

REPORT



MINING THEMATIC GROUP GENERAL ASSEMBLY

Thursday, 15th February 2024 | 11:00AM

4th Floor, Unity Bank Tower, beside Reinsurance building
Plot 785, Herbert Macaulay Way, Central Business District, Abuja

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| <p>Date: Thursday, 15th February, 2024</p> <p>Time: 11:00 am</p> <p>Duration: 2 hours</p> <p>Venue: Hybrid</p> | <p style="text-align: center;"><u>SESSION REPORT</u></p> <p>Session Title: MINING THEMATIC GROUP GENERAL ASSEMBLY</p> <p><u>Details of Discussants:</u></p> <ul style="list-style-type: none"> • Ms 'Lumun Amanda Feese, Facilitator, Manufacturing and Mining Policy Commission (MMPC) • Prof. Peter T. Akper, Co-Thematic Lead, Mining Thematic Group (MTG) • Mr Ignatius O. Ayewoh, Acting Director General, Bureau of Public Enterprises (BPE), represented by Mr Olatunde Afuwape, Deputy Director, Bureau of Public Enterprises (BPE) • Dr Bethel Uzoma Ihugba, Deputy Director, Legislative Support Services and Head Legal Research Division, Nigeria Institute for Legislative and Democratic Studies • Ms Jumoke Fajemirokun, Co-Thematic Lead, Mining Thematic Group (MTG) <p><u>Moderated by:</u></p> <ul style="list-style-type: none"> • Mr Mbotidem Jackson, Anchor, Manufacturing and Mining Policy Commission (MMPC) |
| <p>Background</p> | <p>Mining and manufacturing are crucial sectors to the realisation of Nigeria's industrialisation and economic diversification agenda. It is generally agreed that no country can achieve developed status without a solid manufacturing base. Also, given Nigeria's favourable geological potential, mining holds tremendous potential for broad-based development and industrialisation. However, these sectors have continued to underperform as the structure of the Nigerian mining sector leaves little room for growth and development while a myriad of challenges undermines manufacturing and mining activities.</p> |
| <p>Context</p> | <p>While there are myriad challenges requiring attention, the Manufacturing and Mining Policy Commission has identified two (2) urgent policy reforms necessary to transform the Nigerian Mining sector. They include:</p> <ol style="list-style-type: none"> (1) The need to drive institutional, legal, and regulatory reforms in the mining sector to improve mining sector performance and contributions to economic and industrial growth and economic diversification (2) The need to develop a suitable resource federalism framework for Nigeria's mining industry to improve the investment climate for mining in Nigeria and mining sector performance. <p>Therefore, the Mining Thematic Group hosted the General Assembly (GA) to engage experts on the proposed policy reforms and the policy advocacy plans for 2024. The Mining Thematic Group is one of the thematic areas under the Manufacturing and Mining Policy Commission. The GA provided an opportunity for members and other stakeholders to learn about the Mining Thematic Group's activities, the agenda for the year, and how to support the Policy Commission's policy advocacy efforts in 2024.</p> |

