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ALIGNING TANZANIA'S ENVIRONMENTAL AND MINING LAWS FOR SUSTAINABLE ARTISANAL AND

SMALL-SCALE GOLD MINING

Background

Tanzania is experiencing a significant boost in its mineral wealth, with the mining sector contributing 9.1% to the country's Gross Domestic Product (GDP).[1] Gold dominates the sector, accounting for 82% of the total annual mineral production.[2] Mining in Tanzania is divided into three categories: large-scale, medium-scale, and small-scale operations. This paper focuses on the small-scale mining sector.[3]

Tanzania's Mining Act prohibits mining without licenses,[4] a formalization that often marginalizes artisanal miners in the informal small-scale mining sector. However, recognizing the pressing environmental and socio-economic challenges, the government has introduced strategies, action plans, and programs to incorporate these miners. This paper takes an inclusive approach, referring to Artisanal and Small-Scale Miners (ASGM) as a unified category.

The ASGM sub-sector plays a crucial role in Tanzania's mining industry. Unlike other sub-sectors that may involve foreign investors, ASGM is exclusively reserved for Tanzanian citizens.[5]

It directly employs around 1.2 million Tanzanians, approximately 90% of the mining industry's total workforce,[6] with women making up 30% of the workforce (roughly 360,000 miners), though they earn only 40% of what men earn.[7]
Additionally, around 7.2 million Tanzanians are indirectly engaged in ASGM activities.[8] The ASGM sector contributes about 35% of the country's total gold production annually.[9]

ASGM is particularly important in rural areas where economic opportunities are limited, providing income and employment to vulnerable communities, especially women and youth. However, the sub-sector has been associated with challenges such as child labor, with an estimated 10,000 children (under the age of 18) working in various mining operations across the country.[10]

Despite its economic significance, ASGM activities are often informal and inadequately regulated, leading to significant environmental and social challenges.[11]

The Social and Environmental Impacts of ASGM

Mercury is primarily used in the gold extraction process, where it amalgamates with gold particles, a common technique among artisanal miners.[12] The use of mercury in Tanzania's ASGM sector remains a critical issue, despite national efforts to reduce its use. An estimated 12-24 tons of mercury are released into the environment annually by the ASGM sector, posing severe health and environmental risks.[13]

[1] *Tanzania's Extractive Industry Transparency Initiative (TEITI), (June 2024), 14th Report for Fiscal Year 2021-2022, p. xvi, available at: https://shorturl.at/P1Cgk (Accessed on September 09, 2024). I*
[2] *The Mining Commission (July 2023), Annual Report 2021-2022, p. 4.*
[3] *The Mining Act, Cap. 123 [R.E. 2019] s. 4(1).*
[4] *The Mining Act, Cap. 123 [R.E. 2019] s. 18.*
[5] *The Mining Act, Cap. 123 [R.E. 2019] s. 8(2).*
[6] *The United Republic of Tanzania (February 2020), National Action Plan for Artisanal and Small-Scale Gold Mining (2020-2025), p. 1, available at: https://shorturl.at/HFkMZ (Accessed on September 08, 2024).*
[7] *National Action Plan for Artisanal and Small-Scale Gold Mining (2020-2025), loc cit, p. 2.*

To support the sustainable growth of the Artisanal and Small-Scale Gold Mining (ASGM) sub-sector while mitigating its environmental impacts, Tanzania has developed a legal and institutional framework designed to establish environmental standards and enforce compliance. Despite these efforts, ASGM activities remain a significant contributor to environmental degradation.

The environmental and social impacts of unsustainable mining practices affect different community groups in varying ways, with women and children often disproportionately impacted. At mining sites, women and children are frequently engaged in tasks such as crushing rocks, operating milling machines, sluicing gold dust, and amalgamating gold with mercury. Additionally, they are often responsible for fetching water and firewood, activities that exacerbate the adverse effects of mercury contamination and deforestation, which are linked to ASGM operations.

Children, in particular, are highly vulnerable in these environments. Due to their limited bargaining power when engaged in mining-related work, they are frequently exposed to hazardous conditions, both environmental and occupational. Their underdeveloped immune systems increase their susceptibility to the harmful effects of mercury and other toxic substances. Moreover, very young children who accompany their mothers to mining sites face similar risks of exposure.

