

**STUDY REPORT
ON TRANSPARENCY IN THE
MINING SECTOR:
THE CASE OF THE ARTISANAL
AND SMALL-SCALE MINING SUB-
SECTOR IN CAMEROON**



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PREFACE



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It is with a deep commitment to transparency and sustainable development that we introduce this study, whose context is undeniably marked by a series of significant events and dynamics in Cameroon's extractive sector.

Particularly the mining sub-sector, is of crucial importance to Cameroon's Extractive Industries Transparency Initiative (EITI) reports reveals a substantial contribution to the Cameroonian state budget, accounting for a quarter of it. However, it is essential to note that this contribution is dominated by hydrocarbons and petroleum transport, which account for almost 97% of the mining sector, including quarries and various stones and metals, contributes only around 3%

Over the years, the issue of transparency in the mining sector has given rise to numerous discussions and studies within the development community. These have covered a range of issues, including local content, concession allocation processes, the health and environmental impacts of artisanal mining, and gender in mining. However, despite these efforts, challenges remain.

Our previous studies revealed a number of important findings: firstly, that industrial mining is not yet fully developed in Cameroon in terms of its potential economic weight; secondly, that the legal, regulatory and institutional framework of the mining sector is constantly evolving to meet the expectations associated with the development of industrial mining; and finally, that Cameroon has not yet achieved a satisfactory level of transparency in the extractive sector.

In line with our mission, which is to seek to improve people's living conditions, this study focuses on a crucial aspect of Cameroon's extractive sector: artisanal and small-scale mining (ASM). ASM, defined by the OECD as mining operations with mainly simplified forms of exploration, extraction, processing and transport, is particularly important because of its proximity to local communities. Increased attention to transparency in this sub-sector is essential to ensure equitable and sustainable development.

We approach this study in a context marked by major developments, notably the implementation of corrective measures from Cameroon's previous EITI Validation, the political orientation in favour of imminent implementation of major industrial projects, the establishment of the National Mining Company (SONAMINES), the implementation of the Kimberley Process Certification Scheme (KPCS), the adoption of a new edition of the EITI Standard in June 2023, not forgetting the ongoing process of formalising artisanal and semi-mechanised mining and quarrying. These factors are helping to create an environment conducive to in-depth reflection on transparency in the Cameroonian mining sector.

We hope that this study, which is intended to be a milestone in thematic reviews of EITI implementation, will provide important insights, stimulate debate and help guide efforts to strengthen transparency and sustainable development in Cameroon's extractive sector. It is the result of collaboration between various stakeholders and demonstrates our ongoing commitment to better governance and improved living conditions for our citizens.

ACKNOWLEDGEMENTS

The **African Regional Centre for Endogenous and Community Development (CRADEC)** would like to thank the public administrations, private entities and civil society organisations that contributed to the quality of this study report.

We would also like to thank the members of the Cameroon EITI Committee ("multi-stakeholder group") and its Permanent Secretariat for their insight into the subject and their valuable and unreserved contributions during the review of the final draft of the study.

To our partners **Tax Justice Network Africa (TJNA)** and the **Norwegian Agency for Development Cooperation (NORAD)**, their unconditional support, both technical and financial, for more than a decade in the field of extractive resource governance is a source of comfort to us and to the work we are doing to improve the mobilisation of revenues from the extractive sector.

To all the members of the project team, namely Audrey ENENGBINE, Sandrine SIEWE SIEWE and ATSAMA MBALLA Olive Josiane and Jacob BOUBA, please accept the institution's congratulations and encouragement to persevere in your efforts.

To all those who are interested in the subject of ASM transparency, CRADEC would like to thank you for the interest you have shown in this study and for the valuable time you have devoted to reading it.

CRADEC and its project partners would like to thank the Principal Consultant and his assistant, Michel BISSOU and Eric ETOGA respectively, for the quality of their work and their continued availability.

LIST OF ABBREVIATIONS

ACP-UE	Africa Caribbean and Pacific - European Union
AEA	Artisanal Exploitation Authorisation
AESM	Semi-Mechanised Operating Licence
CAPAM	Support and Promotion Framework for Artisanal Mining
CCPWYP	Cameroon Coalition Publish What You Pay
CED	Centre for Environment and Development
CLIP	Free, prior and informed consent
CRADEC	African Regional Centre for Endogenous and Community Development
ASM	Artisanal and small-scale mining
GAFI	International Financial Action Task Force
EITI	Extractive Industries Transparency Initiative
MINEPDED	Ministry of the Environment, Nature Conservation and Sustainable Development
MINFI	Ministry of Finance
MINMIDT	Ministry of Mines, Industry and Technological Development
MSI	Multi Stakeholder group Initiative
OECD	Organisation for Economic Co-operation and Development
KP	Kimberley Process
PRECASEM	Capacity Building Programme for the Mining Sector
PSRMEE	Water and Energy Revenue Security Programme
KPCS	Kimberley Process Certification Scheme
SICM	Computerised Mining Registry System
SONAMINES	Cameroon National Mining Company
SND	National Development Strategy
KP-NPS	Kimberley Process National Permanent Secretariat
RELUFA	Fight against Hunger Network

GENERAL INTRODUCTION

A. Background and justification for the study

According to an analysis of Cameroon's EITI reports, the extractive sector contributes on average around a quarter of Cameroon's state budget. Approximately 97% of this contribution comes from hydrocarbons and petroleum transport, and barely 3% from the mining sector.

The percentage contribution of the mining sector is mainly due to the exploitation of quarries as well as the artisanal and semi-mechanised exploitation of precious stones and metals. As is customary among development actors, the issue of transparency in the mining sector has generally focused on local content in the mining sector (CED & RELUFA, 2013), the processes for awarding industrial mining concessions (*RELUFA and CANADEL, 2016*), the health and environmental impacts of artisanal mining (*FODER with the PROMESS 1 and 2 projects*), gender in the mining sector (*CCPWYP, RecTrad and AFEMIC, 2021*) and many others.

EITI studies generally focus on specific requirements of the EITI Standard, such as sub-national transfers (RELUFA, 2014), local taxation of quarries (CRADEC, 2015) and the governance of multi-stakeholder groups (MSI Integrity, 2015). In addition to the EITI and the Kimberley Process as transparency benchmarks, the African Mining Vision has also been used as a tool to assess the level of transparency in the Cameroonian mining sector (CRADEC, 2019, 2020 and 2021). Overall, these various studies have shown that: (i) the industrial mine is not yet a reality in Cameroon in the sense of the economic weight that we would like to give it, (ii) the legal, regulatory and institutional framework for mining in Cameroon is under constant development in relation to the expectations placed on the industrial mine, (iii) despite the level of development of the extractive sector in Cameroon, Cameroon has not yet achieved a satisfactory level of transparency (*Cf. Results of the recent EITI Validations of Cameroon, June 2023 FATF corrective measures against Cameroon*)¹. The main objective of this work has always been to improve the living conditions of the population.

The proximity of local populations to artisanal and semi-mechanised mining activities, and in particular artisanal and small-scale mining (ASM), is therefore increasingly calling for greater attention to be paid to the transparency of this mining sub-sector. The OECD defines ASM as "formal or informal mining operations with mainly simplified forms of exploration, extraction, processing and transport. ASM is normally low capital-intensive and uses labour-intensive technology" (EITI, 2022).

This study takes place in a context marked by: the implementation of corrective measures from the previous Validation of Cameroon, including the commitment of civil society, the political orientation of the mining sector towards the imminent implementation of industrial projects (see the address of the Head of State to the Cameroonian people on 31 December 2022, etc), [the administrative process of formalising semi-mechanised artisanal mining activities minières artisanales semi-mécanisées](#), the effectiveness of the [National Mining Company \(SONAMINES\)](#), and the implementation of the Kimberley Process Certification Scheme

¹ <https://regsharp.com/le-gafi-met-a-jour-sa-liste-grise-juin-2023/>

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(KPCS), the adoption in June 2023 of a [new edition of the EITI Standard](#), the third Validation of Cameroon scheduled to begin on 1 October 2023.

B. Objectives of the study

Its aim is not to validate Cameroon in the ASM sub-sector, but to be a forward-looking, preventive and curative document on transparency in Cameroon in the light of the requirements of the new EITI Standard. It should be noted that Cameroon's third Validation will be based on the 2019 EITI Standard, while countries will be assessed on their level of implementation of the 2023 EITI Standard from 1 January 2025. In addition, this study does not address the assessment of ASM's level of transparency as this will be done by the EITI International Secretariat. Indeed, the new EITI Validation model proceeds with scoring.

C. Methodology

The methodology used in this study consisted, on the one hand, of taking stock of the transparency of EMAPE in Cameroon (see Part I) and, on the other hand, of carrying out an audit of its level of transparency (see Part II). In other words, Part I will provide answers to each of the Requirements covered by the study, while Part II will examine whether the existing transparency tools enable the Requirement to be better met. In order to do this, it was mainly a question of using the EITI Standard 2023 which, as noted above, takes into account, in addition to the previous Requirements, new Requirements which were previously treated as priority themes and not Requirements within the framework of the implementation of the EITI Standard 2019. This is particularly the case for the energy transition. The study also examined the causes of the satisfactory disclosure or non-disclosure of Requirements. In each part of the study, each section deals with a Requirement of the new EITI Standard, ensuring that each of its sub-requirements is addressed.

The focus of the study report on the requirements of the EITI Standard is justified by the fact that transparency is addressed under the requirements of the EITI Standard in general and particularly those on the **legal and institutional framework, contracts and licences** (Requirement 2 of the EITI Standard 2023). These are the *legal framework and tax regime* (Requirement 2.1), the granting of *contracts and licences* (Requirement 2.2), the *licence register* (Requirement 2.3), *contracts and licences* (Requirement 2.4), *beneficial ownership* (Requirement 2.5) and *state participation* (Requirement 2.6).

In this case, for the sake of efficiency, CRADEC has adopted an approach that is certainly scientific, but more educational given the importance and sensitivity of the subject. This study aims to be a pioneer in Cameroon's extractive sector environment in addressing ASM transparency through the prism of the EITI Standard in the light of new EITI good practice, which recommends the drafting of thematic reports. As a result, the various requirements of the EITI Standard had to be adapted to the language of ASM. For example, artisanal and semi-mechanised artisanal mining authorisations will in this case refer to "licences". In addition, the study takes care to assess the applicability or inapplicability of a Requirement, or even its sub-Requirement, to the ASM sub-sector. This is the case for Requirement 2.6 (State participation), which is not applicable in this case.