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| <p>Opening Remarks</p> <p>Ms ‘Lumun Amanda Feese, Facilitator, Manufacturing and Mining Policy Commission</p> | <p>Ms Lumun Amanda Feese, in her opening remark, noted the following:</p> <p>The mining landscape in Nigeria presents both opportunities and challenges. Challenges such as conflicts, environmental degradation, and a hostile mining environment for mining industry operators, amongst others, exist within the mining landscape. The brunt of these challenges faced is borne mainly by the host mining communities and the federal government, as the federal government is unable to benefit from the revenue generation potential of the sector. The governance framework is also a challenge faced particularly by state governments. The General Assembly presents the opportunity for experts to discuss the issues within the mining sector and foster collaboration with other stakeholders in the public, private and civic sectors to rejig the mining sector and bring about catalytic industrialisation in Nigeria.</p> |
| <p>Presentation on the Mandate, Strategy and the Future of Advocacy</p> <p>by Mr Stephen Daniel, Associate, Think Tank Operations, NESG</p> | <p>Mr Stephen Daniel started his presentation with a quote from Kingdon (1984), which says, "Policy change and impact comes about when three streams—problems, politics, and policies—connect. Each stream has its own forces acting upon it and ultimately influencing it. The streams do not just converge by chance but rather from consistent and sustained action by advocates". He noted that policy change does not happen by chance but occurs when problems, politics and policies converge, and there is a need for sustained efforts by advocates to achieve this. He highlighted the mission of the NESG, which aims to promote and champion the reform of the Nigerian economy into an open, globally competitive economy by enabling this convergence within the private and public sectors. Also, the vision of the NESG is to become the leading private sector Think-Tank in Africa to make it happen.</p> <p>Further, he noted the four strategic pillars and roles of the NESG, namely:</p> <ul style="list-style-type: none"> • Dialogue Partner: Driving Policy Change through Public-Private Dialogue Platforms and Engagements • Connector: Driving Policy Change through Network and Influence • Watchdog: Driving Policy Change through Research and Evidence-based Engagement and providing evidence-based advocacy when necessary • Intervener: Driving Policy Change through interventions, Monitoring and Evaluation <p>Mr Daniel further noted that the NESG is guided by Public-Private Dialogue (PPD) principles and explained the various PPD platforms at the NESG, emphasising the structure of policy commissions and the importance of the annual Work Plans.</p> |

NESG PPD STRUCTURES, PLATFORM AND FRAMEWORKS



Policy Commissions

- The NESG strategically functions within workgroups known as "The NESG Policy Commissions".
- The Policy Commissions (PC) comprise of public and private sector networks and experts who bring insight and shape our agenda on most strategic industry and crosscutting issues. The PCs also facilitate and fast track the adoption of various National Economic Summit (NES) recommendations.

Roundtables

- These are public and private dialogue platform established to champion a specific reform process. It is usually initiated by MOUs, specific Stakeholder drive, of Donor funding to archive a particular purpose. These roundtables also have their secretariat at the Abuja Offices.
- Roundtables can either be temporary platforms (e.g. the Fiscal Policy Roundtable, a 2year project funded by the Bill and Melinda Gate Foundation) or Permanent roundtables like National Assembly Business Environment Roundtable NASSBER

Community of Practices

- The Group re-positioned its Policy Commissions in year 2019 and as part of that process created stand-alone platforms for three (3) key but easily marginalised groups: Micro Small Medium Enterprises (MSMEs), Gender related issues and Youth, so that they can together as communities of practice have a voice to champion and promote advocacy based on thematic areas of focus.

Thematic Working Groups

Thematic Working Groups are focus areas/sub-themes of a Policy Commission, Roundtable or Community of Practice. For instance, Mining and Manufacturing are the thematic groups of Manufacturing and Mining Policy Commission.

A thematic group will only be considered as one if it meets the requirement of having a minimum membership of 20 persons who are willing and available to advance dialogue on a subject matter of significance to the PC.

He stated the following PPD Guiding Principles:

1. Mandate and Institutional Alignment
2. Structure and Participation
3. Champion(s) and Leadership
4. Facilitation and Management
5. Outputs
6. Outreach and Communication
7. Monitoring and Evaluation
8. Subnational
9. Sector-specific
10. Relevance to FDI
11. Post-conflict/disaster/crisis
12. Development Partners

The Public Private Dialogue Risks were also highlighted as follows:

1. Vested Interests
2. Not fully representative
3. Leading to a talk-shop
4. Risk of hijack or one-man show
5. Risk of being politicised
6. Risk of duplication of efforts

Mr. Stephen Daniel concluded his presentation by highlighting the responsibilities expected of members of the Policy Commission and, in particular, the Mining Thematic Group and the value proposition of volunteering at the NESG.

