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WASHINGTON DECLARATION DIAGNOSTIC FRAMEWORK

A TOOL FOR KPCS MEMBERS TO MEASURE PROGRESS
IN IMPLEMENTATION OF THE WASHINGTON
DECLARATION ON INTEGRATING DEVELOPMENT OF
ARTISANAL AND SMALL-SCALE DIAMOND MINING

JUNE 2013

This publication was produced for review by the United States Agency for International Development. It was prepared by Tetra Tech and Estelle Levin Ltd.

ACKNOWLEDGEMENTS

The Washington Declaration Diagnostic Framework (WDDF) is a self-measurement tool for use by governments. It is designed to help artisanal diamond producing countries evaluate how their legal frameworks, policies, and practices regarding artisanal and small-scale diamond mining align with the goals of the Washington Declaration to improve and monitor their progress over time.

The WDDF is based on the Land Governance Framework¹ (2012) toolkit developed by the World Bank. The WDDF has been developed by Estelle Levin Ltd., Tetra Tech, the US government, artisanal diamond experts from around the world, with close consultation with members of the Kimberley Process Certification Scheme's Working Group on Artisanal and Alluvial Production (WGAAP) who can eventually adopt, test, and implement it.

This Diagnostic Framework benefitted from the early input and perspectives of the following individuals: Dorothee Gizenga (DDI), Maxime Kazagui (Kimberley Process Permanent Secretariat of the Central African Republic), Ngomesia Mayer-Kechom (DDI), Tim Fella (USAID), and Mark Freudenberger (Tetra Tech).

This report was prepared for the United States Agency for International Development, USAID Contract Number Property Rights and Resource Governance (PRRG) - PLACE IQC, USAID Contract No. EPP-I-00-06-00008-00, Task Order 2, Task 3.4, Washington Declaration Assessment Framework, under the Property Rights and Resource Governance Program (PRRGP) Task Order, under the Prosperity, Livelihoods, and Conserving Ecosystems (PLACE) Indefinite Quantity Contract.

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Cover image: Artisanal diamond workers sift through diamond-bearing gravel in Kono District, Sierra Leone. Photo courtesy of Estelle Levin Ltd.

¹ See Deininger et al., 2012.

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ACRONYMS

ASDM	Artisanal and small-scale diamond mining
ASM	Artisanal and Small-scale Mining
ASMZ	Artisanal and Small-scale Mining Zone
CDF	Community Development Fund
DACDF	Diamond Area Community Development Fund
DDI	Diamond Development Initiative
EITI	Extractive Industry Transparency Initiative
ELL	Estelle Levin Ltd.
GPS	Global Positioning System
ICGLR	International Conference on the Great Lakes Region
KP	Kimberley Process
KPCS	Kimberley Process Certification Scheme
MDG	Millennium Development Goals
MOU	Memorandum of Understanding
NGO	Nongovernmental Organization
OHS	Occupational Health & Safety
PRADD	Property Rights and Artisanal Diamond Development Program
PRSP	Poverty Reduction Strategy Paper
RESPOMIN	<i>Red por la Minería Responsable</i> / Iberoamerican Network for Responsible ASM
RINR	Regional Initiative against the Illegal Exploitation of Natural Resources
SACCO	Savings and Credit Cooperatives Organization
USAID	United States Agency for International Development
USD or US\$	US Dollar
USGS	United States Geological Survey
VSLA	Village Savings and Loans Association
WDDF	Washington Declaration Diagnostic Framework
WGAAP	Working Group on Artisanal and Alluvial Production

GLOSSARY

Alluvial	Alluvial diamond deposits have been transported by the movement of water. They include former and present riverbed, riverbank, gravel terraces, and floodplains.
Artisanal and small-scale mining (ASM)	Mining conducted with rudimentary tools or simple machinery by usually informal or semi-formal individuals or small groups of people, characterized by low per capita productivity, low capital investment, and a predominance of intensive manual labor. Not industrial mining.
ASM area	For the purposes of this report, an “ASM area” or “artisanal mining area” refers to locations where there are large clusters of artisanal and small-scale miners beyond a single individual, or where ASM is a common primary or complementary livelihood activity. This is different to an ASM zone, which is a legally-demarcated area (see definition below).
ASM zone	A legal, demarcated area that has been designated for the use for artisanal and small-scale mining operations. Such zones exist in Ghana, Central African Republic, and Guinea, among others. However, security of tenure for legal artisanal and small-scale miners in these zones varies dramatically, as does the actual presence of attractive alluvial materials.
Artisanal mine worker	This refers to all individuals involved on the artisanal mine site, from those who clear the brush, to those who remove overburden, to those who sort and wash the gravel, those who haul water, people who are panning tailings, and all roles in between. It is in recognition that there may be many roles on an artisanal mine site beyond digging.
Bourse	The common term for a diamond market.
Concessions	Mineral exploration areas within which companies are granted rights to operate and derive revenues from that operation.
Consultation	Refers to stakeholder consultation, aimed at understanding how key stakeholders perceive a course of action or policy’s individual and relative strengths and weaknesses.
Cooperative	The International Cooperative Alliance defines a Cooperative as ‘an autonomous association of persons united voluntarily to meet their common economic, social, and cultural needs and aspirations through a jointly-owned and democratically-controlled enterprise’.
Digger	A type of ASM laborer whose role can include recovering the mineral, clearing vegetation and boulders, removing overburden, and extracting and transporting gravel. Often confused with the term ‘miner’, the term may be pejorative in some countries. In some artisanal diamond contexts, the tasks listed above are separated and not done by the same person; in that context, the digger is the person who removes the overburden and would not typically include the other potential roles on

the site, such as those who wash primary or waste materials. Therefore, for the purpose of being more inclusive of all mine workers, authors will use “artisanal mine worker” to refer to all persons involved in production on the mine site.

Downstream supply chain	The diamond supply chain from diamond manufacturer to retailer. “Downstream companies” include polished diamond traders, agents, sorters, jewelry manufacturers, jewelry wholesalers, and jewelers.
Governance	Following the World Bank definition, governance is: “the manner in which public officials and institutions acquire and exercise the authority to shape public policy and provide public goods and services”. ²
Industrial mining	Often termed medium- or large-scale, done by professional, corporate outfits legally and in the pursuit of profit. High level of mechanization and capitalization; low labor intensity. Not artisanal mining.
Joint venture	A contractual agreement joining together two or more parties for the purpose of executing a particular business undertaking.
Mechanized mining	The use of machinery either to remove or shift earth to obtain access to diamond bearing rock or gravel and/or to ‘wash’ the crushed rock or gravel.
Miner	Miner usually refers to any person involved in artisanal and small-scale mining, ³ however, in some contexts (e.g., Liberia, Sierra Leone), ‘digger’ and ‘tributor’ refers to the person doing the physical labor and the ‘miner’ is the legal license holder (and who rarely does the digging and processing). Therefore, for the purposes of this report, authors will use “mine worker” to refer to all persons involved on the mine site: the legal license holder and those doing the physical work on the site.
Overburden	Material, such as soil, which lies above the area of economic interest
Producer	A producer (miner) of diamonds
Protected Area	A location that receives protection because of its recognized natural, ecological and/or cultural value. There are different kinds of protected areas which vary by the level of protection depending on the enabling laws of each country or the definitions of the international organizations involved. The term ‘protected area’ also includes Marine Protected Areas.
Regulation	A set of laws and rules imposed by a government, backed by the use of penalties that are intended specifically to modify the economic behavior of individuals and firms in the private sector. ⁴
Supply chain operator	An individual or organization (e.g., company, cooperative, association, etc.) that owns the diamond and adds value to it in some way, e.g., a miner extracts it from the ground, a trader moves it from mine to

² World Bank, 2007, p. 67; in Deininger et al., 2012.

³ ARM-FLO definition.

⁴ Based on OECD definitions.

	market and sorts, a manufacturer transforms it from rough to polished, etc.
Stakeholder	Individual or group, formally or informally established, whose stance has the capacity to influence decision and reality on a given topic, because of political, economic or moral interests.
Standard	A set of officially approved principles and criteria designed to measure and safeguard specified social, environmental, and management issues in the industrial gold mining sector.
Upstream supply chain	The diamond supply chain from mine to diamond manufacturer. “Upstream companies” include the artisanal producer organization, rough diamond peddlers, traders, exporters or their agents, rough diamond importers.
Tailings	Leftover material/waste from the mining process.
Vulnerable populations	Groups of individuals organized by demographic or economic features (e.g., elderly, farmers) who are negatively impacted by an activity.

OVERVIEW

Artisanal and small-scale diamond mining (ASDM) occurs in eighteen countries worldwide.⁵ ASM is characterized by low levels of mechanization and capitalization and high labor intensity. It is usually done by local people for the purpose of creating local livelihoods or subsistence or as small businesses, or at group or individual level. It is often done in the pursuit of (self-) employment and often in conditions of informality.⁶ ASDM provides a livelihood for an estimated 1.5 million people and their dependents. It produces approximately 25% of the world's rough diamonds⁷ and 15% of gem-quality diamonds.⁸ ASDM's contribution as a proportion of global output is expected to increase over time as fewer kimberlites are being discovered. For some, ASDM is full time work. For others, it provides complementary income. For yet others, it is a temporary income source in times of crisis. However, due to a confluence of issues, in some countries, the ASDM sector began to be tied or associated with the financing of armed rebel groups at the end of the 20th century.

The Kimberley Process Certification Scheme (KPCS) is a multi-stakeholder initiative bringing governments, industry and civil society together to reduce the flow of 'conflict diamonds' used by rebel forces to finance conflicts against legitimate governments. First convened in 2000, it came into effect in 2003, and now comprises 54 participants representing 80 countries. KPCS members account for an estimated 99.8% of the world's production of rough diamonds. After the Moscow Declaration of 2005, in 2012, KPCS participants introduced the Washington Declaration recognizing that the development of the artisanal and small-scale mining (ASM) sector through formalization initiatives and improved social conditions in ASM communities would be strong incentives "to bring rough diamonds into legitimate chains of custody."⁹ This tool proposes concrete avenues to achieve greater formalization and development of the sector and assist government professionals organize action-oriented workshops to operationalize reforms and monitor progress.

In agreement with KPCS leadership and the US Department of State, the United States Agency for International Development (USAID) coordinated the development of the draft Washington Declaration Diagnostic Framework (WDDF), or implementation guideline, to help diamond-producing countries better understand the status of their domestic ASDM sectors, and help them assess and monitor the actual implementation of the Washington Declaration. This framework was developed by artisanal mining experts from Estelle Levin Ltd. (ELL) and has benefitted from the input of international artisanal diamond experts and members of the KPCS Working Group on Alluvial and Artisanal Production (WGAAP). The WDDF is one step in a longer process to support governments and supply chain operators achieve the goals of the Washington Declaration.

Chapter 1 of this report outlines the need for a Diagnostic Framework and presents the Framework's approach and structure. Chapter 2 provides a conceptual review of different Washington Declaration Policy goals and the way in which the indicators in this document addresses some of the challenges. Chapter 3 presents a description of the suggested self-assessment methodology.

⁵ These include Angola, Brazil, Cote d'Ivoire, Central African Republic, Democratic Republic of Congo, Ghana, Guyana, Indonesia, Guinea, Liberia, Namibia, Republic of Congo, Sierra Leone, South Africa, Tanzania, Togo, Venezuela, Zimbabwe.

⁶ Villegas et al., 2012.

⁷ KPCS, 2012, p. 2

⁸ DDI, 2013.

⁹ KPCS, 2012, p. 1

1.0 WHY IS A DIAGNOSTIC FRAMEWORK NEEDED?

1.1 WHY IT IS IMPORTANT TO IMPROVE THE DEVELOPMENTAL PERFORMANCE OF THE ARTISANAL DIAMOND SECTOR?

Since the KPCS controls were officially launched in 2003, there is general agreement that it has made it more difficult for conflict diamonds to enter international markets. “The Kimberley Process Certification Scheme may be the biggest thing that has happened to the diamond industry in a hundred years.”¹⁰ Since the KPCS began, the incidence of conflict diamonds in international supply chains has markedly dropped, importers have tightened their controls, and artisanal and small-scale diamond mining (ASDM) producing countries have a more accurate picture of once-opaque production figures, among other achievements.¹¹

Yet, despite these achievements, the KPCS faces ongoing implementation and monitoring challenges, as well as persistent reputational challenges. The meaningful implementation of the goals of the Washington Declaration by WGAAP members will produce five anticipated short and long-term rewards; specifically:

1. It will **improve development outcomes**. In geological terms, diamond fields will not last forever. There is a limited opportunity to use a non-renewable resource to advance a whole country. It is in a country’s immediate and long-term economic interests *to make ASDM as developmental as possible, as soon as possible*. Development outcomes will improve when strategic support to ASDM producers and their stakeholders are enacted and maintained.¹²
2. The **reputation of diamonds will benefit**—and particularly the reputation of artisanal diamonds—when diamonds become a more visible force for development via increased development partnerships and coordinated action.
3. ASDM producer governments will strengthen as they **systematically improve their technical capacity** to improve ASDM’s economic and social performance and create new economic opportunities for their ASDM supply chains.
4. It will lead to **wider adoption of KPCS domestic internal controls** when there are increased tangible incentives and support at the producer-level to do so. Improved economic conditions for miners will enhance their willingness and ability to participate in the legal chain. Furthermore, a more formalized and inclusive ASDM sector will open up new economic opportunities for WGAAP members and KPCS generally with the improved story of diamonds and new supply chain options that are possible only with fuller transparency.

¹⁰ PAC, 2006, p. 3.

¹¹ Ibid.

¹² Moreover, benefits are likely to bleed into other artisanal mineral sectors beyond diamonds, as the ASDM sector will not be treated in isolation of the entire ASM sector in all cases (and nor should it be).

5. Meaningful progress towards improved development performance and development outcomes of the sector will likely **attract the attention and financial resources of donors** interested in supporting rural livelihoods and strengthened mineral sector governance and administration.

The goals of the Washington Declaration are in line with the KPCS's 2005 Moscow Declaration on Improving Internal Controls over Alluvial Diamond Production, which promoted improved traceability, regulation, and enforcement. It further encouraged the increased formalization of the ASDM sector, promoted partnering with the development and donor communities, among other recommendations. Regional organizations of governments have passed declarations or initiatives with similar goals, including the African Union's African Mining Vision and the International Conference on the Great Lakes (ICGLR)'s Regional Initiative against the Illegal Exploitation of Natural Resources (RINR). In Latin America, the RESPOMIN Latin American Network's "Vision for Responsible ASM" states that "ASM is a formalized, organized and profitable activity that is technologically efficient and socially and environmentally responsible; the sectors' development takes place within a framework of good governance, legality, participation and respect for diversity. It makes an increasing contribution to decent work, local development, poverty reduction and social peace within our countries, stimulated by growing consumer demand for sustainable minerals and ethical jewelry."¹³ The Africa Mining Vision is an African Union initiative that was adopted in 2009 to maximize the development potential of mineral resources in African countries. Amongst its positions, the initiative seeks to "[harness] the potential of ASM to improve rural livelihoods, to stimulate entrepreneurship in a socially responsible manner, to promote local and integrated national development as well as regional cooperation." The aims of the ICGLR's RINR are promoting better mineral tracking, harmonization of regional mining legislation, increasing the formalization of artisanal and small-scale mining, and enhancing mineral revenue transparency.¹⁴ In line with regional visions on ASM, the Washington Declaration encourages the KPCS to go beyond preventing the flow of conflict diamonds to enhancing the development of the sector in peace time.

1.2 HOW DEVELOPMENT PERFORMANCE IN THE ADM SECTOR IS USUALLY ASSESSED

To date, outside of annual reports focused on production and trade statistics, there is no systematic reporting across WGAAP members on development aspects of artisanal diamond production. This is another reason for the adoption of this tool. Its adoption would lay a blueprint for common indicators for governments to use to measure progress over time.

1.3 CHALLENGES OF ASSESSING DEVELOPMENT PERFORMANCE

There are a number of challenges to assessing the development performance of the artisanal diamond sector. These include the following:

- **Widespread informality of the ASDM sector** means that there is a general lack of demographic and economic data about the ASDM sector. Estimates are difficult and case studies provide useful snapshots, but until the sector is brought out of the shadows and systematically tracked, reliable assessments of the development performance of the sector will remain elusive.
- For many reasons, including the security issues of carrying such a valuable commodity, trade secrets, and general insecurity and corruption, the **ASDM sector is famously secretive and elusive in nature**. It remains true that there is little incentive in practice for miners or downstream supply chain operators to be transparent about sourcing and supply chains. It is often cash-based and without an

¹³ Hruschka and Echavarría, 2011, p.1

¹⁴ ICGLR, 2010, pp. 1-2

auditable paper trail. Attempts at high taxation without corresponding benefits usually has the opposite effect as intended and drives more diamonds into the black market; this makes having meaningful KPCS internal controls more difficult.¹⁵

- **Interventions often prematurely end** before potential results are seen because of a lack of donor money or a change in political circumstances. In other words, promising programs often are started but then are not continued.

ASDM production can be scattered across the country and diggers are known to be highly mobile, **making tracking systems difficult in practice.** The transience of mine workers makes development interventions more challenging to show progress over time. However, these issues are surmountable. The solution lies in creating a system where diggers and other supply chain operators opt in to a formalized system with obvious benefits, versus creating a parallel system to avoid one with few obvious benefits.

I.4 APPROACH AND STRUCTURE OF THIS TOOL

I.4.1 APPROACH

As noted earlier, the WDDF is one step in a longer process to support ASDM producer governments and supply chain operators achieve the goals of the Washington Declaration. It is a diagnostic tool to help countries assess their own progress against the policies and principles outlined in the Washington Declaration, and identify what is needed to improve performance. It can also be used to monitor progress over time.