The drafting of the study report also required the use of the 2019, 2020 and 2021 EITI reports, the International Secretariat's Guidance Notes relating to the Requirements concerned by the study, the EITI Validation guide, the legal and regulatory framework of the mining sector in Cameroon, the international instruments to which Cameroon is bound in relation to the themes developed in the study, the guides and any other documentation deemed useful for carrying out

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the inventory and audit of the mining sector in Cameroon.

There was also the question of holding direct or indirect hearings with the players involved in the subject of the study.

D. Expected results

At the end of the study, it is expected that a snapshot of the strengths and weaknesses of transparency in the ASM in Cameroon will be made in the light of Requirements 2 of the EITI Standard 2023. Following this, the challenges to improving this transparency are identified and possible solutions are formulated for the various stakeholders.

E. Limits and benefits of the study

The study is not a preliminary draft of Cameroon's third Validation. However, it does have the merit of stimulating debate on transparency in the artisanal and semi-mechanised artisanal mining sub-sectors in the light of Requirements 2 of the EITI Standard, in a broader approach.

Because of the importance of the ASM sub-sector in the mining sector in Cameroon, as part of their monitoring activities, civil society organisations have carried out a number of studies and produced analyses enabling an assessment to be made of its governance. From monitoring the granting of titles ([Study on the mapping of integrity deficits in the mining value chain in Cameroon \(Etude sur la cartographie des](#) [Study on the mapping of integrity deficits in the mining value chain in Cameroon 2020](#)) to the collection and redistribution of revenues ([CED and PWYP Afrique, CAMEROUN. Gold: the mined sector, 2022](#)), not forgetting compliance with environmental obligations in this sector, an analysis of the relevant reports shows that this sector is plagued by many ills due to the low level of transparency that prevails. This highlights the need, and indeed the urgency, for the government to continue its efforts to improve governance in the ASM sector, drawing in particular on the avenues offered by the EITI, to which it is committed.

PART 1 : ASSESSMENT OF THE COMPLIANCE OF THE ARTISANAL AND SEMI-MECHANISED MINING SECTOR WITH THE REQUIREMENTS OF THE LEGAL AND INSTITUTIONAL FRAMEWORK, CONTRACTS AND LICENCES

The Artisanal and Small-scale Mining (ASM) sub-sector is the most advanced in terms of mining sector activities in Cameroon. However, it has yet to be fully taken into account in terms of compliance with EITI requirements, or even developed as part of the sector strategy. It is therefore important to present the level of compliance, following a methodological approach (see appendix) in order to make the necessary analysis in part 2 below and to highlight the related recommendations.

Without analysing the reasons for this or that state of affairs, the assessment of the ASM sector's compliance with the EITI Standard's requirements relating to the legal and institutional framework, as well as contracts and licences, namely Requirements 2.1 to 2.5 below, consisted in:

- The development of matrices specific to each Requirement. The assessment focused on four criteria: Done/Disclosed; Not Done/Not Disclosed; In Progress/Partially Disclosed and Not Applicable;
- The assessment also involved differentiating between mandatory and encouraged disclosures (see appendices), each of which is used as an indicator to measure the level of compliance;
- On the basis of the totals for each criterion (disclosed/not disclosed/partially disclosed), it was possible to determine the level of compliance with each Requirement, as well as the shortcomings observed.

For a better understanding, it is important to recall that the Standard distinguishes three types of requirements: (i) the mandatory requirement which is distinguished by the use of the words "required" and " must" in the EITI Standard; (ii) the expected requirement, which is distinguished by the use of the term "expected"; and (iii) the encouraged requirement, which is expressed by the use of the words "encouraged" and "may". For the purposes of this study, as both mandatory and expected requirements are taken into account during the Country Validation exercise, we have considered both to be mandatory.

For example, when the Standard states in requirement 2.1.a "Implementing countries are **required** to disclose a description of the legal framework and tax regime applicable to the extractive industries", it refers to **two mandatory disclosures**: the legal framework applicable to the extractive industries and the applicable tax regime. The inventory consisted of verifying whether each of these disclosures (legal framework and tax regime of the ASM sector) is effectively made public, in full, in part or not at all.

This approach has also been used where the Standard states in Requirement 2.3.b "It is **expected** that the licence register or cadastre will include information relating to licences held by all entities, including companies and individuals or groups, outside the agreed scope of EITI implementation".

Where the Standard states in requirement 2.1.c "Implementing countries are **encouraged** to disclose a summary description of carbon pricing mechanisms or carbon taxes that are important to the extractive industries", this disclosure is considered to be encouraged.

The "not applicable" assessment was considered in cases where disclosure is not yet feasible, either because it does not correspond to the Cameroonian mining context, or because such a

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practice is not yet envisaged or effective in Cameroon. This is the case, for example, with the disclosure (of the list) of artisanal semi-mechanised mining authorisations granted. In Cameroon, at the time of this study, no artisanal semi-mechanised mining permits had yet been granted. However, given the existence of this activity in the field, semi-mechanised artisanal miners had been advised to formalise their businesses.

It should be noted from the outset that the Cameroon EITI 2021 Report should provide additional information on the state of transparency in the ASM sector in Cameroon.

I. State of compliance of the ASM sector in terms of legal framework and tax regime (Requirement 2.1)

Requirement 2.1 relates to the ***"Legal Framework and Fiscal Regime"***. This Requirement aims to ensure that every citizen understands all aspects of the legal and regulatory framework for the extractive industries, including the tax regime, the roles of government entities and reforms, and the laws and regulations designed to address the risks of corruption in the extractive sector.

The main disclosures in Requirement 2.1 relate to (1.1) a description of the legal framework and tax regime; (1.2) energy transition commitments and policies and carbon pricing; and (1.3) public subsidies and other forms of state support.

I.1. Description of the legal framework and tax system

The ASM sector benefits from a framework through Law n°2016/017 of 16 December 2016 on the Mining Code in its articles 4, 11, 22-30, 97-98, 114-115, 119-128, 133-145, 148-163, 166-178, 198(1), and 192-242. In accordance with the EITI Standard, this is described in a non-exhaustive manner in the EITI Reports, in particular in the 2019 and 2020 Reports (page 43). This description gives the public an overview of the laws and regulations governing artisanal and semi-industrial mining activities in Cameroon. Notwithstanding this situation, the mining code has taken care to prevent corruption in the mining sector by incorporating compliance with EITI requirements and the principles of the Kimberley Process (art 141-145). This is reinforced by the presence of the National Anti-Corruption Commission (CONAC), created by Decree no. 2006/088 of 11 March 2006, on the EITI Committee.

In the EITI reports, while the various types of mining title in the ASM sector are described exhaustively, there is no mention of the type(s) of contract(s) that are signed in the ASM sector, in particular the specifications and possibly any other agreement, in this case that which could bind the holder of the artisanal or semi-mechanised artisanal title to the holder of the exploration permit (Art 26-27). A description of the roles and responsibilities of the government entities involved in ASM is also made public, in particular through the EITI reports and the User Guide of the Ministry in charge of Mines (MINMIDT), which will be updated in accordance with the 2016 Mining Code.

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The tax regime is also described in the 2016 Mining Code, the provisions of which are supplemented by those of the Finance Act, in particular the General Tax Code (CGI), due to the absence of an implementing decree for the Mining Code. For example, the CGI provides details on the distribution and allocation of the proceeds of the ad valorem tax between the affected populations (for the benefit of the municipality), the tax authorities, the mining authority and the Treasury (art 239 and following).

I.2. Energy transition commitments and policies and carbon pricing

As part of the fight against climate change, carbon neutrality by 2050 is one of the objectives. In order to achieve the climate objectives, the transition to green energy is targeted and requires the exploitation of so-called strategic minerals, some of which, such as cobalt, nickel and lithium, are found underground in Cameroon. It is in this context that the government has made international commitments and adopted national energy transition policies and plans, which are set out in public documents such as the New York Declaration and the 2016 Paris Agreement, the National Development Strategy (SND30), the National REDD+ Strategy and the Nationally Determined Contribution (NDC).

Cameroon has also embarked on reforms aimed at introducing carbon pricing mechanisms. Under the chairmanship of the Minister of Finance, a workshop was held in Yaoundé on 25 October 2022 to raise awareness of the carbon market among government officials, with a view to making it a more significant source of funding for the State budget in 2023. The first step will be to carry out a carbon assessment of the country in order to determine the amount of carbon stored by the country.

However, the EITI report has not yet begun to disclose Cameroon's commitments and practices in this area.

I.3. Public subsidies and other forms of State support for the mining sector.

In order to support and promote the ASM sector, several programmes and institutions have been initiated or set up by the government. These include: the ACP-EU Development Minerals Programme implemented since 2015² ; the Mining Sector Capacity Building Project (PRECASEM), which as part of its mission has carried out several studies relating to the ASM sector³, carried out an organisational, technical and financial assessment of the Support and Promotion Framework for Mining Crafts (CAPAM), as well as coaching craftsmen as part of the project on the "Design and implementation of a pilot project to support the organisation of mining craftsmen in the Akom II District, Southern Region, and the locality of Woumbou in the Ngoura District, Eastern Region"⁴. Another example is CAPAM, which has been replaced by SONAMINES since 2020, and has contributed to support, supervision, promotion and channelling in the ASM sector.

² Le Programme ACP-UE en faveur des Minéraux du Développement est un programme de renforcement des capacités qui favorise l'échange de connaissances à travers l'Afrique, les Caraïbes et le Pacifique pour améliorer le profil et la gestion des Minéraux du Développement.

³ <https://precasem.cm/fr/rapports-techniques/>

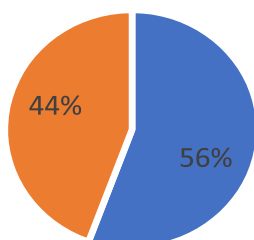
⁴ https://precasem.cm/wp-content/uploads/2021/10/Guide_B_manuel_utilisation_sluice.pdf

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SONAMINES is currently contributing to the fight against child labour and the presence of children in the mine through the "Zero children in the mine" operation".