**Activities of the
Manufacturing and Mining
Policy Commission in 2023
and Key Reform Priorities**

**by Prof. Peter Akper
Thematic Lead, Mining
Thematic Group**

Prof. Akper's presentation was delivered in four (4) subsections:

Summary of the Mining Thematic Group's Activities in 2023

The activities of the mining thematic group over the past year have involved the following:

- Evidence-based research, which led to the launch of a diagnostic report detailing the governance landscape and prospects of the mining sector. This was published in February 2023 and established the initial policy research basis for the Mining Thematic Group's (MTG) evidence-based advocacy to drive mining industry reforms.
- The advocacy efforts included developing a transition pack to onboard the new administration and establish entry points for engagement.
- The Mining Thematic Group (MTG) has appointed a new thematic lead and a co-thematic lead and established a technical advisory committee.
- The MTG has held advocacy meetings with the Bureau of Public Enterprises (BPE), the Nigeria Extractive Industries Transparency Initiative (NEITI), and the Revenue Mobilisation Allocation and Fiscal Commission (RMAFC) towards mining industry reforms.

Key Findings from Diagnostic Report

Nigeria is blessed with a wide range of minerals and the opportunities to boost economic growth if resources are developed sustainably. From the 1950s to the 1970s, exports of tin, columbite, and coal contributed over 4 percent to GDP, infrastructure, economic, and metropolis development. However, the mining industry's output declined over time due to the increasing focus on the oil industry, a common trend globally.

To revitalise the mining sector, the government initiated several reforms between 2005 and 2012 to liberalise and modernise it and attract investment. Despite these reforms, the sector's contribution to GDP remains less than 1 percent, with issues such as conflicts between mining communities and companies and a lack of investment persisting. As a result, these reforms have had minimal effect in attracting foreign mining investors.

While a roadmap has been developed and launched to address these issues, its effects have been minimal, attracting only one large-scale gold mine. Based on findings from the diagnostic report, the underperformance of the mining sector can be attributed to (1) the exclusion of a regulatory commission for the sector, (2) prioritising greenfield mines over reopening abandoned mines and developing deposits identified by the Nigerian Mining Corporation (NMC), (3) Limited linkages between the mining sector and other industries, which hindered opportunities for industrialisation, economic diversification and job creation and (4) the exclusion of subnational governments from the mineral

governance structure. There is a need for shared responsibility between the federal and subnational governments to address issues around access to mining land and environmental sustainability.

Action Plan: Key Reform Advocacy Goals

In light of the findings from the diagnostic report, the Mining Thematic Group has identified two key reform advocacy goals: (1) drive institutional, legal, and regulatory reforms, and (2) develop a suitable resource federalism framework for Nigeria's mining industry. To drive institutional, legal, and regulatory reforms, the Policy Commission recommends establishing an independent, well-resourced regulatory commission for mining, restructuring and strengthening the Ministry and addressing identified weaknesses in the Mining Act and Regulations. The Policy Commission also proposes a mixed system for the resource federalism framework for the mining industry.

2024 Strategy for the Reform Advocacy Goals

Outlining the 2024 strategy for achieving the identified reform goals, the Policy Commission seeks to use the diagnostic report to drive the development of a new inclusive mining industry policy aligned to the African Mining Vision (AMV) to serve as the basis for institutional, legal, regulatory reforms and state inclusion in mineral resource governance. The strategy also focuses on strengthening the Mining Thematic Group's (MTG) leadership, building and engaging the MTG community in advocacy activities including more recruitments to ensure a critical mass, establishing a coalition to collaboratively drive the reform agenda, and establishing strategic partnerships with organisations such as the Bureau of Public Enterprises (BPE) and key decision-makers in government.

Context Setting on the importance of an independent sector regulatory commission for the mining industry: BPE's role in establishing regulatory commissions for the pension, communications, and electric power sectors and the outcomes and impacts on the economy: Lessons for strengthening the institutional, legal, and regulatory framework for mining

Mr Ignatius O. Ayewoh, the Acting Director General of the Bureau of Public Enterprises (BPE), made a presentation on sector reforms and the role of regulatory agencies. He noted the following in his presentation:

The National Council of Privatisation (NCP) is statutorily empowered by relevant provisions of the Public Enterprises (Privatisation and Commercialisation) Act 1999 to create a suitable environment for public enterprise reform in Nigeria. Specifically, Sections 11(a), (b), and (e) of the PE Act on the functions and powers of the NCP contains the following provisions:

- Sections 11(a): **“determine the political, economic, and social objectives of the privatisation and commercialisation programme”**
- Sections 11(b): **“approve policies on privatisation and commercialisation”**
- Sections 11(e): **“approve legal and regulatory framework for public enterprises”**

The Bureau of Public Enterprises established 20 steering committees between 2000 and 2008 to reform critical sectors of the Nigerian economy in line with the government's agenda. This approach to reform was to get the input of all the stakeholders across identified sectors of the economy, including Telecomm, Pension, and Electricity.

The steering committees aimed to coordinate and improve the performance of the identified sectors through consensus from public and private stakeholders, experts and consultants on proposed reforms and restructuring for the sectors and the public enterprises within them. The membership of the Committees was drawn from the public and private sectors, with a preponderance of experienced public and private sectors, consultants, and public policy experts. In a few cases, the Chairmen of the Committees were selected from the private sector to give local and global credibility to their findings and recommendations. The private sector members of the Steering Committees brought their skills, knowledge, and experience on board.

According to the Terms of Reference for the various committees, the Steering Committee's main task was to:

- a. Review the existing situation of different sectors in Nigeria and propose reforms to promote competition and efficiency.
- b. Consult with various stakeholders to identify the legal and practical barriers to fair market practices.
- c. Draft new laws to eliminate monopolies
- d. Create regulatory agencies
- e. Design a plan and timeline for implementation

Regarding the outcome of the reform efforts explained above, the reform activities and regulatory agencies created by the NCP can be categorised into four main areas:

- a. Activities that resulted in the enactment of new laws for the creation of sector regulators
- b. Those adopted by other government MDAs, which resulted in the enactment of new laws to improve operations in the affected sector (**Water Resource Act 2004; Mining Act 2007; Insurance Act 2004, etc.**)
- c. Those that facilitated the divestment of government investments and provided a level playing ground for private investors to operate in such sectors (**Hotels, Insurance, Banking, Manufacturing & Industries, etc.**)
- d. Those are ongoing and at various stages of the legislative process (**National Parks Bill 2019; Inland Waterways Bill 2015; Railway Bill 2015; Roads Reform Bill 2015; Ports and Harbour Reform Bill 2015; National Transport Commission Bill 2017, etc.**)

Hence, the regulatory agencies that emerged from the reform were:

1. Nigerian Communication Commission (NCC)
2. Debt Management Office (DMO)
3. National Pension Commission (PenCom)
4. Nigerian Electricity Regulatory Commission (NERC)
5. Federal Competition and Consumer Protection Commission (FCCPC)
6. Nigerian Midstream and Downstream Petroleum Regulatory Authority
7. Nigerian Upstream Regulatory Commission

Regulatory agencies that have been proposed and are awaiting approval by the National Assembly are:

1. Transport Sector Regulatory Commission- **National Transport Commission Bill 2017**
2. Nigeria Postal Commission- **Nigerian Postal Service (NIPOST) Repeal and Re-enactment Bill, 2021**

Given the sector reform efforts explained above, the steps for establishing a regulatory commission can be summarised as follows:

1. Assessing the need and purpose of regulation
2. Designing the regulatory agency's structure, functions, powers and accountability mechanisms
3. Drafting and enacting the legislation that establishes the regulatory agency
4. Implementing and operationalising the regulatory agency's activities and functions

Reform is a continuous process, and the Bureau of Public Enterprises will continue to identify other areas where reform will enhance the social and economic development of the country, in addition to ensuring the conclusion of the ongoing reform activities.

Context Setting on Resource Federalism: *Resource federalism in mining jurisdictions around the world*

by Dr Bethel Uzoma Ihugba, Deputy Director, Legislative Support Services and Head Legal Research Division, Nigeria Institute for Legislative and Democratic Studies

Dr. Bethel Uzoma Ihugba, Deputy Director of Legislative Support Services and Head of Legal Research Division, Nigeria Institute for Legislative and Democratic Studies, in his presentation, noted how best federations may exploit and utilise their mineral resources for equal national benefit.

The presentation started with an overview of Nigeria's mineral richness, highlighting the resources of each state through a map. The focus of the discussion was defined as every mineral except petroleum and water. It was noted that almost every state in Nigeria has a mineral resource with majority having at least two mineral resource endowment.

