs while providing downstream with the necessary information.



Figure 1 Left to Right. Mr. Mike Loch, Mr. Cyprien Birhingingwa and Madam Carmen Teichgraber during the Opening Ceremony

## 2.4 Session 1: Understanding the Downstream Needs for the integrity of Mineral supply chains due diligence

Mr Mike Loch started by giving a short background about his work on conflict minerals and the downstream mineral industry. He noted that most of his work has been related to create a link between the upstream and downstream and strengthening information flow to fill the gaps. He noted the need for interaction between the downstream and upstream in order to confirm the realities and allow information to flow down the supply chain.

He began with a brief highlight on the Dodd Frank Wall Street Reform and consumer Protection Act. He noted that the Act was signed by President Obama in 2010 and section 1502 requires companies to file disclosures and reports with US. Securities Exchange Commission (SEC) related to the use of Tin, Tantalum, Tungsten, and Gold in their products. He however added that the implementation of this law was challenged by a number of factors such as a law suit by various industry organizations to remove section 1502 of the Dodd Frank.

Mr Loch also explained the conflict minerals and explained the SEC rule overview as;

- Determining Applicability
- Conducting Reasonable country of origin inquiry (RCOI)
- Due diligence

He took the participants through the OECD Due Diligence. He noted that the OECD Due Diligence Guidance provides detailed recommendations to help companies respect human rights and avoid contributing to conflict through their mineral purchasing decisions and practices. This Guidance is for use by any company potentially sourcing minerals or metals from conflict-affected and high-risk areas.

He explained that in 2012, the US Securities and Exchange Commission recognized the OECD Guidance as an international framework for due diligence measures undertaken by companies that are required to file a conflict minerals report under the final rule implementing sec 1502 of the Dodd-Frank legislation. He noted that the US Department of State endorsed the OECD Guidance and encourages companies to draw upon it as they establish their due diligence practices. It should also be noted that the United Nations Security Council resolution 1952 (2010) supports taking forward the due diligence recommendations contained in the final report of the UN Group of Experts on the Democratic Republic of the Congo, which endorses and relies on the OECD Due Diligence Guidance.

The Lusaka Declaration signed by 11 Heads of State of the International Conference on the Great Lakes Region (ICGLR) in December 2010 states the processes and standards of the OECD Due Diligence Guidance which was later integrated into the six tools of the Regional Initiative against the Illegal Exploitation of Natural Resources (RINR).

To intensify co-operation, a Memorandum of Understanding between the OECD and the ICGLR was signed on 13<sup>th</sup> December 2010. G8 leaders and African countries encouraged full implementation of the Lusaka Declaration at the Deauville G8 summit on 26-27 May 2011.

Mr Loch also explained the downstream industry approach to conflict –free sourcing and gave highlights on the approach. He also discussed the conflict –free smelter Program (CFSP). With all the work that has been conducted he highlighted the fact many companies are not making a conflict-free claim for a variety of reason and that only few are willing to make a conflict free claim when they source from the Great Lakes region.

## 2.5 Questions from participants/ Discussion

### Questions

- *Don't you think there is some foul play where companies claim but do not comply?*
- *If there are false claims by these companies, what happens-in the downstream side?*
- *How can we be sure that these reports and claims from companies indicate the real picture of what is happening?*
- *If Apple does not make a conflict free claim will other companies behave the same way?*

### Answers

- *There is a need to verify the claims. The further downstream you can go in identifying the players, the better; there are penalties in form of fines. At the upstream there are a number of economic impacts including loss of business.*
- *Apple urges all suppliers at different levels in their supply chain to comply with the OECD Guidance. Given the complexity and dynamic nature of their supply chain it's hard for them to make a claim that they are conflict free. If Apple made a conflict free claim, and it happens that this is false due to a misrepresentation by a sub-tier supplier, the brand impact could be significant because of any likely attacks from the media, stakeholders and NGOs- could harm their reputation. It will be up to each individual company to determine if they have enough confidence in their supplier data to make a conflict-free product determination.*

One of the main areas of focus of the implementation program of the Guidance is to ensure that international standards do not further marginalize workers of the informal sector. The OECD Guidance therefore entails an Appendix on “suggested measures to create economic and development opportunities for artisanal and small-scale miners” calling on all stakeholders to engage in legalization and formalization programs of artisanal mining communities.

