

# **ABBREVIATIONS**

**ACEP:** Africa Centre for Energy Policy

**AfDB:** Africa Development Bank

**AMV:** Africa Mining Vision

**ASM:** Artisanal and Small-scale Mining

**CSR:** Corporate Social Responsibility

**ECA:** Economic Commission for Africa

**HRD:** Human Resource Development

IBIS is a Danish non-governmental organisation, working (in partnership with civil society and

government) at global, national and local levels for the empowerment of civil society and under

privileged communities with a focus on equal access to education, influence and resources.

**ISG:** International Study Group to review Africa's mining regimes

**MDGs:** Millennium Development Goals

**NEPAD:** New Partnership for Africa's Development

**MOEP:** Ministry of Energy and Petroleum

**NGOs:** Non-Governmental Organisations

**OECD:** Organization for Economic Co-operation and Development

**PPPs:** Public Private Partnerships

**RAIDS:** Resource-based African Industrialisation and Development Strategy

**R&D:** Research and development

**SADC:** Southern African Development Community

**UEMOA:** West African Economic and Monetary Union

# **GLOSSARY OF** TERMS USED IN THE GUIDE

- a. **CONCENTRATION:** is the process of separating valuable fraction of an ore from worth less materials.
- "DUTCH DISEASE": Named from the economic experience of Holland after the b. discovery and development of the Groningen Gas field in the 1970s, it refers to an over-evaluation of the exchange rate resulting from inflation created from the huge inflow of revenue derived from a single sector of activity, usually in the extractive industries. The result of the over-evaluation is that exports of non-extractive industry goods falls and imports of goods rise resulting in the decline of trade in the main nonextractive sector. In the experience of Holland and the UK, this was manufacturing. For developing countries, it is often agriculture.
- **EXPLORATION:** is the search for deposits of useful minerals or fossil fuels. C.
- d. MINERAL BENEFICIATION: As used in this Guide, it is the creation of huge opportunities for unlocking the mineral linkages in the economies of African countries towards driving industrial development and creation of jobs. Establishing mineral resource-processing industries that could improve or increase the metal grade of an ore by such physical methods that allow for value addition to depleted high grade metal ores is the whole essence of mineral beneficiation. This would invariably provide the feedstock for manufacturing and industrialisation in Africa. The concept thus encompasses both upstream and downstream value addition in the mineral sector.
- MINERAL SECTOR VALUE CHAIN: This refers to the exploration, mining and/or extraction, smelting, refining, transportation and distribution of African minerals, and the development of industries which make direct use of African mineral sector's output.
- f. **ORE:** Refers to a mineral/rock that contains metal that is valuable enough to be mined.
- **VALUE ADDITION:** Refers to the additional value of a commodity (upstream or downstream) over the cost of commodities used to produce it from the previous stage of production.

# **TABLE OF CONTENTS**

	FORWARD	4	
1.0	INTRODUCTION	6	
1.1	What is the Africa Mining Vision (AMV)?	7	
1.2	Why is the AMV important for Africa?	8	
1.3	What Informed the AMV?	9	
1.4	What are the key pillars of the AMV?	10	
2.0	CORE TENETS OF THE AFRICA MINING VISION	11	
2.1	Mining Revenues and Mineral Rents Management.	12	
2.2	Geological and Mining Information Systems.	13	
2.3	Building Human and Institutional Capacities.	14	
2.4.	Artisanal and Small-scale Mining	15	
2.5	Mineral Sector Governance.	16	
2.6.	Research and Development	17	
2.7	Environmental and Social Issues.	18	
2.8	Linkages and Diversification.	18	
2.9	Mobilising Mining and Infrastructure Investment.	20	
3.0	SUCCESS DRIVERS	22	
3.1	The Presence of an Implementation Strategy for the Vision	23	
3.2.	Sustaining the Strategies Envisaged in the AMV to Yield Results	23	
4.0	Sources Consulted	25	

# **FORWARD**

The Africa Centre for Energy Policy (ACEP) has committed itself to ensure that natural resources in the African continent are well governed and harnessed for sustainable continental development. Although there have been several interventions at regional, sub-regional and national levels, the Africa Mining Vision (AMV) has emerged the single most promising continental intervention that assures Africa and Africans the blessing of resource abundance in the continent.

The AMV was developed by Africa's Ministers responsible for Mineral Resources at their conference in Addis Ababa in October 2008, with the ultimate objective that Africa's mineral resources must be used to meet the Millennium Development Goals (MDGs), eradicate poverty, and achieve rapid and broad-based socio-economic development. The AU Heads of State and government, at their assembly in Addis in February 2009, welcomed the AMV and adopted the Addis Ababa Declaration on the Development and Management of Africa's Mineral Resources, which, among others:

- re-affirmed their "commitment to prudent, transparent and efficient development and management of Africa's mineral resources to meet the MDGs, eradicate poverty and achieve rapid and broad-based sustainable socio-economic development"; and
- called on the international community and Africa's development partners to support
  the efforts of member states "towards enhancing the contributions of mineral resources to the achievement of the MDGs, the eradication of poverty and the promotion of
  sustainable economic growth and development".

