

# No Golden Future

Use of child labour in gold mining in Uganda



**Irene Schipper & Esther de Haan & Stephen Turyahikayo**

April 2016

# Colophon

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**Stop Child Labour**



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The Centre for Research on Multinational Corporations (SOMO) is an independent, not-for-profit research and network organisation working on social, ecological and economic issues related to sustainable development. Since 1973, the organisation investigates multinational corporations and the consequences of their activities for people and the environment around the world.



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Center for Research and Sustainable Solutions (CRSS) is a not-for-profit organisation based in Uganda. The CRSS consultant team on this study has more than eight years' experience working with artisanal and small-scale gold miners in Uganda. In addition, the team has more than five years' experience on conflict minerals initiatives in the great lakes region and has supported the implementation of International Conference on the Great Lakes Region (ICGLR) regional initiative against illegal exploitation of natural resources and Organisation for Economic Co-operation and Development (OECD) Due Diligence Guidance.

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## Use of child labour in gold mining in Uganda

SOMO

Irene Schipper & Esther de Haan (SOMO)  
and Stephen Turyahikayo (CRSS)

Amsterdam, April 2016

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## Acronyms

<b>ASM</b>	Artisanal and small-scale mining
<b>ASMO</b>	Artisanal and small-scale mining organisation
<b>CAO</b>	Chief Administrative Officer
<b>CRSS</b>	Center for Research and Sustainable Solutions
<b>CSR</b>	Corporate Social Responsibility
<b>DGSM</b>	Directorate of Geological Survey and Mines
<b>ECO</b>	Ecological Christian Organisation Uganda
<b>GDP</b>	Gross domestic product
<b>GoU</b>	Government of Uganda
<b>ICGLR</b>	International Conference on the Great Lakes Region
<b>OECD</b>	Organisation for Economic Co-operation and Development
<b>MEMD</b>	Ministry of Energy and Mineral Development
<b>MoGLSD</b>	Ministry of Gender, Labour and Social Development
<b>NGO</b>	Non-governmental organisation
<b>RCM</b>	Regional Certification Mechanism
<b>SCL</b>	Stop Child Labour Coalition
<b>SMMRP</b>	Sustainable Management of Mineral Resources Project
<b>SOMO</b>	Centre for Research on Multinational Corporations
<b>UAE</b>	United Arab Emirates
<b>UBOS</b>	Uganda Bureau of Statistics
<b>UN GoE</b>	UN Group of Experts
<b>UNESCO</b>	United Nations Educational, Scientific and Cultural Organization
<b>UNICEF</b>	The United Nations Children’s Emergency Fund
<b>UPE</b>	Universal Primary Education
<b>URA</b>	Uganda Revenue Authority

Figure 1: Gold mining districts in Uganda



## Summary

### Child Labour in gold mining in Uganda

Child labour is a significant social and economic problem in Uganda. The combination of an extremely young population, large numbers of vulnerable children and orphans, high levels of child poverty and a failing education system has pushed 51 per cent of all children aged between 5 and 17 into work. Across the country, more than one in four children (26 per cent) are defined as child labourers.

A large number of children work in Uganda's gold mines. Researchers working on this report estimate that there are about 50,000 artisanal gold miners in Uganda – roughly 20 to 30 per cent of these are children. These estimates mean that 10,000 to 15,000 children are working alongside adults as artisanal gold miners. Part of these children still attend primary school periodically, as well as working in the mines. However, the research shows that very few of the children go on to secondary school. Researchers found that school-going children work during the school holidays and at the weekends, while the children that have already dropped out of school work on the mining sites throughout the year.

The field study for this report took place during the school holidays. Researchers visited three mining sites in the Mubende District of Uganda. They observed that 70 to 80 per cent of the workers in the area where gold is washed (or 'panned') were children. In total the researchers saw around 1,000 to 1,200 children working on the three visited sites. They interviewed 52 children aged between 7 and 17 - 20 per cent of these interviewees was working full time and not attending school.

### Labour conditions

The washing of the ground gold ore is typically done by children. They concentrate the ore using sluices or they pan the ore, standing in ponds. Children buy bags of ore themselves or they are hired by other miners to wash ore, but mostly they concentrate gold out of tailings – leftover materials.

When working for themselves, they sell their gold to a buyer on the mining site. The children who still attend school work in the mine at the weekends and during holidays. During the holidays, they typically work five or six days per week, often starting work at around 7 am and finishing between 3 pm and 6 pm in the afternoon. Among the ten interviewees who had dropped out of school, hours are also long – they generally work six days per week for up to 11 hours per day.

The children earn relatively small amounts for these long hours of arduous work. The younger children (between 7 and 13) mention that, although they find gold every day, this could be as little as 0.05 grams and not often more than 0.1 grams. For this quantity they earn €1.09 to €2.31 per day (with the costs for the mercury already deducted).

Mercury is an important part of the process when it comes to washing gold. Researchers observed that children who wash the ore are concentrating the gold with mercury and come into direct contact with mercury on a regular basis. They rub the mercury into the sand containing the gold particles with their bare hands and several of the children stand in pools of water containing mercury. The buyers on the site burn the gold-mercury amalgam to evaporate the mercury in the presence of the children and without protecting themselves. Mercury is a hazardous substance and it is highly toxic. The children carry around small bottles of mercury and are not aware of this toxicity. They do mention, however, that when they have open wounds and come into contact with the mercury they can get sick and need to be treated at the clinic on the mining site.

The children working at the mining site often suffer from other illnesses such as malaria and typhoid. The dust from the grinding of the stones and pollution from the cooking coals and the traffic is severe – causing coughs, respiratory diseases and headaches. When they suffer from open wounds, which happens easily at the rocky mining sites, they often get infections. Most of the children are also standing in the burning sun all day while working.

In the mineshafts, other problems are common. Falling stones, caving in shafts and lack of oxygen can all cause severe or even fatal accidents. Mining shafts in the Mubende District could be up to 100 metres deep. Miners work without personal protection and the shafts are not properly supported. In March 2015, ten people were buried alive in a collapsed gold mine in Kitumbi sub-county. Mostly young men work in the mining shafts, it does occur however that also minors work there.

## Uganda gold mining

The majority of Ugandan artisanal gold mining is unlicensed and the production is therefore not reflected in national statistics. The country's industrial mines closed down in the 1970s and today practically all artisanal gold is mined and exported illegally, with the bulk going to the United Arab Emirates. On the basis of the researchers' estimate of 50,000 artisanal gold miners, the artisanal production could be as high as 2.8 tonnes of gold per year.

Uganda is also a transit country for gold mined in the Democratic Republic of Congo (DRC). Until 2006 most of the legal gold exports from Uganda could be attributed to DRC gold. However, the gold export figures radically declined in 2007 when the United Nations (UN) imposed sanctions on Ugandan gold traders for buying gold from traders in the DRC. Export figures dropped from 6.9 tonnes in 2006 to just 15 kilos in 2014 and 2015. Reports from the UN and the Organisation for Economic Co-operation and Development (OECD) concluded in 2015 that the sanctions have led to the situation that DRC gold is now smuggled from Uganda rather than declared.

## Regulatory framework

The current mineral policies and legislation do not provide sufficient opportunities for the formalisation of artisanal gold mining. Instead artisanal mining sites have informal structures that regulate the



mining, the lease of lands and settlements. Theoretically it is possible for artisanal gold miners to legalise their activities through location licences. In practice, however, the necessary procedures are beyond their reach. In 2015, for example, there were only 12 licence holders registered for artisanal and small-scale gold mining (ASGM) in Uganda. Currently policy-makers are reviewing the regulatory framework governing mining in Uganda and the formalisation of artisanal mining is one of the aims.

Although the Mineral Policy of 2001 in Uganda intended to ban child labour in mining, this was never included in the country's Mining Act or the mining regulations. However, Uganda did ratify the important International Labour Organization (ILO) and UN conventions pertaining to child labour and included these in national legislation such as the Employment Act, the National Constitution and the Children's Act. Despite the laws child labour is currently on the rise across all regions in Uganda.

The government of Uganda has different policies and action plans in place to eradicate child labour. Alongside government efforts, there have been projects by NGOs and donors to tackle child labour. There have also been projects on the improvement of conditions in artisanal mining, such as the Sustainable Management of Mineral Resources project of the World Bank and the Fairtrade Gold Project. The latter also included efforts to eliminate child labour in gold mining. However, more (combined) efforts are needed to tackle this issue at both national and international levels.

## Conclusions

### 1. Use and magnitude of child labour in artisanal gold mining Uganda

The children working in the artisanal gold mines of Uganda are subject to the worst form of child labour because it exposes children to hazardous substances and conditions. These children are risking their health and their future prospects – since the mining interferes with their education. A large number of children, about 10,000 to 15,000, work in the gold mines across Uganda (this number fluctuates depending on school holidays and the weather).

There is a broadly shared awareness on the mining sites that children should not work in the gold mines during school term time and police chase children away now and then. However, children are still allowed to work on the mining sites during weekends and holidays and are risking their health. Besides the group of children combining work with school, there is also a considerable number of children not going to school at all and working at the mining sites full time. National Uganda laws prohibit children to work younger than twelve, children younger than 14 are only allowed to do light work which does not affect the child's education. All employment that is injurious for a child's health, dangerous or hazardous is prohibited. These laws are clearly not observed.

Although the majority of the children interviewed in the mining area of Mubende are still attending school and only work in weekends and holidays (16 weeks per year at least 5 days per week), they are still directly working with and exposed to mercury a large number of days a year. Nobody on the mining sites seems to be fully aware of the toxicity of mercury and no measures are taken to reduce the risks, neither for the children nor for the adults.

### **Root causes for child labour in mining**

To effectively tackle child labour in mining, actions need to offer alternatives and have impact on the main causes of child labour in artisanal gold mining in Uganda which is lack of decent work and income for adults, instable family situations, lack of awareness around child labour and the importance of education and the costs for and lack of sufficient schools and quality education.

The main reason given for not attending school is the high costs involved. Although the fees are officially abolished money still has to be paid for lunches, school materials and uniforms, as well as for school development funds and examinations. All of the school-going children interviewed mentioned they were working to earn money for school fees, books and uniforms.

Another reason for school absenteeism is the low quality of the education. This is partly due to shortage of good quality teachers and the high absence of teachers. The education officer of the Mubende District told that it was reported that 5 out of 8 teachers in Kitumbi Subcounty are working in the mines themselves. This corresponds with a World Bank report concluding that 60% of the Ugandan teachers are not teaching the children in school, either because they are absent (24 per cent), not in the class (29 per cent), or in the class but not teaching. In this situation being at school does not make a lot of sense for children, especially when they also can go to the mines and earn their own money and buy their own food and clothes. For the children interviewed this was clearly considered important and having a positive effect on their status and self-esteem.

In Central Uganda, where Mubende District is located, around 60 per cent of the children face the challenge of poverty and difficult family situations. Eleven per cent of the children are orphans. This results in a high percentage of children working and missing out on school. Most children attend primary school – in Mubende District attendance is 80 per cent – but few will continue to secondary school (nationally only 16 per cent of children of secondary school age actually attend secondary school). Of the 80 per cent of children attending primary school in Mubende District, most children will not finish within seven years but will repeat years, or drop out of school for long periods. Fewer than 70 per cent will actually complete primary school.

## **2. The supply chain from mines to point of export**

The artisanal gold miners in Mubende District, including children, sell their gold to on-site buyers. These gold buyers sell to other buyers in the country's capital, Kampala. Uganda's 2015 official gold export statistics show only 0.54 kg of gold originating from Mubende, which was exported to Korea. Researchers for this report estimate that 20 kilos of gold could be produced on the Rubali mining site alone per month. This production is not included in the official statistics, since it is produced without licences.