I.4.2 TOOL STRUCTURE

The core “metrics” found in Chapter 4 follows the content and spirit of the Washington Declaration and its eleven policy actions. Indicators are presented in the form of ‘yes or no’ statements. The proportion of yes or no answers produces an assessment score color that indicates the country’s progress towards that particular policy action. As countries implement reforms and initiatives, that score can change over time to indicate progress towards the Washington Declaration. This framework has been designed to support the policy goals of the Washington Declaration and not the administrative recommendations made in its annex.

While both the promotion of gender equality and the need to protect children in ASDM are specifically mentioned in the Washington Declaration, there are no specific, enumerated policy actions around which to develop self-assessment metrics. Therefore authors have mainstreamed gender considerations and child-protection indicators across all policy sub-goals.

The yes and no structure is both a strength and a weakness of this diagnostic framework. On the one hand, it allows for a basis for comparison of practice across contexts. On the other hand, it does not provide for ‘maybe’ or ‘to a certain extent’ situations. In these cases, there is an opportunity for assessors to make notes about particular challenges that a country faces (e.g., isolated civil conflict, influx of refugees, etc.). There is also an opportunity for assessors to identify innovation. Innovative programs in ASDM producer countries are encouraged to be shared across regions and borders.

I.4.3 KEY CONSIDERATIONS

The country self-assessment process is described in Chapter 3. It is recommended that it be a collaborative process undertaken by KP member governments, expert panel members, civil society, and ASM experts of that country. It is highly recommended that license holders, artisanal mine workers, dealers, and exporters— or some truly representative body—be a part of the assessment process in a multi-

¹⁵ PAC, 2006, p.2

stakeholder forum or in terms of being consulted on findings in order to collect perspectives and hidden truths of which policymakers might not be fully aware.

There are several known weaknesses of this tool. The biggest one is that, in many cases, the indicators are subjective. This underscores the need for objectively verifiable indicators, which are built in to this tool. Authors acknowledge that, in many situations, there will need to be many indicators in order to represent the complexity of situations on the ground. In addition, even though there may be best practice rules written on paper, this does not mean they will be implemented perfectly, or even satisfactorily.¹⁶ That said, funding for implementation of policies is a frequently-mentioned challenge globally. Sufficient financial support (such as basic transport and regular pay for ASDM mines monitors, funds for mining office supplies, databases, cadaster projects, etc.) is required to regulate ASDM effectively and ASDM producers may suffer through corruption if these basic supports are not in place. While host governments may not have the financial means to pay for the required staff, supplies, or tools to meet the indicators immediately, it is hoped that this tool will be used to prioritize regulatory needs in order to request budget allocations internally or from bilateral or multilateral donors.

Within this tool, “outcome-based indicators” are either centered on the perception of citizens (and other potential users) of their access to public services and the quality of those public services, or on the view of experts as to whether the rules are being properly implemented. One issue that arises is that outcome-based indicators are expensive to implement and more difficult to apply to policy, but they do provide a more realistic portrayal of the situation on the ground. As such, a use of both rule and outcome-based indicators are recommended to be used in tandem.¹⁷ These known weaknesses underscore the need for the piloting of this tool to understand the challenges of this process in practice and update and improve the tool accordingly. Ultimately, however, the answers to the indicators will be based on the opinion of the ASM experts and members of the assessment committees who will in theory be thoroughly familiar with the realities of the country’s ASDM sector.

1.4.4 OUTCOMES

Through use of targeted questions, this report identifies policy and implementation gaps that countries can self-identify and consequently choose to devote additional time, attention, and resources. Therefore outcomes can be used to detect policy weakness and allocate financial and human resources as appropriate, or to make the case for them to donors. Progression towards the Washington Declaration goals can be monitored over time via regular self-assessments and other consultations.

Ultimately, this tool has three main purposes:

1. It is an instrument to build recommendations for good governance of the ASDM sector through a national consultative process.

Given the challenges of the sector, some governments simply do not know where to start to improve the development contributions of the ASM sector. While every country is different and every ASM situation requires different priorities, sequencing of reforms, etc., this tool will help governments call for national workshops (e.g., to examine mining policies, poverty reduction strategies, etc.) and unite civil society, partners and government to inform decision makers on the most pressing reform priorities. It can also be used to orient budgets and policies.

2. It is an instrument to monitor progress on a range of indicators at the national level.

This tool can be used by decision makers to inform policies and processes, Poverty Reduction Strategy Papers (PRSP) mid-term reviews, multi-year plans, etc. by identifying performance

¹⁶ As noted in in Deininger et al., 2012., p. 16.

¹⁷ Ibid.

targets and systems needed. It can also inform decision makers on the validity and the priority of reforms and laws and can be shared easily between ministries. It can also be used as an instrument to assess ASDM sector development in a respective country and establish a baseline against which progress towards the Washington Declaration can be monitored over time.

3. It is an instrument to share best practices at the international (KP) level.

The Washington Declaration is innovative in that it focuses on the positive potential of ASM sector development. This tool can help identify, promote, and spread knowledge of best practice in ASM formalization and development. With annual or biannual reporting, this tool can be used by WGAAP members to report every year on their innovations and best practices and gain the appropriate recognition at KPCS meetings.

2.0 AREAS COVERED BY THIS DIAGNOSTIC FRAMEWORK

Through a series of policy action points (A1-A6 and B1-B5), the Washington Declaration encourages KPCS participants to develop the ASM sector in the interest of improving KP implementation.¹⁸ Specifics are as follows:

2.1 TO IMPROVE FORMALIZATION

2.1.1 LOWER FEES AND INCREASE ACCESSIBILITY OF MINING LICENSES (A1)

According to the Washington Declaration, lowering licensing and other access fees for artisanal diamond miners brings the twofold benefit of increasing the numbers of registered miners in addition to bringing more revenue into state coffers, as evidenced in the Democratic Republic of Congo (DRC) under the Diamond Development Initiative (DDI) program and the Central African Republic (CAR) under the Property Rights and Artisanal Diamond Development (PRADD) program. Other initiatives that might be combined with lowering fees include extending the licensing period and bringing mobile licensing offices to the miners, thereby reducing their transportation costs and lost income from traveling to the capital to apply for a mining license and increasing the likelihood of registration. For this policy action point, metrics focus on making the formalization process both accessible and attractive through financial and non-financial incentives.

2.1.2 ENHANCE DATA COLLECTION AND ANALYSIS (A2)

The Washington Declaration recommends that KP participants collect demographic and geographic information (such as GPS points and satellite imagery) about artisanal diamond mining sites and their production. This information will help both artisanal miners and governments assess the diamond production levels of a given area, the quality of deposits, the lifespan of the site and other useful information that informs both groups of stakeholders about the value and importance of the artisanal diamond mining sector in a given part of the country. Efforts in the sphere of data collection and analysis have been met with some success (and provided important lessons) in Ghana, the CAR (carried out by the government, with the support of the PRADD project), the DRC (implemented by DDI, where the intervention collected socioeconomic information about the miners at different sites as well as GPS coordinates and registered miners onsite) and in Guinea (implemented by the United States Geological Survey (USGS), the government and civil society). For this policy action point, metrics focus on collecting reliable demographic, geological and geographical data and making it publicly accessible, and on improving the administrative and technological processing of geological and cadastral data.

¹⁸ KPCS, 2012, p. 4

2.1.3 STRENGTHEN PROPERTY RIGHTS (A3)

According to the Washington Declaration, strong property rights are one of the fundamental aspects to a formalized artisanal diamond mining sector. Based on the PRADD project's experience, there is a correlation between strengthened property rights for artisanal diamond miners and decreased land disputes. What is more, when artisanal miners have a secure stake in the land they are mining, they may be more likely to invest in time-saving equipment, receive training on mining methods and rehabilitate the land once the site is exhausted. PRADD also served to increase the number of diamonds into the formal supply chain.¹⁹ Strengthening property rights also means reconciling the different concepts of land ownership that exist between customary and statutory tenure, as well as clarifying the rights to land and to subsurface minerals. For this policy action point, metrics focus on improving the legal and administrative framework and promoting access to justice and enforcement.

2.1.4 FINANCIAL TRANSPARENCY AND GOOD GOVERNANCE (A4)

The Washington Declaration underlines the importance of financial transparency and good governance in the artisanal diamond mining sector. Good governance allows for financial transparency in the artisanal diamond sector to occur. Examples of good governance could include registering artisanal miners (which will then ensure a greater level of transparency of the production, sale, transport and export of artisanally mined diamonds), securing their access and rights to the land upon which they are mining, and ensuring that a percentage of the revenues from ASDM are invested back into the community.²⁰ Financial transparency in this sector brings a number of benefits for both artisanal miners and the government: for the former, a record of payments will help ensure they are informed about the fair price they should be receiving for their product. For the government, too, financial transparency enables it to record its revenues from the extractive industry—but also become a member of the Extractive Industry Transparency Initiative (EITI). Good governance, too, enables the government to properly monitor the ASDM sector and enforce laws; on the other side of the coin, artisanal miners can be assured that their voices are being heard and their basic rights will be respected by the government. For this policy action point, metrics focus on financial transparency, and on improving planning and participation in ASDM sector governance.

2.1.5 EMPOWER ARTISANAL MINERS TO ENGAGE WITH BUYERS AND INVESTORS (A5)

Direct marketing for artisanal miners (e.g., artisanal miners engaging with buyers and investors) can make a positive contribution to the economic development of miners because it enables them to receive the market price for their product. Having direct access to a broader number and type of buyers or an auction system can also allow miners to participate in a healthy competitive market system, as opposed to being forced to sell to one buyer (to whom they are either obligated as a result of sponsorship or support for the given miner to establish him or herself to because that specific buyer is the only one at the mine site). For this policy action point, metrics focus on improving the capacity of artisanal miners to commercialize their production and to expand their access to buyers and investors.

2.1.6 EXPAND ACCESS TO MINING INPUTS (A6)

The Washington Declaration encourages KP participant countries and international interventions in the artisanal diamond supply chain to provide artisanal diamond miners with access to mining inputs such as equipment, tools, materials, etc. Indeed, according to Priester et al (2010), it is essential for artisanal diamond miners to see the tangible benefits of participating in the formal sphere. One of those benefits must include access to proper equipment (e.g., mechanization) in order to avoid miners 'mining blind' and

¹⁹ USAID, 2013, p. 12

²⁰ Elbow and Pennes, 2012, p.iv.

support them to increase their yields and, therefore, overall economic profits.²¹ For this policy action point, metrics focus on improving access to quality mining equipment and improving business skills.

2.2 TO IMPROVE SOCIAL CONDITIONS IN ASM COMMUNITIES

2.2.1 SUPPORT COMPLEMENTARY LIVELIHOODS IN ASM COMMUNITIES (B1)

The Washington Declaration encourages KP participating governments to support artisanal diamond miners to diversify their income-generating activities. The deposits being exploited by artisanal miners have a finite supply and it is important for miners to prepare for the inevitable day when mining may no longer be an option. Indeed, in the artisanal copper and cobalt mining sector in the DRC's Katanga province, Pact followed the same reasoning and provided miners with business training and financial literacy skills so they could start to save their income with the end goal of launching a small-medium scale enterprise in another sector.²² In the Central African Republic, too, the PRADD program worked with artisanal diamond miners to transform exhausted mining pits into fish ponds and vegetable gardens (both enterprises that were already deeply embedded in the livelihood schemes of the local communities), thereby providing the miners with an alternative and supplementary source of income. For this policy action point, metrics focus on steps to help mine workers diversify income sources and develop complementary livelihoods to improve the resilience of mining communities.

2.2.2 WORKING CAPITAL AND ORGANIZATION (B2)

The Washington Declaration asserts that the artisanal diamond mining sector suffers from great disorganization and lack of funding. Both issues could be potentially rectified if KP participants, (1) explored alternate forms of organization for the miners, above and beyond the cooperative structure; and (2) worked with banks, development institutions and other NGOs to provide small loans (micro-financing) to the miners. For this policy action point, metrics focus on increasing opportunities for new forms of organization and capitalization in the ASM sector, and on increasing the involvement of the organized development sector in ASDM.

2.2.3 MITIGATE ENVIRONMENTAL DAMAGE (B3)

The Washington Declaration encourages participants to take account for the environmental impacts of artisanal diamond mining and provide measures to ensure that artisanal miners are mitigating those impacts. These support measures could include incorporating regulations within the national mining code for how miners need to treat the land and watersheds they are exploiting at all stages of the process—e.g., before opening the mine, during the exploitation phase, and post-closure. KP participants could also consider providing artisanal miners with training programs on low-cost ways they can sufficiently care for the physical environment in which they operate. This point also leads back to Action A6, where the government or development organizations could help artisanal miners gain access to inputs that will mechanize their exploitation process and, ideally, reduce their environmental footprint. For example, ASM often occurs in or within protected areas and supports could assist miners to reduce or prevent their impacts upon biodiversity in ecologically sensitive areas. For this policy action point, metrics focus on supporting artisanal miners in environmental mitigation and recovery programs during and after mine closure, and on how to promote best practice in environmental management.

²¹ Priester et al., 2010, p. 6.

²² PACT, 2008

2.2.4 HARMONIZATION OF LEGAL FRAMEWORKS (B4)

The Washington Framework asserts that there are a number of divisions of a given government (e.g., forestry, water, mining, agriculture, national parks, etc.) that have a stake in the social and environmental impacts of the artisanal diamond mining sector. Therefore, all these ministries are responsible in some way for regulating the ASDM sector. The Declaration thus recommends that the different legal frameworks (e.g., the mining, land, and forestry codes) be harmonized. The harmonization of various legal frameworks is no easy task and a number of lessons can be learned from efforts in the DRC.²³ Nonetheless, it is an essential process that governments need to undergo in order to better regulate overlapping jurisdictions and land uses. For this policy action point, metrics focus on reducing contradictions between national laws, regulations and codes, and promoting effective cross-ministerial coordination.

2.2.5 OCCUPATIONAL HEALTH AND WORKER SAFETY (B5)

As the Washington Declaration states, occupational health and safety (OHS) standards at artisanal diamond mining sites are severely lacking. The Declaration encourages KP participants to exchange information with one another on successful interventions in the sphere of OHS at artisanal mine sites. Moreover, to avoid duplication of resources and to capitalize on existing knowledge, KP participants might also consider consulting organizers of existing initiatives in other countries that aim to improve the OHS at artisanal mine sites of diamonds and other minerals, such as gold.²⁴ For this policy action point, metrics focus on improving health and safety at ASDM sites, and improving monitoring and best practices in occupational health and safety management.

²³ For a note on the challenges of this type of process, see Pact, 2010.

²⁴ For example, the Global Mercury Project, the Diamond Development Initiative, the Alliance for Responsible Mining, the Artisanal Gold Council, Solidaridad, etc.

3.0 SELF-ASSESSMENT PROCESS

It is recommended that the self-assessment take the following process:²⁵

- 1. The appointment of an in-country ASM assessment coordinator.** The WDDF country self-assessment process should be led by an in-country assessment coordinator who is an expert in ASM or in mining generally. This is to ensure that both local legislation and practice are incorporated into the process. The ASM assessment coordinator is instrumental to the success of the process and therefore needs to be qualified and thoroughly vetted before he or she is recruited. The coordinator will focus on putting together background studies in order to facilitate the expert panels down the line who will be rating the indicators (described in more detail below).
- 2. Formation and launch of expert panels.** To assess Washington Declaration policy actions (A1-A6 and B1-B5), panels should be formed comprising between three and five members with expertise in a given relevant area. It is recommended to recruit members for expert panels from local contexts in order to increase the local ownership and overall credibility of the initiative. Local recruitment of experts will also ensure that the findings are more objective and can contribute to policy that is relevant on the ground. It also builds capacity, experience, and interdisciplinary learning. The goal of this exercise is to have a group of experts whose members have a clear view of different services available in the major and minor ASDM regions.

Expert panel members may be government officials, miners, diggers, traders, lawyers, academics, business owners, bankers, NGO representatives, land owners, etc. who engage with the institutions involved in this exercise and can thus evaluate their performance based on hard evidence and years of experience. Based on experiences in other sectors, it is important that each member of the panel be provided with an honorarium. In return, each expert will contribute to a wide range of user perspectives as well as the knowledge that will bring about a meaningful rating.

The expert group will convene to answer the indicator questions for its assigned sub-policy goal. There should be an examination and discussion of the facts for each indicator. Responses to each sub-category indicator should be based on consensus, using the following methods: personal experiences and information, background information made available by the ASM assessment coordinator; and informal interviews with users. If there are areas requiring additional explanation, the panel can add contextual information or document innovation in approaches at the bottom of the metrics for each sub-policy goal.

It is suggested that the expert panels take the form of a workshop. The meeting is a forum for the members to discuss the prepared material as well as add any relevant cases or experience. Following this discussion, the experts will then be able to determine the rating through a process of debate and consensus building and final agreement on a score. . The format of this convening will enable the experts to discuss best and worst practice interventions in their area as well as the contributing factors leading to that determination. In the former instance, the experts can record activities that should be repeated in the future. In the latter case, the experts can make recommendations for what could have been changed (e.g., in terms of policy) so that the policy can lead to a successful intervention on the

²⁵ This process is based on that outlined in the Land Governance Framework toolkit developed by Deininger et al., (2012).

ground. In order to ensure that panel members are only working within their area of expertise, it is suggested that no single expert serve on more than 5 of the 11 sub-policy goal expert panels.

Building upon the findings from each expert convening, the in-country assessment coordinator can make a list of the priority areas for policy interventions, as well as clarify which gaps in evidence exist and need to be explored in more detail at a future time. These recommendations can help improve policies around land governance, which is a highly important area in the sphere of artisanal and alluvial diamond mining.