On the request of the AU Heads of State and government, the AU Ministers in charge of Mineral Resources Development developed a concrete action plan for the implementation of the AMV in December 2011. Neither the AMV itself nor the Action Plan for its Implementation is simplified enough for easy reading and understanding of the broader majority of African citizens. This could breed misunderstanding and suspicion and therefore ultimately militate against the successful implementation of the AMV, rendering this Guide even more relevant. To this end, the Africa Centre for Energy Policy (ACEP) is thankful to its funding partners for providing funding for ACEP to simplify the AMV in the form of a manual for easy read and understanding.

The Guide is not an attempt to reproduce and/or simplify every conceivable detail of the Vision. Rather, it is to guide African citizens through the key pillars of the vision along nine commonly identified focal areas (see body of manual).

The main source of information for the Guide has been the AMV itself. We have, however, had

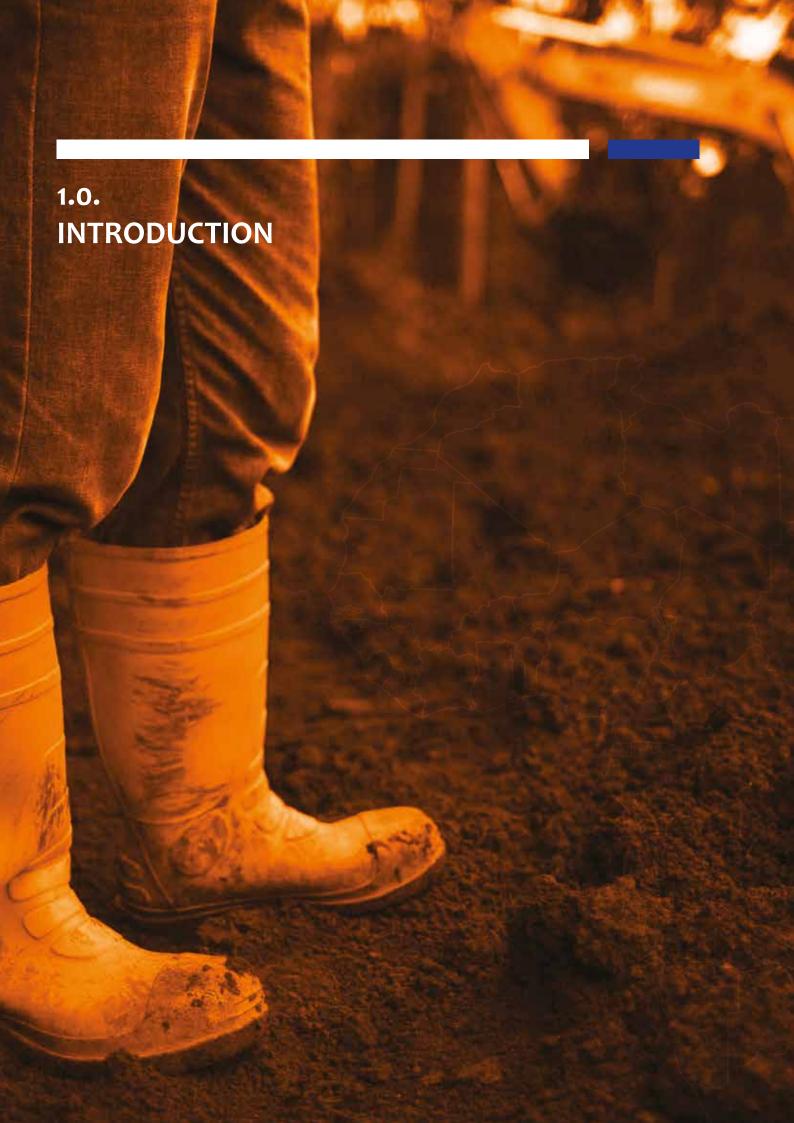
recourse to reports on the AMV and related frameworks including, but not limited to, the AU Conference of Ministers 2011 Draft Action Plan for Implementing the AMV and the framework report of the International Study Group (ISG) established to review Africa's mineral regimes pursuant to a recommendation of the "Big Table" <sup>1</sup>held in February 2007 in Addis Ababa.

Using economy of words as a tool and following best practices elsewhere, this Guide will not only be a great read for the common citizen on the streets of Africa but will make a valuable addition to AMV literature

It is the hope of ACEP that this Citizen's Guide will encourage more Africans and friends of Africa to partake in the governance of the continent's natural resources, thereby deepening accountability to all Africans.