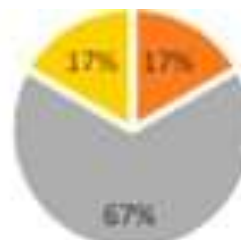
These observations justify the statistical results according to which 56% of the required disclosures are met and 44% are partially met. For the recommended disclosures, none are met, 17% are partially met, 67% are not met and 17% are not yet applicable. The latter concerns the disclosure requirement for carbon pricing mechanisms. As they were still being put in place and therefore did not exist at the time of the study, they could not be disclosed.

Compliance rate for disclosures required of the mining sector



■ Divulgué ■ Partiel ■ Pas divulgué

Compliance rate for disclosures encouraged in the mining sector



■ Divulgué ■ Partiel ■ Pas divulgué ■ N/A

Source : The authors

II. State of compliance of the ASM sector with regard to the granting of licences and contracts (Requirement 2.2)

Requirement 2.2 relates to the "**Awarding of contracts and licences**". It aims to ensure that every citizen can consult the awards and transfers of oil, gas and mining licences, the statutory procedures for awarding and transferring licences, and whether these procedures are followed in practice.

The main disclosures in Requirement 2.2 relate to (2.1) information on all licensing, contracting and transfer (procedures); (2.2) the scope of disclosure; and (2.3) the Multi-Stakeholder Group's analysis of licensing procedures.

II.1. Disclosure of information relating to all licensing, contracting and transfer (procedures)

The procedures for granting artisanal mining authorisations (AEA) and semi-mechanised artisanal mining authorisations (AEASM) are described in the EITI 2021 Report, in Chapter I Section II of the 2016 Mining Code and in the MINMIDT's user guide for the AEA only, as this guide dates from before the 2016 Mining Code.

<u>Type of mining rights</u>	<u>Definition</u>	<u>Period of validity</u>	<u>Certificate of issue</u>
Artisanal mining authorisation	The artisanal mining permit confers on its holder (natural persons of Cameroonian nationality holding an individual prospector's card) the right to settle within the allocated perimeter and the exclusive and non-transferable right to prospect for and extract mineral substances within the artisanal mining perimeter, to remove and dispose of them, over a maximum area of one (01) hectare.	Two (02) years, renewable	Granted by the competent Regional Mining Delegate after prior approval by the Minister of Mines.
Authorisation for small-scale, semi-mechanised mining	The semi-mechanised artisanal mining licence is granted to any legal entity (at least 51% of the capital shares held by nationals). It confers on its holder the exclusive and non-transferable right to carry out semi-mechanised artisanal exploitation on a maximum area of 21 hectares, and to have at their disposal 75% of the total gross production, with 25% representing the synthetic tax in kind levied by CAPAM.	Two (02) years, renewable	Granted by the Minister of Mines. If it is located within a research permit, the prior approval of the Presidency of the Republic is required.

Source: 2016 Mining Code

The various possible operations (allocation, extension, renewal, extinction, transfer, lease, withdrawal or renunciation) are also described in articles 26, 27 and 98 of the 2016 Mining Code.

Unfortunately, as regards the procedure for signing the contract, in this case the specifications, in the absence of the implementing decree for the 2016 mining code, it is the 2014 decree, which revised the 2002 decree, that provides information on this aspect in Article 40. Also, Law No. 2018/011 of 11 July 2018 on the Code of Transparency and Good Governance in the Management of Public Finances in Cameroon introduces disclosure of the procedure for awarding contracts. However, the implementing decree for this law is still awaited.

The EITI reports for 2019 (page 64), 2020 (page 53) and 2021, as well as the mining code and MINMIDT's user guide, also describe the technical and financial criteria to be met for the granting of permits in the ASM sector. However, as far as the ASM sector is concerned, the report does not disclose information such as the beneficiaries of these titles, any deviations from the applicable legal and regulatory framework on the allocation of titles, specifications or any operation (renewal, regularisation or partnership, for example) that took place during the fiscal year covered by the EITI disclosures.

Classified as a mining activity not declared to be in the public interest, as part of the activities of the ASM sector, the title holder must compensate the landowner or the member of a customary community or the customary community for occupying its land. This necessarily involves consultation with the populations affected. However, the way in which the consultation process was carried out is not described in the EITI report.

II.2. Scope of disclosure

While the EITI requires the disclosure of information on payments below the materiality threshold agreed for the reconciliation exercise, it also encourages the disclosure of securities granted prior to the period covered by the reconciliation. Unfortunately, with regard to Requirement 2.2, the EITI report does not publish information on awards, operations, specifications and agreements that took place in the ASM sector during the period covered by the reconciliation. The Computerised Mining Cadastre ([Flexicadastre](#))⁵ contains a non-updated list of AEAs and their holders granted between 2015 and 2016.

II.3. Analysis of granting and transfer procedures

As part of the implementation of the EITI, discrepancies relating to the legal and regulatory framework governing the granting of securities and contracts in the ASM sector are not published.

Also, shortcomings relating to the non-disclosure of information on the granting and transfer of securities and contracts in the ASM sector are neither identified nor disclosed. As for the documentation of legal or practical obstacles to the full disclosure of information on the granting and operation of titles and contracts in this sector, according to the EITI 2020 report (P. 25), there are none, since "MINMIDT has an exhaustive map of operators and indicators in this sector, due in particular to the fact that authorisations are issued by the Regional Delegates after prior approval by MINMIDT". However, there is no mention of why this information is not transferred to the Land Registry in order to update the Flexicadastre. However, it should be remembered that on 5 January 2023, the Minister in charge of mines signed *memorandum n°000002/NS/MINMIDT/SG/DAJ of 05 January 2023 suspending the issuing of Artisanal Mining Authorisations by the Regional Delegates*.

Finally, in the EITI report, the Multi-Stakeholder Group (MSG) did not carry out any analysis of the effectiveness and efficiency of the procedures for granting and transferring mining titles in the ASM sector.

The statistical results show that only 25% of the required disclosures were met, while 67% were not met and 10% were only partially met.

With regard to the disclosures encouraged, 20% were met, 20% were partially met and 60% were not met.

⁵ <https://portals.landfolio.com/cameroon/fr/>

Compliance rate for disclosures required of the mining sector



Compliance rate for disclosures encouraged in the mining sector



Source : The authors

III. Assessment of the ASM sector's compliance with the licensing register (Requirement 2.3)

Requirement 2.3 relates to the "**Register of licences**". It aims to ensure that every citizen has access to exhaustive (up-to-date and complete) information on property rights relating to extractive deposits and projects.

The main disclosures in Requirement 2.3 relate to (3.1) the maintenance of a public register or mining cadastre system(s); (3.2) shortcomings in the maintenance of a public register or mining cadastre system(s); and (3.3) the link between the register or mining cadastre and the legal and beneficial owner platforms.

III.1. Maintaining a public register or mining cadastre system(s)

MINMIDT has a mining cadastre service. It has a register of mining titles and a Computerised Mining Cadastre System (SICM), known above as Flexicadastre, which is **accessible to all** via the link <https://portals.landfolio.com/cameroon/fr/>. According to the EITI report, the mining title register contains all applications for registered mining titles, all subsequent decisions to grant, renew, withdraw and expire mining titles and any other information deemed necessary. In its brochure on the Mining Registry, PRECASEM effectively assigns a conservation role to the Registry, which in this context which keeps registers and maps of mining boundaries in accordance with a specific national cadastre **open to public consultation**.

⁶ The mining boundaries map, also known as the cadastral map, is the official topographical map showing the boundaries of each mining or quarrying perimeter in force or for which an application is pending,

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maintained by the Mining Cadastre.

III.2. Shortcomings in the maintenance of a public register or mining cadastre system(s)

As can be seen from the above (II.2) and following discussions with the mining cadastre department, the information contained in the register of mining titles and disclosed in the SCIM is not exhaustive and up to date: while artisanal and semi-mechanised mining activities are currently underway, the SCIM only contains the AEAs granted between 2015 and 2016, i.e. due to end in 2018 at the latest. Furthermore, since Cameroon joined the EITI, the EITI reports have not published the missing information from the register of titles or the SICM. However, while no explanation is given for any legal or practical obstacle to full disclosure of this information, it should also be noted that no information on government plans or reforms underway to improve the completeness and updating of the data disclosed in the SICM and the mining register has been disclosed in the EITI report.

III.3. The link between the mining register or cadastre and the platforms on legal and beneficial owners

The EITI recommends that links to other government platforms that disclose information on legal and beneficial owners be included in the mining title register and the SICM. Unfortunately, neither the EITI report nor the SICM have a link of this type.

