



REPUBLIC OF UGANDA

Ministry of Energy and Mineral Development

# MINING AND MINERAL POLICY FOR UGANDA

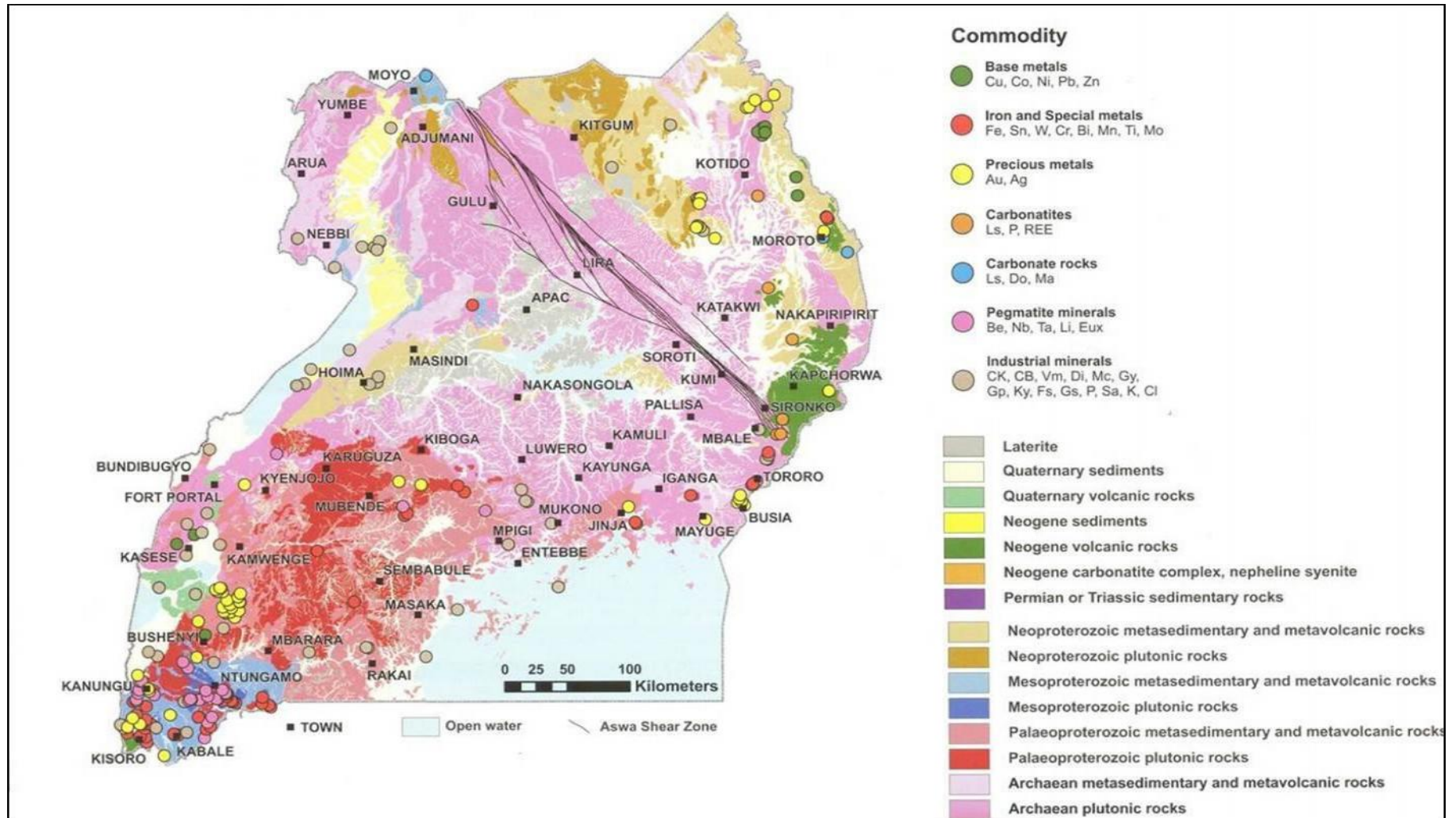
## 2018

### Policy Goal

To develop the mining industry through increased investment, value addition, national participation and revenue generation to contribute significantly to socio-economic transformation and poverty eradication.

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# GEOLOGY AND MINERAL OCCURENCE MAP OF UGANDA



## MINING & MINERAL POLICY FOR UGANDA, 2018

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## FOREWORD

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The Government of Uganda recognizes the importance of the Minerals Sub-Sector to the economy. Under the current Mineral Policy of Uganda, 2001 the government acquired good quality geological data and established infrastructure for its management; restructured and strengthened institutional capacity; and registered increase in employment and revenues accruing from mineral resources.

Uganda has good potential for minerals with favourable geological environment for world class economic mineral deposits. Discoveries of copper, nickel, gold, chromite, iron ores, tin, tantalite, tungsten, limestone, marble, graphite and gemstones have since been made. Other resources such as sand, clay and rock mining have also become significant in the face of economic growth. These resources have attracted increased Foreign Direct Investment (FDI) in the sub-sector from US\$5 million in 2003 to over US\$ 800 million in 2017.

Similarly revenues from license fees and royalties increased from US\$0.5 million in 2003 to US\$14.6 million in 2011 then back to US\$2.06 million by the end of FY 2014/15 due to global decline in mining industry. Currently, the sector contributes 0.3% percent to Gross Domestic Product (GDP) per annum compared to the annual sub-sector growth of 10.9%. This is expected to increase to seven percent (7%) by 2020 according to the National Development Plan (NDP) II (2015-2020) and Vision 2040 towards achievement of the Middle income status.

However, the Mineral Sub-Sector has continued to face challenges of low funding; institutional capacity to manage the mineral resources; value addition to minerals; complex nature of artisanal and small scale mining; conflicts and environmental degradation.

New emerging issues such as mineral certification requirements; regional and international commitments have also cropped up. More so, the envisioned development of upcoming projects such as the Sukulu Phosphate Project, the Kilembe Copper Mines, Iron and steel industry, Alupe gold project and marble resources in Karamoja require a more strategic management framework.

The development of this Policy was done in consultation with the Uganda Chamber of Mines and Petroleum, mining companies, academic and research institutions, development partners, members of Parliament on Natural Resources Committee, relevant Ministries, Departments and Agencies (MDAs), Civil Society Organizations (CSOs) and the general public.

The new Mining and Mineral Policy will provide directions and strategies for managing the exploitation of the country's mineral resources and will pave way for a more progressive and comprehensive Mining Legislation. Existing institutions will be strengthened and new ones created to undertake specific tasks.

Finally, I wish to thank the various Government Ministries, Departments and Agencies, the private sector, the members of the Inter-Ministerial Committee and the all those who contributed and prepared this Policy. I am confident that this Policy will leverage Ugandas' mining industry to benefit all Ugandans.

**Hon. Eng. Irene Muloni**  
**MINISTER OF ENERGY AND MINERAL DEVELOPMENT**

## **PREAMBLE**

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The Minerals sub-sector has over the years registered tremendous progress and investment attractiveness as a result of the implementation of the Mineral Policy of Uganda 2001. This performance notwithstanding, the sub-sector has faced challenges largely due to its dynamic nature which has rendered the Mining Policy of Uganda (2001), inadequate, thereby undermining its optimal contribution to social economic development, of the country, hence, need for its revision to bring it in tandem with the emerging issues.

The revised Policy is therefore intended to increase the development of Uganda's Minerals and Mining Sub-Sector in a cost effective and efficient manner, through increased investment, value addition, national participation and revenue generation to contribute significantly to eradication of poverty and promote socio-economic transformation in line with Vision 2040.

The justification for the new policy is therefore to promote regulation of substances excluded from the definition of the word "mineral" in Article 244 of the Constitution, promote use of appropriate technology with the least impacts to the environment, provide for a transparent and accountable licensing regime, comprehensively evaluate the country's mineral potential, increase investment and revenue generation in the Mining sub-sector, promote infrastructure development in the mining sector, provide for traceability of conflict minerals, promote in-country value addition, ensure equity in the mining sector and safeguard the provision of affordable inputs for rural agro-processing industries such as phosphate fertilizers.

The policy will also strengthen the institutional framework and address governance and operational issues, environmental protection, gender and equity, mineral value addition, mine closure and post-mining transition as well as, formalizing artisanal and small scale mining.

Above all, this policy will address gaps that have existed in the Mining sub-sector and more importantly, form a basis for review of the Mining Act of 2003, as well as, aligning the industry's strategic direction with the Constitution of the Republic of Uganda 1995 (as Amended in 2005), African Mining Vision 2009, the National Development Strategy under the National Development Plan II (NDPII 2015/16 -2019/20) and Uganda Vision 2040;

## EXECUTIVE SUMMARY

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The Mining and Minerals Policy for Uganda, 2018 goal is to develop the mining industry through increased investment, value addition, national participation and revenue generation to contribute significantly to substantial socio-economic transformation and poverty eradication. The Policy contains guiding principles, objectives and strategies for the sustainable development of Uganda's mineral resources. The Policy is divided into seven separate Chapters.

An overview of the broader economy, national goals and objectives are provided in the introduction. The Policy builds on important commitments and initiatives of the Government including addressing the strategic bottlenecks that have constrained Uganda's socio-economic development since her independence, such as, weak private sector, underdeveloped human resources, inadequate infrastructure, small market, lack of industrialization and underdeveloped services sector. In light of the foregoing, the Policy has ten objectives and enunciates twelve principles for sustainable development-based decision-making, including pursuance of several strategic, long-term directions.

The Government recognizes that the mining industry faces some of the most difficult challenges of any manufacturing sector. Based on the many expectations of the industry's potential contributions: The Government expects that the development of minerals will be an engine of sustained economic growth; Local communities expect that the industry will provide employment, infrastructure, and different advantages that counter the dangers and impacts they experience and will leave them better off than when the project started; the industry's personnel expect safer and healthier working conditions, improved livelihoods, and consideration when their employment ends; Local citizens and human rights activists expect companies to prevent and address the risk of adverse impacts on human rights linked to business activity; Civil Society Organizations (CSOs) expect government and companies to commit to better practices and stronger regulations to protect the environment and communities from industrial pollution; Investors expect higher returns on investment and financially healthy projects; and Consumers count on secure products produced in a manner that meets appropriate environmental and social standards.

Against this background, the Government of Uganda, through the Ministry of Energy and Mineral Development, appointed a Task Force to steer the Mining and Mineral Policy and legislative review process for the country. Therefore, this Policy is a product of consultations with a wide range of mineral sector and mining industry stakeholders. On the basis of several identified main issues, respective solutions have been formulated to address the various most important constraints, which affect and hamper mineral sector development.

The Policy is expected to underpin socio-economic growth on a sustained basis, and is aligned with the recommendations made in the National Development Plan II and the African Mining Vision 2040 to positively contribute to all 17 of the Sustainable Development Goals (SDGs). The scope and nature of mining activities create opportunities to leverage eight goals in particular seeking to: end poverty by investing mineral revenues in economic

and social development; ensure provision of clean water and sanitation; responsibly manage significant and broad landscape impacts; ensure sustainable access to energy and minimize emissions in both the production and downstream uses of its products; provide decent work and economic growth; deliver Infrastructure, Innovation, and Industrialization; and establish Peace, Justice and Strong Institutions.

This Policy seeks to provide an overall conducive environment that enables maximizing mining's contribution to sustainable development in Uganda. It defines clearly the responsibilities, accountability of sector organizations and institutions and linkages to national development plan. It also promotes generation and access to geological information; review and update of mining codes, regulations and standards; and proper licensing or permitting process that includes, for example: consultations with communities, integrated economic and ESI Assessments, identifying risks, impacts, opportunities - mitigation or management plans (including social investments), closure plans and full transparency of process.

The Ministry of Energy and Mineral Development is the Lead Agency responsible for mineral development. This Ministry will enhance its institutional capacity in order to coordinate and implement the new Mining and Mineral Policy, and it will also revise the Mining Act of 2003, and related regulations applicable to the Mineral Sector, to account for changes that have occurred in this sector to date, and to reflect the new Policy. The Ministry will work closely with other ministries and agencies, private sector and stakeholders in the implementation of this policy.