The objective is two-fold:

- To build secure, transparent and verifiable supply chains from mine to market and enable due diligence for legitimate artisanal and small-scale mining.

- To ensure that legitimate artisanal mining communities can benefit from ongoing trade in conflict-affected and high-risk areas, to support their development and thus contribute to the general improvement of the situation on the ground.

## **2.7 Session 2: Introduction to draft tools - Summary Report Template, and Report Review Template**

Mr Mike Loch introduced and presented two tools for the participants to input. These include: the monitoring and summary reporting tool. He noted that the Tools had been developed jointly with consultation with industry players, composed of civil society stakeholders and industry players. He observed that the tools were developed putting into consideration the OECD due diligence guide and the ICGRL RCM Manual. Mr Mike noted the need for civil society monitors to study the tools in detail, study the applicable legal and policy provisions/environment and specific country contexts in order to domesticate the tools. He requested participants to provide comments.

### **2.7.1 Comments on the Monitoring Tool**

- Members were to note that the template was to be used as an interview guide, but provide overall guidance for reporting. Specific questions for interviewing respondents were to be further developed.
- Participants highlighted the need to align the Summary Report template with the Monitoring Tool.
- There is need for introduction and description of the of the methodology and steps followed in the tool development process
- Need to harmonise the structure into a coherent flow e.g. having specific questions under each component addressed fully that mixing question under different components Structure e.g. environment, transport.
- The need to reference provisions of local laws and standards of the country (local registrations, OECD,ISO ,ILO, country specific legislation)
- The need to get Women's rights more detailed
- Need for alignment of sections
- Ensuring that acronyms are defined (KYC)
- The need to capture Key human rights issues in the document
- Need for more questions on Environment (only 1 question, more questions on other pillars)
- Need more specificity
- Incorporate more Human trafficking/missing
- Social-economic issues missing (community benefactor)

## 2.7.2 Key Comments on the Summary Report Template

A number of conclusions were made to improve on the accuracy of the Summary Report Template. These include the following:

- The need to ensure data support conclusion
- The need to align the field monitoring tool to reporting tool to ensure consistence
- Provide source of information (confidential) and evidence for all statements written
- Information in notes may be modified or edited to protect the source
- Only respond (identify colour) for what was looked at
- Incorporate Social economic benefits
- Need to support improvement by incorporating a section that talks about the positive-not just negative
- Find out who else has worked on the site previously, review reports, triangulate information and obtained more concrete evidence
- Incorporate sections other issues such as: Taxes /illegal payments
- Corruption needs to be covered(break out illegal/corruption bribery)
- Identify who owns the collective action
- Add women's rights to the list of Human Rights
- Include Positive aspects "best practices"
- Summarise the issues along the following categories:
  - *Women*
  - *Production levels*
  - *Human rights*
  - *Community activity*
  - *Labour*
  - *Health and Safety*
  - *Environment*
  - *Legal*
  - *Children involvement*

## 2.8 Session 3: Plan Objectives and preparation for Mine Site Visit

Mr Mike loch introduced the Exercise:

He advised the participants to break into groups of three-four people and look at the key issues. He noted that the constructed groups were to conduct monitoring and when done monitoring complete the draft reporting template provided. He also communicated that the tool would be later domesticated as much as possible so that it facilitates the activities. He also informed the participants that after the mine site visit the data collected would be analysed. Thereafter, the

participants will carry out a deep dive into the tools, validate, check for accuracy, information and provide recommendations for adjustment.

The validation will include:

- Agreeing on a harmonized approach for COSOC-GL to report.
- Agreeing on a communication strategy and method of reporting whether, website etc.
- Revising and finalising the tools by the end of the workshop
- Generating a report as a result of the field mine monitoring (a report based on civil society monitoring in Gold mining sites in Mubende).
- Summarizing and ending the meeting.