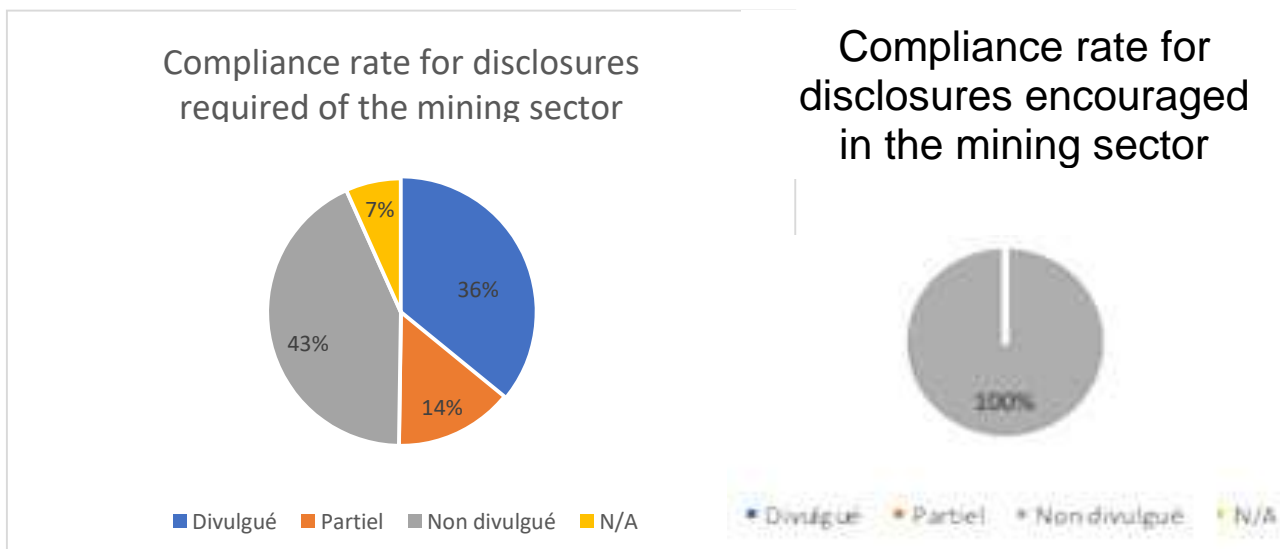
Compliance of SICM information with Cameroon's open data policy

In accordance with requirement 7 of the EITI Standard, Cameroon adopted an open data policy in 2017. Through this policy, Cameroon is committed to disclosing data in compliance with the characteristics defined therein. The assessment table below shows the level of compliance of the data published in the SCIM:

Characteristics of published data	State of compliance	Compliance Level
Open by default	Not respected	<p>Compliance Level</p> <p>Not respected</p> <p>Partially respected</p> <p>Characteristic respected</p>
Exhaustive	Partially respected	
Primary (with the original information collected and any available details on how the data was collected)	Not respected	
Timely, published or updated as soon as possible	Not respected	
Easy to access (accessible to the widest possible range of users and for the widest possible range of uses)	Not respected	
Usable by an IT process and structured to enable automated processing	Not respected	
Non-discriminatory: accessible to all, freely and at any time	Characteristic respected	
Non-proprietary: published in an open format and without the need for specific software	Partially respected	
Royalty-free	Characteristic respected	
Available and accessible at all times, online or in the archives	Characteristic respected	
Free: published as collected at no cost to users	Characteristic respected	

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It can therefore be seen from the above that, statistically, 36% of the required disclosures have been met, while 43% have not been met, 14% have been partially met and 7% are not yet applicable. None of the encouraged disclosures have been met.



Source: The authors

IV. State of compliance of the ASM sector in terms of disclosure of mining contracts and titles (Requirement 2.4)

Requirement 2.4 relates to "**Contracts and licences**". This Requirement aims to ensure that every citizen has access to all licences and contracts relating to extractive activities (at least from 2021) as a basis for public understanding of the contractual rights and obligations of companies operating in the country's extractive industries. It also aims to ensure that each stakeholder is able to monitor compliance with contractual obligations.

The main disclosures in Requirement 2.4 relate to (4.1) government policy on contract and licence disclosure; (4.2) contract and licence disclosure practices; and (4.3) contract and licence disclosure gaps, deviations and improvement measures.

IV.1 Government policy on the disclosure of contracts and licences

Cameroon's policy on contract disclosure is documented in the EITI report. It is set out in Article 6(1) of the Transparency Code and Article 142 of the 2016 Mining Code, which require companies to comply with the EITI. The Transparency Code of July 2018 makes it compulsory to disclose contracts between the administration on the one hand and companies exploiting natural resources and companies operating public service concessions on the other. This therefore includes the ASM sector.

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With regard to the policy on the publication of mining permits, as described in the EITI report, the Mining Code provides for the publication of acts granting, extending, renewing, transferring, amending, withdrawing or surrendering a mining permit, but there are no such provisions for the ASM sector.

IV.2. Contract and licence disclosure practices

To date, no specifications or agreements signed in the ASM sector, nor any act granting, extending, renewing, transferring, amodiation, withdrawing or renouncing an AEA has been published. Also, no list of agreements and specifications in force, nor even that of the acts of attribution of the AEAs granted, has been the subject of publication in the EITI reports, or even less a systematic disclosure.

There is also no disclosure of the annexes to the specifications (or any other agreement in this sector), in this case the impact studies which, depending on the case, may be either Environmental Impact Notices (EINs) or summary or detailed impact studies, and which precede and condition the signing of the specifications and then the granting of the mining title.

Until the promulgation of the mining code in 2016, and even afterwards due to the absence of the implementing decree for the code, according to the 2020 EITI report⁷, artisanal miners signed technical and financial partnership contracts. Unfortunately, these contracts have not been disclosed. There has also been no disclosure of any contracts arising from the granting of AEAs on exploration permits whose holders have issued letters of consent.

⁷ The 2020 EITI report mentions that artisanal activities undertaken as part of a technical and financial partnership contract with a natural or legal person under Cameroonian law are subject to the legislative provisions governing industrial or small-scale mining.

V. Assessment of beneficial ownership compliance in the ASM sector (Requirement 2.5)

Requirement 2.5 relates to "**Beneficial Ownership**". This Requirement aims to ensure that every citizen is aware of who ultimately owns and controls companies operating in the country's extractive industries, particularly those identified by the Multi-stakeholder Group as high risk, in order to help deter the use of abusive practices in the management of extractive resources and to help monitor the ownership of politically exposed persons.

The key disclosures in Requirement 2.5 relate to (5.1) the government's policy on beneficial ownership disclosure; (5.2) beneficial ownership disclosure practices; (5.3) the maintenance of a publicly accessible register of beneficial owners of legal entities; (5.4) the reliability of beneficial ownership information.

V.1. Government policy on beneficial ownership disclosure

Government policy and MSG discussions on beneficial ownership disclosure are documented and published as part of EITI implementation. In the mining sector, it is governed by Article 145 of the Mining Code, the Guide to Implementing the Beneficial Owner Standard in Cameroon made mandatory by Decree 00000723/MINFI/DGI of 21 October 2022 on the modalities for implementing the Beneficial Owner Standard in Cameroon. Also, this obligation to disclose beneficial ownership is reinforced by the General Tax Code and the 2023 Finance Law in "Section V: Obligation to Declare the Beneficial Owner, Art L8 quinquies".

V.2. Disclosure practices relating to beneficial ownership

According to the 2020 EITI report, MINMIDT already applies Article 145 of the Mining Code concerning applicants and holders by requesting information on the identity of all parties with an interest in the mining title (shareholders, subsidiaries, identity of directors and senior managers). The Mining Code also requires that 51% of a semi-mechanised company must be owned by nationals. Consequently, notwithstanding the absence of their application texts, as required in the mining code, the finance law and the guide on beneficial owners, in the granting process, the applicant (and holder) are obliged to include information relating to beneficial ownership in their documentation filed with the administration in charge of companies, stock exchange administrations and administrations in charge of granting mining titles.

Examination of the EITI reports shows cases of failure to disclose beneficial ownership during conciliation in the ASM sector. They concern on the one hand:

- Information on the identity of the AEASM's beneficial owners;
- the level of participation of each beneficial owner and the manner in which this participation is exercised;
- the name, nationality and country of residence of the beneficial owner;
- the national identity number and date of birth of the beneficial owners;

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- the contact details, domicile or notification address of the beneficial owners;
- the identity of any politically exposed person;
- the identity of the legal owners and their shareholding in the capital of semi-mechanised companies.

On the other hand, these failures to disclose beneficial owners can also be seen in cases where:

- Signing of a technical and financial partnership contract between the artisan and the semi-mechanised company;
- Joint ventures;
- The granting of an operating licence on a prospecting permit, the holder of which has issued letters of consent;
- The company holding an AEASM is a subsidiary of a listed or unlisted company.

Unfortunately, the report makes no mention of these shortcomings in the ASM sector, but only with regard to the industrial mining sector.

With regard to the obligation of the state enterprise in charge of promoting ASM concerning Requirement 2.5, SONAMINES and the texts that create and organise it ⁸ provide information on the name of the state that owns or controls it (the State of Cameroon) as well as the degree of participation and the methods of exercising this participation or control (the state is the sole shareholder).

V.3. Keeping a publicly accessible register of beneficial owners of legal persons

Cameroon does not yet have a public register of beneficial owners. As a result, information on the beneficial ownership of applicants for and holders of mining permits in the ASM sector is not disclosed as part of the conciliation process. Only the names of the holders of the AEAs granted between 2015 and 2016 are accessible and can be consulted in the SICM as mentioned above.

Also, the report does not indicate how to access information relating to listed companies or their subsidiaries. These companies are required to disclose the stock exchange on which they are listed and the link to the beneficial ownership documentation filed with the financial authority or stock exchange.

In the case of legal ownership, access to the Trade and Personal Property Credit Register (RCCM) is by application to the clerk of the competent court.

V.4. Reliability of beneficial ownership information

In 2020, as part of the implementation of its roadmap on beneficial ownership, a study on beneficial ownership was carried out and published on behalf of the MSG. Elle visait

⁸ Decree N°2020/750 of 14 December 2020 approving the statutes of the National Mining Company; and Decree N°2020/749 of 14 December 2020 creating the National Mining Company.

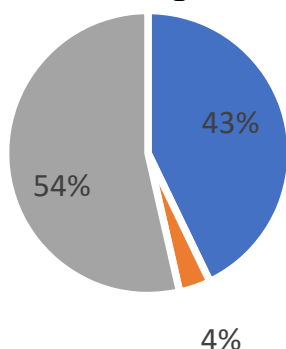
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Its aim was to identify opportunities and constraints with a view to implementing Requirement 2.5.

This study enabled an assessment to be made of any existing mechanisms for ensuring the reliability of beneficial ownership information. It also highlighted a series of possible solutions or actions to be taken to ensure that holders of AEAs and AEASMs provide accurate information.

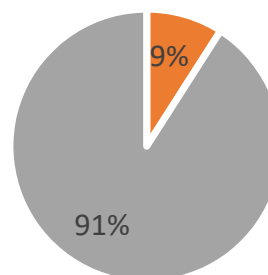
From the above findings, it can be seen statistically that with regard to Requirement 2.5, 43% of the required disclosures have been met, 54% have not been met and 04% have been partially met. As for the Encouraged Requirements, 91% were not met, while 09% were partially met.

Compliance rate for disclosures required of the mining sector



■ Divulgué ■ Partiel ■ Non divulgué

Compliance rate for disclosures encouraged in the mining sector



■ Divulgué ■ Partiel ■ Non divulgué

Source : The authors

PART 2: AUDIT OF TRANSPARENCY IN THE EXTRACTIVE SECTOR IN CAMEROON

Transparency can be defined as the perfect accessibility of information in areas that concern public opinion. Information can therefore be considered to be transparent if it exists, is available, is disclosed and is accessible according to certain procedures. The first part of the study was concerned with presenting the procedures for accessing information on the legal and institutional framework, licences and contracts in ASM. This part of the study aims to evaluate the level of implementation by Cameroon of Requirement 2 of the EITI Standard while assessing the effectiveness of the legal and institutional instruments available to Cameroon.

Cameroon's recent Validation, which was sanctioned by [the EITI Board's Decision of 22 January 2021](#), had shown that Cameroon had made significant overall progress in implementing the 2019 EITI Standard, with considerable improvements in several separate Requirements⁹. With regard specifically to the Requirements covered by this study, Cameroon had made satisfactory progress in terms of the legal framework (#2.1), significant progress with improvement in terms of disclosure of contracts (#2.4), the licence register (#2.3) and state participation (#2.6). Cameroon had made significant progress, but no improvement, in awarding contracts and licences (#2.2). Finally, Cameroon had made inadequate progress in the area of beneficial ownership (#2.5). This seemed to confirm once again the saying that Cameroon has appreciable texts, but the implementation of these texts remains its major challenge.

In order to serve as a basis for the advocacy that CRADEC in particular, but also the stakeholders in the governance of the extractive sector in Cameroon will have to carry out, this evaluation will be based on the 2023 edition of the EITI Standard. The 2023 edition of the EITI Standard contains innovations which should enable the country of implementation to:

- Improve the fight against corruption through :
 - Integrating the fight against corruption into the objectives of the EITI and the work of the multi-stakeholder groups, in particular by strengthening the legal and institutional framework (#2.1);
 - Disclosing companies' anti-corruption policies and practices by disclosing, where possible, the identity of the beneficial owners of their subcontractors, intermediaries, suppliers and other contracting parties (#2.5). For the time being, companies are encouraged to make such disclosures;
 - Lowering the threshold for declaring beneficial owners to a recommended level of 10% or less of shares in an extractive company (#2.5) ;
- Taking account of the energy transition through:
 - A better understanding of energy transition policy as it should emerge from the legal and institutional framework (#2.1);
 - Greater accountability for the procedures for awarding contracts and mining titles for strategic (or critical) minerals for the energy transition, especially if these procedures are accelerated (#2.2) ;

⁹ Board decision on Cameroon's second Validation, 22 January 2021, EIT

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- Gender, social and environmental considerations should be taken into account through the documentation of stakeholder consultation and the assessment of the social and environmental impacts of mining projects during the award of mining titles (#2.2).
- Increasing the transparency of contracts insofar as multi-stakeholder groups must determine which exploration contracts must be disclosed on the basis of their importance and practical considerations. They must also determine which documents are to be considered as annexes, addendums or contract amendments.

At the end of this section, it is therefore expected that the results obtained will give an idea of Cameroon's performance in implementing these Requirements in the artisanal and semi-mechanised artisanal mining sector. Furthermore, it is expected that the conclusions and recommendations of this section will be able to,

- To take stock of the assessment to date of the level of transparency in the ASM sector;
- Identify and analyse the gap between this assessment and that of the last Validation. As a reminder, at the end of the previous Validation, "The Board encouraged Cameroon to guarantee complete and reliable information concerning the management of contracts and licences, licence registers, disclosure of contracts and transparency of beneficial ownership";
- Provide topics for discussion and/or analysis on the next steps for Cameroon in implementing Requirement 2 of the EITI 2023 Standard.

I. [An appreciable legal framework and tax regime for the artisanal and semi-mechanised mining sector, but in need of updating](#)

Cameroon had made satisfactory progress in implementing this Requirement during its recent Validation. As such, no corrective measures were formulated. Nevertheless, this result has the merit of encouraging Cameroon to continue its efforts in terms of legal and regulatory reforms governing its extractive sector in general and the ASM sector in particular. One example of the progress that Cameroon should be making in terms of ASM is the urgent need to adopt and publish the implementing rules for the provisions relating to semi-mechanised artisanal mining (*with reference to the provisions of the 2016 Mining Code*) rather than remaining in the low-mechanised artisanal mining sector (*with reference to the implementing decree of 14 August of the 2001 Mining Code amended in 2010*).

From the description of the legal framework governing the artisanal mining sub-sector, it emerged that the Mining Code contains provisions in this area. Article 11 of the 2016 Mining Code distinguishes between artisanal mining and semi-mechanised artisanal mining. However, as can be seen throughout the document, the absence of an implementing text for the Mining Code limits the performance of the legal framework and the applicable tax regime. This is all the more the case given that Decree No. 2014-2349 of 1 August 2014 defined low-mechanised artisanal mining. The case of the synthetic tax resulting from artisanal activity clearly shows that the General Directorate of Taxation certainly has the authority to collect this tax, however, due to the transfer of the tasks formerly devolved to CAPAM to SONAMINES, it would be judicious for SONAMINES to continue this collection in view of its missions (*Cf. Art 4 of decree n°2020/749 of 14 December 2020 creating SONAMINES*) and above all its legal proximity to artisanal miners. In any event, capacity building of SONAMINES staff is the Achilles heel of this institution whose role and importance in the transparency of ASM can not be demonstrated.

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Although the application texts of the 2016 Mining Code are awaited, the evaluation of the legal framework governing the ASM reveals that the absence of application texts for the law on the transparency code limits Cameroon's performance in terms of the transparency of its ASM. The same applies to certain specific texts announced in the 2023 Finance Law, the effectiveness of which would have improved the legal framework for ASM. This is the case with regard to the transparency of beneficial owners (*see the section on the Requirement 2.5*).

The sensitivity of the EITI Standard 2023 to new themes such as climate change, energy transition, gender and the fight against corruption has the merit of serving as a pretext for an assessment of the so-called 3rd generation mining codes in this area. These mining codes, which include Cameroon's, have the merit of taking into account the principles of governance, particularly transparency. In the first part of the study, the assumption that transparency is taken into account through the integration of international governance initiatives governing the sector was demonstrated¹⁰.

Some of the transparency on these new issues has been implicitly taken into account in the Cameroon Mining Code in particular, but also in other relevant texts which may have an impact on artisanal and semi-mechanised extractive activity. By obliging holders of mining permits to comply with international commitments made by the State and applicable to their activities, in order to improve governance in the mining sector, these holders on the one hand and the government on the other are obliged to disclose information on these new issues relating to the extractive sector.

All of which invites Cameroon's EITI multi-stakeholder group to assess the involvement of its various colleges and actors with specific missions in these new areas. In the case of monitoring the energy transition, it is important to monitor the initiatives taken by the ministry responsible for energy, while ensuring that these initiatives are linked to the extractive industries. This monitoring also raises questions about the place, role and impact of artisanal miners in the energy transition. Are transition minerals mined artisanally in Cameroon? Who are the various players in the value chain for these minerals? What revenue is collected and redistributed? What is the economic and social contribution of ASM for transition minerals? What are the results of EITI implementation in terms of monitoring the ASM of transition minerals? Similar considerations should be addressed at the level of the EITI multi-stakeholder group for the other new themes of the EITI Standard.

¹⁰ Article 142 of the 2016 Mining Code requires companies to comply with the principles and requirements of the EITI and the Kimberley Process

A toolkit by IMPACT, *Gender Impact Assessments for Projects and Policies Related to Artisanal and Small-Scale Mining*, provides 14 strategic tools and seven key steps to support data collection and gender impact assessment in the ASM sector, including for projects at local level and for wider policies and legislation on the sector.

Source: Coverage of artisanal and small-scale mining (ASM) in EITI reporting, 2023

In terms of the types of contracts and extractive titles relating to artisanal and semi-mechanised artisanal mining, Cameroon's mining legislation is in line with standards in this area. To this end, operating permits are granted to artisanal miners, with the difference that traditional artisanal miners are required to produce an environmental impact report, while semi-mechanised artisanal miners are required to produce a summary impact study. In previous sections of the report, it emerged that the EITI reports provide sufficient information on the permits granted in the extractive sector.

With the end of CAPAM and the creation of SONAMINES, responsibility for monitoring the artisanal and small-scale mining sector has been entrusted to SONAMINES. The Water and Energy Revenue Security Programme (PSRMEE) is also involved, at DGI level, in the collection of synthetic taxes.

EITI Reports covering years prior to 2021 may appear to be limited in terms of disclosure of information on the energy transition, and rightly so. Indeed, based on the principle that the EITI Report published in year N must at least cover data from year N-2, it appears that the Report published before 2023 (year of adoption of the EITI Standard 2023), covers the years during which these new Requirements were not yet taken into account by the EITI, even though they were part of the priority themes. Some implementing countries had chosen to include these issues in their work plan, for example by adopting a roadmap on the subject or by addressing these issues in the section on contextual data in EITI reports. In the case of Cameroon, the EITI MSG had included these themes in its 2023-2025 work plan. At the ASM level, gender issues are of greater interest. This is all the more true given that critical minerals such as cobalt and lithium are not yet covered by ASM in Cameroon.

Understood in this way, one of the recommendations that could be made to the Cameroon EITI and consequently to the actors involved, would be to enrich future EITI Reports with information on policies, programmes and projects on the energy transition that are linked to the artisanal and semi-mechanised mining sector. If such programmes, policies or projects do not exist, this study serves as an opportunity to draw the attention of decision-makers to the need to carry out a more in-depth analysis of the links between the energy transition and the Cameroonian mining sector in accordance with the requirements of the EITI Standard.

With a view to finding additional sources of revenue, the Ministry of Finance has undertaken to raise awareness of the carbon market among its staff. As part of the implementation of the 2023 EITI Standard, Cameroon will be required to provide information on carbon pricing mechanisms or carbon taxes that may be adopted in tax legislation in its next EITI Reports. The same should apply once a policy specifically dedicated to monitoring the ASM of energy transition minerals has been defined.