Key milestones that this policy shall achieve include: create new institutions to enhance the effective governance of the mining sector; provide adequate funding to sector; promoting the competitiveness of the Ugandan Mining Industry; providing a comprehensive geoscience information infrastructure; optimizing linkages into the local economy; promoting efficient Benefit Sharing in the Mining Industry; regional and international cooperation on trans-boundary mineral resources; promote efficient management of Artisanal and Small-scale Mining; promote value addition of strategic minerals; regulating Commercial Exploitation of Building Minerals; restrict blasting of rocks that are connected to ecological system and those with historical relevance; promote environmental management; ensure observance of social issues in the mining sector and enhancing the health and safety of Ugandans operating in the mining sector.

Institutional arrangements will be put in place to ensure efficient and effective implementation of the policy. A multi-sectoral Coordination Committee, Chaired by the Ministry of Energy and Mineral Development, shall be established, comprising of key actors across MDAs to coordinate, monitor and evaluate progress in implementations of the strategic milestones of the Policy which are multi-sectoral in nature.

The review of existing legislation is therefore paramount to operationalize this Policy. In addition, the existing Institutional and Regulatory framework needs to be strengthened to provide for a mandate to facilitate investment promotion, exploration, mining, value addition and trading in mineral commodities. The existing institutions also need to be strengthened and new ones established through restructuring of the Directorate of Geological Survey and Mines, under the Ministry of Energy and Mineral Development.

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## LIST OF ABBREVIATIONS AND ACRONYMS

|        |   |
|--------|---|
| AMDC   | African Minerals Development Centre   |
| AMV    | African Mining Vision   |
| AMGC   | African Minerals and Geosciences Centre   |
| AMP    | African Mining Partnership  |
| AU     | African Union   |
| APM    | Advance Pricing Mechanisms  |
| ASM    | Artisanal and Small Scale Mining  |
| CDA    | Community Development Agreements  |
| CMV    | Country Mining Vision   |
| CSI    | Community Social Investment   |
| CSO    | Civil Society Organization  |
| DGSM   | Directorate of Geological Survey and Mines                                      |
| DM     | Department of Mines   |
| EAC    | East African Community  |
| EARS   | East African Rift System  |
| EIA    | Environmental Impact Assessment   |
| EITI   | Extractives Industries Transparency Initiative                                  |
| EMP    | Environmental Management Plan   |
| ESIA   | Environmental and Social Impact Assessment                                      |
| FPIC   | Free Prior and Informed Consent   |
| FY     | Financial Year  |
| GDP    | Gross Domestic Product  |
| GNDPF  | Government's National Development Planning Framework                            |
| GSD    | Geological Survey Department  |
| ICGLR  | International Conference on the Great Lakes Region                              |
| ICT    | Information and Communications Technology                                       |
| IGF    | Intergovernmental Forum on Mining, Minerals, Metals and Sustainable Development |
| IMF    | International Monetary Fund   |
| ITA    | Income Tax Act  |
| LCVA   | Local content and value addition  |
| MDA    | Mineral Development Agreement   |
| MEMD   | Ministry of Energy and Mineral Development                                      |
| MoFPED | Ministry of Finance, Planning and Economic Development                          |
| MoJCA  | Ministry of Justice and Constitutional Affairs                                  |
| NCHE   | National Council for Higher Education   |
| NDP    | National Development Plan   |
| NEA    | National Environment Act  |
| NEMA   | National Environment Management Authority                                       |
| NEMP   | National Environment Management Policy  |

|       |  |
|-------|--|
| NPV   | Net Present Value                                      |
| OECD  | Organization for Economic Co-operation and Development |
| OHS   | Occupational Health and Safety                         |
| PEAP  | Poverty Eradication Action Plan                        |
| PGE   | Platinum Group of Elements                             |
| PMA   | Plan for Modernization of Agriculture                  |
| PPP   | Public Private Partnership                             |
| PWYP  | Publish What You Pay                                   |
| RBP   | Regulatory Best Practice                               |
| REE   | Rare Earth Elements                                    |
| SEA   | Strategic Environmental Assessment                     |
| SIA   | Social Impact Assessment                               |
| SMMRP | Sustainable Management of Mineral Resources project    |
| UNECA | United Nations Economic Commission for Africa          |
| UNEP  | United Nations Environment Programme                   |
| UPF   | Uganda Police Force                                    |
| URA   | Uganda Revenue Authority                               |
| UWA   | Uganda Wildlife Authority                              |

## GLOSSARY OF TERMS

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|  |   |
|--|---|
| <b>Artisanal and Small-scale Mining (ASM)</b>                                    | In this Policy context, ASM refers to mining operations run by individuals, families or groups of local communities or migrant workers or local enterprises, the majority of whom have no formal technical training and depend on rudimentary tools. The Ugandan mining legislation does not provide a direct definition of “artisanal” mining; only “small-scale” mining has been defined in the Mining Act, 2003, its operations characterized by small capital investment, low levels of technological sophistication, and at least 51% ownership by Ugandan citizens.   |
| <b>Building Mineral</b>  | rock, clay, gravel, laterite, murrum, sand, sandstone and slate, which is mined by a person from land owned or lawfully occupied by him or her for his or her own domestic use in Uganda for building, or mined by a person for his or her own use for road-making, and Includes such other minerals as the Minister may from time to time declare by notice published in the Gazette, to be building minerals  |
| <b>Buying and processing centre</b>  | a company that purchases mineral ore, most often but not exclusively from artisanal producers, processes mineral ore or mineral concentrate and exports mineral ore or mineral concentrate to customers outside of the country  |
| <b>Buying center</b>   | a company that purchases mineral ore, most often but not exclusively from artisanal producers and exports mineral ore to customers outside of the country   |
| <b>Neglected Development Minerals OR Low Value Minerals and Materials (LVMM)</b> | due to their low price as a function of their weight and their relatively low value to international commodity markets, these natural resources provide crucial inputs for domestic economic development (infrastructure, manufacturing, construction and agriculture to name a few) and have the potential to boost development through employment creation at the local level for millions people.  |
| <b>Policy Context</b>  | The ideas surrounding this Policy. These include: Legal and Policy Environment - policies, laws, regulations and guidelines, institutional capacity, monitoring and enforcement; Financial benefit maximization - Revenue Generation (Taxation and Royalties), Mining Policy Considerations; Socio-economic benefit maximization - Integration of Community, Regional and National Issues, Education, Community health, Occupational health and safety, Employment, Business development, Security, Human rights, indigenous peoples and cultural heritage; Environmental Management –Water, Biodiversity, Mining wastes, and Emergency planning and preparations; Post-mining Transition - Mine closure, Financial assurances, and Orphaned and abandoned mines; Artisanal and Small scale Mining (ASM) - Integrating ASM into the legal system, Integrating ASM into the formal |

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# Chapter 1

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## 1.0 INTRODUCTION

Uganda is endowed with favourable geological environments that host a wide range and variety of mineral deposits including: gold, asbestos, graphite granite, mica, dimension stones, construction materials, copper, lead, zinc, cobalt, nickel, iron ore (haematite), tin, tungsten, beryl, columbite, tantalite, lithium, bismuth, kyanite, kaolin with potential for nickel and Platinum Group of Elements (PGE), chromites, magnetite, tantalite, nickel, platinum, copper, zinc, niobium (pyrochlore), vanadium, baddeleyite (zirconium oxide mineral), Rare Earth Elements (REE), radioactive elements (uranium, thorium), marble /limestone, diopside (garnet marble), apatite, asbestos, graphite, muscovite, talc, serpentinite, gemstone, salt and gypsum including bentonite and diatomite clays; iron (magnetite), niobium, base metals, phosphates and vermiculite.

This is an indication of the country's mineral resource potential with estimates of about 80% of the land cover endowed with rare earth minerals thus providing opportunity to develop a strong mining industry. Government will continuously carry out geological explorations in the various parts of the country to assess the viability of the various mineral potentials. Uganda has the opportunity to build a strong mining industry that will be a source of revenue, employment, and economic lifeline industries since government expects to pursue mineral exploration further to unlock new discoveries.

This mineral policy therefore is meant to strengthen government efforts in the mineral subsector to unlock mineral potential for effective and efficient management of the subsector and to enable the country obtain maximum benefits from its mineral deposits to spur social economic development/ transformation of Uganda. The Policy comprehensively addresses the gaps that have existed in the mineral subsector and acts as a spring board for reviewing the subsector's obsolete legal and regulatory framework.

In addition the policy aligns the subsector with the Constitution Amendment of Article 244 in 2005, the vision 2040 and NDP II as well as regional and international frameworks e.g. African Union Mining Vision (2009) and also consolidates the achievements of the Mineral Policy of Uganda 2001 which provided a balanced policy framework which attracted investment in exploration and mining and boosted mineral trade in Uganda as indicated by the subsector's annual growth of 19.4% in Financial Year (FY) 2006/07.

### 1.1 Background

Mining in Uganda dates back to the pre-colonial era. Most traditional communities used to mine, process and smelt mineral ore. The common minerals mined, processed and smelted were iron ore, kaolin and clay. For instance, iron ore was processed from haematite and laterite (consisting of iron, aluminium and silicate). Other minerals included clay; iron, aluminium and silicate rich clays and others) and kaolin and shale; consisting of aluminium and silicate clays. The traditional smelting of iron ore from *iron ore* and *laterite* was done by *smelting* (pumping air) through a hole to a fire place where iron ore was put. Today this can be seen by slag in some places.

The airborne geophysical survey, geological mapping and geochemical sampling estimates over 27 types of minerals in significant commercial viable reserves. For example Iron ore deposits in Kabale and Kisoro areas are estimated to be over 300 million tonnes. Other minerals include; Beryl, Bismuth, Columbite Tantalite, Copper, Chromite, Diamond, Gold, Tin (cassiterite), Wolfram(Tungsten), Asbestos, Clay, Rare Earth Elements, Aluminous Clays, Diatomite, feldspar, Granite Gneiss, Graphite, Gypsum, Kaolin, Kyanite, Limestone, Marble, Mica, Phosphates, Rock Salt, Silica Sand, Building Sand, Talc, Cobalt, Lead, Zinc, Platinum Group Metals (PGM), Uranium, Vermiculite and Nickel among others (NPA, 2010).

The country has witnessed massive growth of the subsector stranding at an average of 19.4 % under the guidance of the 2001 and 2003 policy and legal frameworks. As a result there has been observed increase in investment in the subsector, new mines coming on-stream, growing mineral discoveries, as well as increase in mineral trade especially in gold, iron. The sector therefore, presents strong potential to generate substantial revenue and employment and provide more visible economic benefits to the country (up to 5% GDP) and improved livelihood for the population.

The latest detailed geological, geochemical and airborne geophysical data covering 80% of the country led to the discovery of a total of eighteen (18) new mineral targets; ten (10) new uranium priority anomalies; 300 million tonnes of proven iron ore deposits in the country (with inferred reserves of up to a billion tonnes); increase in Vermiculite reserves from 5 million tonnes to 54.9 million tonnes; increase in Limestone and marble reserves from 30 million tonnes to more than 500 million tonnes; 7.8 million ounces of gold in Busia, Kamalenge, Mashonga, Kampano and Alupe; 1.7 billion tonnes of graphite Orom, Kitgum, 3 billion tonnes of aluminous clay rich in Rare Earth Elements (REE) in Makuutu, Iganga; 230Mt of Phosphate and Iron for the Sukulu phosphates and steel project which is under development.

Foreign Direct Investment (FDI) in the mineral sector increased from US\$5 million in 2003 to an estimated US\$ 800 million in FY 2016/17. Similarly, revenues from license fees and royalties increased from US\$0.5 million in 2003 to US\$ 4.14 million in 2016/17, mineral rights (licenses) issued, increased dramatically over the same period from 100 mineral licenses in 2003 to over 818 by the end of FY 2016/17.

The subsectors positive developments notwithstanding, its contribution to GDP remains minimal (less than 1%). This is evidence of the subsectors limited potential to attract adequate investments and over the last seventeen years. The inadequate policy and legal frameworks enacted in 2001 and 2003 respectively which are anchored on obsolete development agenda and constitutional provisions as well as unpredictable emerging social and economic contemporary developments may account for the limited impact.

Development of the mineral subsector therefore remains a pertinent aspect for the integrated development of Uganda. The subsector has great potential to contribute to achieving high economic growth rates envisioned In the Uganda Vision 2040, which projects that the industry will be a major driver in employment creation and GDP growth through the subsectors forward and backward linkages that will be a source of revenue, employment, and economic lifeline industries. Eg Steel which is processed from iron ore is a significant input to the manufacturing, construction and infrastructure development. Uranium on the other hand is used to facilitate generation of electricity

from nuclear energy; whereas Phosphates are used for producing fertilizers to support agriculture production. In addition, the rare earth minerals are a strong input to the manufacturing of IT and electronic products.

