



African Mining Legislation Atlas (AMLA) Project

An Executive Summary (As of January 2016)

Project Objective and Activities:

The objective of the African Mining Legislation Atlas (AMLA) project is to support African countries in maximizing mineral resource benefits through:

- promoting transparency, accessibility and comparison of Africa's mining laws;
- facilitating the preparation, revision and implementation of mining laws;
- providing a living database that will catalyze research and policy debates on legal and regulatory issues; and
- promoting the development of local legal expertise on mining laws.

AMLA is a legislation gathering, organization, dissemination and capacity building project with three main activities:

- creation of the AMLA platform, a free online one-stop resource for Africa's mining legal framework (mining codes, regulations and related legislation) with interactive features to provide comparative data;
- production of the guiding template, an annotated document that outlines a menu of legislative solutions to assist countries in the preparation or revision of their mining laws; and
- capacity building through training (on-ground and remotely) of African legal professionals a) in the use of the platform and the guiding template and b) on overall issues in mining law.

Client Ownership:

Initiated by the World Bank's Legal Vice Presidency in 2013, the project invited a group of African universities – led by the University of Cape Town – and regional sector-specific institutions to participate in the implementation of the project pilot. As a result, a Memorandum of Understanding (MoU) was signed by the African Legal Support Facility (ALSF), University of Cape Town (UCT) and World Bank (WB) on October 20, 2014. The African Union Commission (AUC) has also indicated interest in signing onto the AMLA MoU. The project pilot phase was primarily funded by ALSF; subsequent funding came from the Extractive Industries Technical Assistance Facility (EI-TAF). UCT's Mineral Law in Africa (MLiA) program hosted the first two on-ground AMLA trainings (AMLA workshop) of law students from across the continent were hosted at UCT in coordination with MLiA. To enhance regional ownership, transfer training know-how and facilitate knowledge sharing, subsequent AMLA workshops will be organized in coordination with a different African Law Faculty on a yearly basis.

Where we are:

Platform: As of this document, a free one-stop resource for African mining legislation is live online (www.a-mla.org) and provides the public with all 53 existing mining codes of the continent in an easily readable and searchable format. An upgrade of this platform is underway featuring: (i) amendments to the mining codes, mining regulations and related legislation, (ii) a country by country specific provision comparison tool, and (iii) interconnectivity with resourcecontracts.org, an initiative that maintains a repository of mining contracts. To support the work of present and future Legal Research Team (LRT) members, the project is managing a community of practice on Collaboration for Development, the Bank's social network platform, where the LRT can seek advice on mining legal issues from expert from across the globe.



Capacity Building: To develop specialized expertise on the continent, the project has established the LRT, made up of advanced law students selected from various African universities, representing all six regions of the continent, as well as Anglophone, Francophone and Lusophone speakers. The role of the LRT is to populate the AMLA platform by locating mining and related legislation, and conducting comparative research on specific topics across different countries' mining legislation, under the guidance of the quality review team comprised of senior specialists in the sector. The LRT receives compensation in a work-study format within a performance-based scheme. To date, the project has delivered two on-ground trainings with more than 50 candidates attending. Furthermore, the 34 top performers have each undertaken at least one additional year-long remote training module.

Guiding Template: The project has produced a working draft of the guiding template. The guiding template is a document that gathers 186 sector-related topics that can appear in a mining law, presenting them as a menu of suggested legislative examples inspired by current mining laws as well as sector realities across Africa. These examples are accompanied by detailed annotations explaining the context, issues, and useful features of each presented sample provision. In a "one-stop shop" approach similar to the AMLA platform, the guiding template aims to provide users with a comprehensive tool through which they can consider the topical issues with concrete examples of drafting language as they develop, modify or simply assess mining legislative frameworks that fit each country's unique context. The partners engaged in this project activity form the Guiding Template Review Committee (GTRC) which includes representatives from a broad range of institutions including: the Africa Union Commission (AUC); ALSF; WB; Columbia Center for Sustainable Investment (CCSI); International Senior Lawyers Program (ISLP); International Bar Association (IBA), Latham & Watkins (LW); National Resource Governance Institute (NRGI); and the Mining Law in Africa (MLiA) program at the University of Cape Town. The project and its contributors will revise the guiding template on the basis of comments provided by the GTRC.

Sustainability:

The long term sustainability strategy envisaged in the original project design proved limited. Project's partners are presently consolidating and finalizing a restructured sustainability path.