The artisanal gold is smuggled out of the country without going through the designated channels. The destination of the gold is often said to be Dubai. UN Comtrade export statistics confirm significant gold export from Uganda to the United Arab Emirates; 1,937 kilos in 2014.

## Recommendations

### Recommendation for downstream companies in the gold supply chain

- Companies in the gold supply chain, such as refineries, electronics companies, jewellery and banks, should take steps to ban mercury in (artisanal) mining.
- Move beyond the area of conflict minerals in your due diligence with regard to the gold used in your products; do not focus solely on gold sourced from the DRC and neighbouring countries but extend your policies to all countries producing (artisanal) gold.
- Companies must map – if possible, jointly – their entire gold supply chains including the artisanal gold supply, and share this information publicly.
- Companies have to know which countries, specific regions and suppliers they source gold from, carry out a risk assessment of all the countries and regions involved, and identify in which supply chains and at what specific points the company can use its influence to achieve a positive impact. The risks identified have to be mitigated through initiatives taken by companies together with other stakeholders. It is crucial to involve local organisations and initiatives in both risk assessment and remediation efforts.
- An engagement with actors within the supply chain, as well as other local actors, to work towards progressive improvement in the artisanal and small scale mining – including formalization and improving working conditions for adult workers -, is to be preferred over avoidance of artisanal mining.
- Work with and/or support local initiatives to get children from gold mine areas to school and to make sure that all children receive full-time quality education.

### Recommendations for CSO's

- Initiatives on eliminating child labour in artisanal mining should be done in cooperation with other efforts on combatting child labour and improving the educational infrastructure and quality - either by the government and/or local or national NGOs, community based organizations and trade unions
- Social and communities empowerment programs are further encouraged in mining communities targeting all children including underprivileged children (i.e. orphans, children from poor families etc.) in these communities. The programs should focus on ensuring these children remain in school and that these children receive quality education.

### To the Ugandan Government

- Work with local stakeholders (local government, companies, mining cooperatives, mine owners, NGOs, unions, local child rights groups, etc.) to raise awareness about child labour, and set up programmes to prevent and remedy both this and other labour rights violations found in mining sites.
- Work with pan-African and/or regional African organizations (e.g. ECOWAS) to develop programmes that tackle child labour and improve working conditions for adult workers in gold-producing communities. Wherever possible, channel these efforts into the context of regularising illegal mining.
- Ensure an effective control of mines operating within the bounds of legality, and take action to tackle both money-laundering and the smuggling of gold to other countries.
- Take measures to abolish the use of mercury in gold mining
- Improve the education infrastructure and make sure that all children in mining areas receive full-time quality education without charging fees or paying other costs.
- Adopt legal provisions on small scale and artisanal mines, including attention to working conditions and child labour, that effectively prevent child labour in gold mines under 18 and provides decent working conditions for adults.
- Investigate the number and working conditions of children participating in mining and activities related to mining, and share these with the public, policy makers and other stakeholders. Involve all stakeholders in interventions on child labour in artisanal gold mining.

# 1 Introduction

## 1.1 Context

Hivos, as coordinator of the Stop Child Labour Coalition (SCL), commissioned the Centre for Research on Multinational Corporations (SOMO) to conduct research on child labour in gold mining. The coalition partners<sup>1</sup> are running a project called 'Out of work and into school', which supports the elimination of child labour by strengthening an area-based approach towards child labour free zones. Where possible, the partners seek the active participation of sustainability initiatives and companies. In the context of this project, the SCL Coalition wants to reach out to electronics companies and urge them to take action to combat child labour in their supply chains.

This report contains the results of a field study in Uganda with a view to describing the specific conditions for child workers at artisanal gold mining sites. It is a follow up on the report *Gold from children's hands: Use of child-mined gold by the electronics sector*, (November, 2015) which included a field study on the use of child labour in artisanal gold mines in Mali.<sup>2</sup>

The objective of the research is two-fold: first, to determine the use and magnitude of child labour in the artisanal gold mining in Uganda; and second, to provide insight into the supply chain from the mines to the point of export. Although the main focus is on child labour, the report will also include other labour and social aspects to understand the interrelated (root) causes of child labour.

## 1.2 Methodology

This report documents findings of field research conducted in Uganda between 4 -10 December 2015 and uses further information from relevant documentation and research reports

The field research was conducted by Center for Research and Sustainable Solutions (CRSS), supported by researchers from SOMO. The field research took place in the Mubende District of Central Uganda. This is only one of several active artisanal gold mining areas in Uganda (see also the map in the beginning of the report). The Mubende artisanal gold mines were chosen as the main centre of this study as it is a relatively new and large mining area. There have been media reports about an influx of thousands of illegal miners here since 2013.<sup>3</sup> The study involved key informant interviewees and interviews with children on mining sites in the Mubende District.

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1 The partners in the Dutch Coalition are the General Union for Education (Algemene Onderwijsbond – AOb), the Federation of Dutch Trade Unions (FNV Mondiaal), Hivos, ICCO-cooperation, Stichting Kinderpostzegels Nederland and the India Committee of the Netherlands (ICN).

2 SOMO, 'Gold from children's hands', <[http://www.somo.nl/publications-en/Publication\\_4257?set\\_language=en](http://www.somo.nl/publications-en/Publication_4257?set_language=en)>, (26 February 2016).

3 Uganda losing millions in illegal gold mining, New Vision, 29 May 2013. <[http://www.newvision.co.ug/new\\_vision/news/1321360/uganda-losing-millions-illegal-gold-mining](http://www.newvision.co.ug/new_vision/news/1321360/uganda-losing-millions-illegal-gold-mining)> (26 February 2016).

In total 52 children were interviewed at three mining areas, both as individuals as well as in focus groups. In addition at the mining sites health personnel from two clinics were interviewed, adult miners, on-site gold buyers, chiefs, community officers and the police. The children interviewed were between 7 and 17 years old. The names of the children are known by the researchers. However, in the report pseudonyms are used to provide them anonymity

Key informants were identified prior to the study and included Mubende District local government officials and technical officials in the Directorate of Geological Survey and Mines (DGSM). The key informants interviewed during the study included:

- Zachary Baguma, Ag. Director, Geological Survey and Mines
- John Kennedy Okweling, Mines Inspector/ASM Focal Person
- Joseph Sebitosi, Senior Education Officer, Mubende District
- Baraza Benedict, Labour Officer, Mubende District
- District Population Officer, Mubende District
- Edward Senkusu, Community Development Officer, Bukuya Subcounty, Mubende District.

According to Edward Senkusu, artisanal gold mining is spread across four sub-counties of Mubende. These include:

- Kitumbi subcounty with at least nine artisanal mining locations;
- Bukuya with two artisanal mining locations;
- Makokota with one artisanal mine location and;
- Butorogo with one artisanal mine location.<sup>4</sup>

Based on the high number of artisanal gold mines, Kitumbi subcounty was chosen as a main location for the interviews with children. More specifically the Rubali artisanal mine was chosen as having the largest artisanal mining camp and a high concentration of artisanal mining operations. The three artisanal mine sites visited included Rubali, Luggingii I (also called 'Kampala' by the miners there) and Luggingii II. From 4-8 December 2015, the research team was at the Rubali artisanal mine. On 9-10 December 2015, the research team visited the other mining sites.

On first arrival (i.e. 4 December 2015) at Rubali artisanal mines, the research team was faced with the situation that the local police had arrested some children from the mines the previous night. The research team could talk to the children at that time and also talked to several of these children at the mining site at a later stage in the research. Throughout the first day, the police were very active in the mines. Therefore, the research team used much of the first day at Rubali artisanal mine to build a relationship with the local community and more especially the children in the mines to ensure the purpose of the study was accepted and not compromised by the police actions. As a result, the children became the main contact in the community and led the research team to more surrounding artisanal mining sites and areas. The children welcomed the research team, took the lead in focus group discussions and participated freely in the study. The children were neither intimidated nor felt forced to participate in the study. A semi-structured questionnaire was used during the focus group discussions.

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4 Interview with Edward Senkusu, 4 December 2015.

In general, the methodology was participatory and focused on:

- Understanding the child labour pattern in artisanal and small-scale gold mining in Uganda using Mubende District as a case study
- Researching the labour conditions of the children mining gold
- Mapping the local gold supply chain from the mines to the point of export.

The report starts with a chapter that gives a short introduction on the economy, demographic factors, and the circumstances of children growing up in Uganda – focusing on the education patterns and the involvement of children in employment.

Chapter 3 gives details about artisanal and small-scale gold mining (ASGM), as well as exports and import figures related to Uganda gold mining. Chapter 4 presents the outcomes of the field research conducted by SOMO and CRSS, describing the use and magnitude of child labour in the artisanal small-scale gold mining in the Mubende District, and giving an overview of the mining conditions at the three researched locations in Mubende: Rubali, Luggingi I and Luggingi II.

In the last chapter (5), the legal framework on mining and on child labour is summarised. Initiatives that have taken place in Uganda on sustainable artisanal mining and tackling child labour are discussed. The report ends with conclusions and recommendations.

## 2 Country background

This chapter gives a short introduction to the economy, demographic factors and the circumstances of children growing up in Uganda, focusing on the education patterns and the involvement of children in employment.

### 2.1 Economy

Uganda is a land-locked country and covers 236,000 square kilometres. Uganda borders the Democratic Republic of Congo (DRC) to the West, Rwanda and Tanzania to the South, Kenya to the East and South Sudan to the North. 85 per cent of the total population lives in rural areas.

Uganda's Gross Domestic Product (GDP) was US\$ 26.31 billion and represents 0.04 per cent of the world economy.<sup>5</sup> Uganda has made significant economic progress in the last two decades. The national poverty rate fell to 19.7 per cent in 2012/13, from 24.5 per cent in 2009/10<sup>6</sup> and 56 per cent in 1992/93.<sup>7</sup> Despite the progress, almost one in every five people is still living on less than US\$ 1 per day.<sup>8</sup>

The economic growth of the country is challenged by demographic factors. In 2014, the total population was about 35 million people, of which 57 per cent was below the age of 18 (this is 20 million children). Nineteen per cent of the population is aged between 0 and 4 years (6.6 million) and 23 per cent is aged between 5 and 12 (8 million).<sup>9</sup> This makes Uganda's population the second youngest in the world (after Niger)<sup>10</sup> and it means that the proportion of the working-age population is relatively small compared to that of children. Good health and education systems are currently paramount to foster opportunities to developing a healthy and skilled workforce to make economic growth possible.<sup>11</sup>

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5 Trading Economics (2014). Uganda's GDP 1960-2015, 22 December 2015.  
<<http://www.tradingeconomics.com/uganda/gdp>>.

6 Ministry of Finance, Planning and Economic Development (2014). 'Uganda Poverty Status Report 2014: Structural Change and Poverty Reduction in Uganda', <[http://www.ug.undp.org/content/uganda/en/home/library/human\\_development/TheUgandaPovertyStatusReport2014.html](http://www.ug.undp.org/content/uganda/en/home/library/human_development/TheUgandaPovertyStatusReport2014.html)>.

7 Ministry of Gender, Labour and Social Development (MoGLSD) and UNICEF, 'Situation analysis of Children in Uganda, 2015'.

8 Ministry of Finance, Planning and Economic Development, Population Secretariat (POPSEC), 'The state of Uganda population report 2014', <<http://popsec.org/the-state-of-uganda-population-report-2014/>>.

9 Uganda Bureau of Statistics (UBoS), *Preliminary Results of the Population and Housing Census, 2014*, <<http://www.ubos.org/onlinefiles/uploads/ubos/NPHC/NPHC%202014%20PROVISIONAL%20RESULTS%20REPORT.pdf>>.