It is highly recommended that these recommendations are then discussed and vetted with artisanal diamond mining supply chain stakeholders in ASDM regions in order to identify additional perspectives, gain an appreciation of local realities, and test policy ideas with those who may be expected to adhere to them. While ASDM members ought to be a part of the expert panels in the first instance, these additional consultations will deepen public participation and comment in this process.

3. Writing of the WDDF assessment report. The WDDF self-assessment should be completed over a one-month timeframe and guided by a local in-country assessment coordinator. It is important the WDDF implementation is as participatory as possible. As such, debate of background information as well as recommended follow-up activities is recommended. In each participating country, there could be a website that gathers documentation and existing expertise and data, which can feed into a larger platform for WGAAP members to exchange of information, best practice examples and lessons learned from past experience between each participating country. This type of forum can ensure access to methodological and substantial information for in-country assessment coordinators so that they can better manage the different phases of implementation. The platform could also serve as an area for public comment and discussion to fill in any gaps in information as well as to report on the quality of the policy recommendations and their implementation.

4.0 SELF-ASSESSMENT TOOL AND METRIC

Please see Annex A for the Country Self-Assessment Tool for Policy Actions A1-A6. Please see Annex B for the Country Self-Assessment Tool for Policy Actions B1-B5. Annex C contains a Country Profile Sheet containing summary meta-data to be completed during the self-assessment process by the in-country assessment coordinator. Annex D provides a snapshot of all the Washington Declaration policy goals, policy actions, categories, and sub-categories contained in this tool.

5.0 HOW TO INTERPRET THE RESULTS

Indicators are presented in the form of ‘yes or no’ statements. The proportion of yes or no answers produces an assessment score color that indicates the country’s achievement status towards that particular policy sub-goal.

There are generally 6-8 indicators per sub-policy goal.



If a country’s self-assessors indicate ‘yes’ to one third or less of the indicators, this shall result in a red color assessment, meaning this is an area to prioritize resources.

If a country’s self-assessors indicate ‘yes’ to between one-third and two-thirds of the indicators, this shall result in a yellow color assessment, indicating mid-way status to the Washington Declaration’s goals.

If a country’s self-assessors indicate ‘yes’ to more than two-thirds of the indicators, it means substantial progress has been made towards the Washington Declaration’s goals.

It is important to note that a red or yellow score is not always the outcome of bad policies, but of a bad environment or of greater environmental or political challenges. The scoring system can quickly inform the government on where to enact priority plans, request technical assistance, and orient reforms.

While the WDDF has a ‘scoring’ component in the form of assessment-color assignments, the WDDF is not meant to be limited to that. It is also meant to facilitate a wider dialogue on assessments, including, but not limited to the individual dimensions of these assessments, as well as learning lessons from successful interventions in different countries.

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ANNEX A: COUNTRY SELF-ASSESSMENT TOOL FOR POLICY ACTIONS A1-A6

POLICY ACTION A1

POLICY GOAL: TO IMPROVE FORMALIZATION OF ARTISANAL MINING

POLICY ACTION A1: LOWER FEES AND INCREASE ACCESSIBILITY OF MINING LICENSES

“Participants with an ASM sector are encouraged to consider establishing policies that give ASM actors a greater incentive to formalize their operations. Formalization of the ASM sector includes a broad range of activities, including, but not limited to: registration and licensing of miners and mining claims.

Governments are encouraged to also increase accessibility of mining licenses. Mining regions are often located far from government administration and require significant time and cost to reach: mobile licensing facilities offer a partial solution.” – *Washington Declaration (A1)*

Category 1: ASDM mining and trading licenses are more affordable and accessible.

Yes/No	Performance statement	Description/Justification	Relevant example
	ASDM concession licenses are set at affordable levels based on the average income of an ASDM license holder.	Unlike in industrial mining, ASM concession licenses should not be conceived as a revenue-generating tax but as a way to register and monitor sites in order to increase the volume of production and legal exports. Taxing authorities should also consider total projected revenue if all informal concessions were registered. Depending on the tax structure and ASDM input costs, fees should be set between 0.01% and 2% of the average monthly income of ASDM license holders.	Based on the size of the license fee, staggered payment arrangements could be one option for mining authorities to consider in license fee collection efforts.
	Where applicable, ASDM mine worker licenses are affordable to the income of an average worker on site.	Generally, fees should be set between 0.01% and 2% of an average ASDM mine worker’s monthly income. Note: This might not be applicable in some contexts. In some countries, it is only the mining <i>plot</i> that is licensed for a site to be “legal”. High costs of individual ASDM licenses are often considered an obstacle to legalization. Low fees represent a first incentive toward selling in the legal supply chain and, by increasing the number of ASDM sites formally regulated by mining authorities, formalization efforts can help curb the flow of smuggling. The license fee should be based on an average artisanal mine worker’s income and mining expenses, which can vary dramatically and significantly affect profit and therefore what is affordable.	In both the DRC and Central African Republic, reducing the fee for ASM licenses actually <i>increased</i> revenues for state coffers, as more artisanal miners sought licenses and entered the formal economy. In Guyana, the government lowered licensing fees to US\$5 for diamond diggers, \$50 for dredgers and \$75 for traders and exporters. That is between 0.1-0.3% of an average miner’s monthly income.

Yes/No	Performance statement	Description/Justification	Relevant example
	ASDM sector fee structures encourage self-organization of artisanal producers into cooperatives or other forms of self-organization in the ASDM sector.	Encouraging self-organization among miners is an essential step in promoting formalization and professionalization of the sector. Ultimately, it is easier for governments and other organizations to provide services and assistance to organized groups of ASDM workers than to individual miners.	
	Where applicable, licensing facilities are well-located to be accessible for the average artisanal mine worker.	Mine workers who want to work legally may not have the means or the incentive to travel to the nearest government office. In fact, to a miner, the real cost of registration includes the cost of travel, lodging and the working days lost during travel. Note: This might not be applicable in some contexts. In some countries, it is only the mining plot that is licensed for a site to be 'legal'. In other countries, both the mine site and the mine workers are required by law to have a license on the site.	Mining authorities could multiply the number of registration offices in mining areas and simplify licensing procedures to make them cost-effective. Another creative outreach to miners would be to decentralize the registering authority to the lowest administrative level, such as the municipality.
	Mining authorities organize formalization campaigns on a regular basis.	Outreach campaigns, to be effective, should be limited in scope and repeated a couple of times every year. They can be efficiently supported by training and information campaigns to attract and incentivize miners. Outreach campaigns also have enforcement and monitoring goals. While it is important to offer incentives for formalization, enforcement is equally as important to incentivize compliance.	Mobile licensing, a system whereby government agents go to mining sites to register ASDM claims or mine workers rather than requiring ASDM producers to come to government offices, would be an innovative way to register miners.
	There are sufficient legal and financial incentives to encourage buyers to formally register.	It is recommended that a supply chain assessment be conducted to understand who is informal, why, and identify appropriate incentives and disincentives to encourage formalization. With any formalization program, it is important to monitor and periodically evaluate efforts in order to identify trends, areas of underperformance, and adopt adaptive management strategies to respond to ongoing challenges and change or modify tactics as needed.	Consider "Diamond peddler licenses as a strategy for formalizing the small-time diamond dealers". In Sierra Leone, this group is called the <i>Open-Yai</i> ("Open your eyes") and they are informal diamond buyers commonly operating in both urban and remote locations.
	There are sufficient legal and financial incentives to encourage buyers to purchase only from formalized ASDM sites.	Recent studies have indicated that 'insecurity, the tax burden, a lack of state investments and the low number of official artisanal mining zones' are amongst the common reasons cited by buyers not to purchase only from formal ASDM producers.	
Total Yes answers	7 Total Yes answers are possible	Color assigned: _____.	
	 If between 0-2 Yes answers, assign a red assessment color		
	 If between 3-5 Yes answers, assign a yellow assessment color		
	 If 6 or more Yes answers, assign a green assessment color.		

EVALUATOR'S NOTES:

Notes on key challenges: Is this country facing unique challenges in this area? What makes it unique?

Yes/ No	Performance statement	Description/Justification	Relevant example
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Where are the areas for necessary policy or regulatory innovation?

Notes on innovation(s): Has this country responded to challenges in a unique way? Could this be considered as a best practice or 'good practice' model?

Category 2: Non-financial incentives are created to encourage ASDM producers to formalize.

Yes/ No	Performance statement	Description/Justification	Relevant example
	ASDM mine workers receive access to attractive non-financial services or benefits with formalization.	While lower fees and direct or indirect financial incentives help, <i>non-financial</i> incentives can provide further incentive and improve ASDM producer welfare. These could include direct or indirect assistance programs in self-organization (e.g., cooperatives or another form of group organization) and professionalization, equipment access programs basic geotechnical training and other support services, or social welfare programs.	In Mongolia, artisanal mine workers who register can obtain access to social and health insurance, something previously unavailable due to high costs. Tanzania outlines its financial and non-financial commitments for support of the ASM sector in its Minerals Policy of 2009 and in the Mining Act of 2010.
	Specific non-financial incentives are offered to encourage individual ASDM workers to join organized groups of ASDM producers.	This can include some of the services listed above, such as social welfare programs or technical support services. It can also include tax benefits, or direct access to exports.	The legislations of Brazil and the Central African Republic allow artisanal mining cooperatives to export directly.
	ASDM license holders are offered similar security of tenure as industrial mining companies/enterprises.	For ASDM to invest in equipment, people, and methods, their right to land must be secure in equivalent ways offered to industrial mining companies/ enterprises, which are just other entities in the sector.	
	If subject to displacement, ASDM site license holders have the opportunity to gain royalty rights for exploration conducted on their site.		
	ASDM license holders are offered similar forecast-ability provisions as industrial mining companies/enterprises.	Forecast-ability provisions include guarantees of stable tax regimes and regulations.	
	ASDM license holders are offered similar protection of industrial mining companies regarding contract enforcement and non-discrimination.		
Total Yes answers	6 Total Yes answers are possible  If between 0-2 Yes	Color assigned: _____.	

Yes/ No	Performance statement	Description/Justification	Relevant example
—	<div style="background-color: red; width: 15px; height: 15px; display: inline-block; margin-right: 5px;"></div> answers, assign a red assessment color		
	<div style="background-color: yellow; width: 15px; height: 15px; display: inline-block; margin-right: 5px;"></div> If between 3-4 Yes answers, assign a yellow assessment color		
	<div style="background-color: green; width: 15px; height: 15px; display: inline-block; margin-right: 5px;"></div> If 5 or more Yes answers, assign a green assessment color.		

EVALUATOR'S NOTES:

Notes on key challenges: Is this country facing unique challenges in this area? What makes it unique? Where are the areas for necessary policy or regulatory innovation?

Notes on innovation(s): Has this country responded to challenges in a unique way? Could this be considered as a best practice or 'good practice' model?

POLICY ACTION A2

POLICY GOAL: TO IMPROVE FORMALIZATION OF ARTISANAL MINING

POLICY ACTION A2: ENHANCED DATA COLLECTION AND ANALYSIS

“As noted in the Moscow Declaration recommendations, KP participants are encouraged to collect demographic and geographical data in ASM areas. Participants may consider the use of available satellite imaging analysis to monitor artisanal and small-scale mining sites.” – *Washington Declaration (A2)*

Category (general objective) 1: Reliable demographic, geological and geographical data are collected and publicly accessible.

Sub-Category (specific objective) 1.1: The government collects geological and geographical data.

Yes/No	Performance statement	Description/Justification	Relevant example
	There is a reliable national geological survey with historical and up-to-date geological information derived from public, private and colonial data.	In some cases governments will not have conducted surveys themselves, but others shall have. In these cases it is important that the data be made available. Corporate entities may be obliged under law to release their geological surveys to the State upon relinquishment of Prospecting and Exploration Licenses.	
	There are sufficient financial or non-financial incentives (e.g., tax breaks, legal requirements, innovative financial incentives, etc.) that encourages private entities to contribute or share geologic and geographic data with the government’s geological survey.	Through its exploration, extraction, and other activities, the private sector typically collects significant geologic and geographic data that may or may not contribute to an official national knowledge base and data collection efforts. Instead of losing this information, incentives could be developed to include information in the public sphere.	
	Government policies and programs encourage industrial mining companies to share data on alluvial diamond deposits in their concessions that are suitable for ASM and that the company is willing to relinquish to ASM enterprises.	Companies rarely mine their entire mining concession, yet the valuable prospecting data regarding unused parts of the concession is often kept proprietary. Mining industries are generally less interested in alluvial deposits. Government policies could include, for example, the sharing of data or relinquishing of concessions in exchange for extended lease terms or tax breaks, etc. This information should be publicly available in regional mining offices so that applicants may access it.	
	Physical and social characteristics are mapped to inform land rehabilitation programs.	Information on physical characteristics (such as soil chemistry, topography, water availability and quality, and geology,) and relevant social characteristics (such as demography, economy, etc.) should be taken into account in the design of land use following rehabilitation.	
	Regional data collection and information-exchange systems have been created to promote best practice in geologic data collection and on ASDM geologic assistance programs.	To facilitate best practice, regional or inter-regional information systems can be created to build upon the work and ideas of others to advance geologic data collection methods and further develop and advance ASDM service programs.	
Total Yes answers	5 Total Yes answers are possible	Color assigned: _____.	
	 If between 0-1 Yes answers, assign a red assessment color		
	 If between 2-3 Yes answers, assign a yellow assessment color		

Yes/No	Performance statement	Description/Justification	Relevant example
	If 4 or more Yes answers, assign a green assessment color.		

EVALUATOR'S NOTES:

Notes on key challenges: Is this country facing unique challenges in this area? What makes it unique? Where are the areas for necessary policy or regulatory innovation?

Notes on innovation(s): Has this country responded to challenges in a unique way? Could this be considered as a best practice or 'good practice' model?

Sub-Category (specific objective) 1.2: The government publishes and disseminates geological and geographical data.

Yes/No	Performance statement	Description/Justification	Relevant example
	Geological and geographical survey data is being used to directly inform land use planning, such as where ASM zones would be appropriate based on available science.	ASM commonly conduct prospecting without the use of geological or scientific data to guide them. In order to contain ASM to appropriate zones based on the nature of the deposit, governments can conduct land use planning	
	Government-held scientific information on alluvial diamonds, precious metals and colored stones deposits is available to artisanal miners and investors at an affordable price.		
	The government has a dissemination and communication strategy in place to ensure that geological data is widely accessible by artisanal miners, investors and other potential users.	Data may exist but not be used because it is not widely known that it is available and/or how to access it.	
	Geologic data is used to guide technical assistance programs directed at miners, such as helping them use the right methods to maximize the deposit.		
	Geologic data of ASM sites is analyzed with a gender lens, such as to identify areas where women would be more likely to mine and analyze what types of technical supports they may need.	Where ASM zones are being developed or where industrial mining cohabitation partnerships are being considered, a gender lens can be placed in zone-planning processes to identify sites in which women could be more likely to succeed as diggers.	
	Data is collected and shared on additional minerals, by-products, or other materials in existence in these areas that could be mined and commercialized effectively by ASM.	This practice can diversify the materials mined, reduce an area's potential dependence on diamonds, more effectively utilize the mined land, and make the mining more profitable.	

Yes/No	Performance statement	Description/Justification	Relevant example
Total	6 Total Yes answers are possible	Color assigned: _____.	
Yes answers	 If between 0-2 Yes answers, assign a red assessment color		
	 If between 3-4 Yes answers, assign a yellow assessment color		
	 If 5 or more Yes answers, assign a green assessment color.		

EVALUATOR'S NOTES:

Notes on key challenges: Is this country facing unique challenges in this area? What makes it unique? Where are the areas for necessary policy or regulatory innovation?

Notes on innovation(s): Has this country responded to challenges in a unique way? Could this be considered as a best practice or 'good practice' model?

Sub-Category 1.3: The government collects and publishes demographic data.

Yes/No	Performance statement	Description/Justification	Relevant example
	ASDM supply chains have been mapped within the past five years to identify the number of persons involved in formal and informal ASDM production, and their location in the supply chain from mine site to exporter.	<p>The mapping of supply chains involves identifying the different roles at each point of the supply chain. More detailed supply chain mapping would also identify those who provide goods or services to the miners and those who formally and informally tax them.</p> <p>Supply chain mapping may include identification of the following typical roles: License owner, landowner, financier, exporter, informal buyer, trader, mine workers (diggers and others), landowner's and license holder's agents (e.g., dealer's agent), traditional authority monitors, processors and transporters, cooks, on-site petty traders and other on-site service providers.</p>	
	Women's roles are reflected in the supply chain mapping.	Some roles in the process are more commonly done by women. Gender bias may mean miners exclude women's roles from those considered central to the mining process, making them invisible. In addition, only by understanding which roles are commonly done by women and men can gender-sensitive health and safety planning be done. It is important that women's roles are expressly identified.	
	Children's roles in production are reflected in the supply chain	In some contexts, child labor might be restricted by law but it remains in	

Yes/No	Performance statement	Description/Justification	Relevant example
	mapping, regardless of legality.	practice. It is important to collect information on their roles in practice – regardless of legality—in order to document the extent of the issue, study its root causes, and inform response strategies.	
	The Mines Ministry provides training to all relevant functionaries in field-based demographic data collection in remote mining sites and communities and in data processing.	Data is only useful if it is credibly generated and processed. Demographic data may include the following: age, gender, number of years in mining, number of dependents, average monthly income, additional incomes, livelihood of spouse, level of education, migration status and role / functions in the diamond supply chain.	
	A demographic study and a needs-assessment has been conducted within the past five years to identify who is working, when, why, what their skills are, and what their needs are in order to escape poverty.	Having such knowledge enables development planners to better develop policies and initiatives based on specific information about who participates in the sector and what their needs are in order to escape poverty. Demographic data collection efforts should include an analysis of who mines informally and why, who benefits least from the mining and why, and other lines of divisions in order to identify potentially vulnerable populations (and examine their precise vulnerabilities) to develop appropriate responses and programs. This is especially important for planning alternative / supplementary livelihoods and training programs.	In the DRC, the Diamond Development Initiative is collecting socio-economic data of artisanal diamond miners. They collect the following information: age, gender, number of years in mining, number of dependents, average monthly income, additional incomes, livelihood of spouse, level of education, migration status and role / functions in the diamond supply chain.
	These needs assessments are shared with the in-country donor community, NGOs, or others, in order to catalyze development responses and promote coordination.		
Total Yes answers —	6 Total Yes answers are possible  If between 0-2 Yes answers, assign a red assessment color  If between 3-4 Yes answers, assign a yellow assessment color  If 5 or more Yes answers, assign a green assessment color.	Color assigned: _____.	