## 2.9 Composition of the Groups and criteria for selection

A total of 5 groups were composed. The selection took into consideration, the need for effective communication by incorporating multilingual persons from English, French and Swahili. There was a need to also consider overcoming any challenges from local dialects such as Luganda by selecting Ugandans to take lead in Group work. Furthermore, there was a deliberate effort to include a female representative in each group and as representation on countries. The facilitator also had a debriefing about the field trip and informed participants to prepare to depart at 6:30 Am the next day.

## 3.0 Day 2: site monitoring in Mubende

The site visit took place on 17<sup>th</sup> December 2016. The field monitoring visit was conducted in Kagaba Mining Site, Bukuya Parsish, Kasanda Sub county Mubende District. The site is an Artisanal Small Scale Gold mining site, located in central Uganda, approximately 149 Kilometres West of Kampala City. Departure for the field trip to Mubende was at 7:30 Am. Mr Turyahikayo Stephen was the guide for the learning trip in terms of travel and logistics, while Mr Mike Loch and Madam Carmen Teichgraber were responsible for quality control in terms of content. The Monitoring Groups were organized along five thematic areas. These included: Environment, Health and Safety, Illegal trade, Human Rights, Conflict Financing, Corruption and Bribery as well as the issue of women and children in the mine sites. Each group carried monitoring, which was a combination of site walk through and assessment using observations, carrying out interviews and focus group discussions with selected miners and miners' representatives. The monitoring visit took the whole day.





**Figure 2 Members of one of the monitoring groups, carrying out Monitoring**

#### **4.0 Day 3: session 1: analysis and presentation of field monitoring exercise**

The session was opened by Mr Cyprien Birhingwa, who extended appreciation to the participants for what had been covered so far. He gave guidance on the program of the day and also gave a communication about meeting logistics. He then invited Mr Mike Loch the facilitator. Mr Mike gave guidance on the main activity of the day. He advised that, the groups needed to re constitute, break out and analyse data-then present findings. He however requested for feedback from the participants about the field Monitoring Exercise. After members had shared their experience, Mr Loch reminded the members that the purpose of the exercise was to improve the tool to be used by COSSOC- GL and any other members of the upstream. The groups have analysed data, filled the templates and presented the key findings;

#### **4.1 Summary of Key findings from the Mine Site Monitoring in Mubende**

- The mining site is generally not organized and not registered by the state, thus there is a lack of proper and effective supervision of the presence of children working onsite.
- We noticed that there is child labour at its worst form in the mines and a lack of follow-up mechanisms and social structures to reintegrate children arrested in mining site. The tendency is that children arrested and later released, return to the mining site soon enough because they are mostly orphans and homeless with no adult care.
- There was evidence of presence of children less than 18 years working in the mines on jobs such as: Carrying heavy loads of stones from mining pits- more than 50kg; stone breaking; washing and exposure to toxic chemicals such as mercury; and digging in the mine tunnels.

- There were also a number of testimonies for abuse of women's rights. Women are still bared from participation in the mining discriminated on the basis of traditional beliefs. There was also evidence of involvement of women in prostitution.
- There was evidence of exploitation of labourers. Workers work for long hours accompanied with poor working conditions
- Restoration was not properly done. There was evidence of abandoned pits without filling with soil. In some areas, the abandoned pits were undergoing natural restoration- the vegetation was regenerating. There was however no deliberate effort or written procedure at the mine site to carry out active restoration as required by the Ugandan Environmental Laws and international best environmental practices.
- The abandoned pits are potential breeding ground for vectors – e.g. Mosquitoes likely to affect the health of the miners.
- There was evidence of dust and noise pollution especially from the crushers. The bodies of men who were operating the crushers were filled with dust. Information from a few members interviewed revealed that most of them are vulnerable to respiratory related diseases such as, influenza and other respiratory complications.
- There were no designated places for collection of waste generated-and therefore no waste disposal mechanisms in place, apart from open dumping
- Miners have no personal protective gear. Women stand for long hours in water that they use for panning. There was no evidence of any protective gear in both the feet and hands. This water is contaminated which poses health risks to women. Women at the site were mainly involved in crushing of stones, they use bare hands. By observing their hands, you would easily notice a lot of damage on their skin and bodies-including scars. The eyes were also not protected.
- There was evidence of use of mercury. Most exposure was identified among women who directly mix mercury with water during the panning process.
- There was also evidence of burning the amalgam increasing exposure – through inhalation of mercury vapour. Mercury use is being regulated internationally and Uganda is a signatory to the Minimata Convention.
- The toilets were far from ease of reach, and some miners end up using the nearby bush. The toilet population ratio did not match.
- There was no evidence of access to safe water. The response from the interviews showed that the water was collected from the open water sources downhill. A jerrycan of water was sometimes being bought at 2000 Uganda Shillings.
- There were only a few private drug shops near the site. Drugs are however expensive. The nearest health centre lies within a distance of approximately 3 Kilometres. There was also no evidence of first aid tools and kits, as well as emergency response in case of an occupational accident.
- There were reports of deaths from suffocation and collapse of the mine, although this information was not easily verified.