Issues of equitable exploitation and management of natural resources have been the challenge of Nigeria's resource abundance, and as such, there have been debates and discussions around them. However, these conversations have been mainly about petroleum, not the other minerals, which has shaped the discussion around Nigerian federalism. The MMA 2007 appears almost unknown except for people in the sector.

There is a need to ensure the sustainable use of mineral resources, identify opportunities, and strengthen the legal and institutional frameworks to tackle existing issues. Federalism is one of such.

Federalism is a constitutional framework for sharing power between the centre and different units of government to ensure substantial and guaranteed autonomy over certain sectors towards provisions of good governance to the citizens. Therefore, resource federalism is the legal framework for the sharing of responsibilities and benefits between the centre and subnational units in the exploitation and management of natural resources in a federation.

There are different perspectives on federalism:

- Defensive - belief the centre is not providing the needed attention and wants to be left alone. Can be combative and aggressive.
- Internalist – belief in an existing framework that should not be tampered with
- Externalist – belief the existing categorisation was imposed by the colonial masters
- Public goods delivery – based on the best structure that can produce the best public goods delivery to the people.

Regarding the status of resource federalism in Nigeria, it was noted that the status is centralised control of all natural resources, except water, where the centre decides on allocation to states based on a derivation formula, leading to issues of exploitation and management. Despite every state in Nigeria having at least two minerals in commercial quantity, many resources remain unexploited or illegally exploited. Criminality and banditry have further hindered the sector's activities. Development opportunities include sufficient human resources and laws that have yet to be incorporated.

Besides the centralised control resource federalism model adopted by Nigeria, which has left the country rife with conflicts and banditry, there are other models of resource federalism, such as the split responsibilities model, the shared responsibility model, the common subnational responsibilities model, and the common national responsibilities model, as seen across countries like Mongolia, India, the Philippines, Australia, and Malaysia.

Most conflict-ridden areas in Nigeria are linked to mineral resources. To address these challenges, there is a need to (1) initiate and establish stakeholder engagement platforms, as is already being done by the NESG, for the development of regulatory frameworks, (2) clearly define and stipulate responsibilities for each unit and tier of the federation, (3) engage directly on an informed platform with communities and NGOs and business blocks, (4) establish a uniform national goal for all units, (5) establish transparency and accountability structures and ensure strict implementation, and (6) reform and improve legal frameworks for the benefit of all Nigerians.

Key reform contingencies include constitutional decentralisation, transferring minerals to a concurrent legislative unit, and involving state governments in the reform process. Another recommendation is to establish an independent central commission to monitor standards, prioritise local content, and expand the scope of businesses entitled to extension services in the mining sector.

In conclusion, the present challenges demonstrate the opportunities that abound for Nigeria in the mining industry. Federalism is the best solution, but a model needs to be agreed on.

Comments/Questions and Answers

Stakeholder Representation: In most of the regulatory agencies that were set up by the NCP, the input of consumers was not included. Consumer representation in policy formulation is a right and not a privilege. The Federal Competition Consumer Protection Council Act specifically states that consumers have a right to advocate for their interests, with a view to receiving full and sympathetic consideration in the formulation and

execution of economic and other policies. Moving forward, the National Council of Privatisation (NCP) should ensure that consumers and NGOs are considered for representation in every policymaking action.

As regards the Diagnostic report, the composition of the diagnostic was perceived as inadequate. It was noted that the Miners Association of Nigeria and the Nigerian Investment Promotion Commission are key stakeholders who need to contribute to the diagnostic process. Thus, identifying key stakeholders in the diagnostic process is flawed and could lead to flaws in the outcomes of the policy diagnostics.

Review of the Nigerian Minerals and Mines Act of 2007: Firstly, between Monday, 12th February 2024 and Wednesday, 14th February 2024, there was a public policy dialogue by the Solid Mineral Committee of the House of Representatives, where they reviewed the Nigerian Minerals and Mines Act of 2007 for the purpose of re-enacting the Bill. The NESG was not represented at that dialogue, even though the NESG had a memorandum submitted. It is important that the NESG makes its position known to the National Assembly before the Bill reaches a point of no return.

Secondly, there is a need to streamline the regulations within the mining sector to receive significant investment. Also, the new section 44.3 in the constitution needs to be respected by the lower tiers of government. The mining companies need to know who to report to as the federal government says one thing, but the state governments, whom they are at the mercy of, have different demands. It is important to take the Policy Commission's recommendations to the National Assembly before the law passes a point of no return. Not all stakeholders in the mining sector were being considered by the BPE. It is also important that small-scale miners are included in the policy formulation process.

Poor policy Implementation: The problem is that the proposals of the previous reform efforts are not being implemented well. Most of the structures on the ground are not well funded, with manpower, or well equipped. Therefore, we need to evaluate what we have now and decide what is working and what is not. Within the context of the laws we currently have, what are some of the propositions we can have to ensure that the concept of responsibility and benefits can be cascaded to all the stakeholders? The location of regulation control is critical in determining between full-blown federalism with state governments or more centralisation with the federal government. It was also noted that it is essential to ask the question of what the purpose of new laws is. Creating new laws increases burdens, so there is a need to undergo a technical audit of the laws to see what works and what does not work.

Explore areas of comparative advantage: Nigeria needs to be proactive and look for foreign fruits and products that can go straight to the foreign market. We need to focus on the resources where we have a comparative advantage, like barite. We should be more interested in solving the simple issues of exporting resources like such products. The nation also needs to focus on lowering the cost of capital to attract investors.

Resource Federalism: There is a need to address the issue of resource control. Governors need to be actively involved in the process of resource control because state

governments are the chief security officers of their domains. Therefore, there is a need to devolve power over resources to the states in which they reside. On the community development agreement, it is commendable that the current administration has made a critical case for the mining community to have input in the mining policy formulation. With this, we need to ensure visible value at every point that is domiciled in the community. Most problems come from the state as the implementation of the MIREMCO has become very weak. Federalism is the critical issue to be addressed now.

Inadequate data and funding issues: First, the problem is that there is a lack of adequate data on Nigeria's mineral resource endowment. If we do not place emphasis on geoscience data generation policy, other reform efforts can become futile. Funding is another problem that the government needs to solve. Also, state-federal conflicts are constituting significant barriers. Personal interests come into play most often, and attention should be paid to that. The BPE should be actively involved in reforming the mining industry.

Public-private partnership: It is important that the recommendations that have been raised on this platform today are shared in the National Assembly, as actors in the mining industry tend to work in silos. It is time for the local content development board to extend its scope into the mining industry to make sure that our local people can have their capacities built and regulate the instances of foreign bodies taking over everything. It is also very important to note that the Mineral Mining Act is well-carved to carry everybody along, but a lot of the time, people do not go through the Act to see how it affects them. The state governments can also get their licenses to get involved in the mining industry. If they do this, there will not be situations where governors are elected and start going after existing mining companies. This is not encouraging to potential investors. This could also enable traditional rulers to be sensitised to issues around mining resource management.

Cooperation from subnational governments: The states need to feel a sense of ownership over the resources in their domains. However, we cannot afford to wait for constitutional amendments as this sector is in a state of emergency. Beyond ownership, it is about control and the benefits. The administration can be innovative and look at ways to devolve control to states sooner rather than later. For example, MIREMCO is a good initiative, but most states have not set theirs up. Fortunately, Kaduna State was able to take control of its resources. States need to start with what they have, which is the MIREMCO, as efforts are being made on the constitutional devolution of power.

Comments related to the oil sector: The issue is that the oil-producing region is always waiting for similar reform to what could happen in the mining sector. If we are implementing reforms, we also need to factor in the complaints that oil sector actors might make. Oil and gas has several agencies catering to it as a singular commodity. For solid minerals, there is a diverse range of commodities and value chains. Still, the government likely will not cater to solid minerals because fossil fuels around the world have been making such impacts that the narrative must change. Why can we not follow the trajectory of the NNPC?

Response from PC Leaders and Discussants:

Professor Peter Akper: The NESG put together a transition pack to engage the Ministry of Solid Minerals on proposed policy reforms earlier in the year. This was meant to be followed by a meeting with the Ministry, which has not happened despite several efforts by the NESG. However, having someone from the Ministry in attendance today implies some progress. While the Mining Thematic Group is aware of the State Mineral Resources & Environmental Management Committee (MIREMCO), as alluded to by the **Ms Emily Ofodile**, the Special Assistant (SA) to the Honourable Minister for the on Community Engagement, the functions under MIREMCO are primarily advisory, and the subnationals want more than that. Also, concerning resource federalism, the focus is more on control rather than ownership. Subnational governments desire some level of control over the resources being exploited in their domain. The question is, then, what is the mechanism for doing that? Which has informed some of the conversations at the General Assembly. The position of the Mining Thematic Group is that there should be a mix in which both the federal and state governments have control. On the governance issue, the recommendation by the Mining Thematic Group was informed by the findings of a diagnostic report carried out in 2023, which noted that the economic sectors that had regulators performed better as opposed to when regulation was Ministry-led.

Dr Bethel: Regarding the type of resource management approach the nation should take, resource federalism is the way forward. Also, it is recommended that item 39 on the exclusive legislative list should be transferred to the concurrent list. However, further details on the model for resource federalism can be marked out by an Act. Concerning fears of tribalism as a fallout of resource federalism, the fear exists because there is no legal framework. The key is to strengthen the laws so that miners can be confident in them. We need to prioritise local content in mineral exploitation activities so the people of the land would be able to benefit from the work being done there. For the role of the state government, MIREMCO has not worked because it only makes state governments advisors rather than owners of the resource management system. The focus is, therefore, on how to strengthen the laws.

Mr Ayewoh: The BPE engages all the key stakeholders, and there is a committee for this engagement. Resource control is a constitutional issue. A bill stating that the state government could own up to 24 percent of any enterprise in the industry was passed. However, most states were not interested in doing so. As for collaboration, this is why the BPE is here, dialoguing with the NESG and all the attendees.

Next Steps

1. **Implementation of Recommendations:** Prioritise and implement the key recommendations by discussants at the General Assembly, focusing on establishing a regulatory commission, improving legal frameworks, and enhancing stakeholder engagement.
2. **Strengthening Partnerships:** Strengthen and expand partnerships with organisations such as BPE and NEITI to drive the development of a new mining policy and address the challenges identified in the diagnostic report.
3. **Enhancing Visibility and Impact:** Increase the visibility and impact of the Manufacturing and Mining Policy Commission (MMPC) by engaging more

actively with stakeholders, including government agencies, industry players, and communities.

4. **Advocacy for Reforms:** Intensify advocacy efforts for passing key bills and reforms that are currently held up, with a focus on resource federalism and the decentralisation of mining sector management.
5. **Capacity Building:** Enhance the capacity of the mining thematic group and other relevant units within NESG to drive the reform agenda and engage in advocacy activities effectively.
6. **Community Engagement:** Engage directly with mining communities, NGOs, and business blocks to ensure that the reform process is inclusive and addresses the needs and concerns of all stakeholders.
7. **Monitoring and Evaluation:** Establish a robust monitoring and evaluation framework to track the progress of the implemented reforms and their impact on the mining sector.

Closing Remarks

by Lumun Amanda Feese,
Facilitator, Manufacturing
and Mining Policy
Commission

In her closing remarks, Ms Lumun Amanda Feese thanked the speakers and all participants at the General Assembly. She also noted the following:

The General Assembly witnessed active participation from all attendees, including virtual speakers and presenters. The discussions highlighted the need for the Manufacturing and Mining Policy Commission to adopt a more outward-facing and impactful approach, as feedback suggests that the Policy Commission had been insular.

The Policy Commission would enhance its visibility and engage critical stakeholders in its advocacy for reforms such as good governance, a conducive environment among others that would stabilise the mining industry, attract investments from both foreign and domestic investors, and ensure the sustainability of these investments.

The Policy Commission plans to partner with the Bureau of Public Enterprises (BPE) to facilitate the development of a new mining policy. Collaboration with the Federal Ministry of Industry, Trade, and Investment (FMITI) is also on the agenda to ensure a holistic and inclusive policy formulation and implementation approach.

In essence, the General Assembly highlighted the commitment to establishing stable governance and a favourable business environment for mining. Utilising the collective efforts of all stakeholders is essential in realising these goals and ensuring a prosperous future for the mining industry in Nigeria.