EVALUATOR'S NOTES:

Notes on key challenges: Is this country facing unique challenges in this area? What makes it unique? Where are the areas for necessary policy or regulatory innovation?

Yes/No	Performance statement	Description/Justification	Relevant example
Notes on innovation(s): Has this country responded to challenges in a unique way? Could this be considered as a best practice or 'good practice' model?			

Category (general objective) 2: Cadastral and geological data is collected and processed through effective administration and technology.

Sub-Category (specific objective) 2.1: The administration and processing of cadastral and geologic data is effective and efficient.

Yes/No	Performance statement	Description/Justification	Relevant example
	Cadastral data is accumulated and updated at least once a year.	The more recent the data, the more useful. The more frequent the data collection and inputting, the more accurate the interpretation of data in terms of patterns, trends, correlations, and forecasts.	
	Geologic data from government, private, international, or other sources is updated in publically-available, centralized records, at least every three years.		
	The government agency in charge of ASDM cadastral data uses technology and software that allows for efficient processing and updating of data and ease of access and use by third parties.	Where obscure technology is used, the data may be less accessible for other users outside of government.	
	The staff in charge of the database has the capacity to maximize the use of data and receive appropriate and regular training.	Data management is a technical competency and requires that administrators be well-trained.	
	The government has digitized the totality of its paper data. (e.g., maps, leases, ownership rights)	This is to ensure there is a digital back-up in the event that the paper data is lost or destroyed. It is advisable that the original papers are safely archived for at least 5 years, and in a different locality or localities to the digital data. This is to ensure there is a paper backup in the event that the digital data is lost or destroyed.	
	The database management administration is accessible to the different levels of the Mines Ministry, other government agencies, and development organizations to increase policy coordination.		
	Up-to-date and historic data are available in raw, aggregated, and analyzed forms.	Different users require different levels of data (dis)-aggregation and analysis. For example, social scientists may wish to have disaggregated data to run their own models and analysis. Civil society organizations and government agencies may benefit more from digestible stories of what the data shows in terms of patterns and changes over space and time.	

Yes/No	Performance statement	Description/Justification	Relevant example
	A summary of the history of geologic and geographical data collection, gaps in data collection, future planned data collection activities, and changes to the standard data collected is published on an annual basis.	Data is more useful if it is put in context. Users need to know how, why and when it was generated, how it has been used, and what the government's intentions are for the data and for future data collection. How has the data collected informed the government of how to change data collection so it is more useful and picks up better on patterns and trends previously identified?	
Total Yes answers	8 Total Yes answers are possible	Color assigned: _____.	
	 If between 0-2 Yes answers, assign a red assessment color		
	 If between 3-5 Yes answers, assign a yellow assessment color		
	 If 6 or more, assign a green assessment color.		

EVALUATOR'S NOTES:

Notes on key challenges: Is this country facing unique challenges in this area? What makes it unique? Where are the areas for necessary policy or regulatory innovation?

Notes on innovation(s): Has this country responded to challenges in a unique way? Could this be considered as a best practice or 'good practice' model?

Sub-Category 2.2: The government supports cadastral data collection and mining operations monitoring and analysis with effective and efficient technology.

Yes/No	Performance statement	Description/Justification	Relevant example
	The government uses efficacious technology to improve licensing.	Outdated licensing procedures, such as exclusive use of paper and hand-drawn maps, can result in concession overlaps, disputes, significant operational inefficiencies, and a lack of timely information for potential legal ASDM applicants or other investors in the sector.	A technology-efficient way to license people may be to enter data on a smartphone using a specially designed 'app'. In the Central African Republic, the Mining Ministry supported by PRADD and the government of Taiwan sent out mining officials equipped with GPS units to map out around 3,000 mines. DDI used a similar approach in the DRC.
	The government uses efficacious technology for site monitoring.	Government may use aerial satellite imagery system to monitor ASDM activity and impacts, such as monitoring the expansion of licensed sites and identifying non-licensed sites, monitoring forest cover, etc.	In Guinea, the Mining Ministry and USGS combined satellite imagery with field surveys to map out an entire ASM region and monitor extensions over a couple of years.

Yes/No	Performance statement	Description/Justification	Relevant example
	The government uses efficacious technology to monitor exports and combat smuggling.		The Brazilian Federal Police has experienced an innovative footprinting and fingerprinting initiative to track goods from geological deposits and assess their origin at the point of export. Enforcement agencies may also consider equipping customs and police with diamond sensors.
	The government uses efficacious technology to accurately track the mine-to-export chain of custody.		
	The government invests appropriately in research and development in ASDM database and monitoring technology.		
	Appropriate technologies are used for sampling and measuring water, air, soil pollution potentially associated with ASDM mining.		
Total Yes answers	6 Total Yes answers are possible	Color assigned: _____.	
—	 If between 0-2 Yes answers, assign a red assessment color		
	 If between 3-4 Yes answers, assign a yellow assessment color		
	 If between 5-6 Yes answers, assign a green assessment color.		

EVALUATOR'S NOTES:

Notes on key challenges: Is this country facing unique challenges in this area? What makes it unique? Where are the areas for necessary policy or regulatory innovation?

Notes on innovation(s): Has this country responded to challenges in a unique way? Could this be considered as a best practice or 'good practice' model?

POLICY ACTION A3

POLICY GOAL: TO IMPROVE FORMALIZATION OF ARTISANAL MINING

POLICY ACTION A3: STRENGTHEN PROPERTY RIGHTS

"Where applicable, KP Participants are encouraged to explore the feasibility of strengthening property rights through clarification, demarcation, and documentation of land and mining rights in accordance to national laws." - *Washington Declaration (A3)*

Category 1: Legal and administrative frameworks provide clear structures for recognition of rights in the mining sector

Sub-Category 1.1: The legal environment strengthens artisanal miners' property rights.

Yes/No	Performance statement	Description/Justification	Relevant example
	National laws and regulations provide legal clarity to potentially competing land tenure regimes (e.g., between surface and subsurface rights).	The Washington Declaration argues that strong and clear surface and subsurface property rights is necessary to reduce land disputes and enhance formal and diverse economic activities to an area through increasing security of tenure.	
	National laws and regulations recognize the claims and rights held by artisanal miners, either through customary or statutory tenure regimes.	It can be the case that ASDM producers are working within the customary system, but the statutory system may consider them illegal.	
	Government procedures are in place to protect and promote the artisanal mining sector through the allocation and demarcation of specific ASDM zones.	ASDM zones should be established based on sound geologic information indicating the presence of alluvial diamond deposits that are mineable by ASDM.	
	If and once established, the government effectively establishes and enforces ASM zones as a way to offer substantial, long-term security of tenure to ASDM producers who follow the law.	ASDM producers who work legally within ASM zones are not threatened with eviction if an industrial mining firm (or state-run company) seeks mineral rights to the area. ASM zones are protected in law and practice for ASM producers.	
	National policies, laws, and regulations offer potential ASDM license holders formal mining rights, either individually or through an associative system (such as cooperatives).		
	Laws and regulations guarantee men and women equal rights to land and subsurface minerals.	For example, in policy <i>and</i> in practice, are women allowed equal rights to land and the minerals beneath? The issue is particularly salient with respect to inheritance. Often, women register their inherited land in the name of their husband or son for fear of their entitlement not being recognized by customary authorities, but this leaves them vulnerable to loss of land based on the status of that relationship.	When the customary practice of land attribution remains highly patriarchal, against the principles of the country's formal law, the government might consider the deployment of gender assessors to enforce the laws.
	ASDM unions or associations participate in the monitoring, advocacy and enforcement of their property rights.		

Yes/No	Performance statement	Description/Justification	Relevant example
Total	7 Total Yes answers are possible	Color assigned: _____.	
Yes answers	 If between 0-2 Yes answers, assign a red assessment color		
—	 If between 3-5 Yes answers, assign a yellow assessment color		
	 If 6 or more Yes answers, assign a green assessment color.		

EVALUATOR'S NOTES:

Notes on key challenges: Is this country facing unique challenges in this area? What makes it unique? Where are the areas for necessary policy or regulatory innovation?

Notes on innovation(s): Has this country responded to challenges in a unique way? Could this be considered as a best practice or 'good practice' **model**?

Sub-Category 1.2: Institutions responsible for administering property rights are accessible, transparent and effective in ASDM mining areas

Yes/No	Performance statement	Description/Justification	Relevant example
	A national mining cadaster is in use to track current <i>and</i> historic license activity for small-scale and artisanal diamond mining sites.	Tracking historic license activity is useful because it indicates how many times a site has been mined previously, which is useful information for an applicant to know for risk-management purposes. It can also guide land use planning. If a site is agreed-upon by the landowner that it is 'mined out' (note: this is different from 'worked out', which indicates that different methods might be needed to access the minerals beneath), then specific programs could be designed in response to the historic activity on the site.	
	Mining law is consistent with—and has been adapted to—national land laws in order to reduce contradictions in surface and sub-surface property rights.	Conflicts between surface property holders and sub-surface rights holders is a common due to a lack of understanding of the rights and obligations of each party, but also – frequently—because mining law and land-laws are inconsistent. There is a need to harmonize surface property rights and sub-surface property rights laws and policies to adapt one to the other. To reduce social conflict, it is recommended that mining law be adapted to surface law.	

Yes/No	Performance statement	Description/Justification	Relevant example
	The extant land administration framework and property rights reflect the land system and property rights regime described in the law.	In some situations, the law is far removed from what happens in practice. In these cases, artisanal property rights may be undermined because the law does not reflect long-standing practice and potential legal remedies may not be available.	
	Property owners and other populations affected adversely by artisanal mining are legally protected from the activities of artisanal mining.	ASDM producers may affect the quality, integrity, and economic uses of adjacent land. To promote accountability and property rights for all, there should be a legal mechanism to protect the property rights of other property owners and affected populations.	
	The national mining cadaster is synchronized and shares data with sub-national (regional) mining offices, and vice versa.	Too often regional and national databases are not synchronized, leading to inaccurate data and licensing errors, as well as administrative inefficiencies.	
	The national mining cadaster is publically available and contains up-to-date license information on 95% of registered ASM licenses.	In this situation up to date means that the data is fully updated at least once yearly.	
	At least half of actual artisanal mining sites (legal or not) are registered.		
Total Yes answers —	<p>7 Total Yes answers are possible</p> <p> If between 0-2 Yes answers, assign a red assessment color</p> <p> If between 3-5 Yes answers, assign a yellow assessment color</p> <p> If 6 or more Yes answers, assign a green assessment color.</p>	Color assigned: _____.	

EVALUATOR'S NOTES:

Notes on key challenges: Is this country facing unique challenges in this area? What makes it unique? Where are the areas for necessary policy or regulatory innovation?

Notes on innovation(s): Has this country responded to challenges in a unique way? Could this be considered as a best practice or 'good practice' model?

Category 2: Artisanal miners have effective and affordable access to justice and compensation mechanisms.

Yes/No	Performance statement	Description/Justification	Relevant example
	Formalized systems of alternative dispute resolution are in place in ASDM areas to adjudicate business disputes.	While courts certainly have a role to play, they are typically expensive (due to the lawyers involved and requisite fees) and time consuming; these characteristics may make them unattractive or potentially unrealistic for typical ASDM producers. There should be consideration of low-cost but effective alternative dispute resolution mechanisms in ASDM areas where disputes can be addressed in response to these conditions.	
	ASDM producers can access legal representatives or advocacy groups to mediate and support their claims in their negotiation with mining companies.		
	Free or low-cost legal aid services are available to artisanal miners to support their mining claims.		
	Artisanal miners are usually satisfied with the procedures and regulations for compensation when mining permits are allocated to another entity (e.g., industrial mining, exploration company, or the state).	For example, is there a mechanism to compensate artisanal miners where a large-scale exploration or mining concession is granted and supersedes their title, and is it used? Is this mechanism functional, based on its ability to clearly clarify rights, communicate procedures, ascertain what the level of compensation should be to the satisfaction of all parties, and avoid conflict between them?	
	Land title holders are usually satisfied with expropriation procedures when ASDM permits are allocated.		
	Customary holders of land rights are usually satisfied with expropriation procedures when ASDM permits are allocated.		
Total Yes answers	<p>6 Total Yes answers are possible</p> <p> If between 0-2 Yes answers, assign a red assessment color</p> <p> If between 3-4 Yes answers, assign a yellow assessment color</p> <p> If 5 or more Yes answers, assign a green assessment color.</p>	Color assigned: _____.	

EVALUATOR'S NOTES:

Notes on key challenges: Is this country facing unique challenges in this area? What makes it unique? Where are the areas for necessary policy or regulatory innovation?

Notes on innovation(s): Has this country responded to challenges in a unique way? Could this be considered as a best practice or 'good practice' model?

POLICY ACTION A4

POLICY GOAL: TO IMPROVE FORMALIZATION OF ARTISANAL MINING

POLICY ACTION A4: IMPROVE FINANCIAL TRANSPARENCY & GOOD GOVERNANCE

“Participants are encouraged to recognize that financial transparency and good governance reinforce that all citizens stand to gain from diamond mining, and all have a stake in the decision-making process.” – *Washington Declaration (A4)*

Category (general objective) 1: Improve financial transparency

Sub-Category (specific objective) 1.1: Commercial Traceability and Financial Tracking

Yes/No	Performance statement	Description/Justification	Relevant example
	Receipts are issued for all payments made to the various parties who handle payments in the licensing process.	The use of receipts makes the solicitation of informal payments harder.	In Sierra Leone, cash payments for license fees are received by a bank, which issues the applicant a payment receipt for him or her to submit with her application.
	All financial transactions that support the mining operation and sale / purchase of diamonds are receipted.	The use of receipts makes financial and material tracking easier.	In Guyana, records of cash transactions are a required part of the paper-based traceability procedures that accompany a diamond down the supply chain to the point of export.
	Financial institutions have been enlisted to cooperate with government regulators to identify suspicious (potentially illegal) transactions in the general mining and trading sector.	Financial organizations can be enlisted to cooperate in financial transparency and anti-fraud and money-laundering efforts through voluntary and required due diligence programs that require reporting of suspicious transactions but do not unduly retard legitimate trading actions.	
	Formal financial institutions (e.g., banks, credit unions, etc.) have offices in mining areas where ASDM workers and other supply chain operators can open accounts, take loans and raise investment.	Where financial institutions are not present in these areas, there may be a role for government to encourage and incentivize their presence in these potentially-underserved areas so that they are competitors to any existing informal lending system.	
	Most diamond financial deals and investments transit through the formal banking system.	It is easier to audit transactions conducted through banking channels. Ideally, all financial transactions over a minimum amount (e.g., USD 10,000) should be conducted through the formal banking system.	
	Almost all monies imported for the purpose of artisanal diamond mining or buying pass through the formal banking system.	The import of large amounts of cash to purchase diamonds can be linked to money laundering. Where investors or buyers bring money through the banking system, money laundering is made more difficult.	
	The official price list for exported diamonds, export data of ASDM production and revenues are made publicly available in a timely fashion.	In a timely fashion may be considered to be within 3 months of export, on a month-by-month basis. So prices for stones exported in September would be published by 1 st December. Up to date quarterly diamond production and export statistics should be available on a publicly-accessible website and in paper form from the Ministry of Mines (or equivalent).	For presenting up to date statistics, the GoSL Online Repository funded by GIZ in Sierra Leone may be instructive.

Yes/No	Performance statement	Description/Justification	Relevant example
	There is a well-functioning auction system (or similar) in place to allow maximum transparency of diamond sales.		
Total Yes answers —	8 Total Yes answers are possible	Color assigned: _____.	
	 If between 0-2 Yes answers, assign a red assessment color		
	 If between 3-5 Yes answers, assign a yellow assessment color		
	 If 6 or more, Yes answers, assign a green assessment color.		

EVALUATOR'S NOTES:

Notes on key challenges: Is this country facing unique challenges in this area? What makes it unique? Where are the areas for necessary policy or regulatory innovation?

Notes on innovation(s): Has this country responded to challenges in a unique way? Could this be considered as a best practice or 'good practice' model?