10 Uganda's Demographic and Health Challenges Put Into Perspective With Newfound Oil Discoveries, April 26, 2012. <<https://www.newsecuritybeat.org/2012/04/ugandas-demographic-and-health-challenges-put-into-perspective-with-newfound-oil-discoveries-part-one/>>.

11 POPSEC, 'The state of Uganda population report 2014'.



## Poverty

In a report, published by the Ugandan Ministry of Gender, Labour and Social Development (MoGLSD) and UNICEF in 2015, the situation for children in Uganda is extensively analysed. The report concludes that Uganda faces widespread child poverty (that is, multiple deprivations when it comes to nutrition, health, water, education, shelter, sanitation and information). 4.4 million (22.1 per cent) of children live in income-poor households. While poverty is spread across the country, there are big disparities across the regions. Child poverty rates for 0–4 year olds are highest in West Nile and Karamoja, where 68 per cent of the youngest children experience multiple deprivations. In the Mubende District where the research took place (Central Uganda), 56-60 per cent of the children experience child poverty.<sup>12</sup>

The findings of the MoGLSD/UNICEF report point out that 8 per cent of children are critically vulnerable, while 43 per cent are moderately vulnerable. As of 2014, only 60 per cent of children aged 0–4 years have birth registration papers and 11.3 per cent of the children are orphans.<sup>13</sup>

## 2.2 Education

### Primary education

Since the introduction of Universal Primary Education (UPE) programme in 1997, the number of children enrolling in primary school has tripled in Uganda. Compulsory school starts at six years of age and ends after seven years of primary education. The primary school enrolment has increased to 93.7 per cent in 2014 with no gender gap.<sup>14</sup> However, enrolling in school is not the same as school attendance; 1.4 million 6–12-year-olds across the country are still not in school. In Karamoja, only half the primary-aged children are at school.<sup>15</sup> Uganda has one of the highest percentages of primary school drop outs in the world, for both primary and secondary schools.

The ‘survival rates’<sup>16</sup> to Grade 5 are 63.4 per cent (67 per cent for boys and 59.9 per cent for girls), while the survival rate to Grade 7 is 32 per cent.<sup>17</sup> This means that only one third of those who finish primary school have not experienced any delays (repeating years, often due to temporary dropping out of school). A percentage of 33 per cent<sup>18</sup> is also reported by UNESCO, while the primary survival rate in Kenya is 84 per cent, in Tanzania 78 per cent and in Rwanda 81 per cent.<sup>19</sup>

While the primary school enrolment rate is close to universal at 94 per cent, only 67 per cent of children are completing primary school.<sup>20</sup>

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12 MoGLSD and UNICEF, 2015.

13 MoGLSD and UNICEF 2015, p. 8.

14 MoGLSD and UNICEF, 2015, p. 52.

15 MoGLSD and UNICEF 2015, p. 171.

16 Survival rate being the number of children starting together in primary 1, progressing through the cycle with their peers still being together when finishing the primary cycle in primary 7.

17 MoGLSD and UNICEF, 2015, p. 52.

18 This specific percentage relates to the children who enrolled in 2006 and should have done their exams in February 2013.

19 Christine Mbabazi Mpyangu (et al), “Out of school children study in Uganda”, March 2014, p. 4.

Although school fees were officially abolished at primary level in 1997 as part of the UPE programme, parents are still asked to contribute parent teacher association (PTA) fees and examination fees, and have to provide or buy lunch, pay for school materials, uniforms and school development funds. For poorer parents these costs are beyond reach. Financial constraints are the most prominent factor explaining the high drop-out rates.<sup>21</sup>

Also the low quality of education provided in primary schools is playing a key role: in 2013 only one in five primary school teachers had achieved competency in English and Mathematics; in more than half of the country's public schools, over 60 per cent of teachers were not in the classroom teaching. Of the latter, 24 per cent were absent from school, 29 per cent were in school but not in class, and 6 per cent were in class but not teaching.<sup>22</sup> Mubende's District Education Officer said that teacher absenteeism is rampant across mining communities and this is attributed to their participation in artisanal gold mining. In Kitumbi Subcounty, at least 5 out of 8 teachers in total have been reported absent due to their participation in gold mining.

Child labour is also a significant factor that leads to school dropouts. After reaching the age of 10 and above, most children prefer making money rather than going to school. This is a country wide issue. In all regions of Uganda, children are engaged in activities in order to earn a living and when a child gets used to having money, they forget about school because they believe with or without school they can still have money. They see no use in struggling with school.<sup>23</sup>

### Secondary education

Secondary school enrolment rates are much lower than primary school (93.7 per cent in primary vs. 24.1 per cent in secondary in 2014). School attendance is even lower, only 15.8 per cent of secondary school-age children are attending secondary school.<sup>24</sup> School fees and other school-related expenses are even more problematic for secondary school than for primary school, as expenses are higher and as children get older many families consider their time would be better spent working than studying.<sup>25</sup>

## 2.3 Child labour

In Uganda both male and female children continue to play a traditionally important economic role in household livelihoods. Several statistics show that a large percentage of the children are working, although the presented data does not always match.

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20 MoGLSD and UNICEF, 2015, p. 52, with a reference to a report of the World Bank, 2013, p. 52 with a reference to Ministry of Education, Sports, Science and Technology (MoEST) Education and Sports Sector Fact sheet 2002–2014 (2014).

21 Christine Mbabazi Mpyangu (et all), March 2014, p. 4.

22 MoGLSD and UNICEF, 2015, p. 52, with a reference to a report of the World Bank, 2013.

23 Christine Mbabazi Mpyangu (et all), March 2014, p. 15.

24 MoGLSD and UNICEF, 2015, p. 173.

25 Christine Mbabazi Mpyangu (et all), March 2014, p. 15.

On the issue of child labour, the 2015 report by MoGLSD and UNICEF quotes two relevant studies, one indicating that 51 per cent of children aged 5–17 are working, of which 25 per cent are considered to be working in hazardous forms of work. This is an increase of 19 per cent overall and 9 per cent for hazardous child labour from 2005 to 2010. Therefore the report concludes that child labour – including its most hazardous forms – is on the rise across all regions in Uganda.<sup>26,27</sup>

The main reasons for working are to supplement family income, to pay school fees, to help in the household business, to replace an adult who is working away from home or who is sick, or to buy medication. Other factors include low quality of education, no interest in school (other skills are more highly valued), food insecurity and effects of war (particularly in Northern Uganda), the impact of HIV/AIDS and the high level of orphan-hood. Orphans are more vulnerable to child labour.<sup>28</sup>

Being engaged in work is, however, not always seen as child labour. The *Uganda National Household Survey 2009/10* used the following inclusion criteria to detect child labour: all children aged 5-11 years who are working; all children aged 12-13 years who work for more than 14 hours in a week and all children aged 14-17 who work for more than 43 hours in a week. According to this study, 26 per cent of children in Uganda are child labourers.<sup>29</sup> If we relate this percentage to the demographic figures of 2014 (see paragraph 2.1), we are talking about 3.5 million child labourers in absolute terms. And when we take the percentage of 51 per cent, which is the percentage of all children engaged in work as reported in the UNICEF report, we are talking about 6.7 million children.<sup>30</sup> The ILO does see all activities of children engaged in mining as hazardous work, thus child labour. Artisanal gold mining is further seen as “Work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children” which is defined by the ILO as worst forms of child labour<sup>31</sup>.

The report by the Uganda Bureau of Statistics (UBOS), based on household studies, shows that a higher percentage of children is working in rural areas compared to urban areas. For example, 52 per cent of the children in Central Uganda (where Mubende is located) work versus 25 per cent of children in Kampala. Given the fact that 85 per cent of the population lives in rural areas, the average is more on the level of the rural areas: 51 per cent. Based on these figures, it can be calculated that out of the 20 million children in Uganda, 17 million live in rural areas and half of them (those older than five) are engaged in work (5.8 million). Statistics based on the UBOS study indicate that 0.3 per cent of the rural children are working in the sector called ‘other’, which includes mining

26 MoGLSD and UNICEF, 2015, p. 55. (quoting; UBOS, 2010 and quoting; Walakira and Nyanzi, 2012: 65).

27 The other study is indicating that almost 93 per cent of children in rural areas are believed to be engaged in commercial or subsistence agriculture (land tilling, sowing, weeding and harvesting) and fishing. Those children in plantation agriculture are suspected of working in the most hazardous conditions and risky forms of labour, as they are exposed to chemicals, heat, extra hours and harsh conditions (Walakira and Nyanzi, 2012: 65).

28 Ministry of Gender, Labour and Social Development, ‘National Action plan on elimination of the worst forms of child labour in Uganda, 2012/13 - 2016/17’, May 2012, <[http://www.unicef.org/uganda/NAP\\_Uganda\\_June\\_2012.pdf](http://www.unicef.org/uganda/NAP_Uganda_June_2012.pdf)> and ‘Walakira and Nyanzi’.

29 UBOS 2010, ‘Uganda National Household Survey 2009/10’, <<http://www.ubos.org/UNHS0910/unhs200910.pdf>>.

30 In 2014, 20 million of the population was below 18 years of age. The number of 0-4 years old was 6.6 million, meaning that 13.4 million are children between 5 and 17. 51 per cent of 13.4 million is 6.7 million.

31 ILO, Worst forms of Child Labour, <<http://www.ilo.org/ipec/facts/WorstFormsofChildLabour/lang--en/index.htm>>.

and quarrying (and electricity and gas and water supply but this is not typical work that is done a lot in rural areas, so most will be mining). A figure of 0.3 per cent of 5.8 million children indicates that about 17,400 children are working in mining and quarrying when extrapolating the research statistics of 2011/2012.<sup>32</sup> This is not exclusively related to gold mining, but does include artisanal gold mining.

To make the picture more nuanced: most children of primary school age who are engaged in work combine this with going to school. After all, 67 per cent of children are completing primary school although often with much delay. After primary school most children stop going to school.

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32 UBOS, Understanding Children's Work (UCW) Programme, 'Understanding children's work and youth employment outcomes in Uganda', June 2014.

## 3 Artisanal and small-scale gold mining in Uganda

This chapter starts with a short introduction on artisanal and small-scale gold mining (ASGM), as well as detailing export and import figures related to Uganda gold mining.

### 3.1 The number of artisanal gold miners

Instances of gold in Uganda were first documented in Busia in 1932 and numerous small-scale mining activities began thereafter.<sup>33</sup> Gold occurs in the Archaean greenstones and related sediments near Busia in the Southeast, in the Karagwe-Ankolean System in northern Kigezi District, in North Karamoja and the Moroto District in Karamoja, at the headwaters of the Mpongo River in Mubende Kisoga, and in Katagwe-Ankolea sediments in the Buhweju Plateau in the Southwest.

Uganda's mining industry thrived from 1955 to 1976. However, the political turmoil experienced in the 1970s led to the closure of most industrial mines and set the stage for the emergence of artisanal mining activities around communities that mostly depended on mining for a livelihood. Currently artisanal and small-scale mining (ASM) dominates the gold mining sector in Uganda; there are only four licences for large-scale mining issued by the Ugandan government.

In 2008, at least 20,000 miners were said to be engaged in gold mining via artisanal mining. A UNEP study concludes that this level has increased by 20-40 per cent in 2009. This would mean that there were about 24,000 to 28,000 gold miners working in Uganda in 2009.<sup>34</sup> A 2015 OECD study indicates that Ugandan gold production appears to be rising.<sup>35</sup> The recent gold rushes also point in that direction. Growth of artisanal gold production is taking place in several African countries such as the DRC, Burkina Faso, Tanzania and Mali. Crop failures caused by droughts and wars, coupled with relatively high gold prices, have led to increased gold mining. Since 2013 prices have been falling back, but gold is still profitable for poor people to mine artisanally.<sup>36</sup> Challenges for ASM in Uganda are related to lack of opportunities for formalisation, fair market access, affordable financing, organisation, appropriate technology and the issue of environmental pollution and child labour.