- The pits were covered with rain proof to avoid wetting and flooding
- The Pits and tunnels were very deep with minimal lighting. There were reports of miners suffocating from insufficient oxygen during activities
- The deep tunnels are risky, because the ore is physically and manually carried from the pit.

After the presentation and discussion of the findings Madam Carmen, presented an exercise inform of a home work. Carmen advised the participants to read the COSOC-GL Report “Gold Rush, practices and impact of mining gold by dredging” and the one of Max impact “Challenges of implementing mineral tracking in South-Kivu” to fill the reporting template. This would help in understanding the template further. This activity was done over Night.

#### **5.0 Day 4: Session 1. Review-Comment-Edit Draft Tools and Agree COSOC Process for collecting, distributing and storage of Summary Reports**

The facilitator made a quick Recap for the previous day. He again requested the participants to present more views about the Reporting tool. He also noted that the participants to further agree on the schedule for reporting.

##### **5.1 Key Observations on the Reporting Tool**

The comments on the tool included:

- The need to include an Over view and introduction to the report
- Include the title of the report
- Include the Geographic coordinates (Map if available) topography, relief.
- Include the License Number, production details, Number of miners.
- Include a section on corporate social responsibility.
- Strengthening the Document by including more sources of reference e.g. Specific legal requirements, international legislations and treaties, standards and best practices etc.

##### **5.2 Key Considerations for developing a communications strategy for report distribution**

The meeting agreed to carry out reporting every three Years. The facilitator also took the participants through a stakeholder mapping exercise. The meeting agreed on the following considerations for stakeholder involvement, in sharing the monitoring reports.

##### ***Key stakeholders include:***

- Exporters
- Government Authorities



- Mines ministry
- National
- Provincial
- State services
- COSOC members
- Assurance programs (CFSI, ITSCI , BSP , others )
- International NGO's GW, Enough, etc.

### 5.3 Strategy for dealing with Security concerns, Key Considerations

The participants discussed a strategy for ensuring security and safety of civil society monitors. The meeting observed the following:

- The need to ensure security of civil society organizations conducting monitoring
- Recognising that this security is based on the governance of the country
- The need for precautions (on publication of the reports) based on the context of individual states
- The need for being security conscious and being objective and professional. Members compared monitoring with Humana Rights Defence Work which is equally risky. Agreed to carry out their work objectively without due influence and bias especially in writing reports.
- Members agreed to avoid defamation as much as possible, and be tactical in disseminating the reports
- Members need to explain issues identified, create constructive dialogue other than criticizing all the time. Much emphasis must be but in evidence based advocacy.
- Members also retaliated the need to continue working jointly as a group-so that they are not hunt as individual organisations. Working as a group increases voice and strength of numbers.