Mohammed Amin Adam (PhD)
EXECUTIVE DIRECTOR, ACEP

<sup>&</sup>lt;sup>1</sup> The "Big Table" is an initiative designed by the Economic Commission for Africa (ECA) to promote frank and constructive dialogue between African sectoral ministers and their OECD counterparts. The format and agenda are designed to allow for maximum interactive dialogue, with no formal statements. The event is organized by ECA in collaboration with the African Union and the African Development Bank.



# 1.1. What is the Africa Mining Vision (AMV)?

The AMV is a shared strategic vision that primarily aims to create circumstances that support a "transparent, equitable and optimal exploitation of [Africa's] mineral resources to underpin broad-based sustainable growth and socio-economic development".

It seeks to provide an opportunity for governments to lead the collective action of all development actors, timely interventions and coordination of public, private and community interests at all levels of the mineral value chain to establish an Africa's resource-based development and industrialisation strategy.

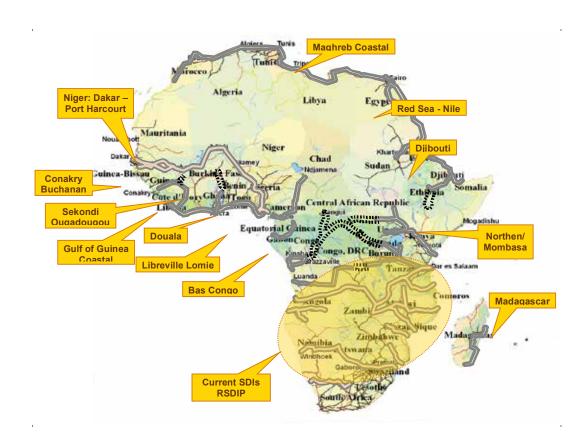
MINERAL	PRODUCTION	RANK	RESERVES	RANK
PGMs*	54%	1	60+%	1
Phosphate	27%	1	66%	1
Gold	20%	1	42%	1
Chromium	40%	1	44%	1
Manganese	28%	2	82%	1
Vanadium	51%	1	95%	1
Cobalt	18%	1	55+%	1
Diamonds	78%	1	88%	1
Aluminium	4%	7	45%	1

Also Ti (20%), U (20%), Fe (17%), Cu (13%), etc.

\*PGMs: Platinum Group Minerals

The AMV is the African vision for overcoming the continent's infrastructure constraints towards realising the significant potential mineral resources have for ensuring the realisation of resource-based economic linkages locally.

Figure 1: Potential Resource-based African Development Corridors (source: AMV)



# 1.2. Why is the AMV important for Africa?

The AMV seeks to use Africa's natural resources sector to transform the continent's social and economic development path in order to address its poverty and limited development. The main features of the mineral sector, which should contribute to achieving the above goal, are outlined in a number of broad areas as follows:

- A mining sector that is driven by knowledge and which promotes and contributes to the growth and development of African economies by fully integrating them into a single African market.
- A mining sector that is well governed to generate and use mineral revenues efficiently without undermining safety, gender, health and environmental considerations in sur-

- rounding communities;
- A mining sector that has become a key component of Africa's economic diversification and industrial competitiveness in the global economy;
- A mining sector that has helped establish a competitive African infrastructure platform, through the maximisation of local and regional economic linkages;
- A mining sector that maximizes and protects Africa's finite mineral resource endowments and that is diversified with high value metals and lower value industrial minerals at both commercial and small-scale levels;
- A mining sector that harnesses the potential of artisanal and small-scale mining to stimulate local/national entrepreneurship, improve livelihoods and advance integrated rural social and economic development; and
- A mining sector that is a major player in vibrant and competitive national, continental and international capital and commodity markets.

### 1.3. What Informed the AMV?

The AMV is informed by the outcomes of several initiatives and efforts made at sub-regional, continental and global levels to formulate policy and regulatory frameworks to maximize the development outcomes of the exploitation of mineral resources in Africa. These include, among others:

Johannesburg Political
Declaration and Plan of
Implementatio of the World
Summit on Sustainable
Developmen

Yaoundé Vision on Artisanal and Small-scale Mining Africa Mining Partnership's
Sustainable Development
Charter and Mining Policy
Framework

SADC Framework and
Implementation Plan for
Harmonisation of Mining
Policies, Standards, Legislative
and Regulatory Frameworks