Sub-Category 1.2: Financial Management and Accountability

Yes/No	Performance statement	Description/Justification	Relevant example
	Systems are in place to reduce cash payments at government mining offices.	It is harder for officials to embezzle money or collect illegal additional payments when licensing payments are made without cash.	
	Government offices that handle cash transactions or issue licenses are regularly audited for procedural and financial compliance.		In Sierra Leone, the district-level mining offices are regularly audited.
	In practice, ASDM mining applicants have to pay only the official publicized fees to obtain an ASDM license.	In some jurisdictions it is common for the actual cost of licensing to be much greater than the official cost is supposed to be due to corruption and additional payments demanded.	
	In practice, diamond dealers and exporters have to pay only the official publicized fees and taxes to establish their office and export the goods.	In some jurisdictions it is common for the actual cost of licensing to be much greater than the official cost is supposed to be due to corruption.	
	Information on how ASDM revenues are spent is publicly and easily available.	Information on how revenues are being used is published regularly and this information is verified every year by a second or third party.	
	Citizens in the diamond-producing regions benefit from the redistribution of ASDM	Mining communities are more likely to formalize if they receive obvious benefit from the associated taxes, fees	In Sierra Leone, the Diamond Area Community Development Fund (DACDF) returns part of

Yes/No	Performance statement	Description/Justification	Relevant example
	revenues of at least 20% of the value of industrial and ASM-produced diamond export taxes.	and royalties. Taxing industrially-produced diamonds and having that tax benefit diamond-area regions is another mechanism to ensure that communities affected by mining tangibly benefit from extracted mineral wealth, no matter if it is mined industrially or artisanally. However, as in every decentralization policy, the effects of the policy should be carefully monitored to ensure it does not create the wrong incentives or negative unintended outcomes.	the diamond export taxes to diamond-producing municipalities in Sierra Leone. Initiated in 2001, approximately 25% of the 3% diamond export taxes levied on artisanal diamond is paid and disbursed to Chiefdoms to develop local communities.
	The overall system encourages active, transparent and free competition between miners and financiers.		In the CAR the Mining Ministry built a couple of diamond valuation workrooms and trained local valutors to encourage competition between buyers.
Total Yes answers —	7 Total Yes answers are possible	Color assigned: _____.	
	 If between 0-2 Yes answers, assign a red assessment color		
	 If between 3-5 Yes answers, assign a yellow assessment color		
	 If 6 or more Yes answers, assign a green assessment color.		

EVALUATOR'S NOTES:

Notes on key challenges: Is this country facing unique challenges in this area? What makes it unique? Where are the areas for necessary policy or regulatory innovation?

Notes on innovation(s): Has this country responded to challenges in a unique way? Could this be considered as a best practice or 'good practice' model?

Category 2: Enhance Participation and Planning in the ASDM Sector

Sub-Category 2.1: Integrating ASDM into Development Planning

Yes/No	Performance statement	Description/Justification	Relevant example
	The government has a publicly available ASDM policy integrated into a larger mining strategy, including a vision and objectives.	Some countries with an ASM sector do not provide for ASM in their mining strategy.	Tanzania's 2009 Mineral Policy & 2010 Mining Act outlines the government's vision for the ASM sector as part of larger documents outlining its plans for the mining sector as a whole. , These documents commit the government to specific actions to support the ASM sector, such as the designation of ASM areas; supporting ASM workers with access to adequate equipment and other support services – geotechnical services, credit facilities, OHS training, environmental training, etc.-- that will aid them in professionalization and formalization.
	The government re-assesses its ASDM policy at least every seven years through a careful process of consultations which include all stakeholders (including civil society organizations, diamond industry, and vulnerable groups).		
	Local mining plans are integrated into local development plans.	For example, artisanal exploitation zones based on land use plans. An indication of integration may be the percentage of village councils in ASM areas that are actively engaged in developing and implementing local development plans.	In Sierra Leone, GIZ is spearheading a drive to organize Local Development Planning, through which interventions are framed. DDI's Sierra Leone interventions are also based on the priorities identified by local district and city councils.
	National mining plans are integrated into national development plans.	For example, artisanal exploitation zones based on land use plans. An indication of integration may be the percentage of local district and city councils in ASM areas that are actively engaged in developing and implementing local development plans.	
	Government agencies mainstream gender across the ASDM policy, strategy, and plans.		
Total Yes answers —	5 Total Yes answers are possible  If between 0-1 Yes answers, assign a red assessment color  If between 2-3 Yes answers, assign a yellow assessment color  If between 4-5 Yes answers, assign a green assessment color.	Color assigned: _____.	

EVALUATOR'S NOTES:

Notes on key challenges: Is this country facing unique challenges in this area? What makes it unique? Where are the areas for necessary policy or regulatory innovation?

Notes on innovation(s): Has this country responded to challenges in a unique way? Could this be considered as a best practice or 'good practice' model?

Sub-Category 2.2 Strategy Effectiveness and Law Enforcement

Yes/No	Performance statement	Description/Justification	Relevant example
	The laws and policies regarding ASDM are widely disseminated and available in clear language to all miners in country.	Miners cannot be expected to comply with the Law if they are not aware of it and do not have good access to it. Dissemination includes access to the legal text in ASDM areas, in the dominant language(s) of the region. The use of other forms of outreach (such as role plays and use of pictures) should be used as well in acknowledgement of literacy rates to explain to miners their rights and obligations, the consequences of non-compliance, how the Law is enforced, and means of redress where the Law is incorrectly enforced.	
	Registration information (specific procedures and costs) is widely available in understandable language in ASDM regions and trading localities.	When procedures and fees are well-publicized in mining regions, potential applicants will be better informed about state policy, their duties as miners, and be able to identify when an improper fee might be demanded. Registration and rules information should be available in the dominant language(s) of the region, and acknowledge literacy rates amongst the mining population by incorporating pictures as needed. Widely-communicated rules about mining empowers both the miners and the populations they might be impacting about the laws of artisanal mining and the duties of miners.	
	Laws against smuggling and illicit production and trading are widely disseminated and properly and transparently enforced.	Traders cannot be expected to comply with the Law if they are not aware of it and do not have good access to it.	

Yes/No	Performance statement	Description/Justification	Relevant example
		Dissemination includes access to the legal text in trading localities and ports, in the dominant language(s) of the traders (identified through the demographic data collection). The use of other forms of outreach (such as role plays and use of pictures) should be used as well in acknowledgement of literacy rates to explain to traders their rights and obligations, the consequences of non-compliance, how the Law is enforced, and means of redress where the Law is incorrectly enforced	
	Government officials and decision makers are held accountable via courts or loss of employment when they abuse their power and privileges for their own benefits.		
	To combat the drivers for cross-border smuggling, diamond fees and export taxes have been harmonized with neighboring countries.	Where exporters pay lower fees, royalties or taxes to government in a neighboring country the more valuable stones and/or larger parcels of stones are likely to be smuggled to that place, laundered into supply chains there and thus 'legally' exported as a product of that country.	The option of fiscal harmonization has been explored at a regional level in the Mano River Union and the Great Lakes Region for either diamonds or other 'conflict minerals'.
	An assessment of all policies, regulations, and codes that apply to ASDM has been conducted to identify gaps and policy contradictions driving international smuggling or illegal trade and to identify opportunities for harmonization.		
Total Yes answers —	6 Total Yes answers are possible  If between 0-2 Yes answers, assign a red assessment color  If between 3-4 Yes answers, assign a yellow assessment color  If between 5-6 Yes answers, assign a green assessment color.	Color assigned: _____.	

EVALUATOR'S NOTES:

Notes on key challenges: Is this country facing unique challenges in this area? What makes it unique? Where are the areas for necessary policy or regulatory innovation?

Notes on innovation(s): Has this country responded to challenges in a unique way? Could this be considered as a best practice or 'good practice' model?

Subcategory 2.3: Improve participation of the public and ASM in sector governance.

Yes/No	Performance statement	Description/Justification	Relevant example
	Artisanal and small-scale miners are widely consulted in the policymaking and regulation process.		In Sierra Leone, a nation-wide consultation was conducted with artisanal miners to form the country's Artisanal Mining Policy.
	ASDM buyers, traders, and exporters are widely consulted in the policymaking and regulation process.		In Uganda, the Sustainable Management of Mineral Resources Project conducted country-wide consultation as a part of revising its law and development of ASM policy.
	Women mine site workers, buyers, traders, exporters, and other ASDM participants are widely consulted at the same level as men.	Women are often assigned inferior roles in the mining process and their contribution may be less visible. If governance is to not inadvertently marginalize and impoverish women, they must be proactively involved in the consultation process. This may mean holding women-only consultations in some communities and/or ensuring culturally-appropriate techniques for encouraging women to participate meaningfully at mixed consultations.	
	Impacted, non-mining groups are involved in the regulation of the sector and in its ongoing monitoring.	Many regulations are designed to safeguard social and environmental issues and/or protect vulnerable groups. Involving these groups in the design and monitoring of ASM sector governance is important for ensuring the effectiveness of these intended protections.	
	Investors and other members of the private sector are included in consultations on how to improve the commercial performance and economic contribution of ASDM.	Ultimately for a reform to have traction it must be commercially feasible. For ASDM to contribute to economic development, those who seek to capitalize upon it should be part of the discussion to understand what supports are necessary to make the sector more profitable and more attractive to investment, and what investors use their profits for.	
	ASDM, and their communities and stakeholders are empowered to and involved in monitoring ASDM social, environmental, and economic impacts.		The ICMM Community Development Toolkit may provide some guidance as to how to do community-based monitoring successfully that can be adapted to ASDM activities.
	The government engages in dialogue and consultation with neighboring countries on ASDM matters in order to harmonize legislation, especially but not limited to taxation.	Artisanal mine workers commonly migrate between neighboring countries. Greater harmonization of laws and regulations is likely to reduce violations and help ensure good practice.	
	The KPCS delegation meets at the national level outside the KP international conferences at least twice a year to review policies and discuss results and action	A couple of other platforms can be used to increase community participation, for example, the local development committees associated with the district councils	While the local councils have typically not had enough real power in Sierra Leone for example, the political landscape has changed considerably.

Yes/No	Performance statement	Description/Justification	Relevant example
	points.	(not sure about their exact designation) Essentially, this is comprised of “ordinary” local community members who are organized to assist their local councilors.	District councils now exercise quite a bit of influence.
Total Yes answers —	8 Total Yes answers are possible  If between 0-2 Yes answers, assign a red assessment color  If between 3-5 Yes answers, assign a yellow assessment color  If 6 or more Yes answers, assign a green assessment color.	Color assigned: _____.	

EVALUATOR’S NOTES:

Notes on key challenges: Is this country facing unique challenges in this area? What makes it unique? Where are the areas for necessary policy or regulatory innovation?

Notes on innovation(s): Has this country responded to challenges in a unique way? Could this be considered as a best practice or ‘good practice’ model?

POLICY ACTION A5

POLICY GOAL TO IMPROVE FORMALIZATION OF ARTISANAL MINING

POLICY ACTION A5: EMPOWER ARTISANAL MINERS TO ENGAGE WITH BUYERS AND INVESTORS

“Expanding access to buyers and investors can improve the lives of artisanal miners, ensuring that more rough diamonds enter into the formal supply chain. Participants with an ASM sector are encouraged to establish legal frameworks that permit artisanal miners or cooperatives to market their diamond production directly on the international market as long as it is consistent with KPCS provisions.” – *Washington Declaration (A5)*

Category (general objective) 1: Policies improve the ability of ASDM producers to commercialize their production for greater profit.

Yes/No	Performance statement	Description/Justification	Relevant example
	The current legal framework allows ASDM producers to organize themselves in multiple forms, including as individuals.	While many artisanal miners may prefer to work independently or in specific forms of self-organization, it is important that policy allows them and facilitates the option to achieve economies of scale and other benefits of association, e.g., ability to stockpile, to have a dedicated marketer on their behalf (or access to marketing / valuation advice), etc.	In the Central African Republic, artisanal diamond miners are permitted to seek their own mining license; once they are licensed, miners are also permitted to team up with a group (of at least ten individuals) and apply for an artisanal mining exploitation license.
	It is common practice for miners and their financiers to engage in legally binding agreements.	It is easier for parties to assert their rights when agreements are captured on paper in a form that is legally valid.	Template contracts provided by the Ministry of Mines or its regional offices can empower miners to formalize financing arrangements
	There are well functioning structures such as associations or cooperatives that allow miners to pool resources and mitigate risk.		
	Miners have received training and coaching on artisanal diamond marketing in the last three years.	Training provided in “diamond valuation, business management, and administration can empower miners to better engage with new and alternative investors, indirectly benefiting the fiscal and regulatory authorities of the participant government”	In Nigeria, the Government committed to provide artisanal mining cooperatives with regular training sessions on marketing, legal and business skills.
	Mining titles or land titles are commonly accepted as a guarantee to access microfinance or other forms of finance.	Access to finance is a common challenges amongst ASDM producers. Mining or land titles could be used as another type of collateral to acquire finance to professionalize operations.	
Total Yes answers —	5 Total Yes answers are possible  If between 0-1 Yes answers, assign a red assessment color  If between 2-3 Yes answers, assign a yellow assessment color  If 4 or more Yes answers, assign a green assessment color.	Color assigned: _____.	

EVALUATOR’S NOTES:

Notes on key challenges: Is this country facing unique challenges in this area? What makes it unique? Where are the areas for necessary policy or regulatory innovation?

Yes/No	Performance statement	Description/Justification	Relevant example
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Notes on innovation(s): Has this country responded to challenges in a unique way? Could this be considered as a best practice or 'good practice' model?

Category 2: Policies expand ASM access to buyers and investors.

Yes/No	Performance statement	Description/Justification	Relevant example
	Government policies promote formal, transparent, and responsible lending in order to support the financial independence of ASDM producers and expand their access to buyers.	Debt and indentured servitude from informal lenders is a common problem in the ASDM sector due to the upfront investment typically required for ASDM operations. A financier typically fronts money, but mine workers can quickly get into a cycle of debt and into a situation where they are required to sell diamonds at below-market rates to one financier, who may have paid for food and shelter in the interim period. This eliminates their ability to approach more buyers and get a competitive price for the mined diamonds. This problem can often be exacerbated by illiteracy and innumeracy of mine workers in many contexts, leading to predatory and essentially-inescapable debt situations.	Examples might be policies and mechanisms to support miners amortize debt as quickly as possible. Policies could include the following: requiring all debt agreements to be regulated by the banking authority; creating a communications campaign around what is and is not responsible lending to increase awareness about the dangers of potentially predatory agreements; placing upper limits on legal loan rates; conducting studies on other sectors with a view towards transferable lessons learned; putting limits or more oversight on 'linked funding' (where the buyer is also the lender).
	There are additional marketing options available to miners beyond directly selling in local markets, such as national or regional bourses (for-profit or not-for-profit multi-functional bourses) and/or ASDM auctions.	The shortening of the intermediary chain through bourses or "centres de négoce" can result in more competitive prices for diamonds for ASDM producers through expanded access to buyers.	Sri Lanka: The National Gem and Jewelry Authority holds auctions at the mine sites. High proportion of legal ASM miners (80%). In Ghana, "registered exporters buy diamonds in what may be West Africa's first diamond bourse, in Accra. Payments are made on their behalf by a government agency, drawing on foreign exchange the firms have imported in advance. The system is transparent, competitive, and it avoids many of the problems associated with informal purchasing" and that promotes the "security of diamonds and individuals, and [makes] monitoring more effective". Furthermore, "The Ghanaian model is particularly interesting as this bourse has eliminated cash

Yes/No	Performance statement	Description/Justification	Relevant example
			transactions, in an attempt to combat money laundering, and all transfers pass through the central bank in advance.”
	Policy measures have been undertaken to facilitate fair competition in local and national buying markets through targeting unfair business practices.	Policy example: Creating and enforcing policies to prevent monopoly or oligopoly (cartel) buying situations in diamond trading locations.	
	The government engages in a due diligence or vetting process to determine whether buyers and investors have credibility and legitimacy before issuing licenses and permits.	Due diligence of buyers and investors can help prevent unsavory elements using diamond markets for money laundering.	
	Efforts have been made to facilitate the entry of formal lenders and investors into the diamond sector.	Policy example: Introduction of mechanisms that lower financial risk for those investing in the diamond sector.	
	Current law allows for miners and/or producer organizations to directly sell their rough diamonds to international buyers.	State, not-for-profit, or private supports can be offered to ASDM producers to enable those with significant stones access to international buyers to make direct sales.	In Ghana, the government allows buyers from India, Belgium, Israel, South Africa, and East Asia to register and participate in an open market in which competitive diamond prices are offered.
	There is evidence of increased numbers of miners selling rough diamonds directly to international buyers.		
Total Yes answers —	<p>7 Total Yes answers are possible</p> <p> If between 0-2 Yes answers, assign a red assessment color</p> <p> If between 3-5 Yes answers, assign a yellow assessment color</p> <p> If 6 or more Yes answers, assign a green assessment color.</p>	Color assigned: _____.	

EVALUATOR’S NOTES:

Notes on key challenges: Is this country facing unique challenges in this area? What makes it unique? Where are the areas for necessary policy or regulatory innovation?

Notes on innovation(s): Has this country responded to challenges in a unique way? Could this be considered as a best practice or ‘good practice’ model?

POLICY ACTION A6

POLICY GOAL: TO IMPROVE FORMALIZATION OF ARTISANAL MINING

POLICY ACTION A6: EXPAND ACCESS TO MINING INPUTS:

“Expanding access to mining inputs can encourage formalization of the ASM sector. Artisanal miners can be provided with the requisite skills training, allowing them to formulate a business plan, and rent and maintain mining equipment. This strategy has proven effective in encouraging artisanal miners to formally register themselves while providing a means to overcome capital constraints, and introduce critical business skills...” – *Washington Declaration (A6)*

Category (general objective) 1: All miners have transparent and easy access to technically-efficient mining equipment for a reasonable price.