### 6.0 closure and next steps

Mr Cyprien Birhingingwa noted that there was a need for composition of country teams to continue field/site monitoring. He noted that a total of nine working groups of two or people per team would be sufficient. The participation in the workshop increased the number of working groups from 9 to 10 and from 18 to 21 participants in comparison with the initial provisions of the project. He observed that much work was still waiting. He noted that Uganda, Rwanda had three participants in each team. He noted that one of the key considerations for inclusion on the team was; only those members that participated in training would be part of the monitoring teams. This is because the upcoming exercise is a continuation of this work including the experts' meeting on monitoring and reporting due diligence in the Great Lakes Region. Members are expected to put into practices the knowledge obtained from this training.



“We therefore do not expect people who have not been part of this training to be members of the monitoring teams”, Cyprien added.

He also noted that monitoring work will be at a national level. In due course, Mike will be able to advise on whether monitoring should concentrate on validated site or any other site should or may be look at all. He also noted that there was a need to work in the nearest geographical zones – more experience sharing, in coming meetings.

Mr Cyprien also observed that civil society organizations will work in geographical unit where they are better placed, because they can work well in areas they know very well. He also observed the need to carry the work forward even at the individual countries. This will include:

- Continued collection of data, analysis and engagement with stakeholders
- Continued work under COSSOC GL- program for 3 years. Other opportunities to engage e.g.A regional Meeting expected in May-April 2017

## 6.1. Closing remarks

The closing Remarks made by Cyprien Birhingingwa. He explained the future of the work of monitoring with COSSOC. He emphasized that COSOC-GL was to carry forward the monitoring work using the monitoring and reporting tools that have been developed. “Beyond the learning simulation we are going to go for deployment for use of tools-we will effectively deploy in January-February 2017 in our respective countries, in a field work using the tools for two months” he said. .The outcome is real life reports. He also announced plans to have the same meeting in May-April 2017 with the same participants –we will not change participants, we will see then other aspects in Future – aspects that would enable that the tool tested have both strengths and weaknesses which will provide a room for improvement, he noted. Mr Cyprien also observed the need to focus on what COSOC-GL was planning to do because it has been trusted in the sector. He extended appreciation to Members for their active participation and dialogue; respect for each other, and fulfilment of the objectives of the Meeting. He added that he was pleased with the end results of the meeting and assured members that the pilot monitoring exercises in January will generate more information. He promised that the secretariat would go ahead and give guidance of team formation.

He extended appreciation to Pac, Responsible Trade LLC for the continuous technical and financial support which enabled to organize this meeting, and promised to continue working closely. He thanked the members for attending and declared the meeting closed.

Kampala, 19<sup>th</sup>, December, 2016



Annex

**Annex 1: Agenda**

TIME	ITEM	PERSON RESPONSIBLE
<b>Day 1- December 16</b>		
8 :30-09:00	Registration and installation of participants in the Conference room	Kara Faizy
9 :00 -10 :00	- Welcome and Introductions of Participants, Facilitator and PAC Delegation - Message of the PAC Delegation  - Brief presentation of the workshop: Context, Objective, Methodology and Expected Outcomes (Results)	Cyprien/Modérateur  Madame Carmen  Facilitateur/Mike Loch
10:00-11:00	Downstream Overview	Mike Loch
11:00-11:15	Break	Moderator
11:15-12:30	Downstream Needs	Mike Loch
12:30-1:30	Lunch	Moderator
1:30-2:00	Exercise: Monitoring vs. Audits	Mike Loch
2:00-3:00	Introduction to draft tools- Check list, Summary Report Template, and Report Review Template	Mike Loch
3:00-3:15	Break	Moderator
3:15-4:00	Continue review of draft tools	Mike Loch
4:00-5:00	Plan Objectives and prep for Mine Site Visit	Mike Loch
<b>Day 2- December 17</b>		
7:30-10:30	Depart for Mine site	Moderator
10:30-12:00	Mine site visit	Mike Loch
12:00-1:00	Box lunch to be provided	Moderator
1:00-3:00	Mine site visit continued	Mike Loch
3:00-6:00	Arrive back at Hotel	Moderator
<b>Day 3- December 18</b>		
9:00 -10:30	Civil Society Survey Results	Mike Loch
10:30-10:45	Break	Moderator
10:45- 12:00	Breakout- Gaps between what upstream provides and what downstream wants?	Mike Loch
12:00-12:30	Present on GAPS	Mike Loch
12:30-1:30	Lunch	Moderator
1:30-3:00	Break-out Mine visit findings	Mike Loch
3:00-3:15	Break	Moderator
3:15-5:00	Present Summary Reports- Use review template	Mike Loch