UEMOA's Common Mining
Policy and "Code Miniere
Communautaire

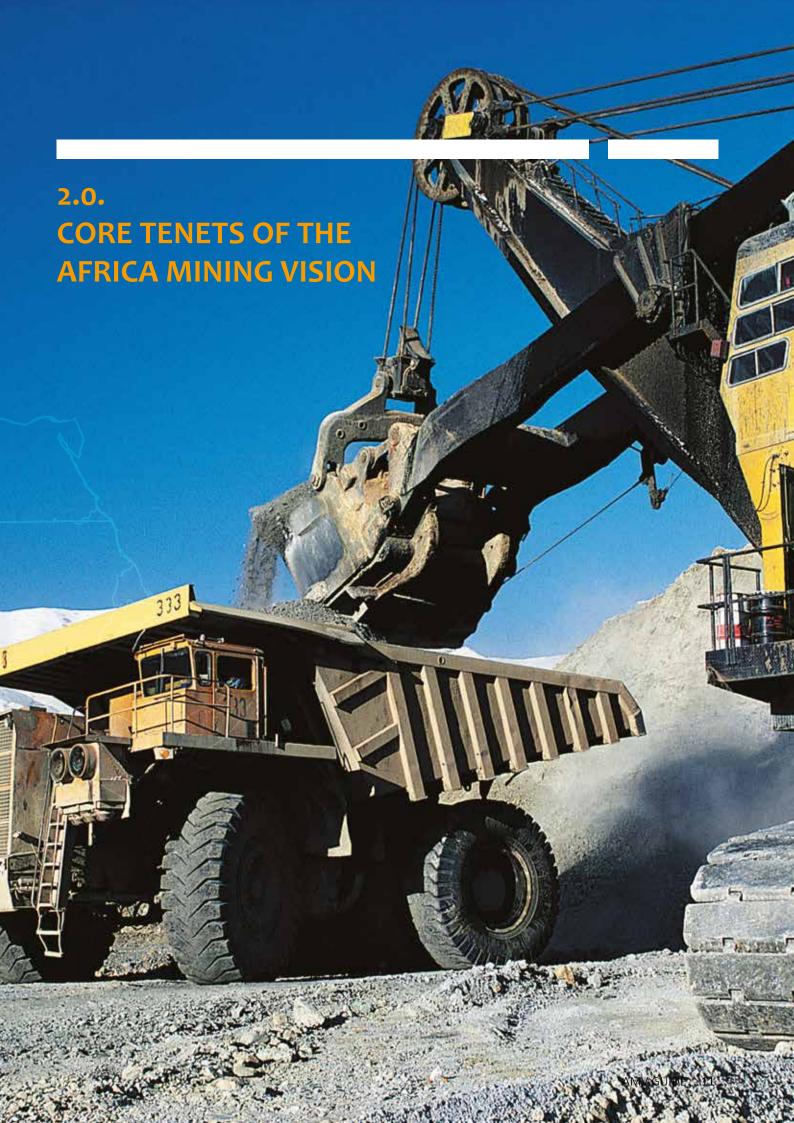
Summary Report of the 2007
Big Table on "Managing
Africa's Natural Resources
for Growth and Poverty
Reduction" jointly organized by
ECA and the AfDB

The work of the
International Study Group
to Review Africa's Mining
Regimes (ISG)

### 1.4. What are the key pillars of the AMV?

The Vision is founded on the following fundamental pillars:

- Creating greater knowledge and benefits of finite mineral resources at all levels of mining and for all minerals;
- Promoting small scale mining to improve rural livelihoods and integration into the rural and national economy;
- Promoting environmental and social responsible mining;
- Building human and institutional capacities that supports innovation, research and development;
- Developing a diversified and globally competitive African mineral industry which contributes to broad economic and social growth through the creation of economic linkages;
- Building a transparent and accountable mineral sector in which resource rents are maximized and utilized to promote broad economic and social development; and
- Promoting good governance of the mineral sector, which ensures citizens participation in mineral assets and equity in the distribution of benefits.



Nine focal areas, considered as catalysts for achieving the object of the Vision, are deducible from the above pillars of the Vision. These are:



# 2.1. Mining Revenues and Mineral Rents Management

The AMV seeks to create a mining sector that generates adequate income and revenues to eradicate poverty and to finance African economic growth and development. The AMV recognizes that Africa did not obtain commensurate compensation from the mining of its mineral resources during recent periods of high prices. This is due partly to the following problems:

- i. Tax holidays,
- ii. Poorly designed royalties and additional profit taxes, and
- Killer freezing stabilisation clauses iii.
- Weaker provisions for treating cases of transfer pricing iv.

The vision also recognizes that the competing usefulness of huge mineral revenues for governments' development financing and the possibility of the inflow of such huge revenues may undermine undermining the international competitiveness of other economic sectors. This is often called "the Dutch disease".

"Dutch Disease": refers to an over-evaluation of the exchange rate resulting from inflation created from the huge inflow of revenue derived from a single sector of activity, usually in the extractive industries. The result of the over-evaluation is that exports of non-extractive industry goods fall and imports of goods rise resulting in the decline of trade in the main non-extractive sector. For developing countries, it is often agriculture.

#### How can African Countries address mineral revenue management challenges?

The Vision proposes that to address "Dutch disease" effects, African Governments should channel financial inflows from mining into long-term physical and social capital development in the country including communities that are directly affected by mining.