Yes/No	Performance statement	Description/Justification	Relevant example
	The government directly or indirectly promotes, facilitates and/or subsidizes access to efficient artisanal mining equipment.	With proper equipment, artisanal mine workers can improve efficiency and incomes, yet access to efficient and appropriate equipment is often undermined by the logistical challenges of remote locations or a lack of knowledge on the most appropriate tools and methods. The government could have a role to play to facilitate the right tools in the right places by promotional programs, facilitating through outreach programs the movement of equipment, or subsidizing the cost of the equipment in economically-poor areas.	In Ghana, the government teamed up with development organizations to carry out “Rent-a-Pump” and “Hire-Purchase” campaigns; training miners in how to use Chinese Hammer mills and piloting use of alluvial and hard-rock mining equipment. In Guyana, semi-mechanized equipment is introduced to cooperative structures through the mining ministry.
	Artisanal mine workers consider basic ASDM tool inputs to be generally available and affordable	In practice, do artisanal miners of all economic backgrounds have access to effective (technically efficient) ASDM equipment? If ASDM tools are considered prohibitively expensive or is simply unavailable, there may be a role for government to investigate directly or through intermediaries how to encourage the distribution of affordable and efficient tools. Policy tools could include lowering import duties on ASDM tools, creating investment programs for local production, or connecting local mining equipment suppliers with affordable tool producers regionally or elsewhere to create trading relationships.	In Central African Republic, PRADD introduced an initiative where equipment rental pools are decentralized and belong to the mining communities.
	Equipment-access systems are efficient, transparent and financially sustainable.	Transparency and financial sustainability is what makes the difference between numerous pilot initiatives and long-term, efficient policies.	
	Women artisanal mine workers have equal access to mining equipment as male artisanal mine workers.	In practice, often women are prevented from participating fully in ASDM due to discrimination, social norms, or other reasons. In practice, do they have the same opportunity to access mining equipment?	
	Diamond traders/middlemen are	There are numerous ways in which	In Central African Republic, the

Yes/No	Performance statement	Description/Justification	Relevant example
	involved in awareness raising and/or access to inputs.	certain types of equipment and inputs make it into the hands of artisanal mine workers. One of these ways is the financier and middlemen, who pre-finance ASDM operations and may decide which equipment to buy, making them an important group to involve in awareness raising programs.	government rewards buyers/exporters who provide training to miners.
	ASDM producers have access to training to improve their basic geological knowledge, prospecting skills, and safe and effective use of equipment.	Most artisanal miners have no formal training in geology. As a result, effort is needlessly wasted and productive days are lost. The public, private, and not-for-profit sectors potentially have a role to play in bringing science to ASDM to make it more efficient and profitable.	In Nigeria, the government is committed to provide artisanal mining cooperatives with training in prospecting and exploration.
	Miners are introduced to new mining techniques through the availability of innovative equipment	In some places, artisanal mine workers may not know of the diverse equipment that can be used for mining. ASDM producers can be exposed to new, better methods and inputs with increased availability of different equipment.	
	Available ASDM equipment is appropriate to the geological characteristics of the terrain.	Geological deposits can differ dramatically and the adjustments needed may not be well-understood by ASDM mine workers. There is a role for public, private, or not-for-profit programs to educate mine workers on the most efficient methods and locally-available equipment for a given area.	In Ghana, there are renting and buying programs of water pumps, Chinese Hammer mills, and hard rock and alluvial mining equipment.
Total Yes answers —	8 Total Yes answers are possible  If between 0-2 Yes answers, assign a red assessment color  If between 3-5 Yes answers, assign a yellow assessment color  If 6 or more Yes answers, assign a green assessment color.	Color assigned: _____.	

EVALUATOR'S NOTES:

Notes on key challenges: Is this country facing unique challenges in this area? What makes it unique? Where are the areas for necessary policy or regulatory innovation?

Notes on innovation(s): Has this country responded to challenges in a unique way? Could this be considered as a best practice or 'good practice' model?

Category (general objective) 2: All miners have access to training to improve their business skills for a reasonable price.

Yes/No	Performance statement	Description/Justification	Relevant example
	Basic financial literacy training is available to artisanal mine workers in mining areas.	In many contexts, ASDM producers have very little education and a lack of financial literacy leaves them vulnerable to swindlers in debt arrangements and in diamond marketing. Improved financial literacy—in the form of workshops campaigns, innovative NGO partnerships, etc.-- can improve their capacity to negotiate better investment arrangements, diamond sales, and better position them to escape poverty.	
	Male and female artisanal mine workers have equitable access to that training.	It is important to ensure women are a part of these trainings, particularly because women's educational opportunities tend to be lower in ASDM regions. NGO or academic partnerships may be one program to consider.	
	There is an existing curriculum for diamond business management for ASDM producers.	Business trainings by government, its intermediaries, academia, NGOs, or others, tailored to the ASDM sector could help professionalize it and increase production capacity through the development of better systems, financial controls, financing systems, etc.	
	Mine workers are realistically able to graduate into higher positions in the diamond value chain (e.g., collectors or buyers).	Are diggers staying as diggers, and haulers staying as haulers? With the right training and opportunity, mine workers can graduate into higher positions in the diamond value chain and increase their economic position.	
	ASDM producers generally have accurate knowledge of the approximate value of their diamonds.	Diamond marketing is one of the biggest vulnerabilities of ASDM producers. If they do not know the approximate value of their diamonds, they are extremely susceptible to unscrupulous buyers. Diamond valuation trainings can dramatically empower ASDM producers and reduce exploitation of ASDM producers.	
	There is at least one institution that provides affordable, quality diamond valuation courses in ASDM regions.		In Botswana, a diamond school is subsidized by De Beers and the government and diamond courses are integrated into university curricula. A complementary program would include access to diamond valuation equipment. In Central African Republic, diamond valuation workrooms are set up in remote villages.
	Artisanal mine workers receive training from banks, credit unions, NGOs, government, or others, in	In some situations, artisanal mine workers may need extra support when it comes to managing loans	Within ASDM credit schemes, combining credit with existing savings is good practice because

Yes/No	Performance statement	Description/Justification	Relevant example
	saving and credit management to improve repayment rates and access to capital.	due to lack of financial literacy. When they are well capacitated to pay off the debt, both the lender and the ASDM sector benefits as there will be increased confidence in lending.	it gives artisanal miners an added personal stake in the risk (as opposed to seeing the scheme as a hand-out).
Total Yes answers —	7 Total Yes answers are possible  If between 0-2 Yes answers, assign a red assessment color  If between 3-5 Yes answers, assign a yellow assessment color  If 6 or more Yes answers, assign a green assessment color.	Color assigned: _____.	

EVALUATOR'S NOTES:

Notes on key challenges: Is this country facing unique challenges in this area? What makes it unique? Where are the areas for necessary policy or regulatory innovation?

Notes on innovation(s): Has this country responded to challenges in a unique way? Could this be considered as a best practice or 'good practice' model?

ANNEX B: COUNTRY SELF-ASSESSMENT TOOL FOR POLICY ACTIONS BI-B5

POLICY ACTION BI

POLICY GOAL: TO IMPROVE SOCIAL CONDITIONS IN ASM COMMUNITIES

POLICY ACTION BI: SUPPORT COMPLEMENTARY LIVELIHOODS IN ASM COMMUNITIES.

“It is imperative that KP participants emphasize the importance of diversifying sources of income generation within ASM communities. Participants should encourage artisanal mining communities to diversify incomes and develop complementary livelihood strategies.” – *Washington Declaration (B1)*

Category 1: ASM communities are encouraged and supported to diversify incomes.

Yes/No	Performance statement	Description/Justification	Relevant example
	There are attractive skill-building opportunities (e.g., trainings, courses, apprenticeships, etc.) available in ASM regions available to men and women miners for the purposes of diversifying or complementing livelihoods	Some individuals choose ASDM because it is better paid than other opportunities available. Others choose it because of the culture it offers. Still others choose it as they simply do not have the right skill profile for other desirable livelihoods. If there are skill-building opportunities available locally, individuals will be better placed to complement ASDM with other livelihoods, leave ASDM if desired, or develop other skills to successfully work in other non-manual parts of the ASDM sector.	
	The government has a rural development policy in place that increases economic resiliency and enhances food security in mining areas.	Diamond communities are often vulnerable to many shocks. Agricultural development or commercialization can be used to provide food security to mining communities and to complement livelihoods when there are fluctuating diamond prices, shortages of capital/credit to finance mining activities, or dwindling deposits of alluvial diamonds.	The World Bank is funding a pilot project in Sierra Leone’s Kono District, where artisanal mine workers have worked for decades but where alluvial diamond discoveries are dwindling. The project, called “Life After Diamonds” is a community-led effort to diversify and complement incomes of current and former Kono-area artisanal mine workers. Agricultural programs are being used to improve livelihoods and food security in this region.
	Formal start-up capital from financial institutions is available (e.g., microloans) to entrepreneurs in mining regions to start mining-related businesses other than mining itself.	Mining-related businesses can include equipment rental, repair or maintenance, fuel retail, or ration cooking, etc.	
	Start-up capital is available (e.g.,	Non-mining related businesses	In DRC’s Katanga province, a pilot

Yes/No	Performance statement	Description/Justification	Relevant example
	microloans) to entrepreneurs in rural areas to start non-mining related businesses in mining areas.	would further diversify the local economy, build resilience and foster development.	credit scheme was established to provide women miners with funds and organized savings schemes to start a small business and exit the ASM sector.
	Credit unions (<i>crédits mutuels d'épargne</i> , also called Savings and Credit Cooperatives or 'SACCO') or village savings and loans associations (VSLAs) are available in mining areas and in use by 10% of ASDM supply chain members.	<p>Credit unions are typically a type of formal financial institution that is not-for-profit in nature and that offers deposit accounts, low-interest loans, and reinvests profits into the institution's core mission and lending activities.</p> <p>VSLAs are a village-level form of savings and self-assistance organization. They are typically self-run with NGO support. VSLA members either choose to lend pooled money out to group members for one-time purchases (such as a mining equipment investment), or they may use their pooled resources as collateral with an outside formal funding source (such as a credit union or a microfinance bank).</p> <p>Both credit unions and VSLAs are a potential alternative source of financing to ASDM producers than traditional banks.</p>	
	Development grants funded by diamond licenses or export taxes or another source are channelled through to communities in ASDM areas and oriented to enhance complementary livelihood activities (e.g., such as investing in farming supports) and build resilience.	<p>Actions to diversify livelihoods do not always have to be individual. Communities can come together to build economic resilience (and prevent economic shocks and destitution) by coordination and investments in complementary livelihood supports or opportunities.</p> <p>Diamond revenue funding development programs is a good example of where a finite resource can be wisely invested into building a more sustainable economy.</p>	For example, the Diamond Area Community Development Fund was created to ensure diamond area communities benefitted from diamond mining operations.
Total "Yes" answers 	6 total "Yes" answers are possible <div style="display: flex; align-items: center;"> <div style="width: 15px; height: 15px; background-color: red; margin-right: 5px;"></div> If between 0-2 "Yes" answers, assign a red assessment color </div> <div style="display: flex; align-items: center;"> <div style="width: 15px; height: 15px; background-color: yellow; margin-right: 5px;"></div> If between 3-4 "Yes" answers, assign a yellow assessment color </div> <div style="display: flex; align-items: center;"> <div style="width: 15px; height: 15px; background-color: green; margin-right: 5px;"></div> If 5 or more "Yes" answers, assign a green assessment color. </div>	Color assigned: _____	

EVALUATOR'S NOTES:

Notes on key challenges: Is this country facing unique challenges in this area? What makes it unique? Where are the areas for necessary policy or regulatory innovation?

Yes/No	Performance statement	Description/Justification	Relevant example
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Notes on innovation(s): Has this country responded to challenges in a unique way? Could this be considered as a best practice or 'good practice' model?

Category 2: Policies help artisanal miners develop complementary livelihood strategies.

Yes/No	Performance statement	Description/Justification	Relevant example
	Artisanal diamond mining pits are commonly converted into other economic uses, such as fish farms and vegetable gardens, once they are mined out.	The Washington Declaration states that “this kind of activity would work to supplement incomes and make use of land that would have otherwise been abandoned” (or that would be less economically valuable without proper rehabilitation efforts). Good practice includes establishing a locally-accepted process to select pits for rehabilitation on the basis of geological confirmation that the deposit is mined out <i>and</i> a process to confirm local miners and communities also believe it to be so. Otherwise, miner workers may re-mine pits that have been abandoned for many years, even if they have been rehabilitated, if there is still a belief that there are viable deposits therein, resulting in a waste of resources spent on rehabilitation and a waste of time, energy, and investment by mine workers.	In the Central African Republic, miners have put over 650 exhausted mining pits into agricultural use in two years. In Sierra Leone, the Foundation for Environmental Security and Sustainability (FESS) facilitated the rehabilitation of mined out land by communities in Kono and Kenema. The land was converted into vegetable gardens that served as training grounds for the introduction of farming methods and crop varieties that would enhance yields and help build local food security.
	Free or affordable training and/or equipment support services are available in mining regions to support best practice in environmental rehabilitation.	Without the right supports, proper environmental restoration is unlikely to happen in practice. It is important that it is both available in mining regions, but also affordable to reflect the economic realities of mining communities and encourage the self-learning and active practice.	
	Diamond mining by-products are being commercialized where possible.	Alluvial diamonds may be co-located with other valuable minerals that have local or international value, but whose value is not known locally. For example, it is common for diamonds to be co-located with gold deposits in some parts of West Africa. Trees or vegetation typically burned and destroyed during clearance of the mine site could be used for firewood, charcoal, or	Sometimes, bort (i.e., shards of lower quality diamonds) is not encouraged by export administrations for fear of diminishing the country’s average price per carat (i.e. the country diamond quality statistics); however, that does not mean it should not be encouraged to be mined and sold. Bort can be a good source of alternative

Yes/No	Performance statement	Description/Justification	Relevant example
		composting.	income for miners due to its potential industrial use.
	Alternative livelihood programs are available in mining areas for vulnerable children and child mine workers.	Some roles in the process of extraction and processing may be classified as the worst forms of child labor. Responses should be based on the recognition that there may be different 'types' of child labor on a site (e.g., where a child is working in a family group, where a child is an orphan on his/her own or responsible for siblings, where a schooled child is working on the site for extra income, etc.).	In the DRC, the organization Pact is developing recommendations for how to respond appropriately and effectively to the different situations where children might be working on a mine site. In the DRC, the Tukudimuna Child Labour Project, led by DDI and building on the ILO's "Minors out of Mining" project, aims to transition 700 child diamond miners (between the ages of 14-17) out of the sector and into higher education.
	Complementary livelihood programs focus equally on opportunities for women and men.	Women's roles on mine sites is frequently overlooked because they may not be doing the physical digging, or doing the digging in smaller numbers or on different sites. In addition, because they are often not seen as a conflict risk in the way young men are, livelihood programs may not be targeted towards them in 'security' initiatives. For these and many other reasons, it is important that women are allowed and invited to participate equally in complementary livelihood programs in the mining sector.	
Total "Yes" answers	5 Total "Yes" answers are possible	Color assigned: _____.	
	If between 0-1 "Yes" answers, assign a red assessment color		
	If between 2-3 "Yes" answers, assign a yellow assessment color		
	If 4 or more "Yes" answers, assign a green assessment color.		

EVALUATOR'S NOTES:

Notes on key challenges: Is this country facing unique challenges in this area? What makes it unique? Where are the areas for necessary policy or regulatory innovation?

Notes on innovation(s): Has this country responded to challenges in a unique way? Could this be considered as a best practice or 'good practice' model?

POLICY ACTION B2

POLICY GOAL: TO IMPROVE SOCIAL CONDITIONS IN ASM COMMUNITIES

POLICY ACTION B2: INCREASE WORKING CAPITAL AND OPPORTUNITIES FOR ORGANIZATION

“The artisanal mining sector is plagued with disorganization and social conflict, making diggers vulnerable to many kinds of negative external influence. It is encouraged that efforts be made to identify new forms of organization and to provide the working capital diggers need. Microfinance needs to be explored. For these sorts of initiatives to take hold, development organizations with experience in the field must become involved in the sector, consistent with the aims of the Kimberley Process.” – *Washington Declaration (B2)*

Category (general objective) 1: Increased opportunities for new forms of organization and capitalization in the ASM sector

Sub-Category (specific objective) 1.1: Facilitative legal framework for self-organization

Yes/No	Performance statement	Description/Justification	Relevant example
	Artisanal mine workers are legally allowed to self-organize into groups, such as cooperatives, associations, companies, and other forms of self-organization.	Whether mine workers decide to self-organize into cooperatives or other forms of self-organization comes down to many factors. If they choose to self-organize as such, it is important that the legal framework allow them to maintain their independence and provide flexibility for innovation beyond a standard “cooperative” model. ASDM cooperatives work in some cases but are not a one-size-fits-all solution for artisanal diamond mine workers all over the world. Therefore, it is important to consider alternative arrangements for ADSM miners that suit the context of their specific national or regional sector.	In the case of the Peace Diamond Alliance in Sierra Leone, many artisanal producers participating in the cooperative scheme felt that the structures were imposed on them by external actors and they were not given any say in the matter. Above all, any design of a alternative organizational structures needs to take deep consideration of the existing dynamics and modes of organization in a given artisanal diamond mining supply chain.
	The State has taken steps to analyze how artisanal mine workers, license holders, and traders organize in the formal and informal spheres.	For formalization efforts to be successful, regulators should make efforts to keep the existing “power and organizational structures intact” in artisanal supply chains to the extent it is possible to be consistent with the Kimberley Process. This facilitates artisanal diamond miners to become formalized without having to change the profitable aspects of their current forms of production and trading.	There is typically a diversity of ways the artisanal supply chain organizes itself. Analyzing current structures allow policymakers to ascertain what types of organization are prevalent, why operators organize in this way, and how effective these are in supporting the assertion of miners’ rights, marketing, access to finance and inputs, etc.
	The forms of organization allowed under the Law are based on the types of organization commonly practiced by artisanal mine workers.	In the ASM sector generally, experience shows that imposed forms of organization rarely work. Instead, policymakers should study current forms of self-organization in the formal and formal spheres and have the law accommodate existing structures as much as is possible.	