The review of the Mineral Policy of Uganda, 2001 has thus been influenced by a number of important developments: international best practices existing in other jurisdictions with mineral wealth; updated geological information; the National Development Plan II (NDPII); the Uganda Vision 2040 and the constitutional amendment of 2005, as well as the need for the Policy to reflect recent regional and global developments in the governance of the mining industry.

## **1.2 Policy Context**

The mining industry is an international business involving complex global investments, financing mechanisms and mineral markets, hence the need for this policy to be put into a global, regional and local context. At the continental level, the African Heads of State and Government adopted the African Mining Vision in 2009, which is a continental blue print aimed at positioning mining as a key driver of Africa's socio-economic development.

The policy is developed to address the following issues: legal and regulatory framework, management of ASM, effective environmental management, health and safety, financing, market, value addition, institutional capacity, emerging issues, effective development of the mining industry, improving the investment climate, improved governance in the mining industry that calls for expedited review and development of policies and legislation relating to mineral development in Uganda, strategies that maximize social and economic benefits without compromising environmental sustainability for the benefit of present and future generations, harmonizing national and regional policies and strategies related to the development and exploitation of mineral resources, regulating the commercial exploitation of low value minerals.

## **1.3 Uganda's Mineral Resource Endowment**

Information from geological investigations carried out over a period of more than ninety-five years and available mineral production statistics, demonstrate that Uganda is endowed with favourable geological conditions associated with a rich and diverse mineral resource base and with substantial economic potential.

Uganda is underlain by extensive Precambrian (*4,500 – 600 million years*) rocks, which are host to a wide variety of mineral deposits. Younger Cenozoic (*65 million years – Present*) sediments and volcanics in the west and east of the country are also host to mineral deposits.

The previous and recent geological mapping and exploration studies show that the mineralization in Uganda falls into the following tectono-thermal domains or building blocks:

- (i) **The Archaean basement** of Uganda (*3,200 - 2,500 million years*) hosts gold, asbestos, graphite granite, mica, dimension stones and construction materials.

(ii) **The Palaeoproterozoic rocks** ( *2,100 - 1,780 million years*) hosts base metals such as copper, lead, zinc, cobalt, nickel and gold.

(iii) **The Mesoproterozoic rocks** ( *1,550 - 950 million years*) host of iron ore (haematite), tin, tungsten, beryl, columbite, tantalite, lithium, bismuth, kyanite, kaolin and have potential for nickel and Platinum Group of Elements (PGE).

(iv) **The Neoproterozoic rocks** ( *900 - 550 million years*) host both metallic and industrial minerals including gold, chromites, magnetite, tantalite, nickel, platinum, copper, zinc, niobium (pyrochlore), vanadium, baddeleyite (zirconium oxide mineral), Rare Earth Elements (REE), radioactive elements (uranium, thorium), marble /limestone, diopside (garnet marble), apatite, asbestos, graphite, musovite, talc, serpentinite, and a variety of gemstones.

(v) **The Phanerozoic rocks** ( *540 - 18 million years*) host a number of evaporites such as salt and gypsum; bentonite and diatomite clays; iron (magnetite), niobium, Rare Earth Elements, uranium, base metals, phosphates and vermiculite.

Recent geophysical surveys, geological mapping, geochemical surveys and mineral resources assessment under Sustainable Management of Mineral Resources project (SMMRP) identified eighteen (18) new potential mineral target areas for exploration and development, which are being followed up. These include: Iganga gabbro intrusion with potential for nickel and Platinum Group of Elements (PGE); Zeu area with potential for gold; Moroto area with potential for chromite Platinum Group of Elements(PGE), marble and gold; Kidera with Kimberlite potential, which may host diamonds; Naigobya geophysical anomaly with potential for nickel, chromium, copper, cobalt and Rare Earth Elements (REE); Bukusu carbonatite which hosts limestone, phosphates, iron ore, titanium, vermiculite and REE potential; Masindi–Karuma Falls area with potential for nickel, chromium, PGE and iron; Kitaka–Buhweju area that hosts gold and base metals; Packwach area that hosts diatomite; Kaiso-Tonya that hosts kaolin and bentonite clays; Mayuge area with potential for iron; Kafunzo area with potential for nickel and PGE; Makuutu area with potential for REE, aluminium and uranium; Hoima-Kafu area with potential for gold; Kaliro-Ivukula area with potential for gold; Aboke-Aloi area with potential for gold; Buhara- Kabale with potential for iron and Butogota – Kanungu with potential for iron.

The processing and interpretation of the airborne geophysical data (magnetics and radiometrics) between 2006 - 2008 identified ten (10) targets for possible uranium mineralization zones in Arua, Pakwach, Hoima, Fortportal West, Mbarara west, Mbarara East, Kabale, Kitgum West, Kitgum East and Masindi West.

However, a large part of Uganda remains geologically under-explored and the mineral potential of this area is yet to be evaluated.

#### **1.4 Situational Analysis**

In the wake of unprecedented global changes, including high volatility of commodity prices and rising exploration costs, the mining industry in Uganda is facing many



issues and challenges:

**Inadequate and outdated Policy, Legal and Regulatory Framework;** the current legal and regulatory framework lacks alignment to the national development frameworks as well as the constitutional amendment provisions. This therefore makes the frameworks outdated, inadequate, ineffective and inefficient; an indication that the subsector is guided by archaic frameworks which are not aligned to the national aspirations and constitution. Some of the challenges include weak institutions, inadequate monitoring and compliance, feeble enforcement and insufficient dispute resolution mechanisms. Eg the Mining Act (2003) does not in its jurisdiction cover several minerals that are mined and quarried on commercial basis, a contemporary development which if considered may raise the subsectors contribution to GDP to 5%, it also limits governance in terms of procedure for licensing and supervision, leading to cases of speculation and assumption of discretionary powers to the Commissioner..

**Inadequate funding:** The minerals subsector, despite its potential to improving the livelihoods of Ugandans has mainly been funded by development partners and private investors with government taking limited role mainly in exploration. As such there has been lack of comprehensive geological data, inadequate modern equipment, modern infrastructure, insufficient skilled man-power, and low capacity to inspect and monitor mining operations, low attraction and retention of technical expertise. This has limited optimal development of the subsector discoveries as well as investment attraction.

**Inadequate mineral marketing:** Inadequate strategies for marketing, promotion of minerals has largely affected development and substantial gain from the established mineral wealth e.g. inadequate appreciation of value addition, as a marketing strategy, has resulted to exportation of most of the minerals in raw form. E.g. iron ore which is used in steel essential in the manufacturing and construction industries. This is evidence of inadequate exploitation of the subsector for optimal economic benefit from its mineral wealth.

In addition the limited initiatives in the areas of branding, promotion and marketing of Uganda's mineral potential locally, regionally and internationally has limited the level of investment in the sector. E.g. since the formulation of the Mineral Policy of Uganda, 2001, there has been no deliberate facilitation of marketing and promotion of mineral trade including access to market information, buying centres, promotions, exhibitions and mineral auctions.

**Conflicts arising from competing land uses:** mineral resource deposits are located in, on or under the earth surface(land). As such access to land for exploration and mining is a key aspect in the face of increasing demand for land. There is often dispute arising from access to land, a phenomenon that affects effective exploration, investment and mineral development. There is need for a clear government strategy to provide easy access and acquisition of land for mining projects.

**Lack of clear mechanisms to enforce environmental obligations:** The NEMA and national environment Act 1995 and bill 2016 provide regulatory frameworks for sustainable industry operations among others so as to limit environmentally harmful impacts and effects. Nevertheless the lack of mandatory requirements for environmental performance bond and absence of an Environmental Restoration Fund as security for compliance by mineral rights holders for decommissioning, restoration

of derelict lands and orderly post-mine closure greatly affects the environment hence its degradation. There is need therefore, to harmonize and align the regulatory policies and practices in the country's mining sector with existing environmental legislation.

**Limited national and community participation in mineral development:** the mining industry is characterized by inherent complexities e.g. inadequate financial, technological and technical capacities which often limit national/ local communities' participation in mining ventures. As such mining operations are mostly controlled by foreign firms and individuals. It is therefore paramount to optimize benefits from mining by ensuring engagement of directly affected communities through provision of social license to operate to mining companies, guidelines on local content and value chain participation, policy measures on preferential sourcing of goods and services by mining companies from localities of operations and local firms among other.

**Insufficient royalties disbursed to districts and sub-counties that are unable to spur long- term social and economic development of mineral host communities:** The royalties disbursed to the districts are not put to proper use. There is need for Government to develop a mechanism to ensure that royalties are used by the local governments for health, clean water supply, education, infrastructure development, inspection and monitoring of mining activities among others.

**The large informal Artisanal and Small-scale Mining (ASM) Sub- sector:** Artisanal and Small Scale Mining (ASM) has become a major player in the mining subsector employing a large number of people in many areas of the country, mainly in panning for gold, gemstone mining. , Although ASM is an income generating activity benefiting low income and vulnerable groups the nature of their operations remain largely informal and illegal, characterized with smuggling, tax evasion, health and safety risks, socio-cultural dislocations, conflict among the mineral operators, loss of revenue, environmental degradation and a variety of illicit activities. This is attributed to difficulties in obtaining permits as well as inadequacies of the regulatory frameworks. Therefore, effective regulation and management of ASM becomes a pertinent issues for sustainable mineral development and wealth distribution.

**Human rights, Gender and child labour issues:** Exploitation of minerals has often involved women and children in large numbers. This is mainly observed in ASM subsector where these groups of people get heavily involved in the extractive activities. However, the industry does not recognize the salient issues affecting women hence put them at a disadvantage I terms of access to, and control over resources, productive assets, access to information technology participation in decision making processes and limited knowledge of mining enterprise developments. In addition development programs directed at transforming the subsector often tend not to consider them. This subjects them to risk i.e. both economic and physical and also exposes them to harmful materials. the subsector is also characterized with child labour which calls for enforcement of laws to curd the unlawful practice which often amounts to human rights violations in addition to loss of land rights and livelihoods, destruction of heritage, historical and cultural sites, right to life among others,

**Regional and international conventions, treaties, agreements, protocols or other arrangements relating to the mining industry:** whereas Uganda is a signatory to a number of international instruments such as the International Conference on the Great Lakes Region (ICGLR) Regional Certification Mechanism, Minamata Convention, Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty

Organisation (CTBTO) among others, there is still low commitment in domesticating and implementing these instruments applicable to the mining industry.

**Mineral Value Addition:** mineral ores in Uganda have been largely exported unprocessed depriving the country of employment and revenue. There is need for a strategy that governs mineral processing and beneficiation.

**Regulation of Building (Development) Minerals:** building minerals such as sand, clay, murrum and stone were largely unregulated under the Mining Policy of Uganda 2001, due to a gap in the legal and regulatory framework. There is need therefore to harness the economic potential of these minerals to contribute to the socio-economic development and transformation of Uganda. It has been established that the contribution of these minerals far exceeds the contribution of gold (Baseline Assessment of Development Minerals in Uganda, 2018).

**Inadequate Institutional and Human Capacity** Mineral exploration and mining is a highly technical field which requires specialized skills, well-structured and equipped institutions. Currently data acquisition and regulation of the industry are administered by one department (Mines and Geology) of the Ministry. This arrangement undermines efficiency and effectiveness given different challenges arising from the two respective mandates. Further, the existing institutional set-up lacks relevant supporting institutions, thus inhibiting effective enforcement, compliance and service delivery. In addition, government has not adequately invested in building human capacity for the mining sector by establishing institutions for training in mining and related fields, resulting in capacity gaps within the subsector.

### 1.5 Problem statement

Government approved the Mineral Policy of Uganda in 2001 with a goal of ensuring sustainable national, economic and social growth of the country. Key strategic areas in the Policy included: stimulating investment in the mineral sector, ensuring that mineral wealth supports national and social development; regularize and improve Artisanal and Small Scale Mining (ASM); minimize and mitigate adverse social and economic impacts; strengthen local capacity for mineral development; improve mineral value addition and optimize the mineral trade.