Since 2013, Uganda has experienced several artisanal gold rushes mainly in the areas of Mubende, Mayuge, Namayingo, Bugiri and Karamoja. These gold rushes have attracted an influx of artisanal miners from neighbouring areas but also from neighbouring countries, as observed at Rubali artisanal gold mine during this study. According to the artisanal miners interviewed at Rubali, some of the

33 Estelle Levin (2009). *Scoping Study Report for Fairtrade Certified Artisanal Gold*.

34 UNEP, Uganda case study, June 2012, p. 7.

35 OECD, Baseline study four: Gold trading and export in Kampala, Uganda, 2015, <<http://www.oecd.org/daf/inv/mne/Gold-Baseline-Study-4.pdf>>, (1 March 2016).

36 SOMO, 'Gold from children's hands: use of child-mined gold by the electronics sector', November 2015. <[http://www.somo.nl/publications-en/Publication\\_4257?set\\_language=en](http://www.somo.nl/publications-en/Publication_4257?set_language=en)>.

miners are from countries such as Tanzania, Burundi and the DRC. Based on observations of gold mining activities at Rubali, Lugginggi I and Lugginggi II, the research team estimates there are up to 7,500 miners operating at these three locations of which Rubali is only two years old. In 2011, the non-governmental organisation (NGO) Ecological Christian Organisation (ECO) estimated the number of artisanal gold miners in Karamoja at 15,000<sup>37</sup> including men, women and children. The authors of the 2011 ECO report expected the mining activities related to ASM (including gold) to escalate in Karamoja in the years to come. In 2014, Simon Nangiro, head of the Karamoja Miners Association, estimated that around 80,000 people in the region make a living panning for gold.<sup>38</sup> (In April 2011, he estimated the number at 20,000: 10,000 at the Rupa mining location alone and 20,000 across Karamoja).<sup>39</sup>

Therefore, considering that estimates in 2009 were around 28,000 artisanal gold miners and considering that Uganda has experienced several gold rushes since then (including Mubende District with up to 10,000 artisanal gold miners<sup>40</sup> and Karamoja with 15,000 to 80,000), it is plausible to say that the current number can count up to 50,000 artisanal gold miners women, men and children, but could also be more.<sup>41</sup> There never has been an effort to make a realistic estimate of the number of ASGM miners in Uganda. It has to be noted that gold mining is seasonal (mostly depending on the weather) and the number of miners therefore fluctuates considerably during the year. Also, gold miners go from one area to another.

The given numbers of artisanal miners include women, men and children. It is a common sight to see children working on the mining sites. However, the number of children working in artisanal gold mining has not been researched yet systematically. A large-scale national household study indicated that 0.3 per cent of all children working in the rural regions are working in mining and quarrying (see section 2.3). On the basis of the authors' calculations, this would concern theoretically approximately 17,400 children working in mines. These are not only gold mines; in Uganda also silver, copper, iron ore, gemstones, limestone, cassiterite, tungsten and marble are mined artisanally.

## 3.2 Production figures

In Uganda the official statistics on gold production do not give a true impression of the actual gold production including artisanal mining.

In 2006 and 2007, the country's officially reported gold production was 0.022 (22 kg) and 0.025 tonnes (25 kg), respectively; however, exports in the same years were reported at 6.9 (6,900 kg)

37 ECO, 2011, 'The mining and minerals sector in Karamoja region: Development opportunities and constraints'.

38 Voice of America, 'The Looming Battle for Uganda's Gold', 10 March 2014 <<http://www.voanews.com/content/the-loomng-battle-for-ugandas-gold/1868117.html>>.

39 Pulitzer Center, 'After the Gold Rush: Is Mining the Future of Karamoja?', <<http://pulitzercenter.org/articles/uganda-karamoja-gold-mining-future>>.

40 With 7,500 at the three visited locations alone, in total there are 13 mining locations in Mubende District.

41 Taking 28,000 in 2009 as a starting point, adding the 15,000 of Karamoja (which is the lowest estimate), and adding the estimated 10,000 in Mubende, which is developed after 2009, makes already 53,000 miners.

and 3.57 tonnes (3,570 kg).<sup>42</sup> While the linkages with gold smuggled from neighbouring DRC and exported through Uganda traders were already revealed in 2002 by the UN Group of Experts (UN GoE),<sup>43</sup> still a substantial proportion of exported gold seems to be derived from in-country ASGM. For example, in 2008, unlicensed, informal ASGM production from over 17,000 miners was estimated at over 1.2 tonnes (1,200 kg).<sup>44</sup>

Taking this number of 17,000 ASG miners as a starting point – who together can produce 1.2 tonnes (which is 70.5 grammes of gold per miner per year) – then 50,000 miners could theoretically produce 3.5 tonnes of gold per year. However, the children in the field research only found 0.1 grammes per day on average. Their maximum will be closer to 15<sup>45</sup> to 20 grammes per year. Therefore a more realistic estimation will be closer to 2.8 tonnes of gold per year.<sup>46</sup>

During the field research in December 2015, the register of the Directorate of Geological Survey and Mines (DGSM) in Entebbe was visited. According to the license register, there are twelve formal small scale gold mines and four large scale mines in 2015 (see Table 1). These account for the official gold production statistics in Uganda.

**Table 1: Formal gold mining activities in Uganda**

Type	Number	Licence holder	Entity Type	District
LL	0911	Nawata Mines Ltd.	Company	Mubende
LL	0970	Charlotte Kanabahita	Person	Kisoro
LL	0989	Busia United Small Scale Mining Association	Association	Busia
LL	1039	George Onega	Person	Busia
LL	1074	Majestic Minerals Limited	Company	Ibanda
LL	1162	Nawata Mines Ltd.	Company	Mubende
LL	1176	Oli Gold Muruli Limited	Company	Ibanda
LL	1197	Rift Valley Minerals Limited	Company	Ibanda
LL	1208	Sebabi Samuel	Person	Luwero
LL	1210	Sikander Meghani	Person	Moroto
LL	1223	Sikander Meghani	Person	Moroto
ML	0886	Simba Mines and Mineral Resources	Company	Ibanda & Kamwenge
ML	1129	Jan Mangal (U) Ltd	Company	Moroto
ML	4063	AUC Mining (U) Limited	Company	Mubende
ML	4128	Greenstone Resources Limited	Company	Busia
ML	4603	Kisita Mining Co. Limited.	Company	Mubende

Source: Directorate of Geological Survey and Mines, Entebbe, Uganda. Obtained during field research December 2015). LL stands for Location Lease which is only for artisanal miners and ML stands for Mining Lease which is meant for large scale mining.

42 OECD, Baseline study four, 2015. Average annual recorded domestic gold production was 28 kg between 1994 and 2007.

43 UN Security Council Report S/2002/1146).

44 UNEP, Uganda case study, June 2012. This report cites from a study of Jennifer Hinton of 2009.

45 15 Grammes would be 150 working days per year.

46 Taking the average of 17.5 grammes for 12,500 children per year and 70 grammes for 37,500 adult miners per year.

According to Mr. J. Okweling (Mines Inspector and ASM Focal Person at DGSM), the majority of artisanal mining activities in Uganda are unlicensed and their gold production is therefore not reflected in the annual mineral production statistics. In addition, there is no legal framework to accommodate such artisanal gold production.

### 3.3 Gold export

The official gold export statistics obtained from DGSM indicates that only 14.4 kg of gold was exported from Uganda in 2015 and 10 kg of this was imported from neighbouring countries i.e. DRC (9 kg) and South Sudan (1kg) (see Table 2). This means only 4 kg of gold exported was officially produced in Uganda.

**Table 2: 2015 Gold export statistics from Uganda**

Date	Company	Mineral	Origin	Destination	Permit No.	Quantity (KG)
24 August 2015	Hajj fahad ibrahim lugobe	Gold	DR Congo	Dubai	02660	9.50
10 September 2015	Nikki rush mining group ltd	Gold	Karamoja	Dubai	02668	1.00
27 October 2015	Ys Gold Stones Uganda Ltd	Gold	Amudat	Korea	02676	0.37
5 November 2015	Kagera Mining (U) Ltd	Gold	Amudat	Vietnam	02678	1.00
20 November 2015	Kagera Mining (U) Ltd	Gold	Karamoja	Dubai	02680	1.00
20 November 2015	Ys Gold Stones Uganda Ltd	Gold	Mubende	Korea	02683	0.54
23 June 2015	Dahab For Trade Ltd	Gold	South Sudan		02657	1.00
						<b>14.41</b>

Source: Directorate of Geological Survey and Mines, Entebbe, Uganda.

The massive drop in the official gold export figures from 6.9 tonnes in 2006 to 161 kg in 2013, and to about 15 kg in 2014 and 2015, started in 2007 when the UN Security Council imposed sanctions on Ugandan gold traders (good for the majority of export) for buying gold from traders in the DRC tightly linked to militias. Since the 2011 change of rule by the Uganda Revenue Authority (URA), official gold re-exports have become rare. Due to the more stringent rules, Ugandan gold traders are required to produce supporting documentation to prove the origin of their gold. Prior to this they only had to declare the origin of the gold without proof. The 2013 increase in export taxes has provided a further incentive to smuggle, and is another reason why Uganda's official exports have dropped so sharply. The tax rate for re-exported gold increased from 0.5 per cent to 1 per cent and the rate for domestic produced gold increased from 3 per cent to 5 per cent.<sup>47</sup>

#### UN Comtrade statistics

Although there is hardly any official gold production in Uganda, it is remarkable that the United Arab Emirates (UAE) does report gold imports from Uganda on the UN Comtrade database. In 2014,

47 OECD, Baseline study four, 2015.



the UAE reported 949 kg of gold imports from Uganda. In 2011, UAE imported 2,652 kg, in 2010 3,366 kg and in 2009 1,633 kg.<sup>48</sup>

Even more remarkably, Uganda reports to the UN Comtrade Database about gold exports to UAE and every year one other country.<sup>49</sup> The amounts to these other countries (South Africa, Switzerland, Denmark and Saudi Arabia) are very small, varying from one kg to five kg. Uganda reported almost 2 tonnes of gold export to UAE for 2014. The amounts reported by Uganda do not overlap with the amount reported by UAE.

**Table 3: Gold imports from Uganda, reported by United Arab Emirates to UN Comtrade**

Year	Reporting country	Commodity code	Import from	Net weight (kg)
2014	United Arab Emirates	7108(13)	Uganda	949
2011	United Arab Emirates	7108(13)	Uganda	2,652
2010	United Arab Emirates	7108(13)	Uganda	3,366
2009	United Arab Emirates	7108(12)	Uganda	1,633

Source: UN Comtrade Database.

**Table 4: Gold exports from Uganda, reported by Uganda to UN Comtrade**

Year	Reporting country	Commodity code	Export to	Net weight (kg)
2014	Uganda	7108(13)	United Arab Emirates	1,937
2014	Uganda	7108(12)	South Africa	2
2013	Uganda	7108(13)	United Arab Emirates	84
2012	Uganda	7108(13)	United Arab Emirates	324
2012	Uganda	7108(12)	Switzerland	5
2011	Uganda	7108(13)	United Arab Emirates	219

Source: UN Comtrade Database.

7108 Gold, including unwrought, semi-manufactured, and powder form

7108(11) Gold, powder form (non-monetary)

7108(12) Gold, semi-manufactured form (non-monetary)

7108(13) Gold, unwrought, (non-monetary)

48 UN Comtrade Database, <<http://comtrade.un.org/data/>>, code 7108 contains the following products: gold, unwrought or in semi-manufactured forms, or in powder form. Figures of 2013 and 2012 are not available in the database, which means that UAE did not report gold imports from Uganda in these years. This does not automatically mean that UAE did not import gold from Uganda.