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In the past, the artisanal mining sector benefited from subsidies in the form of equipment given to artisanal miners. However, in view of the mixed results obtained from this approach, this form of subsidy was discontinued. As things stand, therefore, the ASM sector in Cameroon does not receive any public subsidies. In the future, the Cameroon EITI Committee should ensure that information relating to public subsidies and other forms of support that the State could grant to ASM are published in the EITI Reports. These forms of support could include the funding of programmes and/or projects to strengthen ASM. SONAMINES could in this case be the main provider of such information with regard to its missions as specified by Article 4 of the decree on its creation.

The requirement to disclose subsidies that are defined as quasi-budgetary expenditure by a state enterprise in accordance with Requirement 6.2 is not currently applicable to ASM in Cameroon.

In order to comply with the Requirements of the 2023 EITI Standard, the Cameroon EITI multi-stakeholder group is encouraged to document the reforms, particularly with regard to national commitments, policies and plans related to the energy transition that the State has carried out. For example, future EITI Reports should provide information on national and international commitments on energy transition to which Cameroon is a party. To do this, once again, the Prime Minister should ensure the participation within the Cameroon EITI Committee, depending on whether they are designated (in the case of representatives of the administration college) or appointed by their peers (in the case of representatives of the colleges of companies and civil society), of actors with expertise in energy transition in relation to the extractive sector.

MINMIDT and SONAMINES are also encouraged to disclose policies that relate to the artisanal and small-scale mining sector, as well as information on planned or ongoing reforms. SONAMINES could, for example, already publish its strategic plan and then make a brief note of the activities and actions that are planned to be carried out in ASM.

Another important aspect of the legal and institutional framework is to ensure that the international conventions and treaties ratified by Cameroon and applicable to ASM are taken into account.

The Minamata Convention on Mercury is a global treaty aimed at protecting human health and the environment from the harmful effects of mercury. The Convention requires the development and implementation of National Action Plans (NAPs) specific to ASM's gold mining sector. To support the drafting of these NAPs, inventories of gold from the ASM sector are produced. These inventories include production estimates by region/site, ASM's main stakeholders, descriptions of the value chain and local institutional capacities.

Source: Minamata Convention on Mercury, “[National Action Plans](#)”.

II. Awarding contracts and titles: procedures caught between two legal frameworks and a sub-sector in search of standardisation

Cameroon had made significant progress with regression in implementing this Requirement at the end of its previous validation.

Recommendation from the previous Cameroon Validation on the implementation of Requirement 2.2 (Licensing and contracting)

In accordance with Requirement 2.2.a.ii, Cameroon shall ensure that the public has access to a description of the statutory process for transferring licences in the mining, oil and gas sectors, including the specific technical and financial criteria and any weighting of these criteria. Cameroon shall ensure that the number of mining, oil and gas licences granted and transferred annually is publicly disclosed.

Source: Decision by the Board of Directors on the second Validation of Cameroon, 22 January 2021

Article 16(1) sets out the process for granting the legal instrument which confers on its holder the exclusive right to carry out artisanal or semi-mechanised artisanal mining operations within the allocated perimeter. However, due to the absence of regulations setting out the terms and conditions for the involvement of all stakeholders in the process of examining applications for mining permits, it appears that the allocation process is not yet sufficiently described in the legal framework (*see Article 16(2) of the 2016 Mining Code*). The same is true of the current legal vacuum in terms of setting the terms and conditions for awarding or renewing mining permits in general and artisanal and semi-mechanised artisanal mining permits in particular (*see Art 17 of the 2016 Mining Code*)).

In practice, the power to grant authorisations for artisanal mining is devolved to the regional delegates of the ministry responsible for mines. To date, artisanal semi-mechanised mining permits have not yet been granted to these operators. However, it has been noted that holders of artisanal mining permits are subcontracting their permits to technical and financial partners, in full breach of Law No. 2016/017 of 14 December 2016 on the Mining Code.

The 2016 Mining Code provides for the prior consent of landowners to be taken into account before reconnaissance, exploration or operating licences are granted (Art. 127 of the Mining Code). Similarly, it is only after consultation with the populations affected that the signing of a mining agreement entitles the operator to the allocation by the State of the land required to exploit the mineral substances discovered, in accordance with the legislation and regulations in force. However, it should be noted that FPIC as understood here is linked to the land (land tenure and domanial regime) and not to the mining resource because this mining resource, whether contained in the soil or subsoil, is the property of the State which exercises sovereign rights over it (Art 5 of the 2016 Mining Code).

In this respect, the inclusion of provisions relating to landowners in the 2016 Mining Code is to be welcomed, in a context where land and property reform has been slow in coming to fruition for almost a decade now. These are the advantages of mining legislation in terms of the land and property regime applicable to mining and quarrying activities that should be developed within the framework of the EITI. However, given that the ultimate aim of implementing the EITI Standard is to ensure, among other things, that local people can benefit more from the

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rewards of mining, it must be possible to document the disputes and claims that arise when mining permits are granted.

In the specific case of ASM, these advantages are not taken into account. For example, the granting of an artisanal or semi-mechanised artisanal mining licence is not subject to the signing of an agreement or a declaration of public utility for the area covered by the mining licence. When the local people are not the operators themselves, as is often the case in mining localities, they are faced with licence holders whose GPS coordinates for their site cover areas where local people live.

In other cases, holders of artisanal mining authorisations sub-contract their authorisations to financial partners who then illegally carry out semi-mechanised artisanal mining. This too demonstrates that FPIC is not applied in the case of semi-mechanised mining as it is currently practised. The EITI should therefore question the relevance of seeking a reform that would allow FPIC to be better taken into account by local populations before ASM authorisations are granted. This would increase the results and impact of the implementation of the EITI in terms of FPIC, not only for mining permits, but also for ASM.

Artisanal miners are the holders of artisanal mining permits. The artisanal miner's card is the document that attests to the ownership of a mining site by an individual of Cameroonian nationality who has reached the age of majority, in this case an artisanal miner.

Given that semi-mechanised artisanal mining permits have not yet been formally allocated by the mining authorities, it is clear that those currently active are illegal. In principle, the current beneficiaries of ASM authorisations should be traditional artisanal miners.

Transfers of authorisations or subcontracting between artisanal or semi-mechanised artisanal mining operations are illegal under Article 97 of the Mining Code.

From the above, the EITI Committee could enrich the EITI reports with this information and identify avenues for advocacy for better monitoring of ASM in Cameroon. One of the methods for identifying relevant advocacy in this case would be to carry out a more detailed study of the gaps that exist between the applicable legal and regulatory framework governing transfers and the granting of mining authorisations and to define ways of resolving these gaps. At the same time, this approach should enable Cameroon to meet one of the expectations of Requirement 2.2 of the 2023 EITI Standard.

With regard to any gaps in the information available to the public, these could be due either to the limitations of the legal framework and the current tax system, or to the priority given to monitoring industrial mines and quarries over small-scale mining. In order to fill these gaps, it would be advisable for the Cameroon EITI Committee to consider better monitoring of the ASM sub-sector.

Although the list of permits granted is published in the appendices to the EITI reports, this is not the case for mining authorisations in the EITI reports (*see paragraphs on the register of licences*).

In the case of industrial mining, multiple applications for the same permit or on the same site are conceivable. This is also the case in the artisanal mining sub-sector. In fact, cases of overlapping authorisations had already been observed in the past in the East region on the basis of an analysis of the GPS coordinates of the allocated sites. One of the reasons for this was poor coordination between the regional delegation of the ministry responsible for mines and the

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mining cadastre. Faced with such previous experiences in a context still marked by the absence of the application decree of the Mining Code of 2016, it is up to EITI Cameroon to focus on the transparency of registers and the mining cadastre.

The 2023 EITI Standard encourages the EITI MSG to include additional information relating to the granting of licences as part of EITI disclosures. In the case of the granting of artisanal and semi-mechanised artisanal mining permits, information on the processes for awarding specifications and, depending on the case, environmental impact notices or summary environmental and social impact studies. These elements fall within the remit of the ministries responsible for mines in the case of specifications, and for the environment in the case of impact notices or impact studies. Once again, this suggests that the ministry responsible for the environment should participate in the EITI Committee.

In its 2018 EITI Report, EITI Madagascar acknowledges the difficulty of estimating the importance of ASM to the Malagasy economy. In the absence of concrete statistics, EITI Madagascar examined data provided by the Ministry of the Presidency in charge of Mines and Petroleum, which identified around 1 million workers in the sector in 2015 (excluding farmers regularly engaging in ASM during the non-agricultural season), making it the second largest sector in terms of employment, after agriculture.

Source : EITI-Madagascar (2019), [2018 reconciliation report](#)

III. The mining licence register: the sacralisation of a legal vacuum

Cameroon had made significant progress in implementing this Requirement during its previous Validation.

Recommendation from the previous Validation of Cameroon on the implementation of Requirement 2.3 (Register of licences):

In accordance with Requirement 2.3.b.ii-iii, Cameroon shall ensure that the contact details and dates of application, granting and expiry of all active mining, oil and gas licences are publicly available. Cameroon is encouraged to use the EITI declaration as an annual diagnostic of licence data management systems, with a view to strengthening the completeness of these disclosures.

Source: Decision by the Board of Directors on the second Validation of Cameroon, 22 January 2021

The 2023 edition of the EITI Standard is more detailed on certain information expected from implementing countries.

In the absence of a decree setting out the procedures for keeping registers and managing files relating to mining titles, **the procedures for public consultation have not yet been disclosed** and there is therefore no specific register for the ASM sector and discussions with land registry officials have shown that the register of mining titles does not contain **up-to-date information on AEAs and AEASM**. No AEASM had yet been granted prior to the referral to the regional and departmental mining delegates by the Acting Minister of the Ministry in charge of mines in correspondence n°002300/L/MINMIDT/SG/DM/SDAM dated 15 May 2023, the subject of which was "Formalisation of semi-mechanised artisanal mining activities". In this letter of referral, the Minister noted that Cameroonians apply for and obtain artisanal mining permits in the strict sense and subcontract them to technical and financial partners.