Yes/No	Performance statement	Description/Justification	Relevant example
	Mechanisms or initiatives are in place in mining regions to support unity and resilience amongst artisanal miners.	For example, are there unions or other forms of social support organizations? Are there ways to generate additional community camaraderie?	
	The government conducts due diligence to assess the authenticity of cooperatives.	<p>The International Cooperative Alliance defines a Cooperative as ‘an autonomous association of persons united voluntarily to meet their common economic, social, and cultural needs and aspirations through a jointly-owned and democratically-controlled enterprise’.</p> <p>The authenticity of mineral producers can be gauged from the function of mineral production and/or trade to the cooperative. If a primary purpose of the cooperative (on paper <i>and in practice</i>) is found not to generating profit from mineral production (or something to that effect), then authenticity may be questionable. For example, in some parts of the world, there is evidence of drug traffickers using mining activities to launder their money because sudden income can be explained away by the discovery of ‘new deposits’. In those situations of fraud, action should be taken to remove licenses from cooperatives found to be a front for criminal activities (e.g., money laundering, the illegal wildlife trade, etc.).</p>	
Total “Yes” answers —	5 Total “Yes” answers are possible  If between 0-1 “Yes” answers, assign a red assessment color  If between 2-3 “Yes” answers, assign a yellow assessment color  If 4 or more “Yes” answers, assign a green assessment color.	Color assigned: _____.	

EVALUATOR’S NOTES:

Notes on key challenges: Is this country facing unique challenges in this area? What makes it unique? Where are the areas for necessary policy or regulatory innovation?

Yes/No	Performance statement	Description/Justification	Relevant example
Notes on innovation(s): Has this country responded to challenges in a unique way? Could this be considered as a best practice or 'good practice' model?			

Sub-Category 1.2: Availability and legal framework for innovative forms of working capital

Yes/No	Performance statement	Description/Justification	Relevant example
	Credit or pre-financing is available to artisanal mine workers in mining regions and from more than one formal source for the purpose of investing in an ASDM license or to expand production.	In general, the fewer credit or financing providers available, the worse terms for the person seeking the credit or pre-financing. This can result in exorbitant interest rates or – frequently in the ASDM sector—situations where the ASDM license holder or mine worker is required to sell diamonds to the creditor for substantially less than they are worth because that was a condition of the credit. With more credit sources available, as long as they do not begin to collude it ought to lead to better terms for the person seeking credit.	In DRC, the non-governmental organization PACT operates a project called WORTH that provides micro-loans, business training and equipment rental to artisanal gold miners in Northern Ituri, DRC. It is based on the Grameen model.
	Credit is equally available to male and female artisanal mine workers.	In some contexts, women are not allowed to get loans due to legal restrictions or due to discrimination. This can prevent economic mobility and full participation of entrepreneurial women in the ASDM sector.	In Zimbabwe, prior to 2006 the government provided small loans to artisanal and small-scale miners, particularly females through a fund called the Mining Industry Loan Fund. The Fund also helped miners and millers with technical guidance on geology, prospecting, mining engineering, etc. The program closed down when the government ran out of funds, but there were also complaints from miners that they did not receive funds in good time and many applications for funding were denied.
	The government has taken meaningful steps to encourage increased competition in diamond buying and ASDM credit provision.	When there are only a few buyers or credit providers, oligopolistic behavior can occur and reduce the overall availability of credit, the flexibility of terms, and interest rates. Increasing the number of credit providers can increase competition and the amount of working capital available.	
	Microfinance and other formal credit organizations make lending	For credit schemes to work, the creditors need to have knowledge	

Yes/No	Performance statement	Description/Justification	Relevant example
	decisions based on a sound understanding of the opportunities and risks of the ASDM sector.	of the commercial realities and potential, and cultural arrangements of how the ASDM sector works, based on an understanding of geology & production potential, mining method and business cost considerations. Individual or a group of credit organizations may conduct independent assessments of the economic and commercial risks and opportunities of ASDM. There may be a role for governments to educate banks on the particularities of the country's artisanal mining sector so that formal creditors can modify their policies of lending, thereby putting loans within the reach of artisanal miners.	
	The country's legal framework allows for the use of formal land or mining titles to be used as collateral for credit.		
	Formal credit is available to buyers or traders for the purpose of operating in the ASM sector.	It is not just artisanal mine site workers who may need access to credit to improve their competitiveness in the sector. Buyers or traders may also face difficulties acquiring loans due to reluctance by lenders to operate in a mining area or in the artisanal mining sector generally.	
	The legal framework allows for responsible non-traditional lending and innovation in lending in the ASM sector.	For example, village savings and loans associations is one form of non-traditional lending. In these self-assistance organizations, members pool resources for one-time purchases (such as a mining equipment investment), or they may use their pooled resources as collateral with an outside formal funding source (such as a credit union or a microfinance bank). Another non-traditional option is a credit union, which reinvests profits into its core mission, thereby increasing the pool of money available for loans.	In Tanzania, some artisanal miners have formed their own cooperatives, which then joined together and formed the Savings and Credit Cooperative Societies, a form a credit union. . One of these is called Tupendane, has raised thousands of dollars by selling shares of the cooperative. They have used those funds to lend to members (who were then charged interest) and ultimately were able to build an office. This is an example of artisanal miners designing their own scheme that works for their sector instead of risking failure by trying to follow the extensive restrictions and guidelines of larger commercial banks.
	International buyers have the opportunity to invest in a(n) organized group(s) of artisanal miners (e.g., a cooperative or other recognized form of official ASDM organization) fairly and transparently.	One way to increase the amount of financing and growth in a country's ASDM sector is to allow international buyers and other foreigners to invest fairly, competitively, and transparently with national buyers and investors.	

Yes/No	Performance statement	Description/Justification	Relevant example
		The more sources of revenue for ASDM producers, the better terms of credit they will be and their opportunities for growth and professionalization.	
Total “Yes” answers	8 Total “Yes” answers are possible	Color assigned: _____.	
—	 If between 0-2 “Yes” answers, assign a red assessment color		
	 If between 3-5 “Yes” answers, assign a yellow assessment color		
	 If 6 or more “Yes” answers, assign a green assessment color.		

EVALUATOR’S NOTES:

Notes on key challenges: Is this country facing unique challenges in this area? What makes it unique? Where are the areas for necessary policy or regulatory innovation?

Notes on innovation(s): Has this country responded to challenges in a unique way? Could this be considered as a best practice or ‘good practice’ model?

Category 2: The development sector is increasingly involved in ASM.

Yes/No	Performance statement	Description/Justification	Relevant example
	When development organizations or agencies work in the mining regions, they are working on specific mining-related issues.	For example, the programs are targeting mining issues or managing the externalities of ASM and not on general programs that do not target the mining community.	<p>In Brazil and Sierra Leone, the Diamond Development Initiative has provided occupational health, safety and welfare training to diamond mine workers.</p> <p>In Uganda's ASM sector, the Sustainable Management of Mineral Resources Project (SMMRP) project funded by the World Bank, African Development Bank, the Nordic Development, and the Government of Uganda, focused on five components, including health and safety awareness-raising at artisanal mining sites.</p>
	Development organizations or agencies work on health issues related to ASM, such as elevated malaria and STI incidence, elevated drug / alcohol abuse, adequate nutrition, occupational health and safety, etc.	By virtue of its strenuous physical labor, mining methods (including use of water), ASM has many specific health challenges associated with it. An influx of public health specialists and health education programs could significantly improve social and health conditions in ASM communities.	
	Development organizations work with mining communities to enhance economic development opportunities.	ASDM is a potential development opportunity for rural communities due to the influx of cash and active production taking place in these areas. Rural economies could benefit with the strategic supports of development sector organizations.	Through its Integrated Diamond Management Program in Sierra Leone and Property Rights and Artisanal Diamond Development programs in CAR and Liberia, USAID has a history of economic development programs focused on improving the economic development potential of ASDM and decreasing the vulnerability of diamond diggers.
	Development organizations or agencies are working with both male and female artisanal mine workers in mining regions.		
	Development organizations or agencies are working to assist communities in protecting the welfare of children in mining regions and promoting universal education.	There are a variety of reasons why children may be on an artisanal or small-scale mine site. To successfully get them off a site is a significant challenge in practice that would benefit from the social welfare expertise of the development sector and in true partnership with communities.	In Sierra Leone, Street Kids International interviewed underage artisanal diamond miners and made recommendations for how they can exit the ADM sector into a job that enables them to earn an income. This project ran from 2009 to 2010.
	Development organizations or agencies are working to protect the rights of mining-affected	It is important to make ASDM better for the mine workers but also for those they knowingly or	In Guinea, the government, civil society, and the US Geological Service (USGS) has piloted a

Yes/No	Performance statement	Description/Justification	Relevant example
	groups, such as those living downstream from mining sites or those in the community who may be negatively affected by mining (for example, non-mining farmers).	unknowingly impacted. For example, this could include indigenous groups who live downstream whose water has been contaminated or restricted by ASDM.	program where civil society and government collaborate to co-monitor the natural resources sector's activities.
	The national Poverty Reduction Strategic Paper (PRSP) or other development strategy program in place specifically mention ASM sector development as one of its goals.	The inclusion of the ASM in a PRSP can mobilize coordinated donor support (human and financial).	
Total "Yes" answers —	<p>7 Total "Yes" answers are possible</p> <p> If between 0-2 "Yes" answers, assign a red assessment color</p> <p> If between 3-5 "Yes" answers, assign a yellow assessment color</p> <p> If 6 or more "Yes" answers, assign a green assessment color.</p>	Color assigned: _____.	

EVALUATOR'S NOTES:

Notes on key challenges: Is this country facing unique challenges in this area? What makes it unique? Where are the areas for necessary policy or regulatory innovation?

Notes on innovation(s): Has this country responded to challenges in a unique way? Could this be considered as a best practice or 'good practice' model?

POLICY ACTION B3

POLICY GOAL: TO IMPROVE SOCIAL CONDITIONS IN ASM COMMUNITIES

POLICY ACTION B3: MITIGATE ENVIRONMENTAL DAMAGE

“It is important to consider the environmental ramifications of artisanal mining. Participants are encouraged to promote best practices in environmental management and restoration of artisanal and small scale mining sites and support artisanal miners in environmental mitigation and recovery programs during and after mine closure in accordance with national laws.”- *Washington Declaration (B3)*

Category (general objective) 1: Support artisanal miners in environmental mitigation and recovery programs during and after mine closure.

Sub-Category 1.1: The legal framework promotes ASDM environmental rehabilitation.

Yes/No	Performance statement	Description/Justification	Relevant example
	A legal and regulatory framework based on a rigorous environmental impact assessment has been established for the ASDM sector's environmental requirements.	Too often, governments have a sophisticated environmental regulation for industrial mining and extend that framework to ASM. However, the ASM sector's specific impacts over the environment should be addressed differently, given the knowledge, human capacity and profit differences. A comprehensive impact assessment is necessary to legislate and propose realistic and useful solutions.	
	Environmental requirements placed upon ASDM producers are tailored to the prevailing educational and income level of mineworkers.		
	Environmental performance to date is part of the criteria for renewal of an ASM license.	To incentivize environmental restoration, it must be a part of the license renewal process. Otherwise, it may not be undertaken.	
	An environmental rehabilitation fund has been established <i>and</i> is actively used to fund environmental rehabilitation.		For example, in Angola and Sierra Leone, environmental rehabilitation funds have been established. In Sierra Leone, funds originate from a tax levied on ASDM license holders, while in Angola, it originates from a tax levied on mining companies.
	The government takes active steps to create and enforce protected areas in areas of high biodiversity to prevent ASM encroachment and environmental degradation.		In Gabon, the government has been responding to the issue of ASM in protected areas and has been in talks with conservation organizations on how to protect its national parks and innovative ways to potentially approach the problem.
Total “Yes” answers —	5 Total “Yes” answers are possible	Color assigned: _____.	
	 If between 0-1 “Yes” answers, assign a red assessment color		
	 If between 2-3 “Yes” answers, assign a yellow assessment color		
	 If 4 or more “Yes” answers, assign a green assessment color.		

Yes/No	Performance statement	Description/Justification	Relevant example
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EVALUATOR'S NOTES:

Notes on key challenges: Is this country facing unique challenges in this area? What makes it unique? Where are the areas for necessary policy or regulatory innovation?

Notes on innovation(s): Has this country responded to challenges in a unique way? Could this be considered as a best practice or 'good practice' model?

Sub-Category 1.2: Government agencies promote and enforce ASDM environmental rehabilitation.

Yes/No	Performance statement	Description/Justification	Relevant example
	Mines monitoring officers (or mines enforcement) receive environmental training in order to effectively enforce environmental laws or re-educate miners as needed.	For mines monitoring officers to be effective, they need to be trained in the environmental protocols they are tasked with enforcing. Once empowered with this information, they will be much more powerful teachers and enforcers of the obligations of ASDM producers.	
	There are ongoing free or very low-cost environmental training programs or support services available in ASM areas, covering topics such as environmental rehabilitation and land conversion.	Given the economic realities of most artisanal mine workers, environmental education needs to be low cost or free for producers to attend. Ideally, environmental training or instructions in environmentally responsible practices is provided to ASM prior to starting their mining activities.	
	There is a government monitoring program in place for regulators to identify ongoing challenges to the effective management of environmental risks and innovating for corrective action/continuous improvement.	Challenges to effective management of environmental risks may differ for different types of miner, based on demographic or social factors. For example, vulnerable groups like women or ethnic minorities may have different options and opportunities in reality for managing a risk than men or the hegemonic ethnic group .	
	Miners and their communities are made aware of the protected areas and the mining rules relating to them.	Sometimes protected areas exist legally but area residents or mine workers may not know about them because the protected area is not actively managed. For ASDM producers to stay out of protected areas, they first need to know that they exist and what the rules are.	
	Protected areas with ASM activity are regularly patrolled and monitored to ensure that environmental law is respected.	If a protected area does not have regular ranger patrols, it is unlikely that artisanal producers will stay out, especially if there are known	

Yes/No	Performance statement	Description/Justification	Relevant example
		deposits in the area. Regular patrolling and monitoring is needed at the least.	
Total “Yes” answers —	5 Total “Yes” answers are possible	Color assigned: _____.	
	 If between 0-1 “Yes” answers, assign a red assessment color		
	 If between 2-3 “Yes” answers, assign a yellow assessment color		
	 If 4 or more “Yes” answers, assign a green assessment color.		

EVALUATOR’S NOTES:

Notes on key challenges: Is this country facing unique challenges in this area? What makes it unique? Where are the areas for necessary policy or regulatory innovation?

Notes on innovation(s): Has this country responded to challenges in a unique way? Could this be considered as a best practice or ‘good practice’ model?

Category (specific objective) 2: Promote best practice in environmental management

Sub-category 2.1: ASDM actors are mining in an environmentally aware manner

Yes/No	Performance statement	Description/Justification	Relevant example
	It is common for artisanal diamond mine workers to not discharge tailings directly into water bodies and to instead have systems for minimizing the disposal of sediments and waste into hydrological systems.	Pollution of waterways by mine waste materials can devastate aquatic ecosystems and water quality for downstream communities.	
	Artisanal diamond miners are not mining in protected areas where it would be illegal to do so.		
	Only licensed and monitored ASDM producers dredge riverbeds or streambeds.	Riverbed dredging can have disastrous consequences for river ecosystems, and for the quality of water and availability of fish downstream. It should be monitored and regulated closely.	
	Mine workers commonly clear their sites of paper, plastic and metal litter and of any discarded tools at least once per week.		According to DDI, the environment can be protected even by small measures. In its pilot ADM sites in Sierra Leone, it requires mine workers to do this daily as a part of meeting DDI’s Development Diamond Standards (DDS).

Yes/No	Performance statement	Description/Justification	Relevant example
	There is evidence of environmental rehabilitation by at least 25% of ASM property rights holders.	This will indicate whether rehabilitation is common or sporadic.	
Total “Yes” answers —	5 Total “Yes” answers are possible	Color assigned: _____.	
	 If between 0-1 “Yes” answers, assign a red assessment color		
	 If between 2-3 “Yes” answers, assign a yellow assessment color		
	 If 4 or more “Yes” answers, assign a green assessment color.		

EVALUATOR’S NOTES:

Notes on key challenges: Is this country facing unique challenges in this area? What makes it unique? Where are the areas for necessary policy or regulatory innovation?

Notes on innovation(s): Has this country responded to challenges in a unique way? Could this be considered as a best practice or ‘good practice’ model?

Sub-category 2.2: ASDM achieves best practice in environmental management with help of government, civil society, private markets, and ASDM learning networks

Yes/No	Performance statement	Description/Justification	Relevant example
	National or local governments have established partnerships in place with ASM-support organizations to encourage efficient, safe, and/or ‘green’ mining.	National and international ASM support organizations exist in Asia, Latin America, and Africa, to promote efficient, safe, and responsible mining of a variety of minerals and materials. In-country mining engineering firms can also be consulted to provide on-site capacity building.	In the artisanal diamond sector, the Diamond Development Initiative is the most well-known ASM support organization. It works in Brazil, Sierra Leone, and DRC. In Sierra Leone, local consulting firm CEMMATS was recruited to design the “SMARTER” (Sustainable Mining by Artisanal Miners) guidelines to mitigate the environmental degradation and waste of ASDM in Sierra Leone. The company developed a training module delivered to ASDM cooperatives that covered new approaches to prospecting, methods for miners to understand the potential of a site, and to restore the site once mining ceased. They also trained miners in occupational safety issues. The pilot program was met with enormous interest by the region’s artisanal diamond miners.
	A regulatory mechanism in place to incentivize the full restoration of mined-out areas.	For example, is there a requirement to do so for the renewal of the ASDM license, or is there a benefit system for compliant ASDM producers?	