The Vision proposes that to achieve higher development impact of mining, African countries should consider having full knowledge of their geological assets to ensure that they can do transparent and competitive public bidding for known mineral assets as a way of setting a fair market value of resources.

# 2.2. Geological and Mining Information Systems

The AMV seeks to create a mining sector that would develop a comprehensive knowledge of Africa's mineral endowment. The availability of basic geological information allows both the public and private sector to make informed decisions on mineral sector development. The more detailed and available the information is, the lower the risk on investment in exploration and mine development.

This has resulted in African countries being disadvantaged during negotiations with companies.

"However, African countries have limited availability of geological data in Africa due partly to the inadequate capacity."

Geology gives insight into the history of the Earth by providing the primary evidence of the presence of minerals, the evolutionary history of life, and past climates. In modern times, geology is commercially important for mineral and hydrocarbon exploration / exploitation as well as for evaluating water resources.

#### How can African Countries address lack of adequate Geological information?

- 1. The Vision proposes that African governments and their appropriate agencies should regularly build their capacity to collect basic geological information in order to significantly enhance the potential for maximizing value from their mineral resources.
- The vision encourages all African countries to form research teams that would regularly 2. update their skills and techniques to produce, maintain, manage and analyse up-todate data.

### 2.3. Building Human and Institutional Capacities

The vision seeks to create a mining sector that is knowledge driven and that can support the internationally competitiveness of African industrial economy. Africa's institutions are weak in many ways:

- i. Institutions responsible for negotiating mineral development agreements do not have significant capacity to negotiate contracts and to regulate operations of mining companies;
- ii. Educational institutions are not able to produce the size of skilled manpower required to support mineral development, leading to shortage of skilled manpower in the mining industry.



iii. Sector agencies have noticeable weaknesses in policy formulation, poor policy enforcement.

The capacity challenge in African institutions is compounded by the fact that industry does not significantly participate in the delivery of education and training as happens in mature mining countries, such as South Africa, Australia and Canada.

#### How can African Countries address capacity challenges in the mining sector?

- The AMV proposes that there should be a strong relationship between the exploitation 1. of mineral resources and the broad economic and social development of African countries.
- The Vision proposes that all stakeholder institutions that are important to a well-2. functioning and development oriented mineral sector should significantly upgrade their skill levels, in terms of variety, depth and quantities, to meet the broader development agenda of the AMV.
- Important stakeholders such as Parliamentarians and NGOs should be trained and their capacities built to promote checks and balances in the management of mineral resources.

### 2.4. Artisanal and Small-scale Mining

The AMV seeks to create a mining sector that promotes artisanal and small-scale mining to achieve integrated and sustainable rural socioeconomic development.

Artisanal and small-scale mining is widespread in Africa and exploits a very large number of minerals. However, several factors work against the sector:

- i. Inadequate policy and regulatory frameworks,
- ii. Limited technical capacity of miners,
- Inadequately explored mineral bearing areas, iii.
- Lack of access to finance and appropriate techiv. nologies,
- Child labour issues V.

These challenges generally lock small-scale miners in a cycle of subsistence operations with significant negative consequences on the environment and human life.

"Given the large numbers of people involved, small-scale mining not only makes a positive contribution to African economies but sustains livelihoods."

Artisanal and Small-scale mining (ASM) refers to informal mining activities carried out using low technology or with minimal machinery. See more at: http://www.miningfacts. org/Communities/What-is-Artisanal-and-Small-Scale-Mining/#sthash.KySvfyVh. dpuf

#### How to address the challenges of Artisanal and Small-scale Mining?

- 1. The AMV proposes that targeted interventions should recognise the need for ASM policy to be put into a broad rural development strategy, taking into account the poverty cycle that limits the development of the ASM sector in Africa.
- ASM interventions should also target transforming operations into viable ones, wher-2. ever possible.

#### 2.5. Mineral Sector Governance.

The AMV seeks to create a well-governed mining sector that ensures benefits for all stakeholders including surrounding communities.

Generally, there has been a trend towards improved multi-stakeholder interactions with greater stakeholder engagement in policymaking and decisions related to mineral development, as a whole.

However, challenges remain.

- Public participation processes are not i. entrenched. Governments see policy making as their prerogative;
- There are power relations between minii ing companies and communities;
- There is a mismatch between the exiii. pression of public participation rights in formal instruments and their implementation.

Governance refers to the legal and institutional environment in which various actors in the mineral sector elsewhere, indicate that strong transparent and participatory governance processes, at all levels, can assist mineral-rich countries attain long-term economic growth and socio-economic development. Public participation legitimizes a project, thus reducing the costs emanating from the social tensions that can result from an externally imposed project.

Inadequate participatory approaches may lead to conflict by dissatisfied communities around mining projects.

#### How to address Governance Challenges in the mining sector?

- 1. The AMV proposes that respect for human rights by companies is an important part of their social licence to operate, and therefore the scope of the obligations imposed on them by international human rights law must be expanded.
- Domestic regulations must also be expanded and enforced to protect human rights 2. from corporate abuses.