Following this, the Minister invited the various delegates to identify and raise awareness among all artisanal miners and operators who carry out semi-mechanised artisanal mining activities on the basis of artisanal mining permits, and to kindly request each of them to do so within 45 days, submit to the departmental or regional delegation, for transmission to the Minister responsible for mines, an application for authorisation to carry out semi-mechanised artisanal mining of precious and semi-precious substances, with a view to obtaining the necessary authorisation to carry out their activities. The application must include, among other things, an up-to-date tax file, the company's articles of association and a schedule of conditions. As a result of the follow-up to this referral, an extension of 15 days was granted, followed by an instruction to close the sites that had not been regularised, in letters n°00377/L/MINMIDT/SG/DM/SDAM/SAMPM of 07 July and 005119/L/MINMIDT/SG/DM/SDAM respectively.

The lack of information on the number of artisanal miners makes it impossible to obtain reliable data on both mineral production and the impact of ASM on the employment market. Hence the urgent need to fill the legal vacuum in terms of drawing up and maintaining AMS's own licence registers.

According to the **Democratic Republic of Congo's** 2020 EITI Report, artisanal diamond production was around three times industrial production in 2018 and 2019. The country also reported that in 2012, mineral smuggling contributed to an estimated loss of revenue of US\$8 million a year for gold alone.

Source: EITI-RDC (2021), [Simplified EITI-DRC Report 2018, 2019 and 1st Semester 2020](#)

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While the EITI reports do not disclose a list of valid AEAS or AEASM in the process of being regularised (applications), the SICM review shows that:

- The AEA are partially published here. It covers 580 AEA granted between 2015 and 2016;
- information on the names of holders, contact details, surface area, date granted, duration (expiry date) and minerals produced is disclosed;
- information on semi-mechanised activities in the process of being regularised, renewals, withdrawal decisions and the area in which the title is located is not disclosed;
- The information disclosed in the SICM concerning the ASM sector is not up to date;
- Even though the EITI report does not provide a list of the operations and transactions taking place on securities in the ASM sector, it does highlight the fact that AEA have been granted in exploration permits whose holders have issued letters of consent. Examination of the SICM also reveals overlaps between AEA and exploration licences.

The failure to disclose a register of AEA and AEASM, not because of a failure of EITI communication but rather because of a legal vacuum, once again calls on those involved in the EITI process to lead a plea or any other initiative for the signing of the implementing decree for the 2016 Mining Code.

In accordance with the provisions of this Requirement, the EITI Cameroon MSG is required to disclose in the EITI Reports these gaps in publicly available information and to document efforts to strengthen these systems. In addition to this disclosure in the EITI Reports, the EITI MSG must include in its work plan activities and actions that contribute to the elimination of the legal vacuum currently observed in terms of keeping and managing mining registers (*Cf. Art 16 Al. 6*).

The EITI Standard encourages implementing countries to link publicly accessible licence registers to other government platforms that disclose or hold information in accordance with Requirement 2.5 on the legal and beneficial owners of oil, gas and mining companies. In this respect, the person in charge of the mining cadastre could be involved in the work of the Interministerial Commission led by the DGI, which is responsible for drawing up the modalities for implementing the standards on beneficial ownership in Cameroon.

EITI Philippines undertook a scoping study in 2015 profiling small-scale mining operations in the country. The study revealed a discrepancy between the number of ASM activities reported by regional mining offices and those reported by local government units, which control ASM operations in their jurisdictions. The study also compiled information on the laws, regulatory framework, tax regime, available revenues and production data relating to ASM, and highlighted the existence of ASM activities in areas where such activities are not permitted.

Source : PH-EITI (2015), [*Philippines EITI Scoping Study on Small-Scale Metallic Mining*](#).

IV. Undisclosed contracts and operating licences

Cameroon had made significant progress in improving the implementation of this Requirement at the end of its previous Validation.

Recommendation from the previous Validation of Cameroon on the implementation of Requirement 2.4 (Contracts and licences)

In accordance with Requirement 2.4.b, Cameroon is responsible for validating and publishing a contract disclosure plan with clear deadlines for implementation and for resolving any difficulties in submitting full disclosure. This plan will be integrated into the work plans from 2020 onwards. The Multi-Stakeholder Group will need to agree on a plan for contract disclosure or incorporate it into its work plan. Under Requirement 2.4.a, Cameroon is required, from 1 January 2021, to disclose all contracts and licences that are granted, entered into or modified. Cameroon is invited to consider the contribution that the implementation of Article 6 of the July 2018 Code on Transparency in Contract Disclosure may make to the implementation of these remedies.

Source: Decision by the Board of Directors on the second Validation of Cameroon, 22 January 2021.

Under the 2023 EITI Standard, implementing countries are required, from 1 January 2021, to disclose all contracts and licences that are granted, entered into or amended.

Implementing countries are encouraged to publicly disclose all contracts and licences that set out the terms and conditions for the exploitation of oil, gas and minerals, as well as significant exploration contracts. As set out in the preceding paragraphs in the first part of the study report, the Transparency Code (2018) requires disclosure of mining contracts and titles. In the case of ASM, these include the specifications together with the annexes as well as the authorisation for artisanal and semi-mechanised artisanal mining.

It should be noted here that the Mining Code in 2016 already provided for the disclosure of all or part of mining conventions and mining titles subject to compliance with confidentiality clauses (Cf. Art 200 of the Mining Code). Article 142 of the Mining Code requires holders of mining titles operating in Cameroon to comply with international commitments made by the State and applicable to their activities, to improve governance in the mining sector, in particular those relating to the Kimberley Process (KP) and the Extractive Industries Transparency Initiative (EITI).

While the mining sector in general and the ASM sector suffers from a lack of disclosure of agreements and specifications, after an analysis of the legal and regulatory framework relating to the disclosure of contracts in the mining sector in general and an identification of the obstacles to their disclosure, the EITI committee adopted and published an eight (08) stage work plan aimed at achieving effective disclosure of extractive contracts, including mining contracts. Although this plan does not specifically address the ASM sector, it does include measures to overcome the obstacles to disclosure. Unfortunately, this plan, which was included in the MSG's work plan, was not implemented due to the reduced staffing of the EITI Permanent Secretariat and the poor contractual conditions of EITI staff. However, the Committee has undertaken to adjust its original eight-stage contract disclosure plan as part of its three-year work plan 2023-2025.

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On the basis of the above, it can be seen that with regard to Requirement 2.4, only 22% of the required disclosures have been met, 69% have not been met, 03% are partially met and 06% are not yet applicable. With regard to the Encouraged Requirements, none have been met.

Compliance rate for disclosures required of the mining sector



Compliance rate for disclosures encouraged in the mining sector



■ Divulgué ■ Partiel ■ Nondivulgué ■ N/A ■ Divulgué ■ Partiel ■ Nondivulgué ■ N/A

Source : The authors

V. Beneficial ownership: a goldmine for curbing illicit financial flows

At the end of its recent Validation, Cameroon had made inadequate progress in implementing this Requirement. According to the EITI, "the term 'beneficial owner' of a company means the natural person(s) who, directly or indirectly, ultimately owns or controls the legal entity". The EITI Committee is required to adopt a definition of beneficial owner each time Cameroon's EITI Report is produced. The one adopted in recent years is "the natural person(s) who ultimately own(s) or control(s) a legal entity, through direct or indirect ownership or control of a sufficient percentage of shares or voting rights in a legal entity, including through bearer shares. A percentage of 5% or more of the shares or voting rights is proof of ownership or control by participation".

Recommendation from the previous Validation of Cameroon on the implementation of Requirement 2.5 (Beneficial ownership)

In accordance with Requirement 2.5 and the framework for assessing progress approved by the Board of Directors, Cameroon is required to disclose, by 31 December 2021, the beneficial owners of all companies that hold or apply for an extractive licence. To achieve this, the following measures are recommended:

1. Cameroon is expected to require all companies holding oil, gas and mining licences to disclose information on their beneficial ownership and to provide adequate guarantees as to the reliability of the data submitted. The government is encouraged to establish a public register of beneficial owners.
2. Cameroon is encouraged to require all participants in oil, gas and mining licences to disclose the identity of their beneficial owners at the application stage. The Multi-stakeholder Group should assess the completeness and reliability of this information.
3. Cameroon is encouraged to agree on priorities for beneficial ownership disclosures and to plan its efforts to obtain such data. For example, Cameroon could prioritise disclosures from certain types of companies, those holding a particular type of licence or producing a particular raw material, given the risks associated with corruption, tax evasion or circumvention of local participation provisions. These priorities should guide efforts to raise awareness among companies and provide them with guidance.
4. It is recommended that Cameroon consider using the model EITI beneficial ownership form to ensure that disclosures are published in a format that is open, comparable and easy to analyse.
5. Cameroon could consider extending beneficial ownership disclosures to other upstream segments of the extractive value chain, for example by collecting and disclosing beneficial ownership information of service providers outside the extractive sector, in order to monitor compliance with local content provisions and manage the risks of corruption and tax evasion.

Source: Decision of the Board of Directors on the second Validation of Cameroon, 22 January 2021

Analysis of the EITI reports and the information on beneficial owners already published shows that not all extractive companies or artisanal miners have declared their beneficial owners. One of the logical reasons for this is the absence of a register of artisanal miners and the illegality of semi-mechanised artisans. In addition to this observation, it should be noted that, subject to specific texts concerning certain sectors of activity, the threshold or percentage of the company's capital accepted in the Guide to implementing the beneficial owner standard in Cameroon is 20%. This rate is also higher than that encouraged by the EITI, i.e. a rate of 10% or less. Even the terms of application of the provisions on beneficial owners in the Finance Law in force in 2023 needed to be specified in a specific text. This text is still being drafted at the time of publication of this study.

The Cameroon EITI Committee, as part of its monitoring activities of the beneficial owner, has developed a roadmap on beneficial ownership. The activities of this roadmap are included in the Cameroon EITI Committee's 2023-2025 strategic work plan. In this respect, the Committee intends to contribute to the development of a specific beneficial owner guide for the extractive sector, which should take into account the specificities of the oil, gas and mining sectors.

