Terms of Reference for a Consultancy Service on Conducting a Contextual Study on mercury use, occupational safety, mining, environmental, socio-economic and gender aspects of the ASGM sector in the planetGOLD Mongolia project target areas

Background

Organizational context

Based in Victoria, Canada, the Artisanal Gold Council (AGC) is a not-for-profit organization dedicated to improving the working conditions, opportunities, environment and health of the millions of people involved in Artisanal and Small-Scale Gold Mining (ASGM) in the developing world.

Project description

The Global Environmental Facility (GEF)-supported program “Global Opportunities for the Long-term Development (GOLD)” of the ASGM sector has been designed to address the key issues linked to continued mercury use and to provide sustainable development opportunities for the communities involved.

The objective of this project is to contribute towards the elimination of mercury in the ASGM sector by applying a supply chain approach from the miners to refiners. The project has four components. UN Environment is implementing Components 1, 2 and 4 on (i) formalization, (ii) finance and market access, and (iv) knowledge management, respectively, while UNIDO is responsible for Component 3 (iii) technology transfer.

The project is expected to demonstrate: (1) government incentives to formalize the ASGM sector in Mongolia and Philippines are increasingly adopted by miners, (2) national governments guiding the creation of ASGM fund to allow miners to invest in mercury-free technologies and access responsible gold markets; miners are able to sell their gold directly into a transparent supply chain, (3) reduced mercury releases by the ASGM sector in both countries, and (4) ASGM communities and government agreeing on an approach to reach all ASGM communities in each country.

The project aims to support or to enhance the environment for formalization in ASGM and to increase the transition of miners from the informal to the formal sector by undertaking a review of existing policies and regulations governing ASGM and mercury use, including the implications of the Minamata Convention, by supporting existing regulations that promote formalization, and by strengthening the capacities of national and local governments in developing and implementing plans that will provide conducive conditions for ASGM miners and communities.

Rationale:

The 2008 and 2013 Global Mercury Assessment reports identified two source categories of anthropogenic mercury emissions and releases. The first category includes coal burning, mining, and industrial activities that process ores to produce various metals or process other raw materials to produce cement. The second category of sources includes sectors where mercury is used
intentionally. Artisanal and small-scale gold mining (ASGM) is the largest of these, accounting for 37 percent of total anthropogenic emissions estimated at 727 metric tonnes of mercury per annum globally. Due to its significant contribution to anthropogenic mercury emissions and releases, the Minamata Convention has dedicated a separate article that enumerates strategies to address the issues and challenges associated with ASGM.

Approximately, 80 percent of ASGM operations worldwide is considered informal or lacking standards and/or compliance to government regulations. Nonetheless, the sector contributes 15 to 20 percent of the world’s total gold production and plays an indispensable role in their respective local economies. The sector is comprised of 10 to 15 million miners working in more than 70 countries, supporting approximately 100 million livelihoods.

In Mongolia, ASGM operations take place in 18 out of the 21 provinces and in over 100 soums. The sector plays an important role in the national economy, employing 40,000-60,000 individuals, third of which are women. Moreover, it is estimated to indirectly support the livelihood of three individuals for every miner. In 2015, the sector sold 6.7 tonnes of gold to the Bank of Mongolia, representing over 46 percent of the total gold output of the country.

ASGM's considerable impact on rural livelihoods and its contribution to the national wealth have prompted the government to not only ban the use of mercury, but to also undertake steps to formalize operations. Legislative efforts were initiated in 2008, primarily to regulate and formalize artisanal and small-scale mining and to control commodity. Amendments to the Law on Minerals, Law on Land and a regulation on the extraction of minerals from small-scale miners in 2010 have made it possible to organize miners into groups, leading to the establishment of the Artisanal Small-scale Miners' National Federation (ASM NF) of Mongolia. The association represents 6,200 members all over the country.

On April 30th 2015, the Parliament of Mongolia adopted and started the implementation of the law on “Ratifying the Minamata Convention on Mercury” to mitigate and prohibit mercury use, protect the health and wellbeing of the citizens, and stop pollution of the environment and soil. Regarding this, the Government developed and approved a National Action Plan for Reducing Mercury Pollution Caused by Artisanal and Small-scale Gold Mining. It supports development of a policy and regulation to implement the laws and resolutions in the ASGM activities, elimination of the illegal activities, reduction of the risks and impacts of mercury on human health and environment and further support the responsible mining practices.

This project will contribute to the elimination of mercury in ASGM by providing support to the government to develop and implement policies to enhance ASGM formalization, facilitate miners’ access to formal gold markets and to small capital to purchase mercury-free equipment and to introduce responsible and better mining, gender and environmental practices in targeted ASGM areas. Moreover, the project helps the artisanal miners introduce Hg free technologies that are appropriately designed to the needs and conditions of the project selected areas and mining sites.

During the project preparatory grant (PPG) phase, several studies on mercury use, environmental management, gender aspects and financial flows in the ASGM sector were completed. However, most of these studies were conducted nationwide in the ASGM sector or partially covered the currently selected project sites. Therefore, the data gathered and analysed through these studies was found insufficient to identify, gather, and assess the baseline data of each project site as there were some data missing on environment, formalization, gender and mercury use as well as some data inconsistencies across the selected provinces and mining sites. Also, there is not any information
collected regarding the miners’ training needs, which will be used as a basis for developing further training curriculum within the project.

Thus, the project needs to conduct the contextual study and to provide accurate, complete and consistent baseline data across all selected areas and mining sites to inform further project activities. Under the project, the contextual study is planned to be carried out in the project selected areas.

Therefore, the project is seeking a professional legal entity (NGO, company, academic institution, research entity, etc.) capable of conducting the above study.

1. **Objectives of the assignment**

- To carry out a detailed assessment on mercury use, mining, environmental, occupational safety, socio-economic, legal, gold supply chain and gender aspects of the artisanal gold mining sector in the project target areas and to provide baseline data and indicators necessary to measure further projects progress and results;

- To identify and assess training needs of government officials and artisanal miners regarding the subjects related to ASGM formalization, environmental and social monitoring, mining, gold supply chain management, traceability, legal, administration and gender practices;

- Make recommendations on indicators and issues relevant to developing and implementation of better mining practices in the selected project sites including formalization of mining activities, elimination of use of toxic elements, improvements of working conditions, health and safety, environmental protection, ensuring human rights and gender equality.

2. **Scope of work**

The study will cover the following project target areas:

- Mandal, Bayangol soums and Tunkhel village of Selenge province
- Yusunbulag soum of Gobi-Altai province
- Altai soum of Khovd province

Within the scope of the work, the following activities shall be undertaken by the institution that will consist of relevant professional experts in environmental protection, legality, gender, safety, mercury use and socio-economic aspects of artisanal gold miners.

A. **Socio-economic aspects of artisanal and small-scale gold mining sector in the project target areas:**

- Collect, compile and analyze demographic and socio-economic data and indicators in the target sites, including the total population, miners and their social and economic characteristics disaggregated by sex, age, education, marital status, family size, employment and access to social and health services and their economic contribution to their respective local communities at the soum and provincial levels;

- Identify and analyze specific social issues that can be associated with artisanal small-scale gold mining (ASGM) activities in project sites, such as overpopulation, livelihoods, people with disability and competition/pressure on the available natural resources, accessibility to social services, including schools, hospitals, clinics, or welfare services, as well as other considerations such as insecurity and violence - including gender-based violence - in the project target sites;
• Identify access, sources and types of information that miners receive on policy, procedure and services relevant to their mining activity, such as legalization, permitting, traceability, safety, market access, environmental protection, employment relations, health and social services and other issues that can help them in improving their business activity and livelihoods;

• Determine capacity building activities in which miners and local government have participated over the past three years, assess training needs of miners and relevant government officials, and develop a list of essential trainings that are important for adopting better mining practices in targeted sites;

• Identify and recommend issues to be necessarily considered for further project implementation regarding the above issues.

B. Implementation of relevant legislations and formalization of artisanal gold miners in the country and those specific to the target sites:

• Analyze central and local government policy support and incentives provided to artisanal gold miners in increasing their access to responsible gold mining, finance and other services important for miners to expand or improve their mining activities and recommend further possible actions in formalizing artisanal mining activity;

• Identify number of responsible gold mining sites/employees and their compliance with related laws, regulations, standards and working conditions, health and safety, traceability, environmental protection and the differences between responsible and other artisanal gold mines regarding their gold processing, market and capital access, environmental rehabilitation and employees’ social welfare and other issues;

• Identify the number of permitted or unpermitted (or pending land conclusion or contract with relevant governor) mining sites and determine if artisanal miners or partnerships have any conflicts and competition for land ownership or land-tenure, reasons and challenges for operating without permissions and any other issues related with registration, contracts and permissions in mining sites;

• Identify and analyze any toxic chemical elements stored and/or used in gold extraction or processing stages, their compliance with relevant laws and regulations and rough estimation of the amounts of such toxic elements;

• Identify number of artisanal miners having access to capital to finance mercury-free technology and equipment in their project sites;

• Identify and analyze the current gold trade, supply chain and traceability in each of the areas indicated. Investigate and evaluate the stakeholders involved in ASM gold trade, including artisanal miners, traders, local government organizations and officials. Assess their capacities and recommend what resources, training and tactics they would need to implement current gold trading regulations.

• Provide an estimate of gold produced, and ore extracted by responsible and other artisanal gold mines per day/month.

C. Environmental aspects of the artisanal gold mining sector in project target sites:

• Identify main barriers and challenges to enforcement of the existing regulations regarding the
environmental protection and rehabilitation of artisanal gold mining sites in project sites;

- Review and gather detailed information on implementation of the ASM Regulation no. 151 in the target sites regarding the environmental aspects (including the status of Rehabilitation Plan and fund accumulation for rehabilitation in project target sites and etc.);

- Review and document the environmental baseline situation at the soum level with the description and mapping of land degradation, deforestation, water and soil pollution in project target sites;

- Collect specific sex-and-age-disaggregated data (SAAD) identifying the number of miners/community, members/partnerships in project sites who adopted or were trained on environmental and management practices associated with better mining practices;

- Conduct environmental training needs assessment (disaggregated by sex and age) based on the conducted surveys and site-specific assessment in target sites, and develop a list of essential trainings that provide better environmental practices in the artisanal gold mining sector, specifically in the aspects of environmental protection, rehabilitation and proper tailings management and water management;

- Upon the results of the conducted assessment and study findings, develop recommendations on better mining practices, demonstrating appropriate environmental practices and activities to be carried out in the target sites during the project implementation.

**D. Gender aspects of artisanal gold mining sector in project target sites:**

The project aims to work with the entire community in the project target areas to support progress towards gender equality and equity, and the following assignments in respect to gender aspects will be conducted by the consultants.

- Conduct gender mapping for ASGM communities in project target sites, considering the elements for the gender analysis as stated in the guidance to advance gender equality, approved by the Global Environmental Fund, 2018. The following key analysis should be assessed and documented under the gender mapping (but not limited to):

  o Describe the social and economic context and characteristics of mining populations at project sites as well as the social and cultural norms related to gender equality (incl. gender knowledge, awareness and attitude) that shape behaviors of stakeholders and gender relations in project sites;

  o Describe the gender division of labor and work conditions in ASGM for women and men (tasks and responsibilities of men and women (work and domestic duties);

  o Identify main actors for the ASGM production cycle and income division between ASM communities in project target sites (disaggregated by sex and age);

  o Identify vulnerable groups, occupational hazards and most vulnerable groups based on gender division of labor in ASGM (incl. ASGM community) with focus on mercury use, handling, disposal, exposure and risk knowledge;

  o Identify accessibility and control over resources and services, and participation in decision making in the household, within the ASGM production cycle and at the community level;

  o Identify barriers and facilitators exist for women and men to acquire better mining practices (access to information and training), to formalize and professionalize ASGM activities, to access finance and technology.

- Collect and compile specific information identifying the number of men and women miners in
project sites who adopted or were trained on better mining practices (including mining, legal, administrative business management, gender, and environment, etc.);

- To increase the validity of the gender mapping and other information, collect available secondary data for different levels of administrative units (e.g., relevant soums) to triangulate data for certain variables (e.g., education, occupation, and income of relevant communities). Where possible, all data should be disaggregated by sex and age of the target populations.

- Based on the collected information in project sites, develop training needs assessment (including specific needs of men and women) to provide gender equality and equity among ASGM communities.

3. **Deliverables**

   1) Deliverable 1: Study approach, design, tools (including draft questionnaires for quantitative and qualitative surveys and training needs assessment) and a detailed work plan;
   2) Deliverable 2: Draft report with preliminary analysis and assessment;
   3) Deliverable 3: Final report in English and Mongolian.

4. **Duration of the Assignment**

   The total duration of the assignment is 53 working days starting from 20th April 2020 until 3rd July 2020.

5. **Workplan**

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<th>Deliverable/Outputs</th>
<th>Target due dates</th>
<th>Review and Approvals required</th>
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<tr>
<td>Agree on study approach and design and develop quantitative and qualitative survey questionnaire and finalization of the questionnaires, incorporating comments from the Project Unit</td>
<td>2 weeks upon the contract signing</td>
<td>Review and approval by the Project Unit</td>
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<tr>
<td>Conduct a field study to collect information (organizing surveys, interviews and stakeholder meetings)</td>
<td>3 weeks</td>
<td>To discuss the progress and any challenges if required</td>
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<tr>
<td>Develop and submit a draft report with preliminary analysis</td>
<td>2 weeks</td>
<td>Review and feedback will be provided by the Project Unit</td>
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<tr>
<td>Conduct a validation workshop on contextual study findings in each project area (conduct stakeholder workshops in 5 project areas)</td>
<td>1 week</td>
<td>Review and feedback will be provided by main local stakeholders</td>
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<td>Develop and submit a report on the contextual study (including compiled baseline data, conducted survey results and recommendations from validation workshops). All data must be disaggregated by sex and age.</td>
<td>3 weeks</td>
<td>Review and feedback will be provided by the Project Unit</td>
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6. Team composition and institutional arrangement

This assignment should be conducted by a professional, recognized and registered entity (NGO, company, academic institution, research institution, etc.). The team should consist of a team leader, researchers or experts specialized in the different aspects of artisanal mining or the topics related to this contextual study.

Preferably, the team should consist of 1) team leader with broad experience in managing and leading studies in various fields; 2) a professional researcher with a high level of technical skills on sex-and-age disaggregated data collection and processing, as well as other members specialized in mining and formalization, environmental management, mercury use, supply chain, and gender issues.

**Required Qualifications, Education and Experience**

**For the entity to provide consultancy:**

- Highly organized entity with the ability to produce quality work and meet tight deadlines;
- At least 5 years of experience in conducting comprehensive studies or assessment on various aspects using advanced research methodologies. Extensive experience in performing professional qualitative studies is an asset;
- Proven track record of having successfully completed at least two similar research assignments (contextual studies or assessment);
- Experience in working with international and national organizations under pressure and within a limited timeframe.

**Required qualifications of the individual team members and the team leader:**

- All members of the consulting team should possess a bachelor’s degree in their relevant fields, master or the above qualification is preferable
- A Team leader and a researcher of the consulting team qualified as postgraduate degree in a relevant field is an asset;
- A Team leader and a researcher of the consulting team should have at least 8 years of experience in their respective fields;
- Other members should have at least 5 years of work experience in their respective fields;
- Team leader should be able to manage the consultants and maintain a professional relationship with international organizations and local stakeholders;
- All members of the team are essential to have experience in working with various stakeholders, and maintaining professional relationships;
- All members, specifically a researcher of the team must demonstrate a competent ability of compiling and processing the collected data independently and in a group;
- Clear professional correspondence and strong oral and written English is desirable as the final reports should be submitted in both Mongolian and English.

7. Evaluation Criteria

The contract will be awarded to the person/entity who obtains the best technical economic combination, where the technical offer equals 70% and the financial offer 30% of the total rating. Only candidates obtaining a minimum of 70 points will be considered.

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<th>Criteria</th>
<th>Weight</th>
<th>Max point</th>
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<tr>
<td>Technical</td>
<td>100%</td>
<td>100</td>
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<tr>
<td>At least 5 years of experience in conducting comprehensive</td>
<td>15%</td>
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studies or assessments on various aspects, preferably in ASGM related fields, using advanced research methodologies.

Knowledge and experience in mining, environmental management, chemical usage and assessment in training needs on safety, gender and formalization in ASGM sector sector 15% 15

Experience in working with international and national organizations to work within limited time frame 15% 10

Demonstrated track record in preparation of documents, project proposals, evaluation reports 10% 10

Appropriateness of proposed study approach, methodologies and tools 20% 20

Workable action plan and timeline 15% 15

Excellent mastery of written English 10% 10

**8. Submission and application process**

Interested and qualified candidates are invited to submit their applications and the following:

1. Letter of interest (indicate a research outline, number of pages of the proposal, and the total amount of the proposed budget/cost)
2. Short description of previous research work and reports (no more than 3 pages)
3. Detailed Curriculum Vitae of main experts who will be conducting the study;
4. Technical proposal for implementing the assignment;
5. Financial proposal for implementing the assignment;
6. Copy of financial statements for the last 3 years (this document can be provided in Mongolian);
7. Copy of the organization’s registration certificate.

All documents must be submitted in the English language (except item 6 and 7). Qualified candidates are required to submit their documents in a sealed envelope before 5:00 PM on April 10, 2020 at planetGOLD Mongolia office or by soft copy to: assist.mn@artisanalgold.org.