#### 2.6. **Research and Development**

The AMV seeks to create a knowledge driven mining sector that is a key component of a diversified, vibrant and globally competitive industrialising African economy. Generally, indicators of capacity for knowledge generation and innovation are:

- a. Availability of scientists and engineers,
- b. The quality of scientific research institutions,
- c. University-industry research collaboration,
- d. Company spending on R&D, and
- e. Government procurement of advanced technology products.

The AMV recognizes that with the exception of South Africa, the minerals sector in Africa, compared to other emerging economies, generates little new knowledge in terms of mining-related products, process technologies and services. Reasons accounting for this development are:

- i. Weak funding from public and private sources
- ii. Weak science and technology capacity

These challenges negatively affect the competitiveness of the African mineral sector.

In sub-Saharan Africa, R&D spending remains low in both absolute and relative terms. In 2005, the total GDP of the region (excluding South Africa) was US\$375 billion — just over half what the United States alone spent on R&D in the same year. Sub-Saharan African countries spend less than one per cent of their GDP on R&D, most of which goes into salaries and wages rather than core research.

Source: http://www.scidev.net/global/ innovation/opinion/dont-make-a-fetishout-of-rd-spending.html

#### How to address Research and Development challenge?

1. The AMV proposes a deliberate policy to promote research and development, and innovation if the goal of the AMV to use mining as the key to industrialisation is to be realised.

#### 2.7. Environmental and Social Issues

The AMV seeks to create a mining sector that is environmentally friendly, socially responsible and appreciated by all stakeholders and surrounding communities.

Where there is capacity to do proper analysis that feed into good regulatory regimes, there is still a challenge in the capacity to enforce rules leading to hostile attitudes from communities and civil society groups towards the mining industry and governments.

"Inadequate or lack of capacity to do proper cost benefit analysis has left Africa with the environmental and social burden of mining and this reduces the benefits of its minerals exploitation when these costs are considered."

#### How to address environmental and social challenges?

- 1. The AMV proposes that Governments should strengthen the frameworks that govern environmental and social impact assessment, management and regulation.
- 2. Governments should also enhance the capacities and effectiveness of regulatory agencies and improve the culture of how these institutions interact with citizens and communities affected by mining. This would help minimise conflicts and tensions with communities due to displacement and disruption of livelihoods by mining activities.
- 3. Companies should establish improved corporate social responsibility (CSR) regimes that have responsibilities and which should be part of a broader social development agenda that has resulted from consultations between Government, mining companies and communities.

## 2.8. Linkages and Diversification

The AMV seeks to create a mining sector that promotes and contributes to the growth and development of Africa through upstream, downstream, sidestream and infrastructure

#### linkages.

Generally, linkages between the mining and other economic and social activities are not well developed in the African mineral industry, with the exception of the transport and energy sectors. This reflects the reliance of the industry to extract and transport bulk minerals to overseas markets.

A number of challenges affect the development of economic linkages in the African mineral sector.

- i. Large infrastructural deficits, which constrain the movement of goods and services;
- ii. Weak African markets for mineral products, which reflect the overall low level of Africa's industrialisation;
- Technological deficiencies, iii.
- Low levels of R&D and the large skill gaps existing in the continent. iv.

## How can African Governments facilitate linkages between mining and other industries?

The AMV proposes the development of the right policies and strategies to put mineral extraction and processing operations into broader economic development outcomes through:

- 1. Identifying those minerals which offer significant possibilities for national and regional industrial development and integration;
- 2. Increasing investing in infrastructure networks,
- 3. Setting terms, within the power of government, for access to mineral resources that impose linkage conditions on mineral rights holders and also provide incentives for investors to structure projects in ways that deepen their linkage into the broader national and regional economy.
- Making provisions for local content and empowerment of citizens in legislation and investing in human resources and knowledge development, particularly to grow the higher-level technical skills base required by the minerals industry.

#### **Mobilising Mining and Infrastructure Investment** 2.9.

The AMV seeks to increase the level of investment flows into mining and infrastructure projects to support broad socio-economic development.

The past decade has witnessed exponential increases in prices of mineral commodities as well as the injection of huge investment in Africa's mineral sector.





