



TERMS OF REFERENCE

for developing a Responsible Mining Strategy and Action Plan (RMSAP) for Suriname

Position:	Consortium of Experts
Project Title:	Improving Environmental Management in the Mining Sector of Suriname, with Emphasis on Artisanal and Small-Scale Gold Mining (ASGM), EMSAGS Project
Duration:	01 February 2024 – 31 July 2024 (6 months)
Location:	Paramaribo, Suriname
Supervisor:	Project Management Unit (PMU) of the EMSAGS Project
Source of Funding:	EMSAGS Project

I. Background and context

The formulation of the RMSAP is an output of the project “Improving Environmental Management in the Mining Sector of Suriname, with Emphasis on Artisanal and Small-Scale Gold Mining (ASGM), EMSAGS Project”.

The EMSAGS Project seeks to improve the environmental management of mining in Suriname, particularly small-scale gold mining, which is the largest driver of deforestation in the country and contributes to biodiversity loss (through habitat degradation and pollution), climate change (through deforestation), and unsustainable land, water, and forest management. The project addresses policy and institutional constraints to improve the management of the Artisanal and Small-Scale Gold Mining (ASGM) sector as well as to create an enabling environment for the dissemination of environmentally responsible mining practices.

To do so, the project works at the policy level with government stakeholders, as well as with miners themselves to demonstrate the environmental and economic benefits of environmentally responsible mining practices (ERMPs) and technologies. The model proposed is one that relies on the identification of benefits for miners that arise from the application of ERMPs, including social and economic benefits, as well as the design of a system of national-level financial, fiscal, and regulatory incentives to help re-orient the market towards more responsibly sourced gold. Based



on the lessons learned from this model, the project will implement an upscaling strategy that will include knowledge sharing at the local and national levels, as well as with neighboring countries.

The project will support the government, through the Ministry of Natural Resources and NIMOS, to develop a Responsible Mining Strategy and Action Plan (RMSAP) for the reduction of the environmental impacts of ASGM in the interior of Suriname. This will facilitate the much-needed discussions and development of a consensus on which areas should be developed for mining and which should be maintained for conservation (maintenance of biodiversity, carbon stocks, of ecosystem services), agriculture, forestry, and other purposes.

In the absence of an integrated ‘Land Use Planning Strategy’, discussions will take place to facilitate agreement and coordination of different economic alternatives and development pathways. The drafting of this RMSAP will include the identification of high conservation value forests where mining operation expansion should be avoided (using information from the land use mapping exercise undertaken among others).

The RMSAP will be an addition to the evolving policy framework, such as the work being carried out by the government to develop and approve a new Mining Law, which focus is expected to be larger, including Large Scale Mining (LSM), and ongoing efforts to create a single Minerals Authority (MA) that will merge the mandates of the Commission Structuring Gold Sector (OGS), the Geological and Mining Department (GMD), and the Bauxite Institute Suriname (BIS). The RMSAP must also align with the National Development Plan in force and the upcoming results of the Targeted Scenario Analysis for the small-scale gold sector.

The key partners of the EMSAGS project are the Ministry of Natural Resources (**MNR**) and the National Institute for Environment and Development in Suriname (**NIMOS**) as national implementing partners, the Ministry of Spatial Planning and Environment (**ROM**) as Beneficiary, with support from the United Nations Development Programme (**UNDP**).

Overview of mining in Suriname

The mining sector makes a major contribution to the economy of the Republic of Suriname. Not only in terms of the contribution to government revenues, but also in relation to the economy as a whole.

Historically, extractive industries have accounted directly for approximately 30 percent of GDP and as much as 90 percent of exports. The additional benefits include increased net export earnings, infrastructural development, employment, and spin-off economic activities. These occur not only



in the formal sector, but also in the ‘retail mining’ activities as a result of the substantial informal gold mining, notwithstanding the associated environmental and social problems.

Mining activities are carried out on the basis of the Mining Decree 1986 (Decree E-58, S.B. 1986 no. 28) hereinafter referred to as “Mining Act” and mineral agreements.

Given the developments in the mining sector from the nineties onwards, both nationally and internationally, it was clear that the Mining Act no longer met the requirements of the time.

The relevant government institutions also lack the required capacity, framework, and resources to be fully capable to regulate and monitor mining operations and are also not fully capable to respond to:

- the expected growth of the sector, of bauxite, gold, and other minerals (diversification);
- the complexity of financial, social, and environmental challenges; and
- the increased demand for good governance and accountability in the sector.

It is evident that an orderly and modernized expansion of the mining industry, with clear and well-defined regulations and transformation of the informal sector, is one of the most important elements in the sustainable development of Suriname.

It is also important to have a clear and well-formulated responsible mining policy and action plan, based on which the mining sector can be further developed in a structured, modern, and orderly manner.

The small and medium-sized gold companies do provide a lot of employment and income, but their activities are often hampered by the informal sector; so, the income for the State from royalties and from taxes is limited. Small-scale gold mining is also accompanied by substantial environmental pollution, illegal mining activities, social and economic pressure on the affected local communities and neighboring villages, irregularities due to illegality, and other human and social negative side effects.

In recent years, highly educated personnel left the GMD, which means that this institute is not able to adequately carry out its original and additional tasks. Due to a shortage of highly trained personnel at the GMD and the fact that digitization is not yet getting off the ground as required, this institute loses its function regarding the further modernization in developing the mining sector in Suriname. This also stagnates the recruitment of foreign investors, which prevents the mining sector from developing more quickly, which is desperately needed at this stage of economic stagnation in which we still find ourselves as a country.

Considering the potential of the mining sector, the question arises of what needs to be done to get higher revenues and more jobs out of the sector considering the environmental effects.



Against the background of the historical place of mining in our economic system, legislation must be developed to address among other things the above-mentioned concerns from the stakeholders. That legislation has already been drafted and is now in the phase of discussing it with stakeholders and finally submitting it to the National Assembly for approval.

The State has undertaken certain actions in recent years. Aware of the importance of the mining sector for the economy, it has initiated the drafting of a modern time-adapted mining law and a law for the establishment of a Minerals Authority, which gives the Minerals Authority (MA) a legal basis. In the Minerals Authority, GMD, BIS, and OGS are merged. The draft laws are currently being finalized and reviewed by an International Legal Firm and is shared with stakeholders for comments, after which national consultation sessions will follow and be discussed in the Parliament.

Points of concern

Discussions with stakeholders have shown that several issues are identified as very important to them and need to be addressed urgently, such as:

1. Transformation of the informal ASGM to the formal sector.
2. All parties have to comply with the rules of the Mining Act.
3. The provision by the State of transparency regarding the concessions granted and pending applications.
4. To give assurance and confidence that the State will comply with its international obligations under the applicable international conventions, declarations, and initiatives.
5. To ensure the safety of mining companies and their employed workers and their families.
6. The State's countering of illegality in the gold sector and all its negative side effects.
7. Solving the land rights issues and the rights of Indigenous and Tribal populations.
8. Preventing the illegal use of cyanide and mercury in small-scale gold mining
9. Reinvestment in local communities and protected population areas.
10. Conflicts of interest between the private mining sector and the government organization.

II. Objectives and activities

This consultancy is meant to design a Responsible Mining Strategy and Action Plan (RMSAP) for Suriname for the reduction of the environmental impacts of ASGM in the interior of Suriname. The overall objective of the RMSAP is to increase the sustainability of ASGM in Suriname, by ensuring that environmental considerations are integrated in the ASGM operations, including an improved control and law-enforcement system, among other means.



The strategy will highlight priorities, ways and means for encouraging environmentally responsible practices among small scale gold miners, including ways to promote legalization and formalization of the sector, and highlight opportunities for public-private partnerships. The RMSAP will contain monitoring and enforcement arrangements, and detail resource requirements at all levels, as well as implementation mechanisms applicable to the entire sub-sector.

It is of key importance to include a gender perspective throughout the process of development of the RMSAP, including the process of national consultations.

Specific objectives of this consultancy are:

1. Facilitate discussions and development of a consensus on which areas should be developed for mining and which should be maintained for conservation (maintenance of biodiversity, carbon stocks, of ecosystem services), agriculture, forestry and other purposes. In the absence of an integrated 'Land Use Planning Strategy', discussions will take place to facilitate agreement and coordination of different economic alternatives and development pathways.
2. Identification of high conservation value forests where mining operation expansion should be avoided.
3. Delineate opportunities for increasing the market for environmentally responsible gold, by considering the gold marketing chain as a whole.
4. Seek to formalize the institutional setting for identification, reduction and mitigation of mining related impacts, such as for example clarifying legal responsibilities among concessionaires, miners, governments and other stakeholders.
5. Support high level consultations, technical discussions and a consultancy to develop the RMSAP.

The activities planned are as follows:

	Planned activities
1	Prepare an inception report that outlines clearly what will be done in the context of the consultancy and clarify the scope by responding to the following:



	<ol style="list-style-type: none"> 1. What are the priorities, ways and means for encouraging environmentally responsible practices among small scale gold miners? 2. What are the ways to promote legalization and formalization of the sector, and highlight opportunities for public-private partnerships? 3. Which monitoring and enforcement arrangements can be made for ASGM sector? 4. Which resources are required at all levels, as well as implementation mechanisms applicable to the entire sub-sector? 5. Which areas should be developed for mining and which should be maintained for conservation (maintenance of biodiversity, carbon stocks, of ecosystem services), agriculture, forestry and other purposes? 6. Which areas are identified as high conservation value forests where mining operation expansion should be avoided? 7. Which opportunities are there for increasing the market for environmentally-responsible gold? 8. How to formalize the institutional setting for identification, reduction and mitigation of mining related impacts, such as for example clarifying legal responsibilities among concessionaires, miners, governments and other stakeholders. 9. What are the policy and institutional issues that need to be resolved to monitor the ASGM sector? <p>The work plan should also include a proposed list of key stakeholders, consultation plan and method.</p>
2	<p>Undertake an analysis and provide recommendations on technologies, best practices, and legal enforcement to reduce negative environmental impacts of the illegal use of cyanide and mercury in ASGM and medium-sized mining companies in the interior of Suriname. This will include a literature review, collection of key data on ASGM sites, information gathering on experiences in other countries (e.g. Colombia), analysis of different possible technologies, as well as consultations with stakeholders in ASGM. This analysis should also be based on review of examples from other countries in the region and academic research on responsible mining.</p>



3	Organize consultations with key national stakeholders and identify the strategies that could possibly work well in the national context and need to be further investigated and fine-tuned.
4	Prepare an initial Responsible Mining Strategy and Action Plan (RMSAP) for Suriname for the reduction of the environmental impacts of ASGM in the interior of Suriname and identify policy and institutional issues that need to be resolved.
5	Design and implement a wide stakeholder consultation process, including consultations on national level and with Indigenous and Tribal Peoples, to review and validate the results of the initial assessment.
6	Based on results of the consultations, prepare a final report describing a detailed RMSAP for Suriname. The report should include a preliminary budget and timeframe for other activities to resolve policy and institutional issues and build the necessary capacity to execute the RMSAP.

III. Composition, roles and responsibilities

A consortium of mainly national professionals is needed for carrying out the consultancy. An international expert with extensive experience in Mine engineering, preferably with specialization in mining, Natural Resource Management will provide insights and guidance to the consortium. The consortium as a team will be responsible for the successful implementation of activities and delivery of outputs as listed below. The consortium should include at least the profiles described below.

i.	<p>International mining/ ASGM expert with:</p> <ul style="list-style-type: none"> • at least a master's degree in Mine Engineering, preferably with specialization in mining, Natural Resource Management; • at least ten (10) years of demonstrated experience in mining, ASGM and governance;
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	<ul style="list-style-type: none"> thorough understanding and in-depth knowledge of different aspects in developing a Responsible Mining Strategy and Action Plan; broad knowledge of and experience in the ASGM sector in countries in the region (e.g. Colombia, Peru, Guyana, Brazil).
ii.	<p>National mining/ ASGM expert with:</p> <ul style="list-style-type: none"> at least a master's degree in Mine Engineering, preferably with specialization in mining, Natural Resource Management; demonstrated experience and strong knowledge in environmentally responsible mining technologies and techniques; broad knowledge of political and economic development in Suriname and how ASGM fits within that.
iii.	<p>National legal expert with:</p> <ul style="list-style-type: none"> an academic degree proving competence in legal and policy analysis, environmental law, fiscal law and international law; experience in the mining sector, including the ASGM sector and related areas; at least ten (10) years of work experience related to governance, policies and measures.
iv.	<p>National expert in stakeholder consultations, including consultations of ITP communities in Suriname with:</p> <ul style="list-style-type: none"> at least five (5) years of experience in stakeholder consultation; demonstrated experience in consultation of ITP communities in Suriname; must be able to understand and speak Sranan Tongo.