Yes/No	Performance statement	Description/Justification	Relevant example
	Governments provide creative solutions (technology or otherwise) to incentivize miners to rehabilitate sites while making more profits.	For example, are there programs to increase yields to maximize returns for each ton of earth shifted and slow the pace of pit expansion?	In Brazil and Guyana, governments provide technology solutions to artisanal miners, so mechanization is better implemented and more feasible.
	Government, nonprofit, or market-led programs are available to miners to incentivize environmental good practice and continuous improvement.		In Colombia and Bolivia, FairMined and fairtrade gold use market forces to provide financial rewards for maintaining high standards in environmental management and rehabilitation. FairMined mineral programs with ASM producers are now being developed in West Africa.
	Cross-region or cross-border learning networks or exchange programs are in place to facilitate the exchange or best practice and learning in environmental management of the ASDM sector.	These could include exchange programs focused on environmental monitoring, to programs focused on transforming mining pits into farm land for cash crops.	
	ASDM areas are placed on environmental development funding priority lists.	This may attract increased and diversified bilateral assistance to the sector.	
Total “Yes” answers —	<p>6 Total “Yes” answers are possible</p> <p> If between 0-2 “Yes” answers, assign a red assessment color</p> <p> If 3-4 “Yes” answers, assign a yellow assessment color</p> <p> If 5 or more “Yes” answers, assign a green assessment color.</p>	Color assigned: _____.	

EVALUATOR’S NOTES:

Notes on key challenges: Is this country facing unique challenges in this area? What makes it unique? Where are the areas for necessary policy or regulatory innovation?

Notes on innovation(s): Has this country responded to challenges in a unique way? Could this be considered as a best practice or ‘good practice’ model?

POLICY ACTION B4

POLICY GOAL: TO IMPROVE SOCIAL CONDITIONS IN ASM COMMUNITIES

POLICY ACTION B4: HARMONIZE NATIONAL LEGAL FRAMEWORKS

“Ministries of forestry, water, mining, agriculture, national park agencies, and land use planning commissions all have some jurisdictional responsibilities with respect to ASM. However, there is often little coordination across the sectors. As a result, policies often contradict each other, or work at cross-purposes. Participants are encouraged to harmonize the laws, regulations and codes across relevant sectors in order to coordinate management of the ASM sector and ensure that artisanal mining does not continue to slip through legislative loopholes.” – *Washington Declaration (B4)*

Category (general objective) 1: Harmonize national laws, regulations and codes to reduce contradictions regarding ASM activities.

Yes/No	Performance statement	Description/Justification	Relevant example
	Relevant parliamentary committees are involved in the review and harmonization of mining laws and regulations.	For example, are the commissions (committees) on health, agriculture, labor, etc. involved in the drafting of mining laws and regulations to ensure harmonization?	
	An executive coordination mechanism such as an inter-ministerial agency exists to review and harmonize the mining law, its regulations (decrees), and application in practice.	To promote coordination of regulation and enforcement, it is recommended that an executive coordination committee coordinate action on mining issues between relevant government units.	
	The full spectrum of responsibilities of artisanal diamond miners is clearly stated in non-contradictory terms with the issuance of the ASDM mining license.	This is to test whether harmonization is occurring in practice or whether more work is needed on this aspect.	
	Compliance with the full set of ASDM license responsibilities is consistently considered as part of the mining renewal application.	This is an indicator of whether harmonized monitoring is occurring across relevant ministries and ultimately whether a license holder's full set of responsibilities is considered in practice.	
	All relevant national and sub-national (regional) government agencies routinely coordinate with each other in the application of the mining law.	For example, mining and environmental authorities coordinate before they allocate ASM-licensing-or zones, and vice versa regarding mining and land authorities on agricultural/ forestry permitting / residential zoning.	
	Export taxes and diamond valuation systems are harmonized with practices in the neighboring countries to reduce the incidence of cross-border smuggling.	Differing export taxes between neighboring countries is a well-known driver of cross-border smuggling. Harmonization of export taxes can reduce regional smuggling because the extra profit disappears. How neighboring countries value diamonds can also be a driver of cross-border smuggling. Diamond values usually determine the export tax that is levied. If there are material differences in valuation procedures, smugglers will look for opportunities to pay the lowest tax.	
	The government coordinates with neighboring countries on law enforcement issues.	For example, they coordinate regularly regarding international smuggling networks, money	

Yes/No	Performance statement	Description/Justification	Relevant example
	A government authority has been assigned a clear mandate to identify and to curtail illegal mining.	laundering, judicial procedures, etc. In practice, there is often an enforcement gap on which government authority is responsible for identifying and curtailing illegal mining. As a result, there can be situations where legal mining is monitored, but illegal mining is not.	
Total “Yes” answers —	8 Total “Yes” answers are possible <div style="display: flex; align-items: center;"> <div style="width: 15px; height: 15px; background-color: red; margin-right: 5px;"></div> If between 0-2 “Yes” answers, assign a red assessment color </div> <div style="display: flex; align-items: center;"> <div style="width: 15px; height: 15px; background-color: yellow; margin-right: 5px;"></div> If between 3-5 “Yes” answers, assign a yellow assessment color </div> <div style="display: flex; align-items: center;"> <div style="width: 15px; height: 15px; background-color: green; margin-right: 5px;"></div> If 6 or more “Yes” answers, assign a green assessment color. </div>	Color assigned: _____.	

EVALUATOR’S NOTES:

Notes on key challenges: Is this country facing unique challenges in this area? What makes it unique? Where are the areas for necessary policy or regulatory innovation?

Notes on innovation(s): Has this country responded to challenges in a unique way? Could this be considered as a best practice or ‘good practice’ model?

Category 2: Establish effective coordination procedures across ministries and government agencies regarding management of the ASDM sector

Yes/No	Performance statement	Description/Justification	Relevant example
	Regional artisanal mines monitors and regionally based staff members of relevant ministries meet regularly (at least twice yearly) to discuss and act on ASM compliance issues at the regional level.	This promotes coordination on cross-ministerial issues and implementation challenges.	
	The national government coordinates effectively with local and regional government on issues of taxation, licensing and monitoring.	In practice, there are often coordination issues between the policies and plans of national-level government and those of regional government. Harmonization on taxation, licensing, and monitoring procedures are needed to ensure clear communication to ASDM producers and supply chain participants and coordinated enforcement.	
	ADSM producers are represented at policy and coordination discussions and other public consultations by an organization that has been democratically elected by artisanal mine workers.	For any legislative or executive action to work over time, those it seeks to regulate must be involved in the formation of rules and policies to ensure practicality and buy-in.	
	Government agencies in charge of	This is to ensure coordination and	

Yes/No	Performance statement	Description/Justification	Relevant example
	water, environment and forestry effectively coordinate with the mining ministry on implementation and monitoring of ASDM activities.	communication between mining and environmental authorities.	
	Government agencies in charge of agriculture and land effectively coordinate with the mining ministry on implementation and monitoring of ASDM activities.	This is to ensure coordination and communication between mining and agriculture authorities. Mining can have dramatic impacts on other livelihoods and this needs to be managed.	
	Government agencies in charge of labor, trade and small enterprise effectively coordinate with the mining ministry on implementation and monitoring of ASDM activities.	This is to ensure coordination and communication between mining and business regulatory authorities to ensure ASDM producers are following business and labor laws and that they are supported as economic agents.	
	Law enforcement agencies and customs coordinate with the mining ministry on diamond production and smuggling issues.	This is to ensure coordination and communication between mining and border agency officials to reduce cross-border smuggling and unchecked capital flight.	
Total “Yes” answers —	7 Total “Yes” answers are possible	Color assigned: _____.	
	 If between 0-2 “Yes” answers, assign a red assessment color		
	 If between 3-5 “Yes” answers, assign a yellow assessment color		
	 If 6 or more “Yes” answers, assign a green assessment color.		

EVALUATOR’S NOTES:

Notes on key challenges: Is this country facing unique challenges in this area? What makes it unique? Where are the areas for necessary policy or regulatory innovation?

Notes on innovation(s): Has this country responded to challenges in a unique way? Could this be considered as a best practice or ‘good practice’ model?

POLICY ACTION B5

POLICY GOAL: TO IMPROVE SOCIAL CONDITIONS IN ASM COMMUNITIES

POLICY ACTION B.5: OCCUPATIONAL HEALTH AND WORKER SAFETY

“Health and worker safety at alluvial and artisanal mine sites is often grossly inferior to that in industrial diamond mining areas. Participants are encouraged to strive to minimize health and safety threats through specific programs targeted towards the ASM sector. They should exchange best practices in occupational health and safety management. They are also encouraged to monitor potential hazards, injuries, and fatalities at artisanal mining sites and take appropriate preventive and protective measures in accordance with national laws.” – *Washington Declaration (B5)*

Category (general objective) 1: Improve health and safety at ASDM sites.

Yes/No	Performance statement	Description/Justification	Relevant example
	There are clear occupational health and safety guidelines developed for ASDM sites and impacted stakeholders.		The Training and Awareness Campaign Committee of the Sustainable Management of Mineral Resources Project in Uganda produced a ‘ <i>Small Scale Mining Handbook</i> ’ in 2012. This 400 page document includes references to the specific health and safety hazards for each mineral throughout, as well as a 25 page chapter describing causes of accidents, the principal risks in ASM in Uganda, and provides guidance on how to identify, analyze and control risks at the mine site, and how to promote occupational health and safety at the site.
	There are regular free or affordable training opportunities for all miners to learn about on-site health and safety, including main risks and hazards and how to prevent, how to modify mining methods to account for specific hazards, how to prepare for and respond to emergencies.	<p>Artisanal and small-scale miners are typically keen to learn how to secure themselves and their sites better, but may not have access to information on how to do so. For example, mine license holders and mine workers may need assistance in understanding the geological deposits to address health and safety properly. Understanding potential hazards with the deposit can help determine how galleries should be built, etc.</p> <p>ASDM sites can be very dynamic with site population fluctuating and miners coming and going from site; miners who were trained at the last session may have moved on and others who are untrained may have arrived.</p> <p>National or local governments, NGOs, and private sector can all have a role to play for the identification of health hazards.</p>	<p>In Sierra Leone, the not-for-profit organization DDI is developing a curriculum to educate artisanal diamond miners on health and safety issues, including how to avoid injuries and accidents.</p> <p>In the DRC, the government’s mining agency, SAESSCAM, organized health and safety training workshops for licensed artisanal miners during a pilot phase of formalizing the ASM sector.</p>
	Potential ASDM-related health and safety risks affecting mining and other nearby communities have been identified and impacted	ASDM processes may pollute water and air in ways that cause health hazards for nearby or downstream communities.	Downstream, regional, and nearby impacted communities can play a role in the development or review of health

Yes/No	Performance statement	Description/Justification	Relevant example
	communities are given support to monitor and mitigate these risks.	Further risks may include the elevated risks of malaria, and sexually transmitted diseases frequently associated with ASM populations. It also entails the elevated incidence of river blindness, bilharzia and other water-borne diseases within ASDM populations.	& safety standards of the ASDM sector. Affected communities can be included as a meaningful part of the monitoring of the sector. Mechanisms for reporting health and safety issues could be developed in order to empower communities, widen the monitoring power of regulators, and enhance accountability of the sector.
	A gender lens is used in the identification and mitigation of health and safety hazards at all localities and scales.	Men and women often have different roles at the mine site and different vulnerabilities. The distribution of health and safety hazards may be different for men and women, and boys and girls. It is important that women artisanal miners have access to health and reproductive services. Access can be improved by local clinics providing testing services and health education targeted specifically to women artisanal miners.	
	There is meaningful monitoring of this gender issue in ASDM areas and service centers located in ASDM regions.	In some mine sites gender-based violence and sexual harassment are extremely common. Eradication will require a toolbox of strategies. For example, regular training opportunities for men and women to learn about gender-based violence and sexual harassment at the mine sites, avenues of effective recourse and justice for victims, etc.	
	In practice, the country's child labor laws typically are respected on artisanal diamond mine sites.		
	Equipment for protecting mine workers is considered affordable by artisanal diamond mine workers and license holders and available for purchase at or near the mine sites.	Mine workers may be aware of the risks and actions they should take, but may not have access to the equipment necessary to protect themselves (e.g., steel capped boots, goggles, gloves) either because it is not locally available or because that which is available is too expensive. It is also important to note that mine workers may have access to equipment, but not know how to use it or choose not to use it for fashion or other reasons. Education and other incentives may be necessary.	
	Local health centers in mining regions are typically well prepared to identify and treat common injuries that occur on ASDM sites and are well-prepared to identify and treat common ASM-related afflictions of artisanal miners.	An accurate and speedy diagnosis and the availability of treatment can save lives. While some injuries are common to the ASM sector around the world, most are context-specific and are influenced by methods in use and can be influenced by the geology and soil chemistry. Mining can release	

Yes/No	Performance statement	Description/Justification	Relevant example
		harmful materials, such as dusts, into the air and waterways. For example, ASM operations in Nigeria has created a lead poisoning crisis among children of adjacent populations due to the naturally-high lead content in the soil and its disruption by miners. The health system has been caught off-guard by the crisis.	
	Health authorities regularly monitor malnutrition in children and adults in mining areas and are equipped to provide nutritional complements in case of emergency.	Due to food insecurity, transience, and other reasons, malnutrition among children and adults can be a common issue in ASDM areas. The problem can be more pronounced with children, who face particular nutrition needs at key points of their development.	
Total “Yes” answers —	<p>9 Total “Yes” answers are possible</p> <p> If between 0-3 “Yes” answers, assign a red assessment color</p> <p> If between 4-6 “Yes” answers, assign a yellow assessment color</p> <p> If 7 or more “Yes” answers, assign a green assessment color.</p>	Color assigned: _____.	

EVALUATOR’S NOTES:

Notes on key challenges: Is this country facing unique challenges in this area? What makes it unique? Where are the areas for necessary policy or regulatory innovation?

Notes on innovation(s): Has this country responded to challenges in a unique way? Could this be considered as a best practice or ‘good practice’ model?

Category 2: Promote best practice and monitor and work to prevent on-site hazards in accordance with national laws.

Yes/No	Performance statement	Description/Justification	Relevant example
	There is a reporting mechanism that documents the common health and safety issues of artisanal and small-scale diamond mine sites and measures being taken to manage these issues.	It is only by documenting health and safety events that data will be generated by which regulators can assess the most common and most serious hazards in the relevant mine sites and regions.	
	There is a database that collects the locations and license numbers of the ASDM sites with repeated major offences of mine health and safety.	This helps regulators take appropriate action against license-holders and/or site managers who are not upholding their occupational health and safety obligations.	
	Mines monitors or other regulatory enforcement authorities attempt corrective action or additional training for sites with repeated offences where warnings have been previously issued.	In order to encourage good and legal behavior by license-holders and site managers, repeated offences must be penalized.	
	Mines monitors provide site safety guidance when they inspect sites.	As mines monitors visit sites to inspect regulatory compliance, it is appropriate that they also are equipped to guide miners on what the Law requires and how licensees can remain compliant.	
	Mines monitors receive occupational health and safety management training in order to train and provide guidance to others.		DRC- SAESSCAM's (<i>Service d'Assistance et d'Encadrement du Small-Scale Mining</i>) mandate includes providing artisanal miners with mine site safety guidance translated into their native tongue and ensure that the policies are applied on the ground.
	Mines monitors identify, document, and monitor key health and safety hazards at ASM sites, and the specific causes (e.g., mining methods, soil chemistry, processing methods, personal hygiene practices of miners, etc.) and support site managers in addressing the identified key health and safety hazards at ASM mine sites.	By being tasked to provide support to site managers, mines monitors become more positive stakeholders to the miners as they are not only tasked with identifying and reporting violations, but with supporting miners in addressing them.	
	There are best practice information exchanges or training opportunities between artisanal mining sites and regions, or across borders with other ASDM countries.		In Sierra Leone, it was in workshops with DDI pilot project license holders that a safety best practice was identified by a woman license holder. She made it a practice to keep a full-time first aider on site in order to maintain productivity. The first aider serves to identify people who are too sick to be working productively or who might infect others. The practice was quickly adopted by other ADM license holders in the area for the shrewd business case. Most first aiders working on the mine sites in this region happen to be women.
Total "Yes" answers —	7 Total "Yes" answers are possible If between 0-2 "Yes" answers, assign a red assessment color	Color assigned: _____.	

Yes/No	Performance statement	Description/Justification	Relevant example
	If between 3-5 “Yes” answers, assign a yellow assessment color		
	If 6 or more “Yes” answers, assign a green assessment color.		

EVALUATOR’S NOTES:

Notes on key challenges: Is this country facing unique challenges in this area? What makes it unique? Where are the areas for necessary policy or regulatory innovation?

Notes on innovation(s): Has this country responded to challenges in a unique way? Could this be considered as a best practice or ‘good practice’ model?

ANNEX C: COUNTRY PROFILE SHEET

Washington Declaration Diagnostic Metrics Country Profile Sheet				
Date:				
Overview				
Country:			Total estimated ASDM population:	
Total population:			Estimated full-time, all-year mine workers:	
Total size (in km²) :			Estimated part-time or seasonal mine workers:	
Which are the country's main ASDM regions?			Estimated gender ratio of formal mine workers	
Total export volume of diamonds:			Estimated gender ratio of informal mine workers	
	ASM production:		What is the predominant form of alluvial mining?	Choose one: Artisanal or Small-scale
	Industrial production:			
Other ASM materials mined besides diamonds (formally or informally) :			What are the applicable laws governing the ASM sector?	

Washington Declaration Diagnostic Metrics Country Profile Sheet

<p>What is the legal definition of artisanal diamond mining?</p>			<p>Which Ministries are currently involved in monitoring the ASDM sector?</p>	
<p>What is the legal definition of small-scale diamond mining?</p>				

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