Furthermore, in light of the parallel requirements of the Financial Action Task Force (FATF) in terms of the fight against terrorism and money laundering, Cameroon must implement the FATF recommendations by September 2025, which should enable it to be removed from the grey list of FATF member countries. As a reminder, the challenges that Cameroon should take up and which have been identified as priorities by the FATF are : *the creation and operationalisation of a committee to coordinate national AML/CFT policies; the strengthening*

Transparency in the Cameroonian mining sector: the case of the ASM sub-sector in Cameroon of international judicial cooperation in the management of money laundering and terrorist financing cases, given the transnational nature of these offences; the establishment of operational AML/CFT supervisory mechanisms for regulated non-financial professions; the implementation of an effective mechanism to identify the beneficial owners of legal entities and legal arrangements and to ensure that the competent authorities have access to this information.

If the corrective measures envisaged by the ANIF to remedy these shortcomings are implemented, they should enable the EITI, not necessarily to meet Requirement 2.5 of the EITI Standard with regard to the high beneficial owner threshold, but to make progress in terms of beneficial owner transparency. As a member of the Interministerial Committee responsible for preparing Cameroon's evaluation for the second peer review cycle of the Global Forum on Transparency and Exchange of Information for Tax Purposes¹¹, the EITI must capitalise on the results of the work carried out by this Committee and ensure that the corrective measures laid down at its recent Validation are implemented before 30 September 2023.

Cameroon's membership of this list since the June 2023 FATF plenary means that its anti-money laundering and combating the financing of terrorism jurisdictions are subject to strengthened supervision¹².

Disclosure of beneficial ownership information is not just a matter for Government. As the main providers of information in this area, companies are encouraged to disclose their ownership structure, in particular the complete chain of legal entities leading up to the beneficial owner. Artisanal miners, with a view to obtaining their artisanal miner's card, to provide information enabling the State to identify the beneficial owner and the beneficial owners of the authorisation concerned.

In short, Cameroon must have procedures for keeping registers and managing files relating to mining titles, while ensuring that these procedures meet the standards expected by the EITI and the FATF. As part of this process, Cameroon will need to document the government's policy and discussions on beneficial ownership disclosure. This information should include details of relevant legal provisions, actual disclosure practices, and any planned or ongoing reforms relating to beneficial ownership disclosure. In the case in question, in view of the forthcoming Validation deadline, this will involve documenting the input and output of the work of the inter-ministerial committee in question, as well as that of the EITI Committee on beneficial ownership during the period covered by the next Validation.

¹¹ Order N°506/MINFI dated 6 July 2022 establishing, organising and operating the said Committee

¹² <https://www.fatf-gafi.org/en/publications/High-risk-and-other-monitored-jurisdictions/Increased-monitoring-june-2023.html#Cameroon>

CONCLUSION AND RECOMMENDATIONS

A. Conclusion

The study on the transparency of the mining sector in Cameroon showed that Cameroon has begun work on the transparency of its artisanal and semi-mechanised mining sub-sector. To this end, it was observed that:

- Concerning the legal framework and the tax regime: A legal framework and a tax regime for ASM exist, however, the formalisation of this legal framework is incomplete due, on the one hand, to the absence of texts implementing the Mining Code and the Transparency Code and, on the other hand, to its poor capacity to meet expectations in terms of beneficial ownership;
- Concerning the granting of specifications and artisanal and semi-industrial mining authorisations: The legal framework includes provisions for the granting of specifications and licences. However, here too, in the absence of implementation procedures for certain provisions relating to the procedures for granting AEA and AEASM, the lack of transparency in current practices could lead to acts of corruption (*FODER & TI-C, 2020*). In addition, the Ministry of Mines is in the process of formalising semi-mechanised artisanal mining, while the latest Mining Code application decree deals with low-mechanised mining;
- Concerning the register of mining authorisations: Following on logically from the previous requirement, the aim of the study was not to assess corruption in the artisanal mining sector, but the difficulties observed as a result of the legal vacuum in terms of drawing up and managing the register of artisanal authorisations could lead to the hypothesis of corruption, or even money laundering, by those directly involved in ASM activities.
- Concerning the disclosure of mining authorisations: No AEA or AESM is published. Although there is a standard set of specifications for the ASM, the specifications for the operations are not published. Here again, this situation justifies the urgent need to sign and publish the implementing regulations for the Transparency Code.
- Concerning the beneficial owners of mining authorisations: In the absence of a register of artisanal mining authorisations, information on the beneficial owners and beneficial owners of AEA and AESM is not published.

In addition, it was found that current semi-mechanised artisanal mining activities are illegal because they have not obtained authorisation from the ministry responsible for mines. They are the result of illegal transfers and/or technical and financial partnerships.

B. Recommendations

On the basis of the above, one main recommendation emerges from this study as part of the implementation of the Requirements of the 2023 EITI Standard. The Cameroon EITI Committee should draw up **thematic EITI reports specific to ASM in view of the specific nature of this sub-sector and the place it currently occupies in the Cameroonian mining sector**. The International Secretariat has already produced a [Guidance Note on the coverage of artisanal and small-scale mining \(ASM\) in EITI reporting échelle \(EMAPE\) dans le rapportage ITIE](#) with this in mind.

In its 2018-2019 EITI Report, **Liberia EITI** draws on the results of a scoping study to provide concrete recommendations and actions to ensure the ASM sector is fully compliant with the EITI Principles.

Source: EITI Liberia (2021), [EITI Report FY 2018/2019](#).

This approach to thematic reporting has the merit of being in line with the recommendations made by the EITI's international bodies to countries implementing the EITI Standard.

Following on from this, the EITI Committee will discuss:

- Making a more exhaustive and detailed disclosure of the level of implementation of the Requirements of the EITI Standard in the ASM sector. This will require the Cameroon EITI Committee to:
 - Ensure the participation of administrations, private entities and civil society organisations whose expertise in the field of ASM no longer needs to be demonstrated. This is particularly the case for the ministries responsible for the environment and energy, the mining artisan's trade union or cooperative and local civil society organisations or those carrying out activities that take account of the local scale;
 - Maintain the provisions of Article 145 as an argument for taking decisions to monitor the owners and beneficial owners of ASM, but above all to ensure that these declarations are effective in the context of ASM;
 - Define and implement a communication strategy sensitive to the legal and institutional framework as well as the AEA and AEASM of ASM;
 - Advocate for the adoption of implementing provisions for the 2016 Mining Code, relating to :
 - Register of licences,
 - Procedures for granting, renewing and transferring AEA and AEASM,
 - Beneficial owner
- Better document the monitoring of ASM, in particular by setting up a physical and electronic database on artisanal mining in Cameroon.

Insofar as transparency in the extractive sector is a collegial and permanent quest, it would be advisable to:

➤ **The Government,**

- ✓ Through its specialised institutions, in particular:

- SONAMINES to produce a Guide to artisanal mining for users

- SONAMINES, SNPPK, the Sub-Directorate of the Mining Cadastre and the Regional Delegations of the Ministry in charge of mines to acquire an electronic register of artisanal and semi-mechanised artisanal mining authorisations;

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- ✓ Sign and publish the implementing decree for the 2016 Mining Code and the 2018 Transparency Code, in particular the provisions applicable to ASM (disclosure of AEA and AEASM, declaration of beneficiaries and beneficial owners, register of licences, etc.) ;
 - ✓ Finalise the process initiated by the Interministerial Committee responsible for preparing Cameroon's evaluation for the second round of peer review by the Global Forum on Transparency and Exchange of Information for Tax Purposes, particularly with regard to proposals for specific legislation on beneficial owners applicable to the extractive sec;
 - ✓ Revise the decree on the creation, organisation and operation of the EITI in Cameroon to ensure the full and active participation of stakeholders in charge of the energy transition;
 - ✓ Develop a specific policy to monitor artisanal and small-scale mining of transition minerals.
- **Members of Parliament**, in accordance with their duty to:
- ✓ Monitor the government's actions in organising and monitoring ASM. The results of this study show that Parliament should initiate:
 - An audit of SONAMINES;
 - An audit of the procedures for awarding AEA and AEASM;
 - An audit of the sub-directorate of the mining cadastre with regard to the keeping of licence registers;
 - An audit of the bodies responsible for collecting and compiling data on beneficial owners;
 - ✓ Pass laws to ensure that the provisions relating to the EITI Requirements are taken into account.
 - For example: taxation of the ASM sector, disclosure of beneficial owners, etc. ;
 - Parliament should question the government on the reasons for the failure to adopt and publish the implementing decree for the 2016 Mining Code;
 - ✓ Evaluate Cameroon's mining policy in the light of the expectations formulated for the mining sector in the National Development Strategy 2030 (SND 30) with a view to updating it.
- **Artisanal mining operators** to demonstrate patriotism and compliance with the FATF requirements and the EITI Standard on disclosure of information on beneficial owners and beneficiaries of AEA;
- **Civil society organisations** to,
- ✓ Strengthen their monitoring of ASM, taking into account the requirements of the 2023 EITI Standard. In this respect, CSOs could continue the awareness-raising actions they have already initiated to organise artisanal miners around cooperatives (FODER, 2021) ;
 - ✓ Strengthen their capacity on the transparency of the ASM in order to guarantee in the future a satisfactory level of commitment from their college in the context of monitoring the implementation of the EITI;
 - ✓ Continue to monitor the performance of the institutions responsible for ASM transparency.

It is worth reiterating that this study is intended to be forward-looking for those responsible for transparency in Cameroon's extractive sector. To this end, Cameroon's Validation, which is due to begin on 1 October 2023, should not be seen as a deadline for implementing the requirements of the EITI Standard. It is clear that reforms take time to develop, adopt and implement. It

Transparency in the Cameroonian mining sector: the case of the ASM sub-sector in Cameroon would therefore be more astute for Cameroon, in order to be effective in implementing the EITI, to give priority to a legal framework and strong institutions in terms of transparency.

To this end, Cameroon must standardise its full-time EITI Permanent Secretariat as recommended since its 2013 Validation, at the risk of inefficiency and lack of progress in terms of State commitment (Requirement 1.1) and governance of its MSG (Requirement 1.4). Developments in the EITI Standard sufficiently demonstrate that it is increasingly demanding for countries and covers a wider range of issues.

The EITI International Bodies would be recommended to:

- ✓ Strengthen MSG's capacity to cover artisanal and small-scale mining (ASM) in EITI reporting;
- ✓ Ensure that the Validations of countries with a high propensity for mining rather than oil production take into account the weight of the ASM sector in their economy.

