

Karamoja Mining Symposium Report





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LIST OF ACRONYMS

ASM	Artisanal and Small Scale Miners
CAO	Chief Administrative Officer
CRSS	Center for Research and Sustainable Solutions
CMP	Catchment Management Planning
CSO	Civil Society Organisations
DFID	Department for International Development
DGSM	Department of Geological, Survey and Mines
EIA	Environmental Impact Assessment
EITI	Extractive Industries Transparency Initiative.
ECO	Ecological Christian Organisation
FAO	Food and Agriculture Organisation
GIZ	Deutsche Gesellschaft für Internationale Zusammenarbeit
GoU	Government of Uganda
KAMIG	Karamoja Mining Interest Group
KDF	Karamoja Development Forum
KMS	Karamoja Mining Symposium
LCV	Local Council V
MEMD	Ministry of Energy and Mineral Development
MWE	Ministry of Water and Environment
NFA	National Forestry Authority
NDP	National Development Plan
NRO	Natural Resource Officer
NEMA	National Environment Management Authority
RDC	Resident District Commissioner
RPC	Regional Police Commander
REM	Rare Earth Minerals
UCMP	Uganda Chamber of Mines and Petroleum
UHRC	Uganda Human Rights Commission
URA	Uganda Revenue Authority
URSB	Uganda Registration Services Bureau
VAT	Value Added Tax
WMZ	Water Management Zone

EXECUTIVE SUMMARY

The Karamoja Mining Symposium (KMS) offered a unique opportunity to bring together - for the first time - key stakeholders in the development of the mining sector in Karamoja. Karamoja's geographic location, environment and insecurity have all contributed to the lack of private sector investment which in turn has reduced the region's potential for sustainable development. As a result, minerals are being exploited and the informal mining sector is dominant within the region, which is leading to food insecurity and conflict.

The purpose of the Symposium was to *'initiate a (long-term) process of consultation and engagement between the people of Karamoja, the private sector and the government of Uganda to ensure the fair and sustainable delivery of benefits of mining operations in the region'.* The timing of the Symposium and its location in Karamoja affirmed a widely-held view that Karamoja is at a turning point – from conflict to peace. It also showed how centrally mining features in the future of Karamoja.

The Symposium demonstrated that mining is closely connected to wider social development issues and could perhaps be used as a platform for reaching the sustainable development goals desired by all stakeholders. For example, key issues like water for mining, closely align with broader climate change, environment, and waterborne disease prevention issues. Interest in mining provides an opportunity to strongly articulate these broader challenges within the development framework both nationally and regionally.

The Symposium was preceded by a series of pre-consultation meetings. These were held to ensure a more inclusive, participatory process was employed to identify the critical points to be discussed at the Symposium. The issues raised by the stakeholder groups consulted resulted in the selection of six thematic areas for discussion These topics were (i) water and the environment; (ii) land and land ownership; (iii) royalties; (iv) health and safety; (v) licencing; (vi) pricing and relationships between buyers and sellers. These six topics were the points of reflection for six breakout sessions that were dedicated to flashing out what challenges were faced under that thematic area, what needed to be done and who needed to be involved to solve the identified challenges. These discussions were guided by background papers distributed at the start of the Symposium, that were aimed at making sure all participants were brought to the same level of knowledge.

This report outlines the key issues hindering the advancement of the mining sector in Karamoja as discussed by participants of the Symposium; the vision for the mining sector in Karamoja as proposed by participants of the Symposium, as well as pledges made by groups of stakeholders on how they intend to contribute towards achieving sustainable development of the mining sector in Karamoja. This report further describes recommendations derived from the discussions held during the two-day Symposium and offers suggestions on how to move forward from the Symposium to implementation. These suggestions propose coalitions on the construction of the weighbridge, completion of an aerial geophysical survey of Karamoja, localising mining administration and improving access to mining information for the public





1. BACKGROUND

The Karamoja region is made up of seven districts: Kaabong, Kotido, Abim, Moroto, Napak, Nakapiripirit and Amudat. With over 50 valuable minerals found in the region,¹ mineral excavation has the potential to be a key economic activity for these seven districts. Nevertheless, Karamoja's geographic location, environment and insecurity have all contributed to the delay in much needed investment aimed at boosting the exploitation of this well-regarded mining potential.

The government is interested in creating viable conditions for more private investment in the mining sector focusing on value addition. This is expressed in both the Mineral Policy 2000, and more specifically through the National Development Plan (NDP) which has a goal aimed at exploiting the mineral potential of the Karamoja region. The sector is dominated by artisanal and small to medium scale mining operators. At present, there are no large commercial operations in the region. The technology used in mineral extraction remains basic and the minerals mined are mainly gold (from artisanal operations), marble and limestone.²

For Karamoja to be the attractive mining investment hub intended by the government, collaboration between the main actors involved in the sector is required. It is against this background that the Karamoja Mining Symposium was organised. This Symposium, which took place on the 29th and 30th March in Moroto, was held to discuss and identify potential solutions to the problems faced by Karamoja's mining sector through a multi-stakeholder forum.

The Symposium was convened with funding from the UK Department for International Development (DFID). It was implemented by the Cooperation implementing agency Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) in collaboration with the Ministry of Energy and Mineral Development (Directorate for Geological Survey and Mines (DGSM)) and the Office of the Prime Minister (OPM). Partners involved in the coordination and facilitation of pre-consultation meetings included the Ecological Christian Organisation (ECO); the Karamoja Mining Interest Group (KAMIG); Center for Research and Sustainable Solutions (CRSS); Karamoja Development Forum (KDF) and the Uganda Chamber of Mines and Petroleum (UCMP). The USEDATA³ programme on extractives implemented by Montrose developed background material to support the two-day event.

1.1 Pre-consultations

Pre-consultation meetings were held with three of the main stakeholder groups of the mining sector in Karamoja: Private Sector, CSOs and (grassroot) communities and ASMs. These consultative meetings aimed to refine and synthesise the issues each stakeholder group wanted to be addressed at the Symposium. In addition, the meetings involved selecting representatives from the private sector, CSOs and communities that would attend the Symposium on behalf of the group.

COMMUNITY PRE-CONSULTATIONS

Community consultations were organised and facilitated by the Karamoja Mining Interest Group (KAMIG). The KAMIG consulted with local civil society, various mining associations and district natural resource officers from Moroto, Kotido, Kaabong and the district land board of Abim. These consultations were made up of meetings with district local governments in Karamoja; traditional and opinion leaders; local buyers and intermediaries; local mining communities and the local media. The groups consulted were from different districts in Karamoja including Moroto, Nakapiripirit, Abim, Kotido, Amudat and Kaabong. These meetings took place regionally and were also used to identify 15 mining community members that would represent Artisanal and Small-scale Miners (ASM) at

¹ Department of Geology, Survey and Mines (DGSM)

² DGSM

³ Using Extractives Industry Data (USEDATA) programme was a DFID funded programme that aimed to make the currently expanding pool of open data (data in the public domain) related to the extractive industry more accessible and understandable to a range of data users that included local communities, civil society, media and journalists, parliamentarians, policymakers, government officials, and investors.

the Symposium. From these consultations, stakeholders identified the following as issues that they felt should be discussed at the Symposium:

- Formalisation of artisanal and small-scale miners and the associated costs
- Market-related issues such as the exploitation of miners by middlemen; the lack of markets to sell minerals and the monopoly of certain buyers
- Land-related issues such as the lack of clarity on royalty payments to land owners and government (national, district, sub-county); the lack of recognition of communal land ownership; existence of dubious land transactions and contradictions in the law on matters concerning land ownership
- The negative effects of mining, such as health implications on miners; environmental degradation caused by cutting down trees, deep pits and the use of mercury; the influx of large scale mining companies that displace artisanal miners; roads being damaged by heavy trucks; conflict brought about by mining in sacred places
- The need for a weigh bridge to monitor the quantity of minerals leaving the region; the manner in which companies enter communities and the limited support from sub-counties at mining sites

By the end of the consultations health and safety, access to water, land, group formation, pricing and buyers, equipment for mining, child labor and infrastructure stood out as recurrent topics for discussion at the Symposium.

CIVIL SOCIETY PRE-CONSULTATIONS

Similarly, the Civil Society Organisations (CSOs) that play a key role in the mining sector in Karamoja were sought out and their views on the challenges of the mining sector in Karamoja were collated at a single pre-consultative workshop in Kampala facilitated by the Ecological Christian Organisation (ECO).

From this consultation the following areas were raised for discussion at the Symposium:

- The need to amend the Mining Policy and Legal Framework especially the Mining Act, 2003 and the Mining Policy 2001 as per the CSO position paper published on 4th Feb 2016
- There is no clear local content policy within the mining sector regulations and policies and this could benefit local communities if it was in place
- There is little or no CSO engagement and participation in decision-making within the mining sector
- There is limited information or access to information on the mining sector which is targeted at CSOs
- There is low capacity amongst CSOs to manage emerging conflicts with respect to land and mineral rights between communities and private sector providers
- Mining is having a negative impact on the environment, resources and critical ecosystems within Karamoja
- There is inadequate funding for CSOs and NGOs to support communities and facilitate community engagement activities which will reduce conflict and disseminate key information

PRIVATE SECTOR PRE-CONSULTATIONS

The key issues of the private sector were derived from a series of key informant interviews and two workshops held in Kampala and Moroto facilitated by CRSS. Preliminary consultations were held with Directorate for Geological Survey and Mines (DGSM) and the Uganda Chamber of Mines and Petroleum (UCMP) to identify the key private sector players operating in Karamoja. The preliminary consultations also identified mining and mineral exploration companies not operating in Karamoja but with interests in establishing operations in the region. A review of the mining cadastre was also undertaken to identify licensed mining and mineral exploration companies operating in Karamoja.

From these meetings the following were raised as challenges that should be discussed at the Symposium:

• Low infrastructural development such as roads, hospitals, housing, high voltage electricity, railways

- Legal and regulatory challenges concerning unreliable tax regime, irrational fee increases, the huge size of areas granted for mineral exploration and mining which denies other potential players access, human resource and financial constraints that limit DGSM's presence and effectiveness on the ground, the absence of one centre for all mining issues
- Access to land for mining and mineral exploration purposes. A significant portion of Karamoja land is public and the remainder of the land is undocumented and characterised by competing clan interests.
- A lack of geoscience information about minerals in Karamoja reflecting the need for an airborne geophysical survey of the region
- The importance of water to the mining process and its lack of availability in many parts of Karamoja
- Security installations for communities to reduce the need for armed security presence while in the field
- The need for information on Karamojong people and culture to guide new investors on how to quickly set up and positively work in communities
- Access to better mineral markets that offer fair prices
- The increasing HIV prevalence and alcoholism amongst mining communities, which needs to be addressed
- The lack of strategic investments (e.g. standard gauge railway and mineral analytical laboratory) that should be fast tracked to attract investment in the sector and increase competitiveness of Ugandan products on the international market

All pre-consultations used a participatory approach to ensure that key actors in the mining sector in Karamoja were able to have a voice and contribute towards the Symposium. Overall, six cross-cutting topics were identified as the most important issues affecting all groups. These were land ownership; water and environment; licencing; royalties; pricing and relationship to buyers; and health and safety. These six topics formed the main subject of breakout sessions during the Symposium.

The issues raised in the pre-consultations were presented in greater detail by representatives from each stakeholder group at the beginning of the KMS.

2. PARTICIPATION

The participants invited to the Symposium were drawn from four stakeholder groups comprising the key actors and interest groups in the mining sector of Karamoja. These were:

(i) **PRIVATE SECTOR**

There were over 20 mining companies and corporation representatives previously engaged during the Symposium pre-consultations with the Private Sector. This group of stakeholders was represented by Sipa Exploration Uganda



Limited, Tororo Cement Uganda Ltd, Kampala Cement Uganda Limited, GeoPoint Africa Exploration and Mining Company, Karamoja Business Community, Megha Industries Moroto, Savannah Mines Limited, Tropical Sky Mineral Rock Limited, Uganda Development Corporation, Shawal Industries, Barat Mineral Uganda Limited, Rhino United Agencies, and others.