In addition, the experts nominated as part of the consultancy team must **collectively** meet all of the following criteria:

v.	At least five (5) years of experience managing international and multidisciplinary teams to collectively deliver on such tasks.
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vi.	At least ten (10) years of work experience in mining policy, gold mining, ASGM policy.
vii.	At least five (5) years of experience working with governmental actors in developing countries.
viii.	Demonstrated experience and expertise in social and environmental data collection and analysis, including quality control and validation of data/information.
ix.	Academic degree in anthropology, social studies or similar, and/or relevant work experience with indigenous/tribal peoples or local communities in Suriname.
x.	Excellent facilitation skills, capacity-building and multi-stakeholder engagement expertise.
xi.	Full work proficiency in written and spoken English for delivery on all tasks covered by the Terms of Reference, and ability to use documents in Dutch as background information/input to the analysis. Sranan Tongo and other Surinamese languages is a plus.

IV. Deliverables and payments

The overall budget available for developing the RMSAP is regulated by the Annual Work Plan for the EMSAGS Project approved by the EMSAGS Project Board. The project is funded by the Global Environmental Fund (GEF) with the United Nations Development Programme (UNDP) as delivery partner in Suriname.

Payments will be executed in tranches by the UNDP, on the basis of approved deliverables. A table detailing the percentage of payment per exact deliverable and related deadlines will be agreed beforehand in the process of contract signature. NIMOS will approve the deliverables before payments can be processed.

Suggestion of payment terms (final schedule will be agreed and included in contract):



Output / deliverable		Percentage
i.	Contract signature	10%
ii.	Approved work plan and inception report (activity 1)	10%
iii.	First analysis approved and discussed with key stakeholders (activity 2-3)	15%
iv.	Approved initial report (activity 4)	15%
v.	Stakeholder consultations on national level and in the interior conducted with satisfaction, including reports and signed participants lists from all meetings held (activity 5)	20%
vi.	Approved final report (activity 6)	20%
vii.	Final payment upon satisfactory completed assignment	10%

V. Application requirements and recruitment

The consortium will be recruited by a selection committee consisting of representatives from the Project Management Unit (PMU) of the EMSAGS project, Delivery Partner and Implementation Partners; and sign a contract with the National Institute for Environment and Development in Suriname (NIMOS) as the project's implementation partner.

The applicant must submit:

- A Technical Proposal describing the consortium's understanding and experience of the consultancy.; SUPPORTED BY: CV of the consultants as per attached Personal History Form, indicating all past experience, as well as the contact details (email and telephone number) of the consultant(s) and at least three (3) professional references.
- Financial Proposal based on the estimated workload and time indicated in this TOR.

Financial proposals must indicate an all-inclusive daily fee. The daily fee in the financial proposal must consider the various expenses the applicants expects to incur during contract, including: the daily professional fee, communications, utilities and consumables, life, health and any other insurance; and any other relevant expenses, related to the performance of

SUPPORTED BY:



services under the contract. Costs for travelling to the field/ interior and meeting costs associated with consultations should NOT be included in the proposal.

SUBMISSION AND OPENING OF PROPOSALS

All proposals must be submitted to the email address: info-EMSAGS@nimos.org , with the subject reading as follows: ***Application for development of RMSAP for Suriname***

Please ensure that the Technical Proposal, Personal History Form, and Financial Proposal are submitted as SEPARATE FILES in one email. Any proposal that arrives after the deadline for submission of proposals as mentioned in the advertisement shall not be considered.

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