However, the Policy has since become obsolete and not strategically positioned to address new and emerging issues which are both policy and legal, arising from the dynamic nature of the sub-sector such as:

- Amendment of Article 244 of the Constitution in 2005, which preceded the Mining Policy 2001, the Mining Act 2003 and the Mining Regulations 2004. As a result, the frameworks are not in tandem with the Constitution, to fully support regulation and development of the mining subsector.
- The need to regulate commercial exploitation of substances such as sand, stone, clay and murrum, excluded from the definition of the word “mineral” in Article 244(5) of the Constitution. The exclusion has led to limited revenue generation from this category of minerals to support socio-economic development. These minerals if regulated can contribute over 3% to GDP (Baseline Assessment of Development Minerals in Uganda, 2018).

- The current legal framework encourages extensive speculation and confers a lot of discretionary powers and unclear guidelines to the Commissioner which has often resulted into unnecessary litigations;
- ASM has remained largely unregulated and its contribution not accounted for, partly explaining the less than 1% contribution of the sector to GDP. From the current illegal mining in Mubende, Buhweju, Busia, Namayingo, Nakapiripirit, Amudat, Kaabong, Abim and Moroto Districts, its estimated that about 200 kgs of gold equivalent to USD 8m (current price of USD 40,000 per Kg), is being illegally mined per month (Baseline Assessment of Development Minerals in Uganda, 2018) compared to Non Tax revenue (NTR) of USD 3.2m collected annually;
- The need to promote in-country value addition of strategic minerals such as iron ore, base metals, precious metals and battery minerals;
- The need to restrict any investor from blasting rocks that are connected to the ecological system and those with historical significance;
- The ambiguity surrounding the regulation, certification and traceability of regional conflict minerals such as Tin, Tungsten, Tantalite and Gold.
- The inadequate institutional capacity to administer the subsector to enhance optimal resource exploration and development thus need to restructure the sub-sector.

### **1.6 Policy Justification and Rationale**

The country's mining sector has been operating under the Mineral Policy of Uganda 2001 which has largely achieved most of its objectives and registered interest and growth in the sector. However, the emerging trends in the global mining industry, the anticipated opportunities and challenges in the sector and other gaps in the Policy, Legal and Regulatory regime have rendered the Policy ineffective. There is therefore need for a comprehensive and robust policy framework to provide a clear guidance for sustainable mineral resources development.

The policy will address gaps that have existed in the mining sector, form the basis for review of the Mining Act of 2003 and align the industry's strategic direction with the Constitution of the Republic of Uganda 1995 (as Amended in 2005), African Mining Vision 2009, the National Development Strategy under the National Development Plan II (NDPII) and Uganda Vision 2040. In addition, the Policy will strengthen institutional framework and address governance and operational issues, environmental protection, gender and equity, mineral value addition, mine closure and post-mining transition and formalise artisanal and small scale mining. In addition, the Policy will promote regulation of substances excluded from the definition of the word "mineral" in Article 244 of the Constitution, promote use of appropriate technology with the least impacts to the environment, provide for a transparent and accountable licensing regime, comprehensively evaluate the country's mineral potential and increase investment and revenue generation in the mining sector.

### **1.7 Policy outcomes**

The anticipated outcomes for this Policy are: a vibrant, investment-friendly and robust mining industry leading to:

- i. Increased subsector contribution to GDP;
- ii. Decent work/employment conditions of the mining subsector
- iii. Sustainable environmental, health and safety practices.

## **Chapter 2**

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### **2.0 VISION, MISSION, GOALS, OBJECTIVES AND GUIDING PRINCIPLES**

#### **2.1 Policy Vision**

A transformed mineral sector for socio-economic development of Uganda.

#### **2.2 Policy Mission**

To unlock and develop a sustainable, safe, secure, socially and

environmentally responsible mining industry to aid the socio economic development and transformation of Uganda. Ensure development of the mining industry through increased investment attractiveness, value addition, national participation and improved technology transfer and applications and institutional efficiency and effectiveness.

### **2.3 Policy Goal**

The overall goal of the Mining and Mineral Policy is to develop the mining industry through increased investment, value addition, national participation and revenue generation to contribute significantly to socio-economic transformation and poverty eradication.

### **2.4 Policy Objectives**

The overarching objectives that the Mining and Mineral Policy 2018 for Uganda seeks to achieve include:

- i. To strengthen the legal and regulatory framework for the development of the mineral sector;
- ii. To ensure efficient, equitable, accountable and transparent management of mineral revenues;
- iii. To establish, manage and promote the country's mineral potential;
- iv. To enhance and strengthen the institutional capacity for effective governance of the mineral sector;
- v. To organize and legislate artisanal and small scale mining in Uganda;
- vi. To promote and protect Health, Safety and Environment in the mineral industry;
- vii. Provide a framework for gender mainstreaming, equity and human rights and eradication of child labour in the mining industry;
- viii. To provide a framework for marketing and value addition of minerals;
- ix. To promote local content and national participation in the mineral industry; and
- x. To promote regional and international cooperation.

### **2.5 Guiding Principles**

The mining and mineral policy is underpinned by the following guiding principles of the Policy:

**Strengthening the legal and regulatory framework for the mining industry.** Providing a strong robust legal framework for minerals subsector through legal and regulatory framework that enhances transparency, predictability, minimum discretion and security of tenure.

**Promote transparency, accountability and public participation in management of mineral revenues** for improvement of livelihoods, creation of jobs, effective technology transfer and generation of significant income for sustainable development of the country.

**Enhance geodetic acquisition and promotion of investment in the subsector through** provision accurate and timely geological data and information from regular/ strategic airborne geo-physical survey in potentially rich areas e.g. the North Eastern part of the country (Karamoja).

**Strengthening institutional capacity (DGSM) and provide for other relevant institutions for optimum** Mineral exploration and mining characterised by enhancing development of specialized skills, well-structured and equipped institutions, establishment of supporting institutions and adequate investment/financing for effective exploration, exploitation and development of the subsector.

**Support formalization and regulation of ASM.** Artisanal and Small Scale Mining (ASM) industry play a significant role both as a direct source of employment in mining communities and in generating additional jobs and revenues in the rural economy. Nevertheless the industry is largely informal, characterised by existence of archaic rudimentary technology, in descent work environment, illicit activities among others, which limit realization of optimal benefits from mineral wealth and poverty reduction in the mining communities.

**Enhance sound health, safety and environmental protection in the mining industry** to avoid, minimize and mitigate health, safety and environmental impacts in exploration and mining activities in accordance with existing relevant laws.

**Mainstream Gender, Equity, Human rights and inclusiveness in the mining industry.** Women and children are increasingly getting involved in the extractive industry especially in artisanal and small-scale mining (ASM). Women are often overlooked by initiatives and development programs directed at transforming the mining sector and Child labour is prevalent in the mining industry and there is need to enforce appropriate child labor laws. A liaison framework that ensures that women, youth and persons with disabilities are able to efficiently and effectively inform its decisions, policies and programmes in mining needs to be put in place. The Government will ensure equitable access to the benefits of resource development and that they are within reach to all categories of Ugandans.

Promote Mineral value addition and development through horizontal and vertical linkages for transformation of the economy as envisioned in the vision 2040 of Uganda. Eg Steel which is processed from iron ore is a significant input to the manufacturing, construction and infrastructure development. Uranium on the other hand is used to facilitate generation of electricity from nuclear energy; whereas Phosphates are used for producing fertilizers to support agriculture production. In addition, the rare earth minerals are a strong input to the manufacturing of IT and electronic products

**Enhance local and national participation.** The Government recognizes that the mining industry not only creates mining jobs but also generates employment indirectly by stimulating demand for goods and services. In addition, the mining industry creates the need for technical education and specialised skills development. The educated, trained and experienced workers from mine and mine support activities become a

national resource beyond the life of the mine. Government participation in the mining industry is expected to regulate the behavior of private companies and optimize Government take from mining proceeds.

**Commitment to a free enterprise market economy and regional and international cooperation.** As expressed in Uganda's macroeconomic strategy contained in Vision 2040, the Government is committed to a continuous process of economic liberalization with the aim of strengthening the country's competitiveness, attracting foreign direct and portfolio investment and creating a conducive economic environment for business growth in the mining industry. In addition, Government also recognizes that cooperation with regional and international bodies, institutions and organisations is important for the development of the mining industry. Uganda can realized benefits of being a member of regional and international bodies related to the mining industry by fully utilizing opportunities provided by these organisations. Currently, Uganda is a member of the African Union (AU), East African Community (EAC), The African Minerals and Geosciences Centre (AMGC, formerly known as SEAMIC), African Mining Partnership (AMP) the International Conference for the Great Lakes Region (ICGLR), Inter-Government Forum on Mining, Minerals, Metals and Sustainable Development (IGF), International Atomic Energy Agency (IAEA), CTBTO among others.



## Chapter 3

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### 3.0 POLICY PRIORITY AREAS AND STRATEGIC INTERVENTIONS

#### 3.1 Policy priority Areas

Core policy priority areas are:

- i. Strengthening the legal and regulatory framework for the industry
- ii. Geodata acquisition and promotion of investment in the subsector through
- iii. Strengthening institutional capacity
- iv. Strengthening mechanisms for enforcement of health, safety and environmental obligations
- v. Support national and community participation in mineral development:
- vi. Enhance formalization of Artisanal and Small-scale Mining (ASM) Sub-sector
- vii. Mainstream Gender, Equity, Human rights and inclusiveness in the mining industry
- viii. Promote Mineral value addition and development

#### 3.2 Strategic interventions

**Objective 1:** To strengthen the legal and regulatory framework for the development of the mineral sector

**Strategy 1:** Establish comprehensive, stable, transparent, efficient and effective regulatory framework to maximize mineral development.

Key Actions:

- i. maintain and update a modern, computerized mining cadastre and registry system to facilitate online applications, returns and payments;
- ii. put in place effective mechanisms to ensure efficient mineral resource management and compliance in the minerals sector;
- iii. legislate and regulate the commercial exploration, development and exploitation of substances excluded from the definition of minerals in article 244 (5) of the Constitution of 1995 as amended in 2005;
- iv. guarantee security of tenure by granting licenses for specified periods, which are subject to the 'use it or lose it' principle through the enforcement of mandatory relinquishment, fines and penalties to minimize passive speculation and hoarding practices;
- v. restrict the exploitation of rocks that are connected to ecological systems and those with historical relevance and tourism importance; and
- vi. create an enabling environment that regulates the co-existence of mineral rights and other land use rights.

**Objective 2:** To ensure efficient, equitable, predictable, accountable and transparent collection and management of mineral revenues

**Strategy 2:** Develop and implement a stable, transparent, predictable and competitive fiscal regime to optimize collection and management of mineral revenues.

Key Actions:

- i. ensure that fiscal frameworks are harmonized with the prevailing international mining industry fiscal regimes;
- ii. introduce electronic lodgment of royalty returns which includes standardized quarterly and monthly reports;
- iii. ensure that royalties and other mineral revenues are spent on the development of durable and wealth creating socio- economic infrastructure both at central and local government level;
- iv. communicate effectively on mineral royalty sharing and disbursements;
- v. periodically audit mineral production and royalty returns submitted by mining companies; and
- vi. establish a Mineral Reserve Fund to store mineral revenues for creation of a permanent source of wealth as a provision for intergenerational equity.

**Objective 3 – To establish, manage and promote the country’s mineral potential**

**Strategy 3:** Enhance collection and access to geological data.

Key Actions:

- i. ensure effective collection, analysis, archiving and dissemination of data and information about the mining industry in Uganda;
- ii. ensure comprehensive airborne geo-physical survey, ground surveys to identify potential mineralized zones;
- iii. undertake detailed exploration, evaluation and feasibility studies of mineral deposits;
- iv. establish and maintain national minerals databases and data management information systems;
- v. put in place a framework for development of infrastructure that facilitates access to, and eases exploitation of mineral wealth;
- vi. establish a mineral promotion and investment unit at DGSM;
- vii. establish and promote geo-sites and geo-parks to support the tourism sector;
- viii. domesticate an appropriate Code for assessment and valuation of mineral assets; and
- ix. establish a communication strategy for the mineral sector.

**Objective 4 – To enhance and strengthen the institutional capacity for effective governance of the mineral sector**

**Strategy 4:** Strengthen and Build Institutional and Human Capacity for effective and efficient governance and management of Mineral subsector.