49 The UN Comtrade database does not show which authority from Uganda is responsible for this reporting.

## Conclusion

Artisanal mined gold does not show up in the production statistics.. Based on calculations by the authors of the report, the ASGM production could be as high as 2.8 tonnes of gold per year, taking 50,000 artisanal gold miners (of which 12,500<sup>50</sup> children with a lower production) as a starting point. This amount is higher than the official national statistics and the amounts reported by both Uganda and the UAE to UN Comtrade.

The UN Comtrade export statistics do show a significantly larger amount of gold being exported than the official national statistics report. The UN Comtrade statistics might include part of the illegal produced artisanal mined gold. The officially national reported export of gold from Uganda has significantly dropped to just 15 kilos per year since the more stringent controls on Ugandan gold trading were introduced through UN sanctions on exporting DRC gold in 2007 and the increase of taxes on gold since 2013.

The trade statistics reported through UN Comtrade do not match; for 2014, the gold exports to the UAE as reported by Uganda is substantially higher than the imports reported by the UAE.

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50 Taking the average of 10,000 to 15,000 children working in the gold mines.

## 4 Child labour in Uganda: Mubende gold mining

### 4.1 Gold mining in Mubende

At the start of 2013 a ‘gold rush’ occurred in Mubende, one of Uganda’s mineral rich areas, where locals have mined gold for decades. The gold rush attracted people from all over the country and from neighbouring countries such as Rwanda and the DRC.

Now artisanal gold mining is spread across four of the sub counties of Mubende. One of the sub counties is Kitumbi, which has at least nine artisanal mining locations. Three of these locations were visited by the research team; Rubali, Luggingi I (also called ‘Kampala’) and Luggingi II.

The Rubali artisanal mine was the largest location with huge mining camps and a high concentration of artisanal mining operations. Hard rock ore is found on the mountain and is collected in mining pits, which are on average 30 meter deep. The mountain hosted around 200 mining pits. The mining pits had narrow shafts without any safety measures to prevent workers from falling in. Most of the pits were in use and the miners worked in groups of 10 to 20 people to get the hard rock ore out of the ground.

At Rubali the production processes of the gold mining looked organised in the way that the different stages of the gold extraction process were concentrated in one area as far as possible:

- the mining shafts were on the mountain;
- at the slope of the mountain the drying and the pounding took place;
- lower down there was the grinding;
- and then the sluicing and panning took place.

The mining camp was separate from the production areas, which seems logical but that was not the case at the Luggingi locations where tents and ponds and mining shafts and grinding mills were all together on the same spot. At Rubali also surface mining took place, on different spots the soil was excavated.

The mining location ‘Kampala’ was a popular camp in the sense that miners from surrounding camps prefer to spend their evening here, escalating the night population to double the day population. There were entertainment halls connected to digital television, lodges, restaurants, bars, a clinic, shops, areas of worship, including a mosque, and many deep mining pits (around 50, not all in use). As the camp Kampala is older than Rubali, the mining pits are much deeper: several of the pits were 100 meter deep. One pit was just closed because it was too deep and becoming too dangerous to enter.

Luggingi II was the smallest location with 13 pits of which only three were in operation. This location was the least organised in the sense that living and working was not separated, which creates dangerous and unhealthy situations.

## 4.2 Field Research

The field research conducted by SOMO and CRSS aimed to determine the use and magnitude of child labour in the artisanal small-scale gold mining in Uganda, with the Mubende District as a case study.

Worldwide the use of children in artisanal gold mining is widespread; for the report 'Gold from children's hands' focusing on Mali, SOMO drafted a list of 26 countries in Africa, Asia and South America where this worst form of child labour takes place. It is estimated that at least million children worldwide work in artisanal gold mining.<sup>51</sup>

The researchers interviewed a total of 52 children on three artisanal mining sites and 13 adults (gold buyers, health providers, miners, chiefs and police). Government officials at the Mubende District Local Government and formal and informal leaders at the mining sites were also interviewed.

The ages of the children interviewed working at the visited mining areas varied between 7 and 17.<sup>52</sup>

**Table 5: The ages of the children interviewed**

Age groups	Number of children
7-10 years old	12
11-13 years old	24
14-17 years old	16
	<b>Total 52 children</b>

Most children interviewed by the researchers are working at the mine during the school holidays and at the weekends. At the time of the research, the holidays had just begun; starting in the second week of December until the third week of February. Due to the elections in the third week of February, this holiday was several weeks longer than in other years. Because of the holidays, the amount of children on the mining site was quite large. In the mining area where the processing of ore takes place, the typical job for children on this site, the majority of the miners were underage. It was estimated by the researchers that 70 per cent to 80 per cent of this work was done by child miners. In total the researchers saw around 1000 to 1200 children working on the three visited mining sites located in the Mubende District.

The estimation of the researchers is that there are about 50,000 artisanal gold miners in Uganda. Based on the UBOS report (2014)<sup>53</sup>, the researchers have calculated that 17,400 children are working

51 SOMO, 'Gold from children's hands. Use of child-mined gold by the electronics sector', 2015, <[http://www.somo.nl/publications-en/Publication\\_4257?set\\_language=en](http://www.somo.nl/publications-en/Publication_4257?set_language=en)>.

52 Although the children gave their age to the researchers it was clear that some of the children were pretending to be older than their biological age. As there is some supervision on the mining sites, by chiefs and police, especially regarding younger children who should be in schools, this is to be expected. Therefore the children are divided into age ranges.

53 UBOS, 2014, 'Understanding children's work and youth employment outcomes in Uganda'.

in mining and quarrying. This is not exclusively gold mining, it also includes silver mining, copper, iron, gemstones and lime stones but the majority will be gold mining. It is realistic to assume 10,000 to 15,000 are children working in gold mines (20 to 30 percent of all artisanal miners<sup>54</sup>).

### Mining methods

At Rubali the hard rock mining takes place on the hill side and alluvial mining is concentrated in the swamp area at the valley bottom. Open pit mining is used to extract hard rock to the surface.

The average gold operation starts with renting a small piece of land (from the landowners) – some plots as small as five square metres – and mobilising workers to dig a pit, create a tunnel and start looking for gold. Some of the pit owners sell the bags of ore and some decide to hire miners to extract the gold from the ore for them.

A chain of production can look like this:

- Miners dig up the gold ore from the underground mining pits
- Middle men buy the rock ore from the mine and send it to the area where the bigger rocks are hammered with a 'morter' into smaller pieces and the ore is being dried on carpets in the sun.
- Then the dried gold ore is sent to the crusher to grind it into ore dust with a milling machine.
- The owner of the bag of ore passes the ore dust on to a group of children to do the 'washing' (also called panning). The children have to buy mercury from the vendors to do the washing.
- The washing is done by using the sluices with carpets. The gold particles will stay behind in the carpets.
- The carpets are being washed out and the concentrated gold ore is ready for further concentration by panning
- After the ore dust is further concentrated after the panning it will be mixed with mercury to bind the gold. The mercury will stick to the gold particles forming a solid mercury-gold amalgam
- The mercury-gold amalgam is handed to the person who hired the children for the washing and he will take it to the on-site buyer.
- The on-site buyer will 'burn' the amalgam using a spoon and a burner to let the mercury evaporate into the air..
- Then the pure gold is sold to middle men who take it to the gold markets in Kampala.

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54 There are no estimations of percentages of child labour in ASGM in Uganda. The percentage is based upon observations on site and is consistent or lower than percentages from other countries in Africa such as in Mali the estimations made by HRW and ILO are 20 percent (Human Rights Watch 2011, A poisonous Mix. Child Labour, Mercury, and Artisanal Gold Mining in Mali) in Burkina Faso the estimation is between 30-50 percent children (Berne Declaration 2015, A Golden racket: the true source of Switzerland's "Togolese" gold, September 2015, in DRC the estimation is 40% children in artisanal mining (World Vision, 2013, Child miners speak: Key findings on children and artisanal mining in Kambove DRC, March 2013).



Miners dig up the gold ore from the underground mining pits



Bags with rock gold ore from the mining pits are for sale



The bigger rocks of gold ore are pounded with a mortar into smaller pieces



The gold ore is dried in the sun



In a mill the gold ore is being grinded into gold ore dust



Sluicing the gold dust





The concentrated ore dust is mixed with mercury to bind the gold



The mercury-gold amalgam



*The on-site gold buyer burns the mercury-gold amalgam to evaporate the mercury*

When there is not enough water available on the site to use the sluices, or when miners cannot afford to use sluices, the washing of the ore dust takes place in ponds using the method of panning.

During the field research there were no children identified who actually worked underground in the mining shafts. In all three mining sites that were visited in general children did not work in the mining shafts. One of the boys interviewed (see the life story of John) said that there are some children who work underground but it was not possible for him to locate them when they are working. Some of the children also expressed fear of dying as a reason not to be working in the mines as they know of miners who died there.

Most children work on processing the ore:

- They work at the sluice boxes to concentrate the ore dust;
- They work for miners and others who have bought bags of gold ore;
- They will look for waste from the ore extraction, the tailings<sup>55</sup> that are left behind by others or collect soil from where the ore has dried and pan these using mercury;
- They wash sacks used for sluicing;
- They dry the ore
- They buy bags of ore for about 50,000 Uganda shillings (€12.87) onwards, which is 10 basins of ore. The prices depend on the expected amount of gold per bag based on a test.

<sup>55</sup> Tailings, also called mine dumps, are the materials left over after the process of separating the valuable part from the uneconomic part of the gold ore.



Andrew, 14, Rubali gold mine

*“My name is Andrew and I am 14 years old. I started working in the mine in 2015 and came here alone. I work in the mine all the time except when I am sick or have gone back home to visit my parents. I work daily from 7am to 6pm. I work in the mine because there is no work I can do in my village and yet I need to get money to survive. I dropped out of school in primary four. My father never attended school and only my mother went to school for a brief period. In the mine, I work with tailings. I buy one gram of mercury at 1,000 Uganda Shillings. I like the work I do in the mine but I can leave if I get better work. I have not had problems*

*working in the mine except for the occasional stone cuts, injuries and knocks to fingers and hands.*

*The police mainly find us working to earn a living and arrest us. When we see them we hide. The children are working here in big numbers and come from different places. In the area where I am working, there are at least 50 children. When [the] police arrest us, sometimes they forgive us and other times we manage to escape and resume our work. There are no disabilities on my body that prevent me from working in the mine. The money I get for the gold is little and would want to earn much more. I will leave the mine when I have achieved my set target to buy a plot of land. In future, I want to become a businessman.”*

Except for three children that were selling sugarcane all other interviewed children were mining. Most of the children interviewed were active in gold panning. Except the child who was drying the ore and those who were selling sugarcane, all of the children work with mercury, one child interviewed was even selling mercury to other children.. Several interviewed children were standing in the pools from which they use the water for panning gold, using mercury. The children are paid either on the basis of piece rate or they work for themselves and will sell the gold directly to buyers on site.

### **Hours of work**

Most of the children interviewed work 5 or 6 days per week, often starting around 7 am until between 3 and 6 pm in the afternoon. About 10 school-dropouts were interviewed, who work in general six long days per week; starting at 7 am until about 6 pm.

Other children who work in the holidays and weekends work at least five days a week, sometimes 6, during the holidays. Generally starting around 7 am, they work until between 3pm and 6 pm. Several children mention they go to church on Sundays, while some children mention they have to do other work on Saturdays, such as helping on the fields.

The school going children work outside school holidays mostly 1 day per week. Two girls interviewed (nine and 10 years old) mention for example that they will work in the holidays from Monday till Saturday from 7 am to 4 pm and during school terms they will work every Saturday.