(ii) **GOVERNMENT**

Amongst others, the central government ministries including some departments involved in the mining sector were present. Government speakers at the Symposium included the Ministry of Energy and Mineral Development's (MEMD) Directorate for Geological Surveys and Mines (DGSM). Their presence was backed up by officials for other line ministries and authorities such as the Directorate of Water Resources Management of the Ministry of Water and Environment (MWE); Uganda Revenue Authority (URA), National Environment Management Authority (NEMA), National Forestry Authority (NFA); Uganda Investment Authority (UIA) and Uganda Wildlife Authority (UWA). Also present was the Office of the Prime Minister (OPM) through its line Minister for Karamoja Affairs (MKA). The attendance of high level officials in the mining sector such as the Director of DGSM and the Minister for Karamoja Affairs expressed the central government's commitment to improving mining in Karamoja.

At the district level, local government was represented by officials from all seven districts that make up Karamoja. This included Chief Administrative Officers (CAO), District Natural Resource Officers (DNRO), Resident District Commissioners (RDC), Local Council V (LCV) chairpersons, District Community Development Officers (DCDO).

The security sector was represented by officials in charge of Kidepo Region, Moroto Region, the Regional Police Commander (RPC) and a representative of the Uganda People's Defence Force (UPDF).

(iii) CIVIL SOCIETY

Civil society was represented by both local (Karamojong) organisations and national organisations including organisations such as Karamoja Development Forum (KDF; http://www.kdfug.org/), Ecological Christian Organisation (ECO; http://ecouganda.org/), Uganda Human Rights Commission (UHMC; http://www.uhrc.ug/), FIDA Uganda (http://fidauganda.org/), Uganda Law Society (http://www.uls.or.ug/), Safer World (http://www.saferworld.org.uk/east-africa-and-the-sudans/uganda), Action for Women and Awakening in Rural Environment (AWARE; http://www.awareuganda.org/) Kaabong, RiamRiam, Africa Centre for Energy and Mineral Policy (ACEMP; www.acemp.org). Local and national media houses such as Daily Monitor, Motoro Journalist, New Vision, Karibu FM, Voice of Karamoja and Nina FM were also represented at the Symposium.

(iv) DEVELOPMENT PARTNERS

Development Partners also attended the Symposium including the Belgian Development Agency (BTC), Caritas Moroto, Irish Aid, DFID and UNICEF among others. The Symposium was also attended by the British High Commissioner as well as the Chargé d'Affaires a.i. of the German Embassy Kampala who applauded the efforts to collective and all-inclusive dialogue.

(v) COMMUNITY

Local community also referred to sub-regional level stakeholders comprised a number of smaller local groups including 15 Artisanal Small-Scale Miners (ASM) from the different districts in Karamoja; seven traditional leaders or elders from Abim, Amudat, Kaabong, Kotido, Moroto, Napak and Nakapiripirit; six local buyers or intermediaries and seven representatives from the local media houses including The Daily Monitor, New Vision, Nenah Fm, Karibu Fm, Voice of Karamoja and local journalists. Local indigenous participants who represented the mining communities were aided by translators.

Local community pre-consultations were made possible the Karamoja Mining Interest Group (KAMIG (KAMIG) which had 13 members present.

3. INPUTS FROM LINE MINISTRIES & AUTHORITIES

The line ministries that participated in the Symposium provided a summary of their functions as part of the morning session on Day 2 of the Symposium. These ministries included The Ministry of Energy and Mineral Development (MEMD), The Ministry of Water and Environment (MWE) and the Uganda Revenue Authority (URA). Below are highlights from the different ministers and authorities.

MINISTRY OF ENERGY AND MINERAL DEVELOPMENT (MEMD)

The Ministry of Energy and Mineral Development was represented by the Directorate of Geological Survey and Mines (DGSM). The presentation from the DGSM provided an update on the mineral potential of the region and mineral occurrences across Karamoja. Some of the minerals highlighted were gold, minerals for construction including granite and marble as well as Rare Earth Minerals (REM). Exact quantities of mineral deposits remain unknown without proper investigation through an airborne geophysical survey for the whole region. It was noted that the GoU's commitment to promoting mineral development in Karamoja was evidenced from the current investment in road and energy infrastructure. As of March 2017, a total of 117 licenses were operational in the Karamoja region.

The Directorate presented the current transparency initiatives being undertaken to improve access to information and accountability. These were listed as the periodic publication of royalties paid to beneficiaries; the publication of all mineral rights granted or renewed (other than a prospecting license) in the National Gazette as well as every mining lease application; after payment of a prescribed fee, anyone can search and have copies of extracts from instruments in the Register. It was also mentioned that Uganda had intentions of signing up to the Extractive Industry Transparency Initiative (EITI).

In addition, the presentation provided insight into royalty payments including details on payments to districts and sub-counties. It was mentioned that Moroto District received UGX 47,301,870 as 10% of royalty collected from mining operations within the district; Tapac Sub-County received UGX 33,111,309 as 7% of royalty collected from mining operations within Moroto District; and Katikekile Action for Development received UGX 14,190,561 as 3% of royalty collected from mining operations within Moroto District; and Katikekile Action for Development received UGX 14,190,561 as 3% of royalty collected from mining operations within Moroto District.

The DGSM indicated low investment in the sector has affected its growth and appeal. This includes lack of funding for strategies for uplifting artisanal mining and low uptake of health and safety practices. Updates were also provided on the current efforts to review mining legislation. Uganda is in the final stages of amending the Mining Act 2003 and its attendant regulations. Finally, the MEMD representative pledged his commitment to coordinate functions of the Ministry especially DGSM more effectively in the region.

MINISTRY OF WATER AND ENVIRONMENT (MWE)

This ministry was represented by the Directorate of Water Resources Management. The presentation addressed access to water for various uses in Karamoja and provided a brief description of Uganda's renewable resources and the reasons for reduced water availability in the region such as population growth, increasing demand for water from Hydroelectric power suppliers, agricultural production, domestic water supply, industry and mining, amongst other things.

It was mentioned that through the ministry's catchment-based planning approach, attempts to solve the water problem in Karamoja were already underway with management plans for water catchments in Karamoja, in four areas:

 Lokok and Lokere catchments are part of the Kyoga Water Management Zone (WMZ). Development of management plans for these 2 areas are supported by FAO and GIZ. The Catchment Management Planning (CMP) preparations are ongoing and expected to be done this year.

- Awoja Catchment Management Plan was created with support from the World Bank and GIZ. The CMP is complete.
- Aswa Catchment Management Organisation in Upper Nile Water Management Zone (WMZ) which is currently supported by the World Bank and the CMP is complete.

Conclusively, emphasis was placed on using Environmental Impact Assessments (EIAs) to identify and mitigate negative effects of mining in a timely fashion. The use of water permits such as Pollution Licences or Waste water discharge permits was also recommended as a system to regulate the use of water for mining and protect scarce water resources from pollution or overuse.

UGANDA REVENUE AUTHORITY (URA)

The URA presentation provided an overview of the legal framework that governs taxation of the mining sector in Uganda and the taxes applicable to mining such as royalty, licence fees and income tax in addition to a list of special provisions allowed to mining companies in Uganda. Uganda has 560 registered companies for mining taxation but compliance is very low. URA also presented the incentives set by government to encourage investment in the mining sector such as plant and machinery used for mining operations is exempt from Import Duty and VAT (East African Community Customs Management Act, 2004) amongst others. URA encouraged increased participation in tax law reviews and proposed amendments to the Income Tax Act for the benefit of the extractives sector as a whole. The three routes for submitting proposals for tax law review were identified as the annual call for proposals to amend tax laws, stakeholder engagements to discuss proposals and through periodic tax clinics.

4. ISSUES RAISED DURING KMS DISCUSSIONS

The issues raised at the Symposium are summarised below. These issues were raised during both breakout discussions and questions asked as part of the plenary discussion. Also included are key points raised in individual interviews with key participants. The discussion points have been categorised by stakeholder group. Collectively, participants pointed out gaps, expressed concerns and proposed the following recommendations.

4.1 Community and Local Government

The table below shows the issues raised by the different stakeholder groups within the community and local government:

TRADITIONAL LEADERS

- Limited understanding of the Customary Land Tenure System has affected people's access to land and benefits accruing from mining
- Environmental degradation caused by the destruction of vegetation cover, open pits and pollution of air and water
- A great percentage of land in Karamoja is regarded to be protected land. Therefore, sharing of benefits with protection agencies and communities living around mining areas has caused conflicts between the two parties
- It is difficult for traditional leaders to work with most mining communities because they are not organised
- There is no way to ascertain the quantity of minerals leaving the region which presents losses for both the government and the communities

'There are no tools for the artisanal miners in Kosiroi area, the people just use bare hands and there are no protective gears. There are a lot of occupational hazards; some people are buried under the ground when the huge rocks fall over. There should be protection measures, especially in marble quarrying which is the main activity in the Karamoja area'. Toroitich Daniel Arap - Karamojong Elder

BUYERS AND INTERMEDIARIES

- Fluctuation of mineral prices and insufficient financial information to purchase the desired quantities of minerals
- Insufficient market information on the prices of minerals affecting both buyers and sellers
- Seasonality of mining activities that causes fluctuations in quantities mined for different minerals. For instance: gold is best mined in the rainy season while marble and limestone are best mined in the dry season
- Uncalibrated weighing scales for gold and the absence of a weigh bridge to ascertain quantities of limestone and marble mined mean buyers largely guess or mistake quantities bought
- High and irregular taxes added to the high cost of obtaining a licence to trade in minerals
- Insecurity and inaccessibility of some mining sites

LOCAL GOVERNMENT

- Communities have not yet embraced communal land associations and Certificates of Customary Land Ownership
- There is no valid and accurate information on the nature and quantities of minerals in the region due to the absence of an aerial and airborne survey

'Now people simply dig in search of minerals, and they [start operations] without a proper survey'. Hon. John Byabagambi – Minister for Karamoja Affairs (currently non-resident)

- Limited monitoring, regulation and provision of necessary support to ASM because they are not formally registered
- There are conflicts between mining communities, investors and protection agencies over land ownership, access to land and sharing of benefits accruing from mining
- Interference by security agencies at the mining sites
- Increased insecurity in mining areas due to an influx of different communities to these sites
- Environment degradation caused by destruction of vegetation, pollution of air and water as well as alteration of landscapes

'Mining activities threaten the environment... coupled with changing climatic conditions and the reduction in pastoralism, many Karamojongs have turned to charcoal burning to supplement incomes'. Michael Okot – National Forestry Officer, Karamoja region

ARTISANAL MINERS

- Health and safety concerns primarily around alcoholism and the mistreatment of women and men at mining sites
- No infrastructure around mining sites such as health centres, schools, water facilities and roads to access markets
- Insecurity at mining sites located at the border with neighbouring countries
- Low quantities of minerals mined due to using local mining tools

- Limited cooperation with legal provisions because most miners are not registered
- Difficulties in identifying and proving the real land owners. This has hindered access to benefits (royalties) and surface rights compensation.
- Limited employment of locals by the mining companies
- Monopoly of markets by some buyers which has at times led to exploitation of local mining communities.
- Mining companies and investors do not recognize formal relationships with artisanal miners

4.2 Civil Society

The issues raised by the civil society include:

• The cost and lengthy procedure of formalising ASMs: This is a cumbersome procedure and involves obtaining formal documents from various government bodies all of which are expensive and time consuming. Application forms must be obtained and submitted at the DGSM office in Entebbe which is hard for communities to access and therefore regional service centers and simpler procedures would work better.

'Complying with mining regulations is expensive and out of the reach of most small-scale mining investors located in Karamoja. Most require travel to Kampala and Entebbe. We find ourselves spending more money on transport and logistics than is required for some documents. At times, we have to give extra money to officers to push our paper so that we don't spend another day or night in the city, which is more expensive. It would be better if these services are in Karamoja'. Business Developer – name withheld

- There are human rights abuses like child labour and poor health and safety occurring at mining sites due to minimal monitoring and supervision of mining sites by the authorities responsible
- A lack of effective community engagement by mining companies causes fear of conflict and land-grabbing among communities who often do not possess any legal papers to support their legal occupation of the land
- There is a lack of capacity to monitor compliance to existing laws especially health and safety regulations at the mining sites
- Uganda's delay in signing up to transparency initiatives such as the Extractives Industry Transparency Initiatives (EITI) reflects a low commitment to openness in the sector
- There is limited access to information on the mining sector by civil society organisations
- There are Mineral Policy concerns such as the collection, management and sharing of revenue accruing from mining
- Low community engagement, participation and consultation at the point of entry by mining companies, in the land acquisition, compensation and resettlement process
- Imbalance of power between local communities and mining investors has contributed to violation of basic human rights and lack of sanctions on offenders
- Access to mining areas for outreach programmes is not guaranteed depriving communities and regulators of civil society contribution to better relations in the sector
- A lack of mine closure and transition regulatory enforcement mechanisms
- The restoration of the environment by mining companies amid notable pressures from climate change
- The protection of rights of female workers on mining sites and their participation in the land acquisition for mining is poor
- Pastoralism in Karamoja has been demoted from a primary socio-economic activity with negative consequences such as risking a crisis if new sectors like mining fail.

4.3 Private Sector

Private sector issues were focused on infrastructure, legal and regulatory frameworks, access to land, water and geoscience information, all of which the private sector stakeholders felt must be addressed for investment in the mining to increase in Karamoja. Collectively, the issues raised by the private sector included:



• The road network and social infrastructure around mining sites and in the region as a whole is still poor and costly for investors hence their reluctance to invest in Karamoja

• There is a need to revise the mining legal and regulatory environment to improve the tax breaks, and increase DGSM's presence locally to reduce conflict due to interference by ASM on already licensed areas

• Difficulty in accessing land for mining because a significant portion of the land in Karamoja is public land and hence inaccessible to mining and mineral exploration. Also land boundaries in Karamoja

are not well documented and often times is subject to competing inter-clan groups

- Costly investment in geological data collection for exploration which has to be done by individual companies because of the absence of reliable airborne geophysical data on Karamoja and the limited number of competent geoscientists in Uganda
- Prospectors based in Kampala but licensed in the region are mostly speculators and crowd out genuine investors
- Water scarcity which is a critical input in mining of some minerals Karamoja is increasingly stressed by limited water availability and this needs to be rectified to encourage investment
- Security along border areas and at mining sites in rural communities results in mining companies having to paying for police or military escorts. Some mining companies also face cross-border security challenges
- Companies have experienced some challenges on achieving the right balance and approach to deal with the Karamojong culture and people
- Exploitative tendencies of some mineral traders who have licences due to the prolonged licencing process that causes a monopoly for buyers offering higher prices
- A lack of strategic investments such as mineral analytical laboratories to test minerals, weigh bridges to monitor volumes of mined goods and no standard gauge railway to lower the cost of transportation of bulky minerals like limestone and marble

4.4 Other Stakeholders

The other stakeholders present included heads of religious institutions, other local civil society and these raised several issues listed below:

- Alcoholism in the mining areas was named as an emerging but serious public health crisis in Karamoja as is elevated HIV incidence
- Food crop production and pastoralism are being replaced with mining activities creating potential food insecurity
- Local authority of Karamojong elders is eroding as mining brings in new players to the community which risks cultural cohesion and loss of heritage



• There is a need to include some stakeholders such as religious leaders that could help to align efforts for conflict mitigation between government, companies and communities

- There is need for a strategy to bring independent research, learning and evidence to contribute to enriching the choices of the government in dealing with the community on issues such as fair compensation, payment of royalties and cleaning up of the environment
- There is a need to bridge the relationship between central government authorities and local government

5. BREAKOUT SESSIONS

Breakout sessions were each moderated by a facilitator and a rapporteur. Participants were allowed to attend two sessions as all six were run twice in parallel. The breakout sessions were designed to take advantage of the diversity of stakeholders to identify additional critical concerns within six thematic areas and then flesh out in greater detail ideas on how and who should resolve them. The six thematic areas that were discussed included covered land and land ownership, pricing and the relationship with buyers, royalties, licencing, water and the environment, and health and safety. Each session discussed additional issues faces, what should be done to solve these challenges and the actors that should be involved.



From the thematic groups several questions, that could only be addressed by certain stakeholders, were raised and responded to through the feedback session at the end of the breakout session rounds. Some of the questions asked included:

- Who is responsible for the enforcement of penalties on people or companies that violate the mining laws?
- What happens to royalties that are paid in gazetted areas? Shouldn't the communities living close to these areas benefit from these royalties since they were originally moved from such lands?
- Shouldn't there be a redistribution of royalties in the proportions of 75% for government (both central and local government) and 25% to the land owner?
- Are there guidelines on how royalties should be spent by local or central government?
- How often do district health inspectors visit mining sites for inspection?
- Why do market prices fluctuate?
- How can miners get access to current market prices?
- How and where can miners sell their products?
- How can a mutually beneficial co-existence be fostered between small scale miners and large scale miners?

The sessions provided a forum for all participants to listen and learn from different viewpoints and collectively discuss a single issue. Detailed findings from all six breakout sessions can be found in Annex 1 of this report.

6. VISION

The visioning process involved splitting the participants in to 8 stakeholder groups – Central Government, Local Government, Traditional Leaders, Civil Society Organisations, Private Sector, ASM, Buyers and Development Partners. Each stakeholder group was asked to complete the statement "We envision the mining sector in Karamoja to be....." with 3 adjectives. These adjectives were then collated as part of the plenary to highlight commonalities and differences.

The adjectives suggested and the number of groups who suggested each adjective are as follows:

ADJECTIVE	FREQUENCY
Sustainable	4
Transparent	4
Transformative	3
Profitable	2
Inclusive	2
Coordinated	1
Beneficial	1
Harmonious	1
Continuous	1
Compliant	1
Impactful	1
Reliable	1
Feasible	1

7. COMMITMENTS BY STAKEHOLDER GROUPS

The Symposium provided a platform for the different stakeholder groups present to list their commitments or pledges outlining what they intended to contribute towards achieving sustainable development in the mining sector. Each of the eight stakeholder groups were asked to complete the statement "In order to contribute to the sustainable development of the mining sector in Karamoja, we, the STAKEHOLDERGROUP X, intend to......". The detailed list of pledges for each stakeholder group which resulted from this activity can be found in the Annex 2 of this document. A summary of the pledges made can be found below:

- The Ministry of Energy and Mineral Development (MEMD) committed to establishing a greater presence in Karamoja. This is evident as the DGSM plans to construct a regional office in Moroto to coordinate the mining activities within the region.
- Stakeholders including Civil Society and the Private Sector, committed to advocating for the government to complete its airborne geophy sical survey. Uganda Chamber of Mines and Petroleum pledged to take a lead on behalf of private sector.
- Government plans to set up a weighbridge coordinated by the Uganda National Roads Authority and MEMD.



- The Uganda National Bureau of Standards committed to supervising the standardisation of weighing scales for gold.
- Private sector and civil society jointly committed to creating common knowledge on market pricing, land rights and government services through publicity campaigns and outreach. In particular stakeholders planned to support customary land tenure for mining purposes.
- Stakeholders committed to developing programmes that will build the capacity of local regulators and improve communication between local stakeholders within the district.



- Government agencies and regulators pledged to work towards a common clearinghouse for mining support services. They include URA, UNBS, National Environment Management Authority (NEMA) and others. This is intended to encourage compliance and ensure line ministries work hand-in-hand to promote mining.
- Local government pledged to implement social programmes that deal with health and welfare such as the regulation of alcohol consumption by strengthening local bye-laws.
- The Uganda Chamber of Mines and Petroleum committed to set up a regional presence to bring

confidence to the sector and encourage industry support services such as banks and insurance companies.

- ASM pledged to formalise their operations by forming and registering associations in addition to obtaining location licences.
- Mineral dealers such as buyers and intermediaries pledged to adhere to the licencing laws and encourage their colleagues to do the same.
- Traditional leaders pledged to document Karamoja customary laws to increase the amount of information on customary land that is available.

8. ISSUES FOR FURTHER DISCUSSION AT FUTURE SYMPOSIUMS

The multi-stakeholder environment at the Karamoja Mining Symposium resulted in discussions that could not be exhausted at a short meeting. Nonetheless, participants' willingness to put forward their observed challenges and areas for discussion aided in identifying a few outstanding issues that should be considered for future symposia on Mining in Karamoja. These include:

- The possibility of organising a specific meeting to promote mineral investment in Karamoja. This meeting would especially focus on promoting a lead mineral for the region. This would increase exposure of the region's mineral wealth by targeting private sector companies with interest in Karamoja as a region or the mineral being promoted.
- The formulation of strategies aimed at increasing accountability of finances accruing from minerals taken from the region. These discussions should focus on royalties collected from the region, how they are shared and when these collections should be disbursed to the beneficiary.

- Another necessary point for discussion would be how to create a one-stop centre for government agencies dealing with mining to reduce on bureaucratic procedures and encourage artisanal miners to formalize their activities.
- The marking and demarcation of all land (including land for conservation) in the region by engaging Ministry of Lands, Housing and Urban Development to reduce the potential and existing land conflicts. This discussion would also benefit from conversations on how to carry out civic education on customary tenure; codification of customary tenure rules; issuance of land titles for land owners and the creation of a Karamoja Land Board for managing land in the region drawn from district land boards and area land committees.
- Improving the access of regulators and district authorities to mining areas to monitor compliance; devise practical means for mining and pastoralism to co-existence; review of the Mining Act, 2003 and the Mining Regulations, 2004 with the aim of aligning their requirements to the customary practices in the Karamoja region.
- Mapping of water as a resource and develop inclusive strategies to sustainably use the limited water available for human consumption and other activities including mining.
- Designing a monitoring and reporting mechanism to capture violations of rights in mining areas especially by mining companies or their representatives. Analysis and modification of best practices from the oil and gas sector where social and environmental standards adhered to by international oil companies go beyond the laws of the country. Further discussion should include ways in which the monitoring and enforcement Environmental Impact Assessments (EIA) can be improved.

9. CONCLUSION

In conclusion, the KMS was a major step in the right direction if we are to see Karamoja develop sustainably. By holding the Symposium in Karamoja, the need to build on realistic involvement of Karamojong people and the institutions that serve them was catered to. More so, the Symposium now faces the challenge of coordinating a response to the many issues raised by participants particularly in critical areas such as the lack of an aerial geophysical survey that demands urgent action. Nonetheless, it was highly beneficial for the sector to be presented with such an opportunity to discuss issues that affect all stakeholders involved. Better still is the opportunity to bring the challenges faced by the local communities and local government to the attention of the central government which has the power to make the necessary changes. It is hoped that this Symposium is the beginning of more inclusive governance of the mining sector in Karamoja and a positive move towards improved development indicators in the region.

10. RECOMMENDATIONS AND LESSONS LEARNED

The Karamoja Mining Symposium generated a considerable volume of information, ideas and action points with respect to how mining can play a constructive role in the development of the region. Interest and participation across various stakeholder groups showed that a broad coalition on mining in Karamoja is possible as a vehicle to further collective action in the sector. The Symposium provided insight into the possibility of such a coalition if not a nucleus of such a coalition itself. Issue based coalitions could come together around the following areas:

(a) Completion of an aerial geophysical survey of Karamoja to clarify the mining potential of the region

It was noted by all stakeholder groups that an airborne geophysical survey is an important investment which could positively impact investment in the mining sector in Karamoja. Without reliable evidence on mining potential, it has been difficult to attract investment. Moreover, land offered for exploration was reportedly expansive to make up for the lack of accurate estimates of mineral deposits. Information from such a survey could be made public and lead to greater trust and confidence between communities and authorities.

(b) Construction of a weighbridge

Mining companies, local mining groups, civil society as well as the central government all expressed hope that a weighbridge would facilitate trust in the current mining sector by providing assurance on the amount of minerals leaving the region and the royalties due thereafter. It would also ensure that all taxes on mining operations are duly collected. Therefore, a coalition dedicated to lobbying for the construction of the weighbridge would be beneficial to mining in Karamoja.

(c) Localising mining interventions

A coalition of organisations can focus on developing better coordination of authorities in charge of the mining sector in Karamoja. This coalition could focus on the link between the central authorities in Kampala and regional ones in the different districts by improving communication and sharing of information. Participants expressed a strong desire for central government functions to be more present in the Karamoja region.

(d) Public information campaigns

The Symposium identified a need for better knowledge about mining for all stakeholders. A coalition based on open access to information on mining can help root the sector in progressive practices across the board.

It is therefore recommended that:

- A follow-up conference be organised through a similar multi-stakeholder process to deal exclusively with coalition building around the main issues. Whilst stakeholders expressed interest in working together it is unclear presently what form collaborations will take or how this will be organised. Indeed, it is even less clear who will lead (and fund, where applicable) such an effort and whether it will deal with all cross-cutting issues or focus on particular areas. The best practices model from Tanzania showed that broad coalitions led by an inter-faith consortium could intervene effectively to promote mining as a sustainable sector. This example however relies heavily on the social mission of faith-based organisations and draws heavily on the moral basis of their influence in society and politics.
- Further research, study and consultation is required to demonstrate how customary land tenure can benefit or positively work alongside mining in Karamoja. Unlike other areas in Uganda where economic activity has created a kaleidoscope of multiple competing tenure systems, Karamoja is in a position re-define how customary tenure can support mining operations today. This would require demonstrating that this land

tenure system is compatible with mining interests. This focus on customary tenure will assist the involvement of communities in mining ventures as equitable partners and reduce friction over land more generally.

- A technical committee representing all stakeholder groups present at the Symposium should be established to work with the government and its partners in identifying a realistic plan to conclude the process leading up to the completion of an Aerial Geophysical Survey. It was observed that whilst stakeholders agree on the importance of the survey, there is a need for stronger leadership to provide direction on how to get it done. Previous efforts in continuous lobbying and new thinking on financing have not been well organised. For example, a public-private partnership might be feasible if mining investors did partial surveys and were compensated for their data. It appears the survey has mostly been left to the government to implement which often results in delays due to bureaucracy and lack of finance.
- There is a need for more Open Data in the mining sector to increase the pool of information that can be shared across stakeholder groups to raise awareness on matters pertaining to mining in Uganda. Since information on mining potential will be better understood after the aerial geophysical survey, Karamoja could create open data access on all critical areas for mining. The Symposium generated a wide variety of technical as well as general information. This could form the basis for a purposeful resource that can cater to stakeholder needs as well as the interest of the public. Up-to-date information from the aerial survey can be included in this form of outreach. A good place to start is in the opening of the information currently displayed on the national mining cadastre so that it can be disseminated in a more user-friendly format to communities, local government and CSOs working in the Karamoja region.
- The mining sector be viewed as a potential source of development for Karamoja. While, current government contribution to development in Karamoja emphasises physical investments such as roads and electricity. Follow-up from the KMS can help add mining as an important part of these interventions for authorities to jointly promote. It is important that mining is not seen as a separate sector from other infrastructure provided by the government. Advocacy to include mining in the profile of the other government interventions (roads, electricity, education) can boost visibility of mining concerns and rally other actors who will be more confident of the interest and commitment of the central government.
- Calibrated weighing apparatus to measure mineral extraction should be introduced in the region. Whilst a weighbridge has been identified as an intervention for tracing value created and owed, a great many minerals are not heavy or bulky enough to be weighed using the weighbridge, such as gold. Karamoja needs to make moves towards an established mineral traceability regime that is practical to encourage investment and ensure all revenue is collected. Weighing apparatus, whether as large-scale such as a weigh-bridge or small scale for measuring gold, should be regularly calibrated, and adhere to international protocols.

ANNEX 1: BREAKOUT SESSIONS

The table below provides a summary of the points discussed by participants during the breakout sessions.

ΤΟΡΙΟ	OTHER CHALLENGES	WHAT NEEDS TO BE DONE	ACTORS TO BE INVOLVED
Royalties	 Documented ownership of land is a challenge Difficulty in local government accessing royalties i.e. money tends to bounce back Discriminatory decisions made by (proposals) by leaders e.g. removal of royalties on gold leaving limestone, marble etc. It should have been reduced Under declaration of minerals mined because the true values cannot be determined No guidelines on how royalties are used at local government level Dubious means are used to get titles to community land (by both companies and individuals). In the case of companies owning land, who takes the 3% Companies do not consult district Local Government and communities as they start mining operations Conflicting laws e.g. land act and the mining act (who receives the 3% in case of a bonified occupant on public land) The Ministry in charge of mining lacks to capacity to cover Karamoja ASM do not pay royalties Boundary conflicts between sub-counties and communities A lot of land in Karamoja is gazetted 	 Aerial survey should be done Revise the percentage distributions of royalties ie. Government (both local and central) - 75% and the land owner - 25% Determine at what point district local government is involved in declaration of minerals mined Sensitize people and communities on the role and mandate of NFA (mining companies need permits to mine in gazetted areas), how to use weighing machines, distribution of royalties etc. CSOs should be given information to help in monitoring of mining There should be a police post near or at every mining site Find out how much is mined in the district Develop laws that enable communities to take action Degazette more land and make it available for communities Structures within the DLG should be utilised to deal with issues arising from royalties and to get information Comprehensive inspection of mines should be done District Local Government, Civil Society Organisations and communities should continue to work together 	 Government entities (UWA, URA, UNRA, NFA, UNBS, NEMA) local communities private sector Security organs (Police and the army) Central Government MEMD, Ministry of Water, MLHUD, DGSM, Ministry of Finance, Ministry of Karamoja) Local government - district and sub county authorities
Licencing	 Licensing regime is very speculative, only open to middlemen Licensing regime disregard cultural values Licensing regime silent on investment commitment 	 Involve Chief Administrate Officer(CAO) in the compensation, and the entire local government system in the compensation process. Sensitization and awareness creation licensing. 	 Central government Parliament Local government NEMA UIA NFA

	 Licensing regime not friendly to local investors. Licensing power concentrated in one office. Delays in grant to licenses. Bureaucracy in the process of licenses. Sensitize communities on royalties 	 Strengthen initiatives for local companies to promotes the mining business Amendment of the Mining Act 2003 Decentralization of licencing powers Implementation of existing environmental law to protect the environment Size of coverage should be brought down 	 UWA Elders/opinion leaders Private sector CSO's Artisanal miners
Health and Safety	 Respiratory diseases Informal ASM creating accidents Lack of protective gears Malnutrition of mother and children at the mining sites Gender based violence High maternal mortality rates, maternal health issues and death of mothers. No delivery and birth plans High child labour rates HIV/ AIDS, STDs prevalence rates are high due to long distance long drivers and miners Prostitution at the mining sites Early marriages affecting girls, sexual harassment, and pregnancy 	 Law enforcement in the mines on wide range of issues. CSO's oversight role should be strengthened, e.g. District Mineral Watch Platform Use Village Health Teams (VHT) community outreach mobile clinics Training in health and safety (pit filling, wash interventions), first aid protective gears. Awareness creation on health education, voluntary counselling. Target mining sites for health programmes, carry out joint inspection in the mines. Companies to cover pits(restoration) Screening during outreaches Education of children-save learning committee and make a bylaw against child labour and for children to study 	 Government Ministries (MEMD, Ministry of Labour Gender and Social Development, Ministry of Local Government etc. Local government (labour officer, probation officer, MOH etc) Local leader and council of elders Religious leaders Mining companies Vocational training centres Development partners Association of miners Mining companies Water use committees Cultural leaders Village health team (VHT) Police
Pricing and relationship with buyers	 Lack of coordination between central and local government Lack of knowledge of the existing mineral on the ground High transportation costs Competition from Kenya, reduces the prices from Karamoja Fluctuation of prices from the various collection points Monopoly of some buyers 	 Formalisation and coordination of ASM to get legality for operation Form a Karamoja mining network to avoid variant pricing in all the Karamoja region Memorandum of understanding between communities and mining companies Lobby for more investors for better bargaining opportunities Enforce Mining laws and other regulations 	 UNBS URA MEMD/DGSM UIA Min of Finance Private sector District local government Miners association Civil Society Organisations

		 Information/knowledge centre-one stop centre to get information to address issues of pricing at sub-county and district levels. Tax and monitor middlemen and buyers (own prices and currency) Establish a uniform measurement and balance market prices Develop policies to address the issue on the ASM Weighing bridge should be established to determine to royalties and pricing from the minerals 	
Water and Environment	 Unregulated water abstraction Inadequate budget and capacity for law enforcement Pollution (water, air, noise). Loose of bio-diversity and habitats Poor waste disposal Tree felling/cutting for rock weakening Lack of information on Mining law and regulations Loss of vegetation cover, Destruction of rock and soil structure Landscape destruction 	 Carry out an Environmental Impact Assessment for the mining area/Karamoja Frequent monitoring for compliance by NEMA, community leaders and local government. Provision of water harvesting facilities Sensitization on legal policies (be done in local language) and community sensitisation on their roles and responsibilities, do and do not Proper hydrological and hydrogeological surveys for boreholes and water sources, dams, valley tanks, catchment areas Approval of water use/abstraction permits. 	 Line Ministries including Ministry of Water and Environment, Ministry of Energy and Mineral Development, Ministry of Health etc. Government agencies; NEMA, NFA, NWSC, NPA, UWA etc. Local government Elders and community opinion leader Village health team Miners Police and paralegals
Land and land ownership	 Land ownership in mining sites in the context of pastoralism. Land grabbing and illegal titling. Lack of codification of customary land ownership (identification of rightful owners). Land degradation and fragmentation Largest percentage of productive land gazetted by government Unclear administrative boundaries Mining sites versus settlement and resettlement in the context of relative peace 	 Capacity building and empowerment of traditional institutions. Invoke the law of tracing land ownership Encourage formation of land association. Codification of customary land tenure. Civic education on land rights and law. Consultative process involving local communities. Protection of rights of indigenous people. Encourage local people to develop mechanisms of land ownership. 	 Central government line Ministries. (Ministry of land, Ministry of Water and Environment, Ministry of Energy and Mineral Development, Ministry of Local Government, Ministry of Internal Affairs etc) Government agencies (NEMA, NFA, UWA, security forces) Local government- District Land Board (DLB), Area Land Committees (ALC) Local community and council of elders.

 Titling process do not recognise local communities Bureaucratic, unclear and expensive process of titling customary land. 	 Degazette land inhabited by indigenous communities. Enforcement of laws on conservation areas. Empower the District land board (DLB) and the Area land committees (ALC) Setup information Board (Karamoja Land Board). 	• Civil Society
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ANNEX 2: PLEDGES FROM PARTICIPANTS TO ACHIEVE THE SYMPOSIUM VISION

At the end of the Symposium, all stakeholder groups pledged to contribute to the sustainable development of the mining sector in Karamoja. The table below shows the pledges made per stakeholder group.

 Central Government pledged to: Engage key stakeholders in planning, licencing and implementation Create an enabling environment through the review and implementation of the legal framework. Coordinate and regulate joint monitoring programmes Sensitize and create more awareness on mining in Karamoja Increase funding and resource allocation towards the sector Effectively enforce relevant laws and regulations Be more transparent and accountable Strengthen conflict resolution mechanisms Disseminate information to all stakeholders 	 Traditional Leaders pledged to: Strengthen the relevance and legitimacy of the traditional institution in the management of natural resources Work together with all stakeholders in the extractive mineral sector To harmonise, document and identify customs and traditions governing land and natural resources in Karamoja To lobby and advocate for pro-poor policies and legislation in the mining sector Advocate for age-friendly, child-friendly and gender responsive practices in the mining areas
 The Local Government pledged to: Strengthen monitoring and supervision of mining sites to minimise child labour, ensure security and enforce environmental protection Regulate licencing Partnership Minimise risks of conflict Sensitize ASM on land rights, location licences and encourage the registration of land The Buyers pledged to: Be more transparent Be corporative with the different stakeholders Have an integrated approach 	Development Partners pledged to support: Evidence based discussions and advocacy – research on key issues Capacity building/development for miners and mining groups/associations, institutions, local government etc. Training of trainers on rights, health and safety Data management, knowledge gathering and dissemination Educate fellow development partners and coordinate more The ASM pledges to: Formalise themselves by forming legal mining groups Conduct market research Improve on their mining methods and techniques Lobby for support from government and development partners Improve on the relationship between investors and other actors
 The Private Sector pledged to: Lobby government to source alternative funding to carry out aerial survey of Karamoja Lobby to fast-track the legal regulatory review and infrastructural development in the region Road shows to market Karamoja portfolio with support from development partners to get quality investors and benchmarking Promote alternative livelihood projects Support development partners in the renewable energy development programmes for Karamoja Enhance skilling programmes and raise awareness on the rent option Continue to participate in the next Karamoja Mining Symposium Demonstration of best-practise Support development partners in the renewable energy development programmes for Karamoja Enhancement of skilling programmes and vocational training Awareness programmes on land issues – invest in roads Review the labour laws Lobby for sector-relevant long-term affordable financing Innovative financing models Shall continually participate and engage at the annual Karamoja Mining Symposium Profile and rally investment around a strategic mineral 	 The Civil Society pledge to: Advocate for policy review and fair sharing of royalties Promote access to information Mobilise resources Engage the DGSM to speedily conduct the aerial survey Support the formalisation of ASM and acquisition of land titles by communities Advocate for fair sharing of royalties Engage in research and documentation Support transformation of conflict in the mining sector Awareness, creation and sensitisation Strengthen the multi-stakeholder platforms Form a consortium on extractives Profile and rally investment around a strategic mineral private sector for Karamoja Build capacity of CSOs and ASMs