Key Actions:

- i. provide adequate funding and equipment to DGSM to efficiently carry out its mandate;
- ii. provide capacity building and skills development of government officials and stakeholders in the mineral sector;
- iii. separate DGSM administrative functions of licensing from inspection and monitoring of compliance;

- iv. permit the DGSM to retain at source some of the funds generated from mineral exploration and mining activities to strengthen the exploration, regulation, monitoring and inspection functions of the DGSM;
- v. promote inter-agency collaboration and linkages;
- vi. provide adequate remuneration and incentives to motivate and retain staff responsible for mining industry promotion and management;
- vii. establish and strengthen earthquake, landslides and other geohazard monitoring systems;
- viii. establish and equip institutions for quality vocational training and postgraduate qualification apprenticeships;
- ix. enact a law regulating geoscientists and its associate professionals; as well as set up a professional registration body for geoscientists in Uganda; and
- x. establish a unit in DGSM to coordinate and promote research and development.

**Objective 5: To organize and legislate artisanal and small scale mining in Uganda**

**Strategy 5:** Develop a framework for mainstreaming and formalizing artisanal and small scale mining operations to support livelihoods and entrepreneurship.

**Key Actions**

- i. establish a framework for licensing, regulation and monitoring of ASM activities;
- ii. register and encourage ASM to form associations for their operations;
- iii. map and demarcate areas for ASM;
- iv. ensure that artisanal mining is a preserve for Ugandan citizens and encourage joint ventures for small-scale mining operations;
- v. provide extension services and technical assistance to ASM and other mining communities in adopting safe, environmentally and socially acceptable mining and processing practices.
- vi. establish buying centres for mineral commodities for ASM and encourage them to participate in supply chain initiatives;
- vii. promote technological transfer and use of appropriate equipment.
- viii. establish mechanisms for ASM to access financing; and
- ix. collaborate with development partners and civil society to promote best practices in the ASM subsector.

**Objective 6 – To promote and protect Health, Safety and Environment in the mineral industry.**

**Strategy 6:** establish a mechanism to monitor and enforce compliance to health, safety and environmental standards.

**Key Actions:**

- i. strengthen capacity to monitor, inspect and enforce environmental provisions;
- ii. Promote the use of environmentally sound exploration and mining techniques and technology and regulate the use of toxic and hazardous substances such as mercury and cyanide;
- iii. establish mechanisms for comprehensive social and environmental planning, management and mine restoration;

- iv. create health, safety, HIV/AIDS and environmental awareness and train on best practices;
- v. put in place a mechanism for addressing environmental and social grievances, disputes and conflicts arising from exploration and mining operations.

**Objective 7: Protect and uphold gender, equity and human rights in the mineral industry.**

**Strategy 7:** Develop and implement frameworks, structures and mechanisms that ensure equitable participation, ownership and decision-making of vulnerable groups.

Key Actions:

- i. promote gender inclusiveness and equity in the mineral sector;
- ii. strengthen the monitoring and enforcement of laws and regulations relating to child labor and welfare in the mining industry;
- iii. promote respect for human rights through free, prior and informed consent and consultations while accessing surface rights for mineral projects;
- iv. recognize and promote labor rights for mine workers
- v. create awareness programs on gender and equity for mining communities; and
- vi. put in place a framework of binding norms relevant for human rights protection in the mining industry.

**Objective 8: To promote mineral value addition**

**Strategy 8:** establish mechanisms for promotion of investments in mining and value addition.

Key Actions:

- i. develop and put in place mechanisms that encourage in-country value addition of mineral resources to discourage the export of low value mineral concentrates;
- ii. strengthen and maintain a modern internationally certified mineral analysis and beneficiation laboratory at the DGSM;
- iii. put in place appropriate incentives to encourage private sector to set up modern credible mineral analysis and beneficiation laboratories and industries;
- iv. establish mineral beneficiation centers for training on mining and value addition techniques and marketing;
- v. put in place an appropriate framework and structures for the regulation of mineral processing and exportation; and
- vi. benchmark and adopt international best practices in mineral value addition.

**Objective 9 – To promote local content and national participation in the mineral industry.**

**Strategy 9:** develop and implement measures to enhance local workforce, facilitate knowledge and skills transfer and promote the use of local goods and services in the mining industry.

Key Actions:

- i. provide mechanisms for Ugandans to participate as independent developers or in partnership with foreign investors;

- ii. require licensees to equip nationals with skills and give priority to Ugandans in recruitment and employment at all levels;
- iii. collaborate with institutions of higher learning and set up new training institutions to support the development of the mining industry;
- iv. develop mechanisms for promoting Local Content Development
- v. promote skills development, education, training and research and development in the mining industry;
- vi. promote state participation in the development of strategic minerals;
- vii. require mining companies to procure goods and services available in Uganda and sold by Ugandan owned entities and individuals at competitive prices and acceptable quality; and
- viii. require mining companies to enter into Community Development Agreements (CDAs) with mining host communities.
- ix. build the capacity and empower host mining communities to negotiate CDAs with investors.

### **Objective 10 – To promote regional and international cooperation**

**Strategy 10:** promote regional and international cooperation in the development and management of the mineral subsector

#### Key Actions:

- i. collaborate with regional and international governments and bodies on information sharing relating to mineral markets, innovations, imports and exports, marine mineral exploration and exploitation;
- ii. domesticate appropriate regional and international treaties, conventions, agreements, protocols which support good governance in the mining industry;
- iii. encourage co-operation in the development of human resources through exchange of geoscience information, technology and sharing facilities and expertise;
- iv. maintain and subscribe to membership in regional and international institutions relevant to the mining industry development; and
- v. promote trans-boundary cooperation on environmentally friendly geological surveys and mineral exploitation.

## **Chapter 4**

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### **4.0 CROSS CUTTING ISSUES**

This policy addresses a number of cross cutting issues such as of Environment, Gender, Equity, Human Rights, Health and Safety Management, Land related issues and climate change.

#### **4.1 Environment, Social, health and Safety management**

Mineral development activities have both positive and negative environmental, economic and social impacts on communities. They can provide employment and business opportunities to local communities yet also can adversely impact on the environment, affect the local population and in the worst case scenario, result in severe or catastrophic social and environmental impacts. The current policy and legal framework provides for environmental, health and safety standards for mining activities but provides insufficient mechanisms for enforcement.

The mining sector shall coordinate with lead agencies to develop specific environmental, health and safety legislative, regulatory frameworks and standards for the mining sector and streamline it with the national Environment and other relevant laws. Emphasis will be on environmental performance, ecological sensitivity, sites of historical importance and conformity with internationally accepted standards on mine health, safety and environment. The Policy and mining legislation will establish a clear legal framework, procedures and obligations concerning rehabilitation at mine closure by mining license and permit holders.

The mining industry in Uganda shall strive and adopt the principles of sustainable development to maximize social and economic benefits without compromising environmental sustainability for the benefit of present and future generations.

#### **4.2 Access to Land**

Uganda has a complex land tenure system enshrined in the Constitution of 1995 (as Amended 2005). Mineral right holders are required to obtain consents from owner or lawful occupier of land in which their operations are to be undertaken. However, government plays no role in the negotiations of these consents between land owners and exploration entities. Nonetheless, due to the high priority given to the mining and extractive industry as a whole, the Ministry of Energy and Mineral Development, in consultation with the Ministry responsible for Lands shall facilitate such negotiations and address other community related issues for purposes of achieving and maintaining harmony in the industry.

For mining purposes, access to land may entail compensation, relocation and resettlement of the affected land owners and occupiers. As a result, the government shall ensure prompt, just and adequate compensation to the affected persons. Where relocation and resettlement are unavoidable, they will be done with due regard to basic human rights, as enshrined in the Constitution, international standards and best practices. These issues require multi-sectoral interventions and there shall be concerted efforts to involve relevant institutions and all stakeholders.

### **4.3 Gender, Equity and Child Labour**

Women participation in mining activities is important in the socio-economic development process. The Government has conducted awareness campaigns for women to participate in mining activities and facilitated establishment of Women in Mining Associations. However, women face economic and socio-cultural barriers which restrict their effective involvement in mining activities, and as a result they receive minimal benefits.

Involvement of children in mining activities is prohibited by laws. Mining activities, particularly small-scale mining are prone to the use of child labour which causes social problems. Children working in the mines are exposed to the harsh mining condition which affect their wellbeing and cause them to miss education opportunities.

The Government in collaboration with civil societies and other stakeholders shall improve education and awareness to small scale mining communities on the effect of child labour as well as strengthen and enforce the law against the use of child labour.

In addition, Government shall encourage and promote women participation in mining activities and ensure that all programmes related to mining, including education and training opportunities, are based on gender equality and equity.

### **4.4 Climate Change**

Government shall ensure that mining activities shall be undertaken in ways that minimize carbon emissions and other mining effects that have been deemed to cause climate change, and ensure that emissions from the sector meet global climate change guidelines and standards. Mining in forests and wetlands shall ensure conservation of ecosystems and biodiversity.

## **Chapter 5**

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### **5.0 LINKAGES TO EXISTING POLICY AND LEGAL FRAMEWORKS**

## **5.1 International, Continental and Regional Dispensations**

Cooperation with Regional and International Organizations is important for the development of any mineral sector. Uganda is a signatory to several regional and international conventions, treaties, agreements, protocols and other arrangements such as African Union mining Vision (2009), International conference on Great Lakes Region (ICGRL), African Mineral Geoscience Centre - SEAMIC, IAEA, and CTBTO. These instruments are aimed at harmonizing national and regional policies and strategies related to the development and exploitation of mineral resources.

The development of the mineral policy of Uganda, 2018 has been informed by the development goals/ agendas of the respective instruments and thus linked the frameworks to ensure the achievement of the respective goals. E.g. the policy underpins regional and international cooperation as critical for mineral subsector development.

## **5.2 National Policies, Legal and Regulatory Frameworks**

The Uganda vision 2040 provides the overarching framework of the country over forty year period. The Vision envisages a transformed Ugandan society from a peasant to a modern and prosperous country. As such in its development agenda, the vision recognizes the Uganda's favorable geological environments that host a wide range and a variety of minerals which provide an opportunity to develop a strong mining industry. Similarly the policy recognizes the Uganda Vision 2040 aspirations and seek to provide frameworks to unlock the Uganda's mineral wealth potential for social economic development.

In line with vision 2040, the policy seek to develop the mining sector that can catalyse agriculture as well as broad based growth and development of the down-stream linkages into mineral beneficiation and manufacturing , up-stream linkages into mining capital goods, consumables and services industries and side-stream linkages into infrastructure such as power, logistics; communications, water and skills & technology development .

The policy is aware of the aspiration of the NDP II, the five year plan framework which operationalizes the vision 2040. The plan underscores six key minerals for exploitation and value addition including: Iron ore, Limestone/Marble, copper/Cobalt, Phosphates, Dimension stones and Uranium which are directly linked to industrialization, infrastructure and energy utilization.

The Constitution of Uganda 1995 as amended 2005 provides and defines the mineral wealth and emphasizes the need to ensure that all Ugandans maximally benefit from the country's mineral wealth. As such the policy has taken into account the constitutional concerns to ensure inclusiveness by providing for main streaming of human rights, gender and equity

The Mining and Minerals Policy (2018) seeks to enable the country obtain maximum benefits from it's the current and future mineral deposits by and mainstream social and economic issues which are also cross cutting. These include: environmental



management, climate change, gender, human rights, health and safety, which are provided for under the different legislative frameworks e.g. the National Environment Management Policy, 1994, the National Environmental Act Cap.153, Occupational Safety and Health Act, 2006 among others. The Policy comprehensively addresses the gaps that have existed in the mining sector with regard to the above and provides a basis for review, enforcement and compliance

The policy is also cognizant and in alignment to other policies and sectoral legislative frameworks including the Uganda National Land Policy, 2013; and the National Forestry Policy, 2007; the National Forestry and Tree Planting Act, 300, Act No.8 of 2003; the Income Tax Act Cap. 340; the Land Act, Cap. 227; the Physical Planning Act, 2010, Act No.8 of 2010; Act No.12 of 2006; the Water Act, Cap.152; the Uganda Wildlife Act, Cap. 200; the Uganda, Investment Code Act, Cap. 92; and the Local Government Act, Cap. 243. The policy is therefore coherent, relevant and consistent with the existing policies and legal frameworks and ensures that the mineral sub sector is integrated with other sectors of the economy.

## Chapter 6

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### 6.0 IMPLEMENTATION ARRANGEMENTS

The Ministry of Energy and Mineral Development has the main responsibility of overseeing the implementation of this Policy. However, the actual implementation will be the preserve of key sector stakeholders including private sector and the process shall be guided by the implementation plan. Government shall put in place an inter-sectoral Coordination Committee, appropriate institutional linkage mechanisms and ensure inclusive participation through clearly defined roles and responsibilities.

#### 6.1 Inter-sectoral coordination committee

The Government shall put in place an Inter-sectoral Coordination Committee that will be chaired by the Permanent Secretary for the Ministry of Energy and Mineral Development to ensure effective Policy implementation.

The Inter-sectoral Coordination Committee shall consist of representatives from the Ministry of Lands, Housing and Urban Development, Ministry of Local Government, Ministry of Water and Environment, Ministry of Finance, Planning and Economic Development, Ministry of Internal Affairs, Ministry of Trade, Industry and Cooperatives, Ministry of Works and Transport, Ministry of Science, Technology and Innovation, Ministry of Education and Sports, Uganda Revenue Authority, Uganda Investment Authority, National Environmental Management Authority, Uganda Wildlife Authority, National Forestry Authority and the Uganda Chamber of Mines and Petroleum. The Committee will be convened bi-annually to review the progress of the implementation of this policy.

#### 6.2 Institutional Mechanisms/Arrangements

To achieve the goal, objectives and strategies outlined in this Policy and optimize benefits from mineral wealth, it is pertinent to strengthen the current institutional arrangement and establish relevant supporting institutions. Government will put in place comprehensive institutions to facilitate investment, exploration, mining, value addition and trading in mineral commodities and coordination of relevant key stakeholders ie MDAs, private sector, development Partners and civil society and other non-state actors.

The Ministry responsible for mining shall undertake licensing of all mineral licenses and permits through the Minister.

Government will strengthen the Directorate of Geological Survey and Mines by strengthening the mineral exploration and licensing units as well as creation of mineral

audit unit and a Mining Tribunal to carry out specific tasks as outlined below;

### **Mineral Exploration Unit**

The Role of the Mineral Exploration Department/Unit will include:

- (a) Undertake detailed exploration and evaluation of mineral deposits
- (b) Package mineral deposits into bankable feasibility projects.
- (c) Promotion of Mineral Value Addition

### **Licensing /Mining Cadastre Unit**

The Role of the Mining Cadastre Unit will include:

- (a) Receiving, evaluating and processing of applications for mineral rights and mineral processing licenses as well as requests for renewal, extension, reduction, transfer, and abandonment and making recommendations to the Minister for Energy and Mineral Development or any other authorized officer to grant application or request;
- (b) Administering mineral rights and mineral processing licenses under the Mining Act and other applicable laws;
- (c) Checking the eligibility of mineral rights applications;
- (d) Collecting administrative fees required for the submission of mineral rights applications, as well as annual rental fees from valid licenses; and
- (e) Management of the computerized mining Cadastre and registry system - maintain public cadastral maps and cadastre registers.

### **Mineral Audit Unit**

The Mineral Audit unit will be established to provide audit functions in the subsector and will be charged with:

- a) Auditing the assessment of taxes and royalties payable to Government from minerals produced, processed and exported;
- b) Counteract minerals smuggling, royalty evasion and illicit financial flows;
- c) Carrying out audit of minerals produced and exported;
- d) Auditing revenue distribution and management; and
- e) Auditing capital investments and operating costs by mining companies.

### **Mining Tribunal**

The role of the Mining Tribunal will be to arbitrate mineral and mining disputes.

## **Government Private Mining Company**

The Role of the Government Private Mining Company will include:

- i. Take up shareholding in government participatory interest in mining projects
- ii. Hold mineral rights that are of strategic importance to the government of Uganda;
- iii. Handle government of Uganda's commercial interests in the mining sector.

### **6.3 Specific roles of key Government institutions**

#### **6.3.1 Ministry Responsible for Justice and Constitutional Affairs**

The role of the Ministry of Justice and Constitutional Affairs under this Policy shall be:

- (a) participating in Mining and Mineral Policy formulation;
- (b) drafting legislation for the mineral sector; and
- (c) Participating in negotiating of Mineral Development Agreements.

#### **6.3.2 Ministry Responsible for Finance, Planning and Economic Development**

The role of the Ministry of Finance, Planning and Economic Development is to ensure macroeconomic stability, which includes prudent fiscal management and ensuring appropriate distribution of Government funds to provide efficient and effective delivery of services.

Specific roles of this Ministry under this Policy shall include:

- (a) providing a budget and other necessary funding for the implementation of this policy;
- (b) ensuring appropriate management of revenue from the mining industry;
- (c) designing fiscal regimes and other fees and charges applicable to the mining industry in consultation with the DGSM;
- (d) promoting the financing of Ugandans to participate in the mineral sector; and
- (e) monitoring and assessing the impact of mineral revenues on the economy.

### **6.3.3 Ministry Responsible for Works and Transport**

The Ministry of Works and Transport is responsible for the development of infrastructure required for transportation including aviation, marine and ground transportation. The ministry is also responsible for the implementation of policies related to the transport industry.

The role of this Ministry under this Policy shall include:

- (a) putting in place and maintaining transport infrastructure for the development of the mineral sector;
- (b) providing technical guidance on mechanical engineering aspects of machinery used in mineral activities imported into the country;
- (c) issuing approvals for movement along Uganda's roads of heavy equipment (above 56 tonnes) on roads in the country;
- (d) supporting development of the necessary infrastructure for mineral activities through construction of weigh bridges; and
- (e) Participating in verification of the structural integrity of drill rigs and other production facilities.

### **6.3.4 Ministry Responsible for Water and Environment.**

The Ministry of Water and Environment has the responsibility for setting national policies and standards, managing and regulating water resources and determining priorities for water development and management.

The role of the Ministry of Water and Environment under this Policy shall include:

- (a) setting national policies and standards for the management of water resources and the environment;
- (b) ensuring that mining activities conform to the requirements of the policies and laws regulating the protection and utilization of water bodies and aquifers;
- (c) monitoring the impact of mineral activities on the quality of surface and ground water bodies;
- (d) when undertaking borehole drilling activities, require drilling companies to avail samples and drill logs to the DGSM;
- (e) regulating water use and pollution load into water bodies through issuance of water permits to exploration and mining companies;
- (f) ensuring compliance with conditions stipulated in the water permits;
- (g) ensuring protection of water catchment and drainage areas;
- (h) ensuring respect of Uganda's commitments towards cooperation frameworks

- for basin wide trans-boundary water resource management;
- (i) ensuring self-monitoring by the mining companies for compliance with wastewater effluent standards together with ground and surface water quality standards; and
  - (j) Participating in monitoring and management of mine waste or effluent emergencies.

### **6.3.5 Ministry Responsible for Tourism, Wildlife and Antiquities.**

The role of the Ministry responsible for Tourism, Wildlife and Antiquities is to formulate and implement policies, strategies, plans and programs that promote and protect tourism, wildlife and cultural heritage conservation for socio-economic development and transformation of Uganda.

The specific roles of this Ministry under this Policy shall include:

- (a) formulating, implementing and monitoring policies, laws, plans, strategies and standards related to tourism, wildlife and cultural heritage;
- (b) ensuring that mineral related activities comply with wildlife conservation, cultural heritage conservation and tourism policies and laws;
- (c) in collaboration with relevant stakeholders, monitor the impact of mineral activities on wildlife conservation, cultural heritage conservation and antiquities; and
- (d) ensuring harmonious coexistence between ecotourism and mineral related activities.

### **6.3.6 The role of the Ministry Responsible for Gender, Labour and Social Development**

The Ministry of Gender, Labor and Social Development is responsible for the implementation of policies related to Gender, Employment and Social Development.

The role of the Ministry of Gender, Labor and Social Development under this Policy shall include:

- (a) carrying out regular statutory and routine inspections to ensure Occupational Safety and Health in the mining industry;
- (b) ensuring that employment policies in the mineral sector are in line with Uganda's social safe guards, Occupational Safety and Health and labour policies , laws and regulations;

- (c) formulating and enforcing standards, regulations and guidelines on gender, culture, social safe guards, labour, safety and health in the mineral sector;
- (d) monitoring compensation for occupational injuries and diseases in the mineral sector;
- (e) mediating labour disputes and participating in conflict resolution;
- (f) issuing guidelines on labour unions in the mineral sector;
- (g) monitoring compliance with the gender, culture, social safe guards, Occupational Safety and Health and labour standards;
- (h) ensuring that exploration and mining equipment and technologies brought into the country are environmentally friendly and comply with the desired safety and health standards;
- (i) ensuring that Occupational Safety and Health, labour, gender, cultural and equity concerns are mainstreamed into all mining operations; and
- (j) promote, disseminate and integrate the policy in the social sub sector plans and programmes.

### **6.3.7 The role of the Ministry Responsible for Education**

The role of the Ministry responsible for Education is to support, guide, coordinate and promote quality education to all persons in Uganda for national integration, individual and national development.

The role of the Ministry responsible for Education under this Policy shall include:

- (a) developing education and training programmes in order to create requisite national technical expertise and skills relevant to the mineral sector;
- (b) promoting the relevant research and development in collaboration with the Ministry responsible for mineral development and any other relevant institutions; and
- (c) Identifying and proposing measures to mitigate any adverse effects of mineral related activities on education of children.

### **6.3.8 The role of the Ministry Responsible for Trade, Industry and Cooperatives**

The role of the Ministry responsible for Trade, Industry and Cooperatives is to formulate, review and support policies, strategies, plans and programs that promote and ensure expansion and diversification of trade, cooperatives, environmentally sustainable industrialization, appropriate technology development and transfer to generate wealth for poverty eradication and benefit the country socially and economically.

The roles of Ministry responsible for Trade, Industry and Cooperatives under this Policy shall include:

- (a) ensuring that mineral related activities are in harmony with the Government policy on trade, industry and cooperatives; and
- (b) promoting the development of industries that can add value to Uganda's mineral resources and products.

### **6.3.9 The role of the Ministry Responsible for Lands, Housing and Urban Development**

The Ministry responsible for Lands, Housing and Urban Development is mandated to put in place policies and initiating laws for sustainable land use.

The role of this Ministry under this Policy shall include:

- (a) Initiating and implementing legislation relating to lands, housing and urban development;
- (b) Setting standards for matters regarding sustainable use and development of land and provision of safe, planned and improved housing/human settlements;
- (c) facilitating access to land for mineral related activities; and
- (d) in developing national and district physical plans and land use, the ministry shall ensure that areas with identified mineral resources are incorporated so as to reduce on the possible conflict between other land uses and mineral related activities.

### **6.3.10 The role of the Ministry Responsible for Foreign Affairs**

The Ministry responsible for Foreign Affairs is mandated to implement and manage Uganda's foreign policy.

The roles of the Ministry responsible for Foreign Affairs under this policy shall be:

- (a) ensuring cordial relations with other countries in promoting the development of Uganda's mineral sector;
- (b) coordinating regional and international initiatives, protocols and treaties relevant to the mineral sector;
- (c) coordinating joint exploration and exploitation of mineral resources along Uganda's borders;



### **6.3.11 The roles of the Ministry Responsible for Internal Affairs**

The Ministry responsible for Internal Affairs is mandated to promote efficiency and effectiveness in service delivery in peace, justice and security within Uganda.

The role of the Ministry responsible for Internal Affairs under this Policy shall be:

- (a) coordinating the protection of life and property, preserving law and order and preventing and detecting crime;
- (b) issuing work permits to foreign expatriate employees;
- (c) providing security at exploration and mining sites;
- (d) regulating the manufacture, possession, use, sale, transport, import and export of explosives used in mineral related activities; and
- (e) facilitating and regulating the entry, stay and exit into and from Uganda, of persons involved in mineral related activities.

### **6.3.12 The role of the Ministries Responsible for Defense and Security**

The Ministries responsible for defense and security are mandated to defend and ensure the security of Uganda.

Under this Policy, the Ministries shall ensure protection of mining activities and installations against any external aggression and internal threats.

### **6.3.13 Ministry Responsible for Science, Technology and Innovation**

The Ministry responsible for Science, Technology and Innovation is coordination, implementation and evaluation of Science Technology and Innovation Programs.

### **6.3.14 Ministry Responsible for Information and Communication Technology**

The Ministry responsible for Information and Communication Technology is mandated to formulate policies and legislation that promote and regulate the use of Information and Communication Technology in Uganda.

Specific roles of the Ministry responsible for Information and Communication Technology under this Policy shall include:

- (a) initiating the formulation and implementation of information and communication technology policies, laws and regulations that will provide a conducive and secure environment for data transmission and storage for mineral related activities; and
- (b) promoting, supporting and guiding the use of Information and Communication

Technology in order to enhance efficiency and effectiveness in mineral operations and transactions.

## **6.4 Roles of Key Government Agencies**

### **6.4.1 Role of the Central Bank.**

The role of the Central Bank is to promote and maintain the stability of the currency of Uganda, regulate the currency system in the interest of the economic stability, encourage and promote the economic development and efficient utilization of the resources of Uganda through effective and efficient operations of a banking and credit system.

Specific roles of the Central Bank under this Policy shall include:

- (a) advising Government on the impact of the mining industry on the national economy; and
- (b) ensuring that mineral activities do not impact negatively on monetary policy and macroeconomic stability of Uganda.

### **6.4.2 Role of the Uganda Revenue Authority.**

The role of the Uganda Revenue Authority is to assess and collect specified revenue, administer and enforce taxation laws and ensure tax compliance.

Specific roles of the Uganda Revenue Authority under this Policy shall include:

- (a) Work with DGSM to collect revenue specified in the Mining Act; and
- (b) Reporting on the collection of tax and non-tax revenue from the mineral subsector.

### **6.4.3 The role of the National Planning Authority.**

The role of National Planning Authority (NPA) in this Policy shall be to ensure that the Mineral Sector activities are integrated in the National Development Plans and strategies, Budget, Medium Term Expenditure Framework and other National Planning frameworks. In addition, the Authority shall study and publish independent assessments of key economic and social issues and options to increase public understanding and participation in mineral activities.

### **6.4.4 The role of the Uganda Investment Authority**

The role of Uganda Investment Authority is to initiate and support measures that enhance investment in Uganda and advise Government on appropriate policies conducive for investment promotion and growth. As an Investment Promotion Agency, Uganda Investment Authority mainly: markets investment opportunities; promotes

packaged investment projects; ensures local and foreign investors have access to information, especially about the business environment so as to make more informed business decisions; and offers business support, advisory and advocacy services.

The role of Uganda Investment Authority under this Policy shall include:

- (a) encouraging, attracting and facilitating investment in the mineral sector.
- (b) disseminating information on investment opportunities in the mineral sector.
- (c) providing serviced sites, buildings and competitive infrastructure in areas where mining activities are to be carried out.
- (d) developing the capacity of Ugandan enterprises to enable them participate competitively in the mineral sector.
- (e) establishing and developing industrial and business parks for the mineral sector.
- (f) supporting Small and Medium Enterprises operating in and supporting the mineral sector.

#### **6.4.5 Role of the National Environment Management Authority**

The role of the National Environment Management Authority is to spearhead the development and implementation of environmental policies, laws, regulations, standards and guidelines and provides guidance to Government on sound environment management.

Specific roles of the National Environment Management Authority under this Policy shall include:

- (a) coordinating the processes of environmental impact assessments for mineral activities;
- (b) carrying out, alongside other stakeholders, environmental monitoring and audits of mineral activities;
- (c) ensuring and monitoring compliance of mineral activities with environmental guidelines;
- (d) harmonizing national performance standards in the mineral sector on environmental sustainability with international standards; and
- (e) regulating any potential impact of toxins from mining activities.

#### **6.4.6 The role of the National Forestry Authority**

The role of the National Forestry Authority is to manage central forest reserves on a sustainable basis and to supply high quality forestry-related products and services to

government, local communities and the private sector.

Specific roles of the National Forestry Authority under this Policy shall include:

- (a) ensuring that mining activities are carried out in compliance with forestry policies and laws;
- (b) collaborating with DGSM in the management of mining activities that fall within forest reserves; and
- (c) issuing consent for undertaking mineral operations in forest reserves.

#### **6.4.7 Role of the Uganda Wildlife Authority**

The role of the Uganda Wildlife Authority is to conserve and manage Uganda's wildlife. The Authority is mandated to ensure sustainable management of wildlife resources and supervise wildlife activities in Uganda both within and outside the protected areas.

The specific roles of Uganda Wildlife Authority under this Policy shall include:

- (a) ensuring that mining activities are carried out in compliance with wildlife conservation policies and laws;
- (b) collaborating with DGSM in the management of mining activities that fall within wildlife conservation areas;
- (c) monitoring the impact of mineral activities on wildlife protected areas;
- (d) participating in evaluation of Environmental Impact Assessments and environmental audits for mineral activities; and
- (e) issuing consent for undertaking mineral operations in wildlife protected areas.

#### **6.4.8 The role of the Auditor General**

The role of the Auditor General is to audit and report on the public accounts of Uganda and to further conduct financial and Value for Money audits in respect of any project involving public funds.

The specific roles of the Auditor General under this Policy shall include:

- (a) providing an independent oversight of Government mineral operations through financial and other management audits in accordance with the constitutional provisions and any other relevant legislation; and
- (b) ensuring adherence to national and international accounting standards in the mining industry.

### **6.5 The Role of Local Governments**

This Policy recognizes that Local Governments have a role to play in the processing of mineral rights applications, working with other government departments to implement development plans, capacity building and infrastructure development, among other activities, in accordance with the Local Governments Act, Cap 243.

The role of the Local Governments under this Policy shall include:

- (a) developing and implementing plans and programs that recognize mineral activities;
- (b) participating in the implementation of mining Policies, Laws and mineral related activities;
- (c) creating awareness on mining activities within their areas of jurisdiction;
- (d) assisting the DGSM in the monitoring and inspection of mining activities within their jurisdiction, where required;
- (e) supporting mineral activities including provision of the necessary infrastructure and facilitating dialogue between the local communities and mineral right holders;
- (f) participating in the resolution of disputes arising from mineral related activities; and
- (g) participating in the determination and payment of compensation related to mineral development activities.
- (h) license building minerals such as sand, clay and murrum.

## **6.6 The Role of Private Sector**

The private sector players including exploration and mining companies shall work with Government in implementing this Policy as well as complying with the provisions of the law and mineral development agreements or licenses relating to mineral rights. The Private sector will also facilitate capacity building of Ugandan citizens, enterprises and other entities in the mineral value chain through training, employment, supplier development and research and development.

In line with best mining industry standards and practices, the specific role of the private sector under this Policy shall include:

- (a) efficiently carrying out exploration, development and exploitation of the country's mineral resources to contribute to economic growth and social transformation of Uganda;
- (b) complying with policies and laws existing in Uganda and managing emergencies that may arise out of the mineral activities;
- (c) incorporating Local Content in all their activities and operations;

- (d) investing in business improvement and Health, Safety, Environment and Quality to enhance competitiveness;
- (e) promoting best employment practices and industry standards;
- (f) creating non-state sponsored industry groups and collaboration forums to improve knowledge and capabilities; and
- (g) promoting and supporting technological advancement through research and development.

### **6.7 The role of Uganda Chamber of Mines and Petroleum**

The Uganda Chamber of Mines and Petroleum shall through the collective action of its members, lobby, promote, encourage, protect and foster responsible exploration & mining, to support the growth and development of Uganda's extractive sector for the benefit of all Ugandans and investors.

The specific roles of the Uganda Chamber of Mines and Petroleum under this Policy shall include:

- (a) protecting and promoting the interests of its members by working closely with the Government;
- (b) collaborating with government to attract investment in the mineral sector;
- (c) building capacity of its members by organizing training, workshops, seminars and visits; and
- (d) promoting networking among its members.

### **6.8 The Role of Civil Society and Cultural Institutions**

This policy recognizes the role Civil Society Organizations and Cultural Institutions can play through advocacy, mobilization and dialogue with communities. The roles include:

- (a) promoting transparency and accountability among mining industry players when developing and implementing mining projects.
- (b) Promoting advocacy, mobilization and dialogue with communities, licensed companies and the Government on aspects related to mining.
- (c) undertaking capacity building and training of local communities.

## **Chapter 7**

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### **7.0 MONITORING AND EVALUATION FRAMEWORK**

#### **7.1 Introduction**

This Policy is a framework to guide the exploration, development, exploitation and utilization of mineral resources in Uganda. The principles, objectives and strategies of this policy shall be implemented through strengthening the legislative, regulatory and institutional framework and providing adequate financing. The policy shall be implemented by the Government of Uganda through the DGSM, MDAs, the private sector, civil society organizations and development partners.

#### **7.2 Policy Implementation Plan**

A critical challenge in mineral policy implementation involves the programming of its various components. This entails the design of appropriate legislation, the establishment of institutional requirements and the preparation of a program of activities based on the strategies. These have to be sequenced and prioritized for implementation as well as putting in place indicators for measuring progress. Programming should be preceded by consulting key stakeholders within Government, Parliament, local authorities and communities. There is also need to have cooperation with agencies in linked sectors as well as non-state actors.

Under the Policy Implementation Plan, the main activities will be implemented within the timeframes indicated as indicated in APPENDIX III. However, for the effective implementation of the Policy, Government shall ensure that the following implementation actions are taken:

#### **7.3 Human Resources Development**

In developing human resource the Government shall develop a holistic training strategy involving other sectors and other institutional players such as universities and specialized training institutions that offer mineral related training; encourage a

collaborative approach directed at building a broad range of required competences needed in the mining sector; and foster partnerships between Government and mining companies in providing training to Ugandan citizens in a wide-range of skills and expertise needed in Government and private sector.

## **7.4 Institutional Capacity**

The effective implementation of this Policy requires the building and strengthening of institutional capacity including geoscience data collection and management, mineral exploration, mining tax administration and collection frameworks, governance, licensing, regulation and enforcement, artisanal and small scale mining, and environmental management. Some of the significant institutional changes affecting the implementation of measures and strategies are in the following policy areas.

In this vein, Government shall strengthen the capacity of DGSM to:

- (a) undertake mineral exploration;
- (b) implement mineral certification;
- (c) inspect, monitor and audit mineral operations;
- (d) promote mineral beneficiation and value addition;
- (e) promote the collection and distribution of mineral revenue;
- (f) strengthen earthquake monitoring frameworks;
- (g) mainstream artisanal and small scale mining;
- (h) establish a transparent and competitive licensing regime;
- (i) implement a well-developed mining cadastre and registry system;
- (j) strengthen the health, safety and environment unit within the MEMD; and
- (k) effectively coordinate with other ministries and agencies for execution of mineral sector policy measures and strategies.

The institutional changes suggested above are not exhaustive. They, however, serve to underscore the need to match policy reforms with institutional capacities and competences.





## **Chapter 8**

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### **8.0 COMMUNICATION STRATEGY**

#### **8.1 Information Dissemination and Awareness Creation**

The Ministry of Energy and Mineral Development in liaison with the relevant Ministries, Departments and Agencies (MDAs) and non-state actors shall be responsible for the dissemination and awareness creation, including information, education, communication and publication of the Policy to relevant stakeholders. In addition, it will enhance dialogue, buy-in, collaboration and participation of stakeholders in the Policy implementation process. In popularizing this Policy, the Ministry will use both the electronic, print media and other means that will ensure the Policy reaches a wide section of the Ugandan public. Other activities in this regard shall include publication and launch of the Policy, development and distribution of a popular version in English and local languages and holding outreach dialogue meetings with MDAs, Local Governments, Private Sector Organizations, CSOs, Academia among others. The Policy will also be uploaded on the Ministry's website to ensure wider outreach. The communication mechanism will be developed in line with the Sector and the Government Communication Strategy.

#### **8.2 Communication and Feedback Mechanisms**

In consideration of the fast growth of the mineral sector and its challenges, Government shall put in place appropriate communication and feed back mechanisms in electronic, print media and other relevant means to ensure appropriate feedback. The Government will collaborate with all its stakeholders to improve communication systems and flow of information to and from the general public.

## Chapter 9

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### 9.0 FINANCING OF THE POLICY

#### 9.1 Introduction

Implementation of the Policy will require substantial resources to cater for the financial, institutional, human resource and infrastructure requirements. These resources will be raised through the following sources:

- (a) Annual budgetary allocations by the government;
- (b) Funds mobilized through Public and Private Partnership (PPP) arrangements; and
- (c) Loans and grants from Development Partners, especially for activities which require substantial financial resources such as airborne geo-physical surveys; implementation of mineral certification mechanism; review and establishment of appropriate legislation; establishment of a framework for value-added processing; Uranium and Rare Earth Elements/minerals Exploration; Laboratories Infrastructure Enhancement; mainstreaming artisanal and small scale mining and promotion of geo-tourism.