<b>Day 4 -December 19</b>		
9:00-10:30	Review-Comment-Edit Draft Tools	Mike Loch
10:30-10:45	Break	Moderator
10:45-12:00	Agree COSOC Process for collecting, distributing and storage of Summary Reports	Mike Loch
12:00-1:00	Lunch	Moderator
1:00-2:30	Develop communications strategy for report distribution	Mike Loch
2:45-3:45	Develop strategy for dealing with security concerns	Mike Loch
3:45-4:45	Next steps – pilot tools	Mike Loch
4:45-5:00	Summary and workshop closure	Moderator
5:00	Closing of the meeting and Family photo	Moderator

## Annex 2: List of Participants

PROVENANCE	OSC Member	N°	NOM DU DELEGUE	CONTACTS
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Written in Bukavu, December 8<sup>th</sup>, 2016.

COSOC-GL Executive Secretariat



### **Annex 3: Approved Cosoc Monitoring Summary report tool**

#### **COSOC Monitoring Summary Report**

1. Introduction (Please provide information for the topics below)
  - a. Formal Report Name (title):
  - b. Synopsis (abstract) of Report (max 2 lines):
  - c. Name of Civil Society Organization who completed the report:
  - d. Public Link/Location to access report:
  - e. Report Issue Date:
  - f. Language of Report:
  - g. Location Information: (Please provide the information where the study/monitoring was conducted)
    - i. Country:
    - ii. Province:
    - iii. Territory/Town/Village:
  - h. Mine site(s):
    - i. Mine Name:
    - ii. Coordinates of Mine:
    - iii. Topography
    - iv. Average production:
    - v. Minerals produced:
  - i. Identified Supply Chain Actors (if known)- (Provide names of organizations identified in report.)
    - i. Cooperative(s):
    - ii. Other Mine-level Organization(s):
    - iii. Trading house(s)
    - iv. Trader(s):
    - v. Transporter(s):
    - vi. Exporter(s):
    - vii. International Trader(s):



- viii. Smelter/Refinery(s):
- ix. Downstream Company:

2. Type of Incidents/Issues Reviewed: Check those that apply-

- a. Conflict Financing:
- b. Human Rights: 
  - i. Child Labor
  - ii. Forced Labor/Human beings trafficking
  - iii. Women Rights
  - iv. Other serious Human Rights abuses (e.g. torture, war crimes, widespread sexual violence, workers rights...)
- c. Illegal Trade:
- d. Corruption/bribery:
- e. Environmental:
- f. Health and Safety:
- g. Other:

3. Reference Standard used for evaluation (i.e. ILO, OECD, Mining Code, ICGLR, Better Sourcing Standard, local codes)

4. Scope of Monitoring

- a. Methodology (e.g. description of research methods, types of sources/ interviewees, other sources of information)
- b. Provide a short overview of what was reviewed including: audio-visual records and photographs, operations, supply chain actors, and partners or other entities that were part of the monitoring.

5. Findings (flag status)

CONFLICT FINANCING	HUMAN RIGHTS				ILLEGAL TRADE	CORRUPTION / BRIBERY	ENVIRONMENT	HEALTH & SAFETY
	Child presence and labor	Forces Labor	Women Rights	Other:				

*Brief explanation (caption)*

	Low Risk
	Medium Risk
	High Risk
	Not assessed

**6. Summary of Non-Conformances (provide a summary for all red and yellow risk issues)**

SUMMARY OF NON-CONFORMANCES			
Number:	Non-Conformance related to what reference standard and include what standard requires:	Description of non-conformance:	Monitor's Proposed Corrective Action:
1			
2			

(Add more lines as necessary)

**7. Best practices**

SUMMARY OF GOOD PRACTICES		
Number	Area of Good Practice	Description of Good Practice
1		
2		

**8. Report findings**