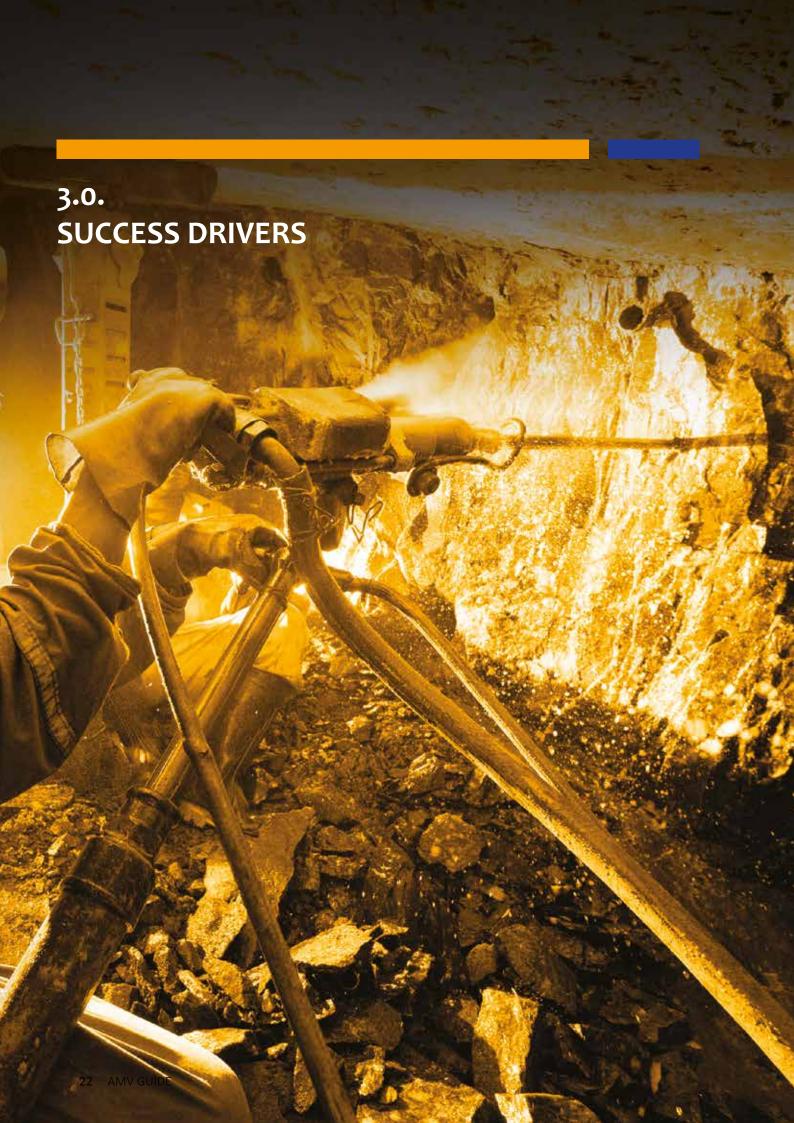
However, due to Africa's large infrastructure deficit, especially in transport and energy, wider investment in mining projects remains a constraint to increased mineral exploitation. Further, mineral deposits occur in areas where economic infrastructure is unavailable.

Other constraining/perceived risk factors include:

- i. Political risk,
- ii. Sovereign credit ratings,
- iii. Technical risk,
- iv. Lack of participation by the private sector

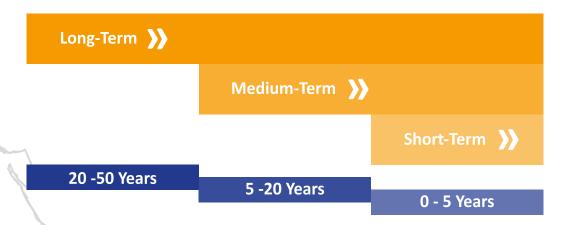
# How to address the Infrastructure Challenge?

The AMV proposes a simultaneous infrastructure and mining investment, such as a natural resources driven development corridor, which can offer a pragmatic approach not only for unlocking mining and infrastructure projects, but other important economic and social opportunities.



#### 3.1 The Presence of an Implementation Strategy for the Vision

The AMV identifies, at national, sub-regional and continental levels, important projects that underpin the tentative strategy to implement the AMV. The time frames for implementation are indicated as follows:



The strategic framework assigns roles and responsibilities to key players (see annex to the AMV), although the framework is proposed to be viewed as a dynamic tool that should be responsive to local context and stage of development of the mineral economy. Thus, the strategies to achieving the vision at country and sub-regional levels will be different.