In this respect, Government shall:

- (a) cost and finance the minerals sector reform process in Uganda as approved in this Policy;
- (b) phase the implementation of this policy based on sequenced priorities and develop cost estimates for all phased activities or programs anticipated by the policy;
- (c) make an inventory of existing resource capacity in the mining industry to determine usability and level of short-fall in the implementation of the policy;
- (d) strengthen existing systems and structures to ensure they are effective and efficient in the implementation of this Policy and to eliminate duplication and overlaps among relevant Government agencies; and
- (e) ensure that the cost of implementation of the policy is fully budgeted for and funded as part of the national development framework.

#### 9.2 Financing the Institutional Framework

##### Financing the Directorate of Geological Survey and Mines

This Policy recognizes that there are a number of financing mechanisms and funding

sources which may be considered to fund the implementation of the activities in this Policy. These mechanisms include: funding from Government, donor funding and private sector. The maintenance of the Directorate of Geological Survey and Mines in the Ministry responsible for Energy and Mineral Development matters will be financed under the budget of the Ministry responsible for Energy and Mineral Development.

The Policy recommends establishment of a Mineral Reserve Fund to store mineral revenues for creation of a permanent source of wealth as a provision for intergenerational equity.

The Policy also recommends creation of a Local Content Development Fund in the mineral sector. The Fund will be used for Skills Development (education, training and Research and Development) and Enterprise development. The sources of this Fund will include funding from Government, donor funding and private sector, levies, grants and any other additional support. The Ministry responsible for mineral development will oversee the disbursement of the monies from the Fund.

### **Financing Additional Roles of the Other Arms of Government**

The policy recognizes that monitoring and implementing mining activities will introduce additional roles to the different Ministries, Departments and Agencies. The Ministry responsible for Finance, Planning and Economic Development will evaluate the need for additional resources required to carry out these roles and provide the necessary funding as considered appropriate.

### **9.3 Financing the Regulatory Framework**

The policy provides for the review of the Mining Act, No.9 of 2003, land laws, National Environment Act Cap. 150, and other relevant laws to appropriately regulate the activities in the mining industry. It also provides for the enactment mining legislation to regulate health and safety in the mining industry. The additional legislative reforms that this policy seeks to introduce shall include the regulation of mineral value addition, artisanal and small scale mining, certification and traceability of minerals in the value chain; mine occupational health and safety; dangerous goods and substances; Environmental Protection for Small Scale Mining; and development of model mineral development and community agreements. Putting in place these legislation together with their attendant regulations will require that the necessary funding is made available.

### **9.4 Financing Infrastructure**

The development of the mineral sector, certification of designated minerals, promotion

of mineral exploitation and promotion of value addition in the country will require putting in place the necessary infrastructure like mineral laboratories, appropriate facilities and equipment, smelters, processing plants, and others. Financing this infrastructure will be undertaken by Government, donor funding and private sector. Public Private Partnerships (PPP) shall also be used to put in place some of the required infrastructure. The private sector will also participate in financing the development of social infrastructure especially in the areas where the mining companies are undertaking mining operations.

## **9.5 Monitoring, Review and Evaluation**

The Policy will be constantly monitored under the overall Monitoring and Evaluation framework for the mineral sector and progress reports evaluating its implementation produced on a regular basis. Such a process will facilitate achievement of the intended policy goals and objectives. The mineral sector is evolutionary in nature and is affected by new developments emerging locally, regionally, or internationally. The Policy will thus be reviewed every five years to ensure that it remains relevant and conforms to the prevalent best practices in the industry.

In this regard Government shall:

- (a) develop a monitoring, review and evaluation framework for the implementation of the Mining and Mineral Policy;
- (b) review mining industry performance and Policy regularly to assess progress of implementation at critical milestones or in response to specific issues. Findings and recommendations from reviews will be used to improve implementation;
- (c) link the Monitoring and Evaluation system to other national level monitoring processes of the National Development Plan;
- (d) involve all relevant stakeholders for successful monitoring, review and evaluation of activities by providing the necessary support and communicating the benefits of activities; and
- (e) evaluate the outcomes to determine the extent by which intended and unintended policy outcomes are achieved and how they have affected stakeholders.

## **APPENDIX I: MINING AND MINERAL POLICY DEVELOPMENT COMMITTEE**

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## Public Sector

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| Ministry of Energy and Mineral Development             | Mr. Robert Kasande (Permanent Secretary <b>(Chairman)</b> ); Dr. F. A. Kabagambe-Kaliisa, Mr. Edwards Katto, Director of Geological Survey and Mines (Co-Chairman), Eng. Joseph P. Okedi, Ag. Assistant Commissioner Mines (Coordinator); Mr. Zachary Baguma, Assistant Commissioner (Geology); Godfrey Bahati Acting Commissioner (Geothermal Resources), Mr. Chris Rudigizah, Ag. Assistant Commissioner Mines (License Administration); Ms. Agnes Alaba, Assistant Commissioner (Geodata); Grace Nassuna, Assistant Commissioner Mines (Geosciences); Chris Lubangakene, Ag. Assistant Commissioner (Laboratories); Mr. Vincent Kedi, Principal Engineer (Mining) <b>(Secretary)</b> ; James Francis Natukunda, Principal Geologist (Mapping); Mr. Gabriel Data, Principal Geologist (Exploration); Ms. Faridah Nakayiza Nsanja, Senior Legal Officer; Dr. Joseph Kobusheshe, Ag. Head HSE; Mr. Mayanja Jackson, Mining Engineer. |
| Ministry of Finance, Planning and Economic Development | Mr. Lawrence K. Kiiza, Director/Economic Affairs;<br>Mr. Francis Twinamasiko, Senior Economist.  |
| Ministry of Lands, Housing & Urban Development         | Mr. Gilbert Kermundu, Assistant Commissioner (Valuation).<br>Ms. Naome Kabanda, Ag. Assistant Commissioner (Land Inspection)   |
| Ministry of Justice and Constitutional Affairs         | Mr. John Paul Edoku, Senior State Attorney. Ms. Nancy Awori, Senior State Attorney.<br>Ms. Sheila Ampeire, State Attorney.   |
| Parliamentary Commission and Cabinet Secretariat.      | Ms. Kobere Betty Nayah, Senior Research Officer (Parliamentary Commission); Rose Mary Waya and Gertrude Namayanja (Cabinet Secretariat).   |

## Private Sector & Professional Associations

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|---|---|
| Uganda Law Society                                | Mr. Joshua Ogwal, Partner, Ligomarc.  |
| Uganda Chamber of Mines and Petroleum             | Ms. Ivy Irene Nakalyango, CEO, UCMP<br>Mr. Nicholas Ecimu, Partner at Sebalu & Lule Advocates |
| ABMAK Associates (Advocates & Legal Consultants). | Mr. Dennis Kusasira   |

## APPENDIX II: POLICY IMPLEMENTATION PLAN

| Actions   | Responsible                 | Budget                | Timeframe         |
|---|-----------------------------|-----------------------|-------------------|
| 1. Produce clear guidelines on districts' role in processing mineral right applications   | MEMD/DGSM                   | Ministry on Vote 0305 | 2017/18 – 2018/19 |
| 2. Establish a committee to review and evaluate applications for mineral rights   | MEMD/DGSM                   | Ministry on Vote 0305 | 2017/18           |
| 3. Prepare a Strategic Action Plan for the implementation of the Mining and Mineral Policy.   | MEMD/DGSM                   | Ministry on Vote 0305 | 2016/17 – 2017/18 |
| 4. Administer, inspect, monitor and audit of mineral operations.  | MEMD/DGSM                   | Ministry on Vote 0305 | 2016/17 - Onwards |
| 5. Review and/or development of new legislation if any, review of existing legislation and institutional arrangements in line with the Mining and | MEMD/DGSM                   | Ministry on Vote 0305 | 2017/18 – 2019/20 |
| 6. Implement the regional mineral certification mechanism.  | MEMD/DGSM                   | Ministry on Vote 0305 | 2017/18 - Onwards |
| 7. Review, develop and disseminate:   | MEMD/DGSM                   | Ministry on Vote 0305 |                   |
| a. The Mining and Mineral Trading Regulations.  | MEMD/DGSM                   | Ministry on Vote 0305 | 2017/18 - 2018/19 |
| b. The Mining (Environmental Management for Small Scale Mining) Regulations.  | MEMD/DGSM                   | Ministry on Vote 0305 | 2017/18 - 2018/19 |
| c. The Mining (Occupational Health and Safety) Regulations.   | MEMD/DGSM                   | Ministry on Vote 0305 | 2017/18 - 2018/19 |
| d. The Mining (Dangerous Goods) Regulations.  | MEMD/DGSM                   | Ministry on Vote 0305 | 2017/18 - 2018/19 |
| e. The Mining (Mineral Processing) Regulations.   | MEMD/DGSM                   | Ministry on Vote 0305 | 2017/18 - 2018/19 |
| f. The Mining (Mineral certification) Regulation.   | MEMD/DGSM                   | Ministry on Vote 0305 | 2017/18 - 2018/19 |
| g. The Mining Development Agreement Model and Mineral Production Sharing Agreement  | MEMD/DGSM                   | Ministry on Vote 0305 | 2017/18 - 2018/19 |
| h. The Mining (Salt production and Iodation) Regulations.   | MEMD/DGSM                   | Ministry on Vote 0305 | 2018/19 - 2019/20 |
| i. Guidelines barring investors from blasting rocks that are connected to ecological systems and those with historical relevance.                 | MEMD/DGSM,<br>MIA, UWA, NFA | Ministry on Vote 0305 | 2017/18           |
| j. Issue building guidelines to enable structures to withstand earthquakes  | MEMD/DGSM                   | Ministry on Vote 0305 | 2017/18           |

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|--|---|-----------------------|-------------------|
| 8. Regulate the commercial exploitation of substances excluded from the definition of mineral in article 244 (5) of the Constitution, 1995. These substances include clay, murrum, sand or any stone commonly used for               | MEMD/DGSM                               | Ministry on Vote 0305 | 2017/18           |
| 9. Establish a transparent and competitive licensing regime;   | MEMD/DGSM                               | Ministry on Vote 0305 | 2017/18- 2019/20  |
| 10. Implement a well-developed mining cadastre and registry system   | MEMD/DGSM                               | Ministry on Vote 0305 | 2017/18- Onwards  |
| 11. Establish an enabling institutional framework for the mineral sector:  | MEMD/DGSM                               | Ministry on Vote 0305 | 2017/18- 2019/20  |
| a. Build capacity of existing staff  | MEMD/DGSM                               | Ministry on Vote 0305 | 2017/18- Onwards  |
| b. Recruit new staff   | MEMD/DGSM,<br>MPS                       | Ministry on Vote 0305 | 2017/18- 2019/20  |
| c. Hire international consultants for short term   | MEMD/DGSM,<br>MoFPED, MIA               | Ministry on Vote 0305 | 2017/18- Onwards  |
| d. Assess the current capacity of DGSM in policy development   | MEMD/DGSM,<br>MPS, MoFPED               | Ministry on Vote 0305 | 2017/18- 2018/19  |
| e. Strengthen DGSM capacity in policy formulation  | MEMD/DGSM,<br>MPS, MoFPED               | Ministry on Vote 0305 | 2017/18- 2018/19  |
| 12. Collect and maintain geo-technical data and information for promotional purposes.  | MEMD/DGSM,<br>UCMP.                     | Ministry on Vote 0305 | 2017/18- 2019/20  |
| 13. Put in place an enabling and competitive Fiscal Regime for the mineral sector. Revise royalty, Develop an action plan for the mineral development fund, Create hedging instruments, Improve price information and forecasts, etc | MEMD/DGSM,<br>MoFPED, URA,<br>UIA       | Ministry on Vote 0305 | 2017/18- 2018/19  |
| 14. Implement a strategy for promotion of value addition and marketing for   | MEMD/DGSM                               | Ministry on Vote 0305 | 2017/18 - Onwards |
| 15. Establish an enabling framework for Artisanal and Small Scale Mining.  | MEMD/DGSM,<br>CSO, Local<br>Governments | Ministry on Vote 0305 | 2017/18 - 2019/20 |
| 16. Establish a framework for equitable sharing of mining benefits.  | MEMD/DGSM                               | Ministry on Vote 0305 | 2017/18 - 2018/19 |
| 17. Development and establishment of a framework for local equity participation in mineral investments.  | MEMD/DGSM                               | Ministry on Vote 0305 | 2017/18 - Onwards |
| 18. Establish mechanisms to strengthen inter-sector coordination for the implementation of the policy  | MEMD/DGSM                               | Ministry on Vote 0305 | 2017/18- Onwards  |





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