Evaluation of stakeholder surveys 2017-2018 by means of questionnaires on the topic of "Aligning EU Cooperation with resource-rich developing countries"

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Background and objectives

On the basis of a one-year subcontract in the framework of the EU Horizon 2020 funded programme STRADE (Strategic Dialogue on Sustainable Raw Materials, www.stradeproject.eu) ZIAF performs academic research in the field of the Sub-Saharan African mining and commodities sector with special reference on the present and future role of European and Asian actors/investors including multi-stakeholder processes. Perception and participation of civil society in this sector is important, and very particular attention is paid to due diligence obligations of mining companies, transparency, sustainability, the role of government agencies, and civil society.

Design of questionnaires

Questionnaires were designed in English and French as personalized, non-anonymous surveys to be able at later time to identify individual answers of target groups and stakeholders. Therefore, each questionnaire includes on top some interviewee identification features **(1)** such as country of origin, name, title, organization, phone number and email. The following seven key questions have been subdivided into 2-5 sub-questions, always with the opportunity to give a free text input/answer. It was estimated that it takes between 30-60 minutes to complete the questionnaire. The first question **(2)** aims at the general involvement, perception and behavior of EU institutions/agencies/companies in the respective regional context. The next question **(3)** tackles EU companies' impacts in the country regarding exploration, mining, refining, trade, environment and others. Effectiveness of EU's competition against non-EU investors and Asian companies in the mining sector is inquired by the next issue **(4)**. Increasing linkages for EU between mining and other sectors such as institutional strengthening, transparency and good governance/best practices is checked by a series of subsequent questions **(5)**. To which extent can EU stimulate additional and sustainable investments in the mining sector is the topic of question **(6)**. Question **(7)** reflects on the EU and emerging priorities for action (e.g. mining policy framework, social investments etc.), and finally it is focused **(8)** on the state and perspectives of due diligence, international standards, existing and future certification initiatives. The English and French draft, blank versions of questionnaires are included in the Annex.

Target groups and return of filled out questionnaires

The above questions were addressed to selected stakeholder groups in different countries, such as ministries, departments and agencies, parliamentarians, traditional councils, local government institutions, development partners (including EU), mining sector related companies, Chief Strategy Officers (CSO) and think tanks, private sector associations, security services, educational institutions (universities), and NGOs. Around 25 questionnaires have been distributed to a circle of representatives of the target groups, some of them were personally known to the investigators. The rate of return of filled out questionnaires achieved a total number of 16. No feedback was received from Nigeria (NESREA, National Environmental Standards and Regulations Enforcement Agency) and from BGR (Bundesanstalt für Geowissenschaften und Rohstoffe) in Rwanda/DRC.
15 questionnaires were completed in French, one in English. In some cases, a multiple assignment concerning the target groups is possible. Three to four (3-4) questionnaires can be matched to government agencies, including transparency initiatives like EITI; no questionnaire was returned from a mining company (industry); one questionnaire was returned from the donor site (GIZ CEMAC project REMAP, Renforcement de la gouvernance dans le secteur des matieres premières en Afrique Centrale); three (3) completed surveys were sent in by university professors from Yaoundé, Dschang (Cameroon) and Bukavu (DR Congo); the rest of eight to nine (8-9) questionnaires can be assigned to NGOs (e.g. WWF, RELUFA, AFEMIC etc.) and other civil society institutions (e.g. Commission Diocesaine Justice et Paix). Regarding the country assignment, questionnaires were dominantly completed by Cameroonian stakeholders (8), followed by the feedback of Central African Republic (CAR) with four (4) surveys. DR Congo, Gabon, R. Congo and Chad contributed one questionnaire respectively.
Additionally, four interviews were performed by Projekt-Consult in Rwanda (with EU and private sector stakeholders).

Feedback and key statements, Results

The returned questionnaires showed quite different responses, regarding content as well as their nature: short key terms altered with detailed explanatory notes as well as with objective and emotional statements or conclusions. Donors' and political leaders' feedback was generally shorter, cautious and less precise (some questions even have not been answered), whereas others, NGOs, consultants and academics were more committed in commenting the questionnaires. Duplication and redundancy in answering related questions must be equally stated.

Depending on the different country background (Cameroon, Congo, DRC, Gabon, RCA, Chad and Rwanda) of the persons consulted, the perception of the EU as an actor in the mining sector is quite diverse. It comprises EU as a diplomatic mission, an international donor, an aid organization, and some mining companies with origin in Europe, representing the former colonial powers. It also covers local charities and NGOs supported by EU funds. Often EU is seen in conjunction with other international entities like the World Bank and UN programmes of action. Agencies of individual EU Member States (MS) or projects funded by MS are also sometimes associated with the EU. EU's role is evaluated as a diplomatic observer with too many expatriates on-site (DRC, private sector) that should be replaced by national experts, or EU is simply considered as a synonym for all kinds of investors, mining companies and traders coming from Europe. Some perceive EU actors (private and public sector) as easy to cooperate with, sometimes "tough" (especially because of stringent requirements, e.g. for export to EU, standards), but honest, serious and reliable. One respondent stated that EU and EU actors (both private and public sector, incl. MS) are perceived as arrogant, knowing better how things work and trying to tell the Africans what to do (e.g. through capacity building measures). In contrast, other respondents noted that EU capacity building efforts, especially regarding good governance, technical know-how and socio-environmental issues connected to mining were much appreciated and more of these would be welcome. Sometimes, the values followed by EU actors diverge from the host country's values. According to the majority of questionnaires and interviews, there is no clear profile of the EU visible with regard to the mining sector in Africa. A few respondents made a clear distinction between public (EU Delegations, international cooperation agencies and ODA programmes/projects funded by EU/MS) and private sector actors, stating that the former mainly aimed at increasing good governance and transparency in the mining sector, sometimes including socio-environmental dimensions of sustainable development, while the latter were mainly interested in profit and disrespecting the environment and local communities.

However, the few EU companies active in the study zone are appreciated to have a technological lead against Asian and partly to non-EU enterprises. They are rated as the better exploration experts with outstanding competences. Their company principles are, overall, judged on sustainability, environmental awareness (EIA, Environmental Impact Assessment), labour rights, and broad consistency and respect for the local laws of the host country. Shortcomings of EU companies have become apparent with respect to artisanal and small scale mining (ASM) in the more rural and remote areas of the host countries. Capacity development and institutional reforms stimulated by EU programmes exist but they are mainly focused on urban areas, the state's capitals and the national government level. There is less knowledge how cooperatives could be used best to develop the ASM sector, strengthen the capacities of local stakeholders and thus contribute to wider rural development. Here, the Chinese, Asian and other non-EU countries make the better deal, but it focuses almost exclusively on profit and business from geological resources. CSR as environmental studies, recultivation of mining sites, capacity development, transparency and sustainable development of rural areas are widely ignored by the Asian actors. The same applies to the non-respect to legislation and fair taxation to the profit of local communities. Asian actors have conducted a policy of sweeping neo-colonialism in the mining sector. By comparison to EU companies, the Asians have an easier access to local ASM workers in understanding local mentalities better. This creates genuine network connections to the benefit of Asian companies involved in cooperatives. It is extremely rare that EU companies – if they exist at all – encourage active participation in ASM cooperatives in the smaller mining business. Taking into account the statements regarding the comparison between EU and Asian companies it is of little surprise that many respondents wish for more direct investment of EU companies in the mining sector. This is connected to the hope for a more sustainable mining sector, respecting the environment, surrounding communities and workers' rights as well as knowledge and technology transfer.

The statements made in the questionnaires are partly inconsistent: EU institutions and companies of former European colonial powers and their - sometimes unclear - policy gain confidence on the one hand (good and experienced exploration experts with advanced mining technology, Know how, respect of EIA and human rights, sustainability), and they are viewed on the other as naive and inexperienced to develop efficient strategies vis-à-vis its Asian competitors. For both groups of investors it applies that the major objective is of economic nature (profit maximization at almost any price!). Asian mining companies are characterized to be more powerful than their EU competitors, and working conditions in Asian owned mines are described as inhumane. Their CSR actions are up to now underdeveloped compared with enterprises from the EU.

Not all of the persons consulted were familiar with due diligence measures and certification initiatives. Mostly the EITI and the Kimberley Process (KP) were mentioned. In Rwanda, conflict-minerals initiatives, such as the Dodd Frank Act, Section 1502, and resulting due diligence and traceability initiatives, such as iTSCi, were mentioned. Rwandese interviewees were also aware of the upcoming EU Conflict Minerals Regulation, even though details were not yet clear. However, the way how to strengthen transparency and good governance in the extractive industries was generally seen in a critical light. Distrust of the stakeholders to initiatives like the EITI as too technocratic: distribution of reports with no real discursive practice in civil society was common. The effectiveness to change and to ensure future sustainability of KP was also doubted by some of the interviewees. Even CAPAM (Artisan Mining Support and Promotion Framework) in Cameroon was considered to be a weak instrument on the part of those surveyed. Conflict-minerals related initiatives were regarded as costly for the miners and placing an additional burden (and for some even disincentive) to export minerals to the EU. Improving governance in the minerals and mining sector is seen as important and maybe more effective than conflict minerals regulation and standards in order to combat fraud. But it is also stated that political will for governance improvement is low. It was hence suggested that the EU could increase political pressure on governments in this regard and offer practical support.

The knowledge and the perception on other measures supported by the EU in the African mining sector remains generally poor. It has to be noted that the EU itself is not always active in the mining sector – even in important mining countries – and that MS activities are not necessarily regarded as EU measures. Some respondents generally evaluate EU/MS ODA projects in the mining sector as not or little successful or criticize that the results are unknown to many stakeholders of the host country mining sector. There is consensus in that the role and the visibility of the EU in the mining sector should be strengthened in the future. However, there are critical reflections that EU will not be in a position to win the market competition against Asian actors that are already well established in the sub-region. The EU's strengths in exploration, good governance, institutional development, environmental reclamation, human and employment rights for women and men are deemed important. Uncertainty prevails between the consulted stakeholders how to implement a more adopted and efficient mining policy of the EU in cooperation with developing countries that fosters Western enterprises to have an increased economic competitiveness. It was shown that an engagement in rural areas and cooperatives in the ASM sector are particularly important. One stakeholder trusts that ongoing engagement of the EU in the mining sector will assist Cameroon to be an emerging country by 2035. Some voices would favour more EU support to the private sector instead of projects focusing on the government level. This includes support for the implementation of standards. Others, however, prefer the EU to engage in areas where it is known to have a lot of expertise, namely exploration and good governance/ institutional capacity building.

Annex 1

STRADE Questionnaire in the framework of the overarching topic of
"Aligning EU Cooperation with resource-rich developing countries"
creating win-win partnerships (challenges and opportunities)

1. **Interviewee Identification**
    a) *Country*
    b) *Name*
    c) *Title*
    d) *Organization*
    e) *Telephone Number*
    f) *FAX Number*
    g) *Email*

2. **General EU involvement in given country's mining sector**
    a) When you think of the EU's involvement, which actors come to your mind? (private sector companies (mining, mineral trade, investors)/ donors/ development cooperation agencies/ NGOs, CSOs, other aid organisations/ others & EU or member state actors)
    b) What is your general perception of the a/m actors (in general or separately for each one if interviewee has specific views on individual actors) and their engagement in your country?
    c) What do you think is the actors' main objective in your country?
    d) How would you evaluate the actors' ways of achieving their objective/ conducting business/ general behaviour?

3. **Assessment of EU companies' impacts in the country (exploration, mining, refining, trade, fabrication, environmental protection, social achievements, institutional and policy framework, the country development in a wider sense)**

    a) What is EU companies' influence over the development of the mining sector?
    b) In which area(s) of the mining sector do you consider EU firms to be the best performers?
    c) Why?
    d) In which area(s) of the mining sector do you consider the EU firms to be weaker performers in comparison with companies from outside the EU (such as US, Canada, Australia, South Africa, Japan, China, or Korea)?
    e) Why?

4. **EU and the competition to access country's minerals (non-EU investors, achievements in various fields, challenges)**

    a) How could you compare Asian achievements in comparison to those of EU companies at different steps of the mining chain?
    b) What are opportunities provided by non-EU firms to country's mining sector?

5. **EU and for increasing the linkages between mining and other sectors (vision, fiscal regimes, strengthening institutions, transparency and governance, promoting best practices)**

    a) What would you consider to be best practices promoted by EU?
    b) What would you consider to be negative practises (for your specific country background) promoted by EU?
    c) In what sense EU and EU partners promote sustainable and responsible mining? Examples
    d) Are there EU policies or actions that tend to support local or national development based on mining and mineral trade? If so, which and who are their main beneficiaries within your country's mining sector?
    e) Are there EU policies or actions that tend to hinder local or national development based on mining and mineral trade? If so, which?

6. **EU and the stimulation of additional investment in the mining sector (Policy, growth, competitiveness, sustainability)**

    a) What kind of policies or strategies EU can apply to stimulate additional investment in your country? Towards whom should they be addressed?

    b) Are there mechanisms of current EU policy that tend to hinder ongoing investments and sustainability in your country?
    c) Would you prefer more EU companies to engage directly in mining in your country? Why?

7. **EU and emerging priorities for action (mining policy framework, management and use of mineral revenues, national action plan for local procurement, social investment…)**

    a) In which domain do you consider the mining sector needs EU support and why?
    b) What would be the major priorities in the broader framework conditions enabling a vibrant mining sector you would highly recommend for an immediate or future EU engagement?
    c) Are there any policies promoted or actions implemented by EU/MS that you think need to be modified in order to support sustainable mining-induced development in your country?

8. **Due Diligence, standard and certification initiatives**
    a) Do you have any experience with a/m initiatives in your country? If yes, which ones?
    b) For each initiative mentioned, what is your experience with it? Does it work well? If so, why? If not, what are the problems? Any suggestions for improvement?

Annex 2

STRADE Questionnaire sur le thème général :
"Aligner la coopération de l'UE avec les pays en développement riches en ressources"
Créer des partenariats gagnant-gagnant (défis et opportunités)

1. **Identification de l'interviewé**

    a) Pays :
    b) Nom :
    c) Titre :
    d) Organisation :
    e) Numéro de téléphone :
    f) Numéro de fax :
    g) Email :

2. **L'implication générale de l'UE dans le secteur minier du pays concerné**

    a) Quand vous pensez à l'implication de l'UE, quels acteurs vous viennent à l'esprit? (entreprises du secteur privé (mines, commerce des minéraux, investisseurs) / donateurs / agences de coopération au développement / ONG, OSC, autres organisations d'aide / autres et acteurs de l'UE ou des États membres)

    b) Quelle est votre perception générale des acteurs (en général ou séparément pour chacun d'entre eux si l'interviewé a des opinions spécifiques sur les acteurs individuels) et de leur engagement dans son pays?

    c) Selon vous, quel est l'objectif principal des acteurs dans votre pays?

    d) Comment évaluez-vous les manières des acteurs d'atteindre leur objectif / de conduire des affaires / un comportement général?

3. **Évaluation des impacts des entreprises de l'UE dans le pays (exploration, exploitation minière, raffinage, commerce, fabrication, protection de l'environnement, réalisations sociales, cadre institutionnel et politique, le développement du pays dans un sens plus large)**

    a) Quelle est l'influence des entreprises de l'UE sur le développement du secteur minier?

    b) Dans quelle (s) zone (s) du secteur minier estimez-vous que les entreprises de l'UE sont les plus performantes?

    c) Pourquoi?

    d) Dans quel (s) segment (s) du secteur minier estimez-vous que les entreprises européennes sont les moins performantes par rapport aux entreprises hors UE (Etats-Unis, Canada, Australie, Afrique du Sud, Japon, Chine ou Corée)?

    e) Pourquoi?

4. **L'UE et la concurrence pour accéder aux minéraux du pays (investisseurs non-UE, réalisations dans divers domaines, défis)**

    a) Comment pouvez-vous comparer les réalisations asiatiques par rapport à celles des entreprises de l'UE à différentes étapes de la chaîne de valeur minière?

    b) Quelles sont les opportunités offertes par les entreprises non-UE au secteur minier du pays?

5. L'UE et le renforcement des liens entre l'industrie minière et des autres secteurs (vision, régimes fiscaux, renforcement des institutions, transparence et gouvernance, promotion des meilleures pratiques)

a) Quelles seraient, selon vous, les meilleures pratiques promues par l'UE?

b) Quelles pratiques considérez-vous comme négatives (selon le contexte de votre pays) promues par l'UE?

c) En quoi les partenaires de l'UE et de l'UE promeuvent une exploitation minière durable et responsable? Exemples

d) Existe-t-il des politiques ou des actions de l'UE qui tendent à soutenir le développement local ou national basé sur le commerce minier et minéral? Si oui, lesquels et quels sont leurs principaux bénéficiaires dans le secteur minier de votre pays?

e) Existe-t-il des politiques ou des actions de l'UE qui tendent à entraver le développement local ou national basé sur le commerce minier et minéral? Si oui, lequel?

6. L'UE et la stimulation des investissements supplémentaires dans le secteur minier (politique, croissance, compétitivité, durabilité)

a) Quels types de politiques ou de stratégies l'UE peut-elle appliquer pour stimuler des investissements supplémentaires dans votre pays? Vers qui devraient-ils être adressés?

b) Existe-t-il des mécanismes de la politique actuelle de l'UE qui tendent à entraver les investissements en cours et la durabilité dans votre pays?

c) Préféreriez-vous que davantage d'entreprises de l'UE s'engagent directement dans l'exploitation minière dans votre pays? Pourquoi?

7. L'UE et les priorités émergentes d'action (cadre de la politique minière, gestion et utilisation des revenus miniers, plan d'action national pour les achats locaux, investissement social ...)

a) Dans quel domaine estimez-vous que le secteur minier a besoin du soutien de l'UE et pourquoi?

b) Quelles seraient les grandes priorités dans les conditions générales plus larges permettant un secteur minier dynamique que vous recommanderiez fortement pour un engagement immédiat ou futur de l'UE?

c) Existe-t-il des politiques promues ou des actions mises en œuvre par les Entreprises Minières qui, selon vous, doivent être modifiées afin de soutenir le développement durable induit par les activités minières dans votre pays?

8. Due Diligence, normes et initiatives de certification

a) Avez-vous de l'expérience avec les initiatives dans votre pays? Si oui, lesquels?

b) Pour chaque initiative mentionnée, quelle est votre expérience avec celle-ci? Est-ce que ça marche bien? Si oui, pourquoi? Si non, quels sont les problèmes? Des suggestions d'amélioration?