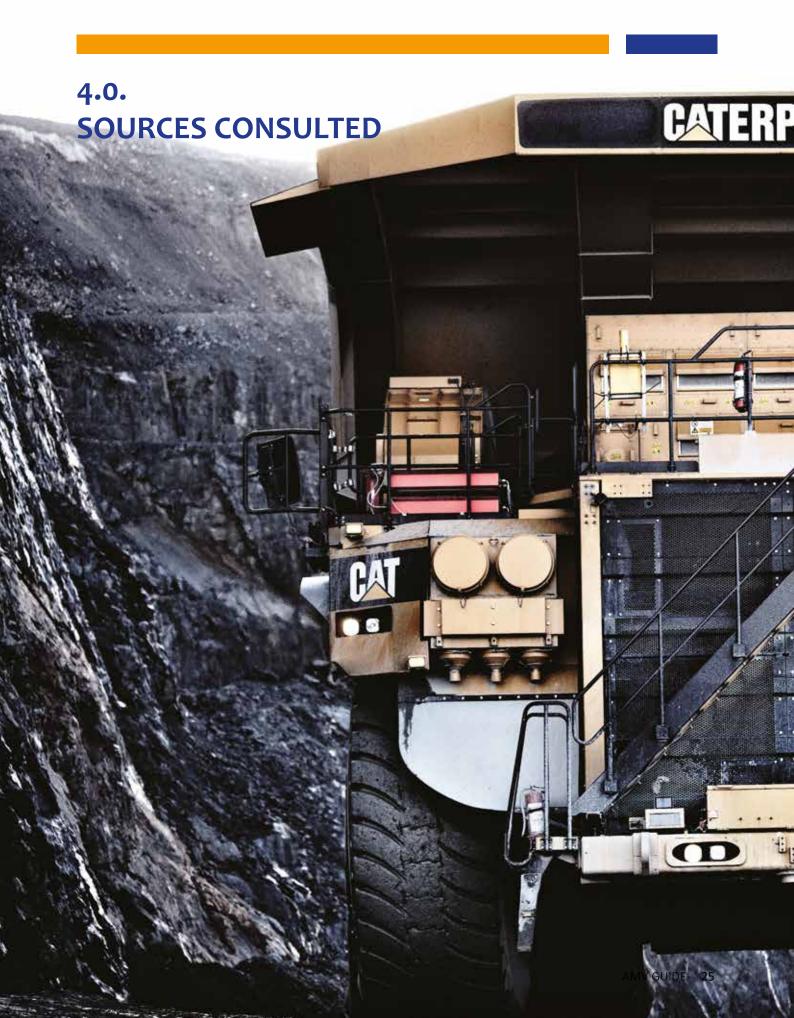
#### 3.2. Sustaining the Strategies Envisaged in the AMV to Yield Results

The experience of resource-based development and industrialization in the Nordic countries reveal that the sustainability and success of this strategy depend on favourable external and internal factors such as natural resources endowments and proactive and deliberate actions from key stakeholders, particularly governments. Specifically, action is required to:

- Facilitate and nurture human resources development and skills formation in tandem with the development of resources technological clusters through the facilitation of research and development (R&D) and the building of knowledge networks and niches involving academia, industry, the government and other players;
- Provide supporting infrastructure including roads, rail ports, energy and water and telecom;

- Encourage the establishment of strong instruments of collaboration (industry/professional associations, Chambers of Mines, cluster councils, incubator/technology packs) and foster agglomeration effects and learning processes by the establishment of a critical mass of key similar, ancillary, related and associated industry players that share information, collaborate and compete to improve the initial factor advantages, enhance competency, reinvention, innovation, technology evolution and spillovers, and diversification;
- Promote local beneficiation and value addition of minerals to provide manufacturing feedstock:
- Promote the development of mineral resources (especially industrial minerals) for the local production of consumer and industrial goods;
- Establish an industrial base through backward and forward linkages;
- Encourage and support small and medium-scale enterprises to enter the supply chain;
- Improve the quality of the business environment, increase private sector confidence and participation, and reduce entry barriers and operating costs to achieve external economies of scale;
- Ensure compliance of industry players with the highest standards of corporate governance, and environmental, social and material stewardship;
- Harness the potential of mid-tier resources that may not necessarily attract major international companies but high net worth individuals, including local entrepreneurs;
- Establish the requisite enabling markets and common platforms for services (raising capital, commodity exchanges, legal and regulatory support, marketing support and know-how);
- Harness the potential of Public Private Partnerships (PPPs); and
- Promote regional integration and harmonization to facilitate factor flows.

The key to reducing African countries dependence on natural resources is based on continued innovation and human resources development and building as well as sustaining a locally integrated, competitive and diversified economy. Conversely, where there is underdeveloped human, knowledge, physical and institutional capital, as well as governance deficiencies, insufficient innovation systems, low rates of technology awareness and progress, and inefficient economic and business organization, it is impossible to turn natural resources into a platform to build successful development corridors in Africa.



In preparing this Guide, the following sources were consulted among others:

- The Africa Mining Vision (AMV), 2009;
- AU Conference of Ministers' 2011 Draft Action Plan for Implementing the AMV; and
- The framework report of the International Study Group (ISG) established to review Africa's mineral regimes pursuant to a recommendation of the "Big Table" <sup>2</sup>held in February 2007 in Addis Ababa.
- See generally the Official Website of the Africa Mining Vision via www.africaminingvision.org

<sup>&</sup>lt;sup>2</sup> The "Big Table" is an initiative designed by the Economic Commission for Africa (ECA) to promote frank and constructive dialogue between African sectoral ministers and their OECD counterparts. The format and agenda are designed to allow for maximum interactive dialogue, with no formal statements. The event is organized by ECA in collaboration with the African Union and the African Development Bank.



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