Although Tanzania has introduced measures to regulate the environmental impacts of ASGM, there remain inconsistencies and gaps in both legal and administrative approaches. A key challenge lies in the lack of coordination between environmental and mining laws, as well as between the institutions tasked with enforcing these regulations. This misalignment undermines efforts to address the environmental challenges posed by ASGM, allowing negative impacts to persist and disproportionately affect vulnerable groups.

Addressing these regulatory gaps and improving institutional coordination is essential to mitigating the environmental and social challenges associated with ASGM. Such reforms would enhance the sector's contribution to the national economy while promoting sustainable and equitable development practices.

[8] *National Action Plan for Artisanal and Small-Scale Gold Mining (2020-2025), loc cit, p. 17.*

[9] *The Mining Commission (July 2023), Annual Report 2021-2022, p. 4, available at: https://shorturl.at/eSiu3 (Accessed on October 08, 2024).*

[10] *National Action Plan for Artisanal and Small-Scale Gold Mining (2020-2025), loc cit, p. 7.*

[11] *Kinyondo, A., & Huggins, C., "State-led efforts to reduce environmental impacts of artisanal and small-scale mining in Tanzania: Implications for fulfilment of the sustainable development goals", Vol 120, Environmental Science and Policy, 2021, p. 157, available at: https://doi.org/10.1016/j.envsci.2021.02.017 (Accessed on October 08, 2024).*

[12] *IIED & MTL Consulting, (June 2018), Artisanal and Small-Scale Mining in Tanzania – evidence to inform an 'action dialogue', London, United Kingdom, published by IEED, p. 72, available at: https://www.iied.org/sites/default/files/pdfs/migrate/16641IIED.pdf (Accessible on October 09, 2024).*

[13] *National Action Plan for Artisanal and Small-Scale Gold Mining (2020-2025), loc cit, p. 8.*

Objectives

Main Objective

The purpose of this policy paper is to explore the misalignment between Tanzania's Environmental Management Act (EMA) and the Mining Act regarding environmental management in Artisanal and Small-Scale Gold Mining (ASGM). The paper analyzes how these inconsistencies undermine environmental governance and create compliance gaps, leading to ongoing environmental and social harm.

Specific Objectives

Specifically, the paper will:

a) Identify regulatory discrepancies between the EMA and the Mining Act concerning management of the environment in ASGM activities.

b) Assess the environmental and social impacts of this regulatory misalignment, emphasizing its effects on ecosystems and local communities.

c) Recommend policy measures to harmonize the EMA and Mining Act to improve environmental and social outcomes of the ASGM subsector to the environment and the host communities.

Regulatory Frameworks Governing the Environmental and Artisanal and Small-Scale Mining.

Tanzania's ASGM sector operates under multiple legislative frameworks, primarily the Environmental Management Act (EMA) and the Mining Act, along with their respective regulations. These laws set environmental standards and compliance mechanisms for activities across the mining value chain, from licensing to extraction and processing. This policy paper analyzes the two key legislations, highlighting areas of regulatory misalignment that create challenges in environmental management.

The Environmental Management Act of 2004

The Environmental Management Act (EMA) was enacted to provide a comprehensive framework for environmental governance across various sectors, including mining.[14] As the cornerstone of environmental legislation in Tanzania, EMA integrates key international environmental management principles such as the precautionary principle, public participation, and the polluter pays principle.[15] These principles align the country's legal framework with global environmental standards.

[14] *The Environmental Management Act, 2004 (Act No. 20 of 2001), s. 7(1).*

[15] *The Environmental Management Act, loc cit, s. 7(3).*

One of the EMA's critical requirements is that all projects with potential environmental risks, including mining activities, must undergo an Environmental Impact Assessment (EIA) before they commence.[16] This reflects the precautionary principle, which emphasizes assessing and mitigating potential harm before a project can proceed. To ensure the quality and integrity of EIAs, EMA mandates that only certified environmental experts conduct these assessments.[17] After the assessment, the National Environment Management Council (NEMC) reviews the findings and recommends whether the minister should approve the issuance of an EIA certificate.[18] Once the certificate is issued,[19] NEMC assumes the role of monitoring ongoing compliance to safeguard both the environment and public health.[20]

Public participation is also enshrined in the EMA, requiring transparency and accountability from project developers toward the communities affected by their projects.[21] This mechanism fosters cooperation between miners and local communities, allowing for the integration of indigenous knowledge in environmental management and mitigation efforts, including social issues such as child labor. Furthermore, the "polluter pays principle" (PPP) holds operators accountable for the costs of environmental damage.[22] This principle is operationalized through fines, compensation to affected parties, and mandates for environmental restoration.[23] However, environmental degradation in the ASGM sub-sector persists, often because authorities tend to focus on punitive measures rather than preventative approaches. Best practices suggest that proactively preventing environmental harm, rather than merely penalizing offenders, should be prioritized to ensure sustainable mining practices.

The Mining Act of 2010

Unlike the relatively recent EMA, Tanzania's mining laws have a long colonial legacy, beginning with the Minerals Ordinances of the 1920s, which focused on mineral extraction for export. Over time, the Mining Act of 2010 became the governing legislation for the sector, with subsequent amendments in 2017.[24] The Mining Act provides for licensing,[25] and sets the conditions for compliance, including environmental obligations. However, the act does not create a distinct environmental regime, instead referencing the EMA for guidance on environmental management.[26] This legal structure means that while the Mining Act governs mining operations, environmental oversight theoretically falls under the EMA. The Mining Act requires applicants for primary mining licenses to include an Environmental Protection Plan (EPP) in their license applications.[27] The Mining Commission, responsible for overseeing the sector, grants licenses and monitors compliance, including environmental provisions, often in collaboration with Local Government Authorities (LGAs).[28]

While this framework appears aligned, it creates practical implementation challenges, particularly in the ASGM sub-sector. For instance, the EMA mandates an EIA for all mining activities, including small-scale mining,[29] but the Mining Act only requires small scale miners to submit an EPP.[30] This divergence has led to confusion and non-compliance, as the EPP is not recognized under EMA's environmental management framework. As a result, while NEMC is tasked with enforcing environmental standards,[31] it cannot effectively monitor compliance if operators rely solely on EPPs, which are not part of NEMC's toolset.

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[24] *The Environmental Management Act, loc cit, s. 81.*
[25] *The Mining Act, Cap 123 [R.E. 2019], s. 54.*
[26] *The Mining Act, loc cit, s. 107.*
[27] *The Mining Act, loc cit, s. 54(3) (d).*
[28] *The Mining Act, loc cit, s. 22.*
[29] *Environnemental Management (Environnemental Impact Assessment and Audit) (Amendement), Regulations (GN. 474 of 2018) r. 5(1), First Schedule, item 14(b).*
[30] *The Mining Act, loc cit, s. 54(3) (d).*
[31] *The Environmental Management Act, loc cit, s. 18(2) (f).*

The EIA vs. EPP Conundrum

The primary regulatory gap between the Environmental Management Act (EMA) and the Mining Act lies in the differing requirements for environmental management tools. The EMA mandates Environmental Impact Assessments (EIAs), a thorough and scientifically based process for assessing environmental risks. In contrast, the Mining Act requires an Environmental Protection Plan (EPP), a simplified mitigation plan. The lack of synergy between these two tools complicates compliance for miners and enforcement for regulators. For the National Environmental Management Council (NEMC), which is equipped to assess EIAs, the EPP presents a significant enforcement challenge since it falls outside their regulatory framework.

For instance, due to the hazardous impacts of mercury—a common element in artisanal and small-scale gold mining (ASGM)—the law mandates NEMC to ensure the environmentally sound management of mercury waste and contaminated sites.[32] This includes enforcing national standards on mercury emissions,[33] and maintaining an inventory of contaminated sites.[34] At the same time, the Mining Commission is tasked to reduce, and when feasible, eliminate, the usage of mercury in ASGM,[35] and ensuring compliance with occupational health, safety, and environmental standards.[36]

While these functions may seem to overlap between NEMC and the Mining Commission, the key question is how to integrate effective mercury management into ASGM practices. To small-scale miners and the Mining Commission, the EPP is the main environmental compliance document, while to NEMC, it's the EIA Statement. These contradictions create administrative confusion and worsen the environmental and health impacts of ASGM on local communities.

For example, unregulated mercury use often contaminates water bodies and enters the food chain, disproportionately affecting women, who are more frequently in contact with water, and children, who are vulnerable due to weaker immune systems. Regulatory gaps also leave ASGM largely uncoordinated, leading to deforestation for mining operations (studies suggest that ASGM is responsible for deforestation at a rate of 18,600 per annum), soil erosion, and land degradation.[37] These impacts not only miners but also communities that depend on livestock and farming, resulting in a loss of livelihoods for those outside the mining value chain.

Moreover, the Mining Commission, which oversees the issuance of licenses, often prioritizes revenue collection over environmental safeguards. This has created a situation where environmental compliance becomes secondary, undermining NEMC's oversight role. The lack of integration between the EMA and the Mining Act has left ASGM operators uncertain about their responsibilities, while regulators lack the tools to enforce compliance.

[32] *Environmental Management (Control and Management of Mercury and Mercury Contaminated Compounds) (GN. 59 of 2020), r. 8(c).*
[33] *Environmental Management, loc cit, (GN. 59 of 2020), r. 8(a).*
[34] *Environmental Management, loc cit, (GN. 59 of 2020), r. 8(e).*
[35] *Environmental Management, loc cit, (GN. 59 of 2020), r. 11(a).*
[36] *Environmental Management, loc cit, (GN. 59 of 2020), r. 11(e).*
[37] *National Action Plan for Artisanal and Small-Scale Gold Mining (2020-2025), loc cit, p. 14.*

The Role of Local Government Authorities (LGAs)

Adding to the regulatory complexity, Local Government Authorities (LGAs) are expected to assist in managing environmental issues related to mercury contamination under the Environmental Management (Control and Management of Mercury and Mercury Compounds) Regulations of 2020.[38] However, their mandate is limited, and the regulations do not provide clear guidelines on how LGAs should enforce environmental compliance in ASGM activities. For instance, while LGAs are tasked with addressing public health risks from mercury contamination,[39] they lack full authority to regulate ASGM operations directly.

A more troubling aspect of these Regulations is that LGAs are financially responsible for cleaning up mercury-contaminated sites when the responsible miner/site owners cannot be identified.[40] This provision contradicts the polluter-pays principle, shifting the burden to the public (since LGAs will spend taxpayers' money to clean-up mercury contaminated sites) even though LGAs lack regulatory control over the mining activities that cause the contamination. This misalignment further hampers effective environmental management at the local level. To add on, studies point out that miners in ASGM barely backfill their mining pits.[41] Thus, when mercury-contaminated tailings are left unmanaged, LGAs are not only responsible for tailings management but also for backfilling ASGM pits, highlighting how environmental challenges stem from regulatory gaps.

A practical example of these challenges is seen in mercury inventory management. By law, mercury users, including miners, must be registered with the Chief Government Chemist before using the chemical.[42] However, official records fall short. In 2023/2024, only about 5.8 tons of mercury were officially registered for use,[43] while approximately 24.4 tons of mercury were actually in use within ASGM,[44] a discrepancy showing that only 23.7% of mercury in use was officially recorded.

These figures suggest that when mercury is imported and used off the record, government agencies like NEMC and the Mining Commission are unable to effectively monitor its use and disposal. This means that the remaining 18.6 tons of mercury—approximately 76.3% of the total used in gold processing within ASGM, which enters the country covertly and is primarily distributed to miners through gold dealers and brokers,[45] ends up being unlawfully emitted and released into the environment.

Although the Chief Government Chemist Laboratory Agency (CGCLA), the Mining Commission, NEMC, and LGAs are all empowered to enforce best practices in mercury management, these powers are undermined by a lack of coordination. Miners can opt to comply with the Mining Commission's EPP requirements, leading to a lax regulatory environment.

While EIAs are comprehensive assessments of potential environmental impacts, EPPs focus on mitigation and are more streamlined. However, since EPPs are not part of the EMA's EIA framework, they are not recognized by NEMC as official environmental compliance tools. This lack of alignment between the two instruments makes it difficult for ASGM operators to understand their environmental responsibilities and for regulators to ensure compliance effectively.

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[38] *Environmental Management, loc cit, (GN. 59 of 2020), r. 14.*

[39] *Environmental Management, loc cit, (GN. 59 of 2020), r. 14(a).*

[40] *Environmental Management, loc cit, (GN. 59 of 2020), r. 60(2) and (4).*

[41] *National Action Plan for Artisanal and Small-Scale Gold Mining (2020-2025), loc cit, p. 14.*

[42] *Environmental Management, loc cit, (GN. 59 of 2020), r. 9(b).*

[43] *The United Republic of Tanzania, Speech of the Minister for the State, Vice President's Office – Union and Environment, During Budget Sessions for the Financial Year 2023/2024, p. 28, available at: https://www.vpo.go.tz/uploads/speeches/docs/sw-1682403076-Hotuba%20ya%20Bajeti%202023:24.pdf (Accessed on October 17, 2024).*

[44] *National Action Plan for Artisanal and Small-Scale Gold Mining (2020-2025), loc cit, p. 22.*

[45] *National Action Plan for Artisanal and Small-Scale Gold Mining (2020-2025), loc cit, p. 24.*

Conflicting EPP Submission Timelines in the Mining Act and Regulations

A significant misalignment in Tanzania's regulatory framework arises from the conflicting provisions regarding the submission of the Environmental Protection Plan (EPP) in the Mining Act and the Mining (Environmental Protection for Small Scale Mining) Regulations of 2010. Under the Mining Act, applicants for a Primary Mining License (PML) are required to submit an EPP during the application process,[46] implying that environmental concerns should be addressed before a license is granted.

However, the Mining (Environmental Protection for Small Scale Mining) Regulations of 2010 stipulate that Primary Mining License (PML) holders must submit an environmental report, including the EPP, before commencing mining operations,[47] in the language of the Regulations, the subject "Primary Mining License holders" suggesting that the EPP can be prepared post-licensing, for a reason that EPP are not submitted by license applicants but license holders.

This inconsistency creates ambiguity around the timing of EPP submission and whether environmental obligations must be fulfilled at the licensing or pre-operation stage. This regulatory contradiction causes confusion for ASGM who are uncertain when to submit their EPP, leading to potential delays or non-compliance with environmental requirements. Moreover, it complicates enforcement for regulatory bodies, particularly NEMC, which is tasked with overseeing environmental compliance. Further, this divergence in regulatory expectations weakens the overall environmental protection framework, leading to inconsistent enforcement and gaps in compliance in the ASM sector.

To resolve this dilemma, legislative harmonization between the Mining Act and the Mining Regulations is essential. Clear guidelines should define when and how the EPP should be submitted, outlining the responsibilities of both PML applicants and holders. This alignment would clarify the timeline for environmental compliance, ensure early integration of environmental safeguards into mining operations, and strengthen the enforcement capacity of regulatory bodies like NEMC, ultimately improving environmental protection in the ASM sector.

NEMC's Audits Focused on EIA: A Misfit for ASM

The National Environment Management Council (NEMC) is responsible for conducting environmental audits for all undertakings that are likely to cause significant impacts to the environment,[48] this include ASGM operations. However, NEMC's auditing tools are primarily tailored for assessing compliance with Environmental Impact Assessments (EIAs),[49] rather than Environmental Protection Plans (EPPs). Since ASM operators are often required to submit EPPs instead of EIAs, NEMC's current audit framework is not well-suited to evaluate the specific environmental management practices associated with ASM activities.

[46] *The Mining Act, loc cit, s. 54(3) (d).*
[47] *The Mining (Environmental Protection for Small Scale Mining) Regulations of 2010*
[48] *The Environmental Management Act, loc cit, s. 101 (1).*
[49] *The Environmental Management Act, loc cit, s. 101 (2).*

This discrepancy creates a notable enforcement gap. NEMC's audits, focused on EIA compliance, may overlook ASGM sites that are regulated under the Mining Act but not obligated to conduct full EIAs. Consequently, these operations may evade the rigorous environmental oversight intended to mitigate ecological harm. Without proper monitoring, many ASGM operations proceed with insufficient environmental management practices, contributing to environmental degradation and exacerbating social challenges in surrounding communities.

This regulatory shortfall highlights the need for a more adaptable auditing framework within NEMC that accommodates both EIAs and EPPs, ensuring comprehensive environmental oversight of all ASGM operations.

Conclusion

In conclusion, the analysis of Tanzania's regulatory framework governing the Artisanal and Small-Scale Gold Mining (ASGM) sector reveals significant challenges stemming from the interplay between the Environmental Management Act (EMA) and the Mining Act. While the EMA establishes a robust foundation for environmental governance by mandating Environmental Impact Assessments (EIAs) and promoting key principles such as public participation and the precautionary approach, its efficacy is undermined by the Mining Act's reliance on Environmental Protection Plans (EPPs). This divergence leads to confusion among stakeholders and creates a regulatory gap, leaving ASM operators uncertain about their environmental responsibilities and limiting the National Environment Management Council's (NEMC) capacity to enforce compliance effectively.

The lack of synergy between the EMA and the Mining Act is particularly evident in contrasting requirements for environmental assessments. While the EMA emphasizes comprehensive evaluations through EIAs, the Mining Act's focus on EPPs results in a simplified approach that does not adequately address the complexities of environmental management in ASM operations. This misalignment complicates compliance for miners and poses significant challenges for regulatory bodies tasked with overseeing environmental practices. As a result, many ASM sites operate without rigorous environmental oversight, contributing to ecological degradation and health risks for surrounding communities.

Furthermore, the regulatory environment is further complicated by the roles of Local Government Authorities (LGAs), which lack the necessary authority and resources to manage environmental issues related to mercury contamination effectively. The burden of addressing environmental degradation often falls on these local bodies, despite their limited mandate and financial constraints. This misallocation of responsibilities undermines the "polluter pay principle" and exacerbates the challenges faced by communities affected by ASGM operations. The result is a scenario where environmental compliance becomes secondary to revenue generation, thus eroding public trust in the regulatory framework.

Ultimately, the findings indicate that the current legal and regulatory structures governing ASGM in Tanzania are not adequately equipped to ensure effective environmental management. The persistent regulatory gaps, conflicting submission timelines, and the misfit between NEMC's auditing tools and the specific needs of ASM operators illustrate the urgent need for legislative harmonization and a reevaluation of existing frameworks. Without significant reforms, the ASGM sector will continue to face challenges in aligning its operations with both national environmental standards and global best practices, jeopardizing the sustainability of Tanzania's rich natural resources.

Policy Recommendations for ASGM and Environmental Management in Tanzania

(I) Harmonize Diverse Environmental Legislation

To address the regulatory misalignment between the Environmental Management Act (EMA) and the Mining Act, it is crucial to harmonize these frameworks. This involves amending both acts to clearly define the roles and responsibilities of each, particularly regarding Environmental Impact Assessments (EIAs) and Environmental Protection Plans (EPPs). Such harmonization will clarify compliance requirements for ASGM operators, ensuring they understand their environmental responsibilities and enhancing the National Environment Management Council's (NEMC) capacity for effective monitoring.

(II) Strengthen the Role of the NEMC in ASGM Operations

NEMC's authority should be reinforced to ensure it can effectively monitor and enforce compliance with both EIAs and EPPs in the ASGM sector. This can be achieved by expanding its mandate to include oversight of EPP submissions and creating dedicated units within NEMC focused on the unique challenges of ASGM. By enhancing NEMC's capacity, the government can better address the environmental impacts associated with ASGM operations.

(III) Introduce a Comprehensive EIA Framework for ASGM

The government should develop a comprehensive EIA framework specifically tailored for ASGM operations. This framework should account for the unique characteristics of small-scale mining and ensure that EIAs are mandatory for all ASGM projects. By establishing clear guidelines and standards for EIAs in ASGM, environmental risks can be assessed and mitigated before projects commence.

(IV) Implement a Clear Licensing Process for ASGM

A streamlined licensing process should be introduced that explicitly outlines the requirements for both EPP and EIA submissions. The regulations must ensure that environmental obligations are fulfilled prior to granting mining licenses, thereby preventing environmental degradation from the outset. This clarity will not only benefit miners but also enhance the regulatory environment.

(V) Enhance Public Participation in ASGM Activities

The government should strengthen provisions for public participation in the ASGM licensing process. This can be achieved by mandating public consultations and engagement with local communities during the EIA and/or EPP process. Increased transparency will ensure that local voices are heard, contributing to more sustainable mining practices and addressing social issues such as child labor.

(VI) Enhance the Capacity LGAs in the context of ASGM

To empower Local Government Authorities (LGAs) in managing environmental issues related to ASGM, the government should invest in capacity-building programs. These programs should focus on training LGAs in environmental monitoring, regulatory compliance, and community engagement. Strengthening LGAs will enhance local oversight of ASGM activities and ensure more effective enforcement of environmental standards.

(VII) Implement Financial Incentives for Compliance

The government should introduce financial incentives for ASGM operators who adhere to environmental regulations and implement best practices. This could include tax breaks, grants for environmental improvements, and funding for sustainable mining technologies. By aligning economic benefits with environmental stewardship, operators will be encouraged to prioritize compliance.

(VIII) Undertake Regular Review of Policies

Finally, there should be a systematic process for the regular review and adaptation of policies related to ASGM. This would harmonize conflicting policies and assess the effectiveness of existing laws and regulations in light of emerging challenges and best practices globally. By establishing a feedback mechanism, Tanzania can remain responsive to the dynamic nature of the mining sector and ensure that its policies evolve to meet current needs.

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