



## Activity brief (January 2014)

### Mozambique, Ministry of Mineral Resources (MIREM), Legal Support Institutional Strengthening Program

1 April 2012 – 30 June 2013



**Background:** This activity was the result of a request from the Mozambican Government for support in mining governance. In response to Mozambique's request, the AAPF provided assistance to the Ministry of Mineral Resources (MIREM) to strengthen its legal support, by working with MIREM's legal staff and with the legal staff of other ministries that work on mining issues. MIREM also had access to short-term external specialist support.

**Objective:** The objective of the activity was to provide immediate support to the MIREM legal team, other professionals within MIREM and to professionals in other ministries of the Government of Mozambique.

**Activity description:** In collaboration with MIREM, the AAPF supported the 15-month *MIREM Legal Support Institutional Strengthening Program*.

The program was completed with six expert visits, workshops and seminars on a range of topics that MIREM identified as being of crucial importance, a two-week intensive seminar on contract negotiation, expert assistance to MIREM, a two-week mining study tour to Brazil for selected MIREM legal staff to observe mining operations and the regulation environment, and provision of suggestions for follow-on activities. More than 400 Government staff, including 140 women, participated in the program.

The expert visits, workshops and seminars were organised in consultation with MIREM to form a coordinated set of activities on priority topics. They involved experienced leading experts and covered the following topics:

- Mining Taxation
- Economic Evaluation of Mining Deposits and Economic Evaluation of Mining Projects
- Mining and Environment: A Perspective of Public Policy Based on International Experience

- Mining and Sustainable Development: The Policies Required for Development Based on a Mineral Endowment

- Artisanal and Small-Scale Mining: Advantages and Challenges of Formalisation

- Mining and Community Development in Mozambique

**Outcomes:** Outcomes of the program included:

- more highly trained and motivated MIREM legal staff;
- a greater level of knowledge of mining-related legal matters among Mozambican participants in program seminars; and
- more confident and effective handling of legal issues by MIREM.

The contract negotiation seminar, which involved several leading experts and practitioners, was a particularly successful event. Thorough and in depth, the seminar was further strengthened by the addition of a considerable amount of recently published material, such as the International Bar Association's Model Mine Development Agreement (MMDA, available at [www.MMDAProject.org](http://www.MMDAProject.org)), which was translated into Portuguese for the seminar. It remains an important resource for the Mozambican Government and Mozambican institutions.

The fact that such a large part of this event was conducted in Portuguese added significantly to the effectiveness of communication.

**Participant feedback:** Dr Maria Marcelina, Head of MIREM's Legal Department, attended the fiscal, environmental and economic evaluation seminars. She said participants from other ministries were able to learn about the country's mining sector. The training also addressed key mining law challenges.

"The training was well-timed as we are now in the process of reviewing existing legislation to make it relevant to the recent natural resources boom in Mozambique," Maria said. "I now look at impact assessment with a fresh pair of eyes. As a result of the training we are now asking for a guarantee as part of environmental authorisation."

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