Although the majority of the children say they only work in the holidays and at the weekends, the total amounts of days working on the mining site over the year can be quite a lot. After all, the vacation periods over the whole year last about 16 weeks. Their working days are quite long. Several of the child miners mention they do take long breaks in between.

### Education

Uganda's education system has three distinct levels i.e. primary, secondary and tertiary institutions. All the children interviewed were in primary level and only one attended secondary school.

The District Education Officer confirmed that child labour is a big problem around Mubende. He specifically attributes the poor school attendance in the communities to children participation in gold mining activities. In addition, teacher absenteeism is rampant across mining communities and this also attributed to their participation in artisanal gold mining. In Kitumbi subcounty, at least five out of eight teachers in total have been reported absent due to gold mining. The District Education Officer said he was worried about the future of the children currently taking part in artisanal gold mining.

The Labour Officer indicates poverty as the main driver for children participating in gold mining. In some households children are (at times) the main providers. Parents who are farmers keep working on their land while their children go into gold mining. The farmers expect to get money after the harvest and the money children earn from gold mining will fill the gaps before harvesting. Although education is free, children are still expected to pay fees, buy their own books, uniforms and other school materials. Some parents are not able to provide these and children will work at the mining site to be able to pay.

Statistics indicate that at least four out of every five children of primary school age (6–12 years) are attending primary school at national level (81 per cent). In Central Uganda where the Mubende District is located this percentage is almost the same (80 per cent, 2012 figure.)<sup>56</sup> In total, 1.4 million children aged 6–12 years are not in school nationally.<sup>57</sup>

The 2015/16 Mubende District quarterly performance report for Quarter 1<sup>58</sup> indicates that it was expected that 90,000 children would enroll in the 211 public schools in the district. However, 92,787 pupils actually enrolled. And of the expected 2,091 teachers, only 1,874 teachers were actually on the pay list. This means that there were 2,787 more pupils than expected and 217 fewer teachers than anticipated. This fits in the picture drawn by earlier reports that there are not enough teachers resulting in classes that are too big. For the Mubende District it means 50 pupils per teacher.

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56 MoGLSD and UNICEF, Situation analysis of Children in Uganda 2015, p. 173.

57 MoGLSD and UNICEF, Situation analysis of Children in Uganda 2015.

58 Provided by the Statistics Office of the Local Government of Mubende District.



James, 14, working at the Rubali gold mine

*“My name is James and I am 14 years old. I started working in the mine in 2011. I came to the mine with my father. My parents have 11 children and they all attend school. I work in the mine daily during the school holidays. I work from 7am to 6pm and only rest three hours every day. The reason I work in the mine is to get money to help me start a sugar cane vending business. I use part of the money from mining to pay my school fees since my parents do not earn much and have to pay for my siblings in secondary school. During the school term, I only work in the mine on Saturdays and Sundays. On the mining site, I work with tailings.*

*I fall sick with malaria at least once a year and flu every two weeks. I find gold every day and sell it to the buyers that are everywhere in the mine. I feel the buyers should increase on the price of gold because we put in a lot of effort to get the gold. On average, I get 0.1g to 0.6g of gold per day and the buyers currently offer 90,000 Uganda shillings per gramme of gold. My mother keeps for me the money I get from the gold. In the future, I would like to become a mechanic (motor vehicle engineer).”*

Furthermore, the performance report of the first quarter of 2015/16 shows that more pupils dropped out (left primary school without finishing) than anticipated: 64 instead of 50. Over the school year 2014/15, 544 pupils dropped out instead of the expected 200. This is 287 per cent more than expected.

Related to the enrollment of secondary school students the situation is even more out of hand: instead of the expected 15,000 students more than 19,000 did enroll and there were 40 fewer teachers than expected (resulting in 53 students per teacher).

Of the 52 children interviewed the majority were still attending school. Of those who had stopped their education, most did not finish primary school. Several children never attended school or had only a few years education. One group of eight young workers between 12 and 17 mentioned in the interview they do not attend school because their parents were not able to pay the fees.

For example, Michael, one of the interviewed children, is 14 years old and has eight siblings. He is the 3rd born. In his family only one child goes to school. Ronald is 14 years old. He stopped education in the first class of the secondary school as his parents could not pay the fees. He is working at the mines to earn money to start his own sugarcane business.

### Reasons for working in gold mining

Most of the children are brought by their parents to the mines. Others come with other family, often siblings. Quite a substantial amount of children come alone to the mines. They live nearby or they live at the mine itself, either with their parents or alone. Some even come without their parents knowing.

A 12-year-old boy tells the researchers for examples that his parents are farmers and allow him to come to the mines. He stays in the mining area Rubali with his grandmother. Several girls interviewed near Luggingji I mine mentioned they have grown up at the site and think of it as their home.

One girl (13 years old) mentioned she lives with her father in the country's capital Kampala during school days and goes to school and will work in the holidays with her mother in the mines.

According to the children, their main reason for working in the mines is to earn money. Their parents cannot provide for them as they do not have enough money. Several children mentioned they come from large families. They earn money to contribute to the family income and to be able to buy clothes and food.

The children who work during the holidays and weekends work in the mine to raise money to pay school fees, books, clothes and food. All of these children who are still going to school mention they partly work to pay the school fees. Several children who were asked about the school fees mentioned they have to pay between 18,000 and 25,000 Uganda Shilling (€ 4,93 and € 6,85)<sup>59</sup> per term, thus three times per year.

Most children mention that they love working in gold mining because they get money. *"It doesn't break me,"* mentioned one 14-year-old boy. *"I love the work I do because it helps to release some of the financial pressure on my parents."*

During the study, only one under-age child who requested to remain anonymous expressed unhappiness about working in mines. He is not attending school and said he has no other choice except to work in the mine to earn a living. When asked what he wants to become later when he is a grownup he answered: *"how can I become something when I am not going to school"*.

A 10-year-old girl mentions in the interviews: *"I come to the mine field with my parents. The residential home is in Mubende. The money I earn I split in two: some of it used for school materials and the rest is used for family needs."* Two brothers of about seven and nine years old work in the holidays and during the rest of the year on Saturdays. On Sundays they go to church. They work in the mornings until 1 pm. They give their earnings to their mother, to buy them clothes and other items. They wash the ore with mercury, which they buy for 1,000 Uganda Shillings (€ 0.27), which lasts them two days. One 12-year-old boy said: *"I work to buy school materials, and to help out my mother. Sometimes I buy my own clothes so my mother can save some money."*

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59 Currency converter <[www.oanda.com](http://www.oanda.com)> at 8 december 2015 (for all exchange rates in this chapter).



John, 12, Rubali gold mine

*“My name is John and I am 12 years old. I started working in the mine in 2013 and came here alone. I work in the mine all the time except on Sundays and when I am sick. I like the work I do in the mine because it gives me the money I need to survive. I dropped out of school in primary four. My father dropped out of school in primary three while my mother dropped out in senior one. I work from 7am to 4pm. In the mine, I work with tailings. I collect tailings that I concentrate using a sluice box that is lined with sisal carpets to trap the gold particles. The sisal carpets are washed in a basin to extract the concentrate. Mercury is added to the concentrate to separate the gold from other particles. The amalgam is squeezed in a handkerchief to extract the mercury. The amalgam is then burned leaving behind the gold. On a daily basis I carry and process 20-30 basins of tailings. The only problems I face are the stone cuts and injuries to my fingers and hands while working in the mine. The other challenge is the policemen who find us working to earn a living and arrest us. However, when we see them we hide. There are some children that work underground but I cannot find them now. I have no disabilities on my body and the only time I do not work is when I fall sick of malaria. When I fall sick of malaria and I have money, I buy drugs. In the future, I would like to become a livestock farmer.”*

### Earnings

In general the children find gold every day. The amounts they find differ. The older children (14 to 17 years of age) will find on average between 0.1-0.5 g of gold per day. Which they can sell for about 9,500-47,500 Uganda Shilling (between € 2.44 and € 12.32). To achieve the higher amounts they need to buy their own backs of gold ore costing at least 50,000 Uganda Shilling (€12.87) Besides these costs they need to buy the mercury. This means that when they find more gold per day, their costs are also higher.

The smaller children, below 13 years old will find on average 0.1 g, the smallest children sometimes not even 0.1 g per day (selling price 9,500 Uganda Shilling/€2.44), but on average only 0.05 g (4,700 Uganda Shilling/ €1.22). They are often gathering tailings to pan which will not cost them money. The costs for the mercury however needs to be deducted from this amount (costs for mercury are about 500 Uganda Shilling per day,/€0.13) This means that they earn about €1.09 to €2.31 per day. The children feel this is not very much for the amount of work involved. They sell their gold to a buyer on site who will burn the gold, weigh it and pay them.

Boys who were interviewed at the mining site Luggingji I (Kampala) said they work for others and will pan ore, which is paid per basin (2,000 Uganda Shilling or € 0.51). They do find gold every day but are not sure how much as they give it immediately to the person they work for. Also girls at Luggingji

He mentions they will get 2,000 Uganda Shilling per basin (€ 0.51), and 15,000 Ugandan Shillings (€3,86) for a whole sack. The earnings per day vary, they will earn between 2,000 and 20,000 Uganda Shillings (€ 0.51 and € 5.14). There is not always enough work for all the children on the mining site. When it rains heavily they cannot work.

### 4.3 Occupational safety and health

The mine shafts at Rubali are approximately 30 meter deep. Artisanal miners are working in and around these shafts without personal protection equipment. Medical records from a community clinic indicate head injuries and cuts are the common accidents that occur in the mine.

The district labour officer has indicated the accident rate is high in artisanal gold mines with at least 12 people having died while working in underground mine shafts in 2014. Although the death of people in the mines is not often documented, the labour office further indicated that at least one person has died every two weeks from an accident related to gold mining in the last three months prior to this study. In addition, at least four children have lost their lives from gold mining activities.

According to the district labour office, whenever a death occurs, information on the victim is kept secret to avoid repercussions and to manage fear among the other miners. For example, when a miner dies underground, the phrase “*a basin has collapsed*” is used to keep the other miners uninformed about the death. However, no official reports were shared with the researchers to support the high death rate from gold mining activities.

A newspaper article confirms the occurrence of fatal accidents: in March 2015, 10 people were buried alive by a collapsed gold mine at Kitumbi sub-county, in central Uganda’s Mubende District. The incident occurred when the victims were mining at close to 18 meter down. In the recent past, such incidents have also happened at Lujinji and Kamalenge gold mining sites in Mubende with a number of miners losing their lives.<sup>60</sup> Also interviews with the staff of clinics at the mining sites confirm this. From the mining itself there are most often head wounds that have to be treated, sometimes in the hospital. Staff from one of the clinics mention there is about one severe accident per week at the mining site, most often caused by falling rocks in the mineshafts that cause severe head wounds. It also happens that the shafts cave in and people are buried. Some of the miners are using ventilators but, if they are too poor for that, it does happen that people suffocate in the mineshafts due to lack of oxygen. Children mention they get malaria several times a year. Other health problems reported by the children are headaches, cough and fevers. Children mention the dust as a large problem. This is dust from the grinding of the stones but also polluted air through the cooking on coals, and from the traffic. Staff of clinics at the mining site of Rubali see children coming to the clinic to be treated for severe malaria, typhoid, coughs from powder and dust from the machines, open wounds (people get accidents, cuts from rocks). They give antibiotics, fluids, stitch open wounds

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60 10 buried alive in Uganda gold mine tragedy, Africa Review, 10 March 2015.





Stephen, 12, Rubali gold mine

*“My name is Stephen and I am 12 years old. I started working in the mine in November 2015 and I like the work I do. I work in the mine during school holidays. I work throughout the week except on Sundays. I work from 7am to 11am and rest up to 1pm. I resume work at 1pm and finish at either 5pm or 7pm. I am working in the mine to get money to eat at school. My mother is paying my school fees. During the school term, I don’t come to the mine because the school is far and I can’t go there and come to the mine as well. In the mine, I work with tailings. I have got injuries while washing ore resulting from cuts by sharp objects in the ore such as bottles, stones etc. I have not had any disabilities that stopped me from working in the mine. I only do not work when I am sick, mostly with malaria which happens many times in a year. I get gold every day and sell it to the buyers who are many in the mine. The price of the gold is set by the buyers and the prices changes every time the buyers are offered a low price in Kampala where they take the gold we sell to them. On average, I get 0.1 g to 0.7 g gold per day and the buyers currently offer 90,000 Uganda Shillings per gram of gold. I wish the buyers could increase on the price they buy our gold. My mother keeps for me the money I get from selling my gold. I will leave the mine when the school term starts. In the future, I would like to become a teacher.”*

With only a few exceptions, all the interviewed children work directly with mercury. Many children carry around small bottles with mercury to be used for panning. A group of girls, who were interviewed standing in a pool of water while panning for gold with mercury, said that the biggest health problem is to have open wounds when you are working with mercury. Then you could get sick and would require treatment in a clinic, where your wound would have to be washed. They think that working with mercury is safe otherwise. One of the interviewed boys (12 years old) reported he once had an open wound that got very painful in contact with mercury. He got treated at the hospital for it.

The personnel from the clinics who were interviewed mentioned that they do treat open wounds and do warn people about the dangers of mercury. People will not listen, however, as they come to the mines to earn money.

### **Mercury**

Mercury is highly toxic for miners, communities and for the environment. It is the chemical of choice in artisanal and small-scale gold mining (ASGM) to extract the gold from rocks and sand through what is called mercury amalgamation where it binds with the gold particles. Mercury is used by

miners as they can use it by themselves, they have easy access to it, can carry it, it binds with gold, it is relatively inexpensive.<sup>61</sup>

In ASGM, open burning is used where miners apply heat to the amalgam through which the mercury is released into the atmosphere.<sup>62</sup> ASGM is a major source of mercury release in the environment. According to the UN Industrial Development Organization (UNIDO), almost all of the mercury used in ASGM is released into the environment<sup>63</sup> and they estimate the use of mercury in ASGM at more than 1,500 tonnes per year.<sup>64</sup>

Mercury can be transported through the atmosphere and thus contaminate people and the environment as well as polluting the water. Dangers associated with mercury include nervous systems disorders, kidney damage, damage to foetuses and to small children. Mercury can have toxic effects on the digestive and immune systems, and can also damage lungs, skin and eyes.

### Minamata Convention

The Minamata Convention on Mercury is a global treaty to protect human health and the environment from the adverse effects of mercury, part of which is the international regulation of the informal sector for artisanal and small-scale mining.<sup>65</sup> "Each Party that has artisanal and small-scale gold mining and processing subject to this Article within its territory shall take steps to reduce, and where feasible eliminate, the use of mercury and mercury compounds in, and the emissions and releases to the environment of mercury from, such mining and processing."<sup>66</sup> Uganda is one of the countries that has signed on to the Minamata Convention.

The UN Environment Programme (UNEP) Global Mercury Partnership assists in the implementation of the Minamata convention. They have currently 147 partners of which 27 are governments. Uganda is not one of its current partners.<sup>67</sup>

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- 61 Artisanal Gold Council (2015), Developing Baseline Estimates of Mercury Use in Artisanal and Small-Scale Gold Mining Communities: A Practical Guide Version 1.0, <[http://www.unep.org/chemicalsandwaste/Portals/9/Mercury/Documents/ASGM/AGC%20Inventory%20Guide\\_v1\\_Oct2015.pdf](http://www.unep.org/chemicalsandwaste/Portals/9/Mercury/Documents/ASGM/AGC%20Inventory%20Guide_v1_Oct2015.pdf)> (29 February 2016).
- 62 UNEP (2015), Developing a National Action Plan to Reduce, and Where Feasible, Eliminate Mercury use in Artisanal and Small Scale Gold Mining, Guidance document, UNEP, August 2015.
- 63 <[www.unido.org/en/what-we-do/environment/resource-efficient-and-low-carbon-industrial-production/watermanagement/mercury.html](http://www.unido.org/en/what-we-do/environment/resource-efficient-and-low-carbon-industrial-production/watermanagement/mercury.html)> 29 February 2016).
- 64 UNEP (2015), Developing a National Action Plan to Reduce, and Where Feasible, Eliminate Mercury use in Artisanal and Small Scale Gold Mining, Guidance document, UNEP, August 2015.
- 65 <<http://www.mercuryconvention.org/Convention/tabid/3426/Default.aspx>> (29 February 2016).
- 66 UNEP (2013), Minamata Convention on Mercury, UNEP, October 2013, <[http://www.mercuryconvention.org/Portals/11/documents/Booklets/Minamata%20Convention%20on%20Mercury\\_booklet\\_English.pdf](http://www.mercuryconvention.org/Portals/11/documents/Booklets/Minamata%20Convention%20on%20Mercury_booklet_English.pdf)> (29 February 2016).
- 67 <<http://www.unep.org/chemicalsandwaste/Mercury/GlobalMercuryPartnership/Partners/tabid/3437/Default.aspx>> (29 February 2016).

There are different initiatives such as the Minamata convention that all promote non-mercury gold extraction techniques and in cases where mercury seems difficult to eradicate safer working techniques. Mercury-free techniques do exist and this is by far the best option for miners, local communities and the environment. That said, the field research found children often at the end of the chain, collecting leftovers and panning them for the last bit of gold. Mercury-free techniques are a good alternative but it might be complicated to reach the part of the work that children are taking on. These techniques would obviously need different ways of working on the mining site and have to include a more holistic approach to improving the conditions for the miners including eradicating child labour from mining sites.

Examples of techniques include: the concentration method that removes lighter particles; panning, which can produce high-grade concentrates or even directly recoverable gold; highly functioning sluicing to concentrate (although further methods of concentration are often needed). The gold has to be separated then through, for example, direct smelting.

### **Artisanal miners' living conditions and sanitation**

The artisanal gold miners and their families are accommodated in temporary tents made out of plastic and wooden materials. In addition, accommodation facilities are densely packed together and with an evident lack of sanitation facilities. It has also been observed that some children have no homes and sleep at the processing facilities.

### **Mining site hassles**

Sometimes men will steal the tools of the children and beat them up. The police sometimes chase the children away. Several of the children interviewed in Rubali reported that they live at the mining site, sometimes with their parents. The police only chase children away during school days. Several children mentioned that they are allowed to work during holidays and at weekends

In an interview with the police and the community officer, they confirm that they sometimes do send children away from the mining site, outside the school holidays. They add however that they cannot offer the children an alternative to make a living. Therefore they now and again arrest the children and send them away but they know that the children will come back the next day.

During the first day of the field research, which happened to be the last day of the school year, the police did arrest eight boys, aged between 12 and 16, who were sleeping illegally at the mining site. In interviews with these boys they confirmed they live at the mining site and do not attend school. The researchers found them working again the next day. Also children interviewed in Luggingiri I (Kampala) mentioned that they are allowed to work at the site outside school times but risk being chased away during school hours.

Sonny, one of the children working permanently at the mining site is about 10 or 11 years old. He comes alone to the site without his mother knowing although his father knows he is here. If he is chased away from the site he will work in the fields for a while and will return later. He saves the money he earns to be able to go to school later on.



David, 13, Rubali gold mine

*“My name is David and I am 13 years old. I started working in the mine in 2011. I came alone to the mine and my parents are at home. I go to school and work in the mine during holidays from 7am to 4pm. I rest at 4pm when I stop working. I work in the mine to get money to help my parents pay my school fees, buy books and I am also raising some capital to start a business. I pan ore for gold. I have not experienced any problems working in the mine except for the cuts from metal pieces in the ore or stone cuts while walking through the mine. I have not had any disabilities from mining that have prevented me from working except for the many times I fall sick of malaria. I get gold every day and sell it to the buyers that are everywhere in the mine. The buyers set the gold price. I am happy with the price at the moment although it sometimes changes. On average, I get 0.1 g gold per day and the buyers currently offer 90,000 Uganda Shillings per gram of gold. I leave the mine when the school term starts and work only on Saturdays during this period. In future, I would like to become a mechanic.”*

### Future

The children that continuously work at the mining site, without going to school, have had no education at all or dropped out at an early age. They mentioned they will only leave the mine when they can no longer find any gold. Also most of the children who work during the holidays and weekends are set to stay working on the mining site until there is no longer any gold to be found. They do dream of another future – ranging from becoming businessmen to teachers to car mechanics, geographers, farmers, doctors, pastors and even president. Several children said they want to be rich.

## 4.4 The local gold supply chain

The artisanal miners and mineral buyers at Rubali artisanal gold mine suggest there are at least 50 on-site gold buyers who buy gold from this mining location. On a weekly basis, the gold buyers interviewed indicated their target is to buy at least 100 grams of gold each from the Rubali artisanal gold mine. Since there are 50 gold buyers, the research team estimates at about 5 kg of gold is produced per week and 20k g of gold per month from this artisanal gold mine alone.

The price of the gold is set by the gold buyers, who tell the miners the price set depends on the dollar rate. At the time of the research, the gold buyers were offering between 90,000-95,000 Uganda Shillings per gram of gold (€ 23.17 to €24.45).

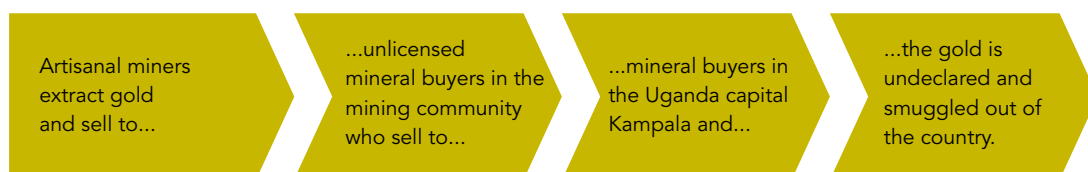
Outside the mine, the gold buyers sell to other buyers in Kampala. The destination of this artisanal gold beyond Kampala is often said to be UAE. The 2015 official gold export statistics in Table 2 show only 0.54 kg of gold originating from Mubende, which was exported to Korea. The Uganda mines officials further indicated there is possibility that artisanal gold is smuggled out of the country without going through the designated channels.

Representatives of the gold industry and the governments interviewed for the OECD baseline study (2015) say that the Ugandan gold production appears to be rising but much of it is apparently being smuggled across Uganda's Eastern border to Kenya.<sup>68</sup> The statistics in the UN Comtrade Database seem to confirm that large quantities of gold are also exported to UAE (Dubai).

There is no refinery in Uganda, small-scale laboratories are operated by a few gold buyers in Kampala, who smelt gold to increase purity prior to export.<sup>69</sup>

Based on interviews with artisanal gold miners and mine officials, the gold supply chain from artisanal miners in Uganda is summarised in Figure 2.

**Figure 2: Artisanal gold supply chain in Uganda**



## 4.5 Gold smuggling out of Uganda

As numerous studies, including reports of the UN GoE on the DRC have confirmed, Congolese gold has been exported, usually illegally and unrecorded, to Kampala for many years. In March 2007, two Ugandan companies were placed on the UN sanctions list for buying gold from traders in the DRC that were closely linked to militias. The Ugandan government has often been criticised, particularly by the UN GoE, for doing too little to stem the flow of smuggled gold from the DRC.

The OECD baseline study on gold trading and export in Uganda that was published in May 2015 studied the Ugandan government's efforts to successfully stop this smuggling. They concluded that, over the last few years, the Ugandan government has tightened its regulatory requirements for gold traders and has taken steps to launch the implementation of the Regional Certification Mechanism (RCM) of the International Conference on the Great Lakes Region (ICGLR).

68 OECD, 2015, p. 8.

69 Solidaridad/ARM scoping study, p. 22.



Paige, 11, Rubali gold mine

*“My name is Paige and I am 11 years old. I am the fifth born in a family of six children. I started working in the mine in January 2014. I came to the mine with my parents and one of them is working underground. I work in the mine only on Saturday and Sunday as I am at school during the week. I work in the mine from 9am to 4pm. I am working to get money to buy the things I need for my personal use. I pan ore for gold. I have no disabilities on my body that have prevented me from mining. There is only one time a stone thrown to the surface by people working from underground that hit me and I got minor injuries. Other times, I do not work when I have either malaria or cough. I sell gold the gold to Wilson who is one of the mineral buyers in the area. I get gold worth 20,000 Uganda Shillings every day I work.*

*I am happy with the money I get after selling my gold and the price does not change a lot. The school term is soon starting and I will leave the mine. In the future, I want to become a teacher.”*

In the future, gold officially exported from Uganda will need ICGLR certificates issued in the country where it was mined. The key finding of the OECD study is that this “apparently positive modification of the regulatory framework has reduced Uganda’s legal gold exports, but has not stopped the trade in smuggled Congo gold. The main difference is that the gold is now smuggled from Uganda rather than declared”. This has served to push the trade further underground. The study suggests that a larger impact would come from the Ugandan authorities introducing new measures to make it more difficult to smuggle gold from the country, particularly at Entebbe Airport, the only airport in the country with direct flights to international gold markets such as Dubai.<sup>70</sup>

People interviewed for the OECD report indicated that, while some Congolese gold probably exits Uganda by road to Kenya along with smuggled production from eastern Uganda, most Congolese gold was probably being smuggled from Uganda by air through Entebbe Airport. Gold traders allege that the two best gold smuggling options at Entebbe Airport are via cargo or as hand luggage.<sup>71</sup>

70 OECD, Baseline study four: Gold trading and export in Kampala, Uganda, 2015, <<http://www.oecd.org/daf/inv/mne/Gold-Baseline-Study-4.pdf>>, (1 March 2016).

71 OECD, 2015, p. 9.

The January 2015 report of the UN GoE confirms that Ugandan gold traders continue to buy Congolese gold, which is smuggled into the country.<sup>72</sup> The UAE has long been a destination of this gold and still is, despite the measures the government of UAE undertook at the end of 2013.

In September 2014, the UN GoE documented the willingness of jewellers in the gold souk of Dubai's Deira district to buy gold from the DRC without asking questions about its origin and without requesting proof that export taxes had been paid.<sup>73</sup> Jewellers say that they can purchase gold from the DRC without any difficulty; they needed only an identification card and a document from the customs at Dubai airport, which, they said, were not difficult to obtain. A representative of one Dubai refinery told the Group that customs officers did not ask where the gold came from or where it would be sold.

The UN GoE concludes that the measures continue to fall short of the recommendations made by the Group in 2010 to ensure due diligence and traceability of gold. In September 2014, the UAE authorities said that only consolidated statistics per country were available, which shows the impossibility for Dubai importers to know the specific mines that the gold is imported from.<sup>74</sup>

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72 See the Letter dated 26 November 2014 from the Group of Experts on the Democratic Republic of Congo, (S/2015/19), paragraphs 204 - 209.

73 See the Letter dated 26 November 2014 from the Group of Experts on the Democratic Republic of Congo, (S/2015/19), paragraph 210.

74 Ibid.

## 5 Government frameworks and other initiatives

In this chapter the legal framework on mining and on child labour is summarised. Initiatives that have taken place in Uganda on sustainable artisanal mining and tackling child labour are listed.

### 5.1 The legal framework on mining

The mineral sector falls under the Ministry of Energy and Mineral Development (MEMD), with the Directorate of Geological Survey and Mines (DGSM) being responsible for the administration and management of the sector.

Currently ASM is covered by the Mineral Policy, which was put in place in 2001, the Mining Act, 2003 and the attendant mining regulations established in 2004. The Mining Act regulates the ownership and control of all minerals, and provides for the acquisition of mineral rights. In order to operationalise the Mining Act, regulations were introduced in 2004. They contain procedures for acquiring the various licences like: mining lease, export/movement permits, mineral dealer's licence etc.

Historically artisanal mining was viewed negatively (i.e. as disorganised and ineffectual) by government and the public ('they work like chickens') and the value of the sector for the country has long been ignored. This has resulted in a Mineral Policy and legislation that does not sufficiently provide opportunities for formalisation of the ASGM sector and in the minerals trade, while in fact ASM dominates the mining industry in Uganda.<sup>75</sup> There is currently no legal framework to accommodate artisanal gold production and therefore regulation does not exist formally; there are no official production figures or export figures. Technically it is possible for artisanal gold miners to legalise their activities through a location licence. This licence is valid for up to two years, but may be renewed for further periods of up to two years at a time. In practice, however, the procedures are not within reach for artisanal miners. Therefore only a few licences are issued (see the Table 1: Formal gold mining activities in Uganda).

At the moment (2015-2016), Uganda is reviewing its legal and regulatory framework governing mining activities. Particular emphasis has been placed on improving the situation for artisanal and small-scale miners through creating an appropriate legal framework that facilitates formalisation of their mining operations. Part of the pressure to do this comes from the 2005-2010 World Bank project (and others) called the Sustainable Management of Mineral Resources Project (SMMRP). This project is aimed at improving artisanal and small-scale mining in Uganda. The renewal of the mining act is also meant to make Uganda more attractive for international foreign investors and therefore also other laws that have impact on the mining sector are due to be revised (tax laws and land laws).<sup>76</sup>

75 Aidenvironment, Appendix 7C: External evaluation of Extending Fairtrade Gold to Africa project: Uganda Case, August 2015.

76 Business Week, 'Uganda to review mining laws', <<http://www.busiweek.com/index1.php?Ctp=2&pl=1553&pLv=3&>>.



The Mining Policy (2001) did lay the foundation for the protection of children against mining hazards and prohibits children from entering mining facilities and participating in mining activities: “Government shall repeal the restrictive practices which prohibit women from working underground and prohibit children from entering mining facilities and participating in mining activities”. The strategy to achieve this was to put in place and enforce regulations against child labour exposure to mining activities. However, these regulations are not part of the mining regulations. The legal framework to address child labour is discussed in the next paragraph.

## 5.2 Uganda’s legal framework for responding to child labour

Uganda has ratified important international conventions:

- ❑ Including the Minimum Age of Employment, 1973, (No. 138); the Worst forms of Child Labour Convention, 1999, (No. 182);
- ❑ The United Nations Convention on the Rights of the Child (UNCRC) 1989; The Optional Protocol to the CRC on Combating the
- ❑ Use of Children in Armed Conflict; The Optional Protocol on the Sale of Children, Child Pornography, and Child Prostitution; and
- ❑ The African Charter on the Rights and Welfare of Children.

To fulfil the commitments of International Labour Organization (ILO) Convention 182 on the prohibition of the worst forms of child labour, the Government defined the types of hazardous work for children. The government has developed relevant national laws for the protection of the rights of children, including child labour:

- ❑ The National Constitution: Article 34 (4) of the Constitution provides for the protection of children against social and economic exploitation. It further prohibits the employment of children in work that is likely to be hazardous or interfere with their education or is harmful to their health or physical, mental, spiritual, moral, and /or social development.
- ❑ Employment Act No. 6 of 2006 prohibits employment of children in any work, which is dangerous or injurious to the child’s health. Sec.32 (1) of the Act states that, “a child under the age of twelve shall not be employed in any business, undertaking or work place”. Clause 2 of the same section states that, “a child under age of fourteen years shall not be employed in any business, undertaking or workplace, except for light work carried out under supervision of an adult aged over eighteen years, and which does not affect the child’s education”. Furthermore, Sec.32 (4) prohibits the employment of a child in any employment or work that is injurious to his or her health, dangerous or hazardous or otherwise unsuitable. Sec.32 (5) prohibits the employment of children at night (7.00 pm to 7.00 am).
- ❑ The Children’s Act Cap 59 adopts the principles of the international and regional instruments on the rights of the child that Uganda has ratified. Regarding the employment of children, Section 109 of the Act states that no child shall be employed or engaged in any activity that may be harmful to his or her health, education, mental, physical and/or moral development.<sup>77</sup>

### 5.3 Initiatives on artisanal mining

#### Sustainable Management of Mineral Resources Project

The 2005-2010 World Bank<sup>78</sup> Sustainable Management of Mineral Resources Project (SMMRP) is among the first concrete interventions aimed at improving artisanal and small-scale mining in Uganda. At least 1,000 artisanal and small-scale miners in 17 strategic mining areas received intensive training on technical aspects of mining. The key outputs of this initiative include a small-scale miner's handbook in form of a simplified practical guide and a national strategy in support of ASM advancement in Uganda. It is only since the inception of this project that the government has encouraged the formation of artisanal mining associations. The SMMRP project helped set up regional mining offices under DGSM, providing mechanisms for government to interact with artisanal miners. Currently, in the Busia District the regional mines office is seldom used.<sup>79</sup>

#### FairTrade Gold Project

Fairtrade Gold and Precious Metals (hereafter 'Fairtrade gold') is the only non-agricultural product introduced by Fairtrade International.<sup>80</sup> At launch in 2011, four artisanal and small-scale mining organisations (ASMOs) were certified in Bolivia, Colombia and Peru, supplying Fairtrade certified gold, silver and platinum to international markets. The Fairtrade gold project was extended to East Africa (starting in May 2012 until July 2015) with the objective of improving livelihoods and working conditions among ASM communities by piloting the application of the Fairtrade Standard for Gold. Uganda was one of the countries chosen for a pilot, alongside Kenya and Tanzania.

Implicitly the Fairtrade project has built on SMMRP, which trained miners who are current members of the Artisanal Small Scale Mining Organisations (ASMOs) in Busia. Since 2011, artisanal gold miners in the Siyanyonja and Busitema areas of Busia District have benefited from technical support and training aimed at promoting responsible gold mining practices. Through the Fairtrade gold project, significant improvements in organisational abilities, elimination of child labour and the establishment of formal and strong artisanal associations have taken place. As a result of this intervention, the artisanal gold miners in Busia have become more advanced in their mining practices compared to their counterparts in Mubende.<sup>81</sup>

In August 2015, an external evaluation report of the Fairtrade project in Uganda was published. The awareness-raising on child labour in mining carried out by the Fairtrade project was seen as very important. There was consensus among stakeholders that, in order to effectively tackle child labour in mining, actions need to have impact on the root causes of child labour in mining (absenteeism

77 Christine Mbabazi Mpyangu (et al), March 2014, p. 80.

78 Funded by the World Bank, African Development Bank, Nordic Development, and the GOU.

79 AidEnvironment, 2015.

80 The Fairtrade gold programme was established in 2009 in partnership with the Alliance for Responsible Mining (ARM), with whom the joint 'Fairtrade and Fairmined' Standard and corresponding consumer label was launched in 2011. The Fairtrade and Fairmined partnership ended in 2013, with both organisations committing to continue with standalone certification and labelling schemes, <[http://www.fairtrade.net/fileadmin/user\\_upload/content/2009/vacancies/TERMS\\_OF\\_REFERENCE\\_-\\_External\\_Evaluation\\_of\\_Extending\\_Fairtrade\\_Gold\\_to\\_Africa\\_.pdf](http://www.fairtrade.net/fileadmin/user_upload/content/2009/vacancies/TERMS_OF_REFERENCE_-_External_Evaluation_of_Extending_Fairtrade_Gold_to_Africa_.pdf)>.

81 Aidenvironment, Appendix 7C: External evaluation of Extending Fairtrade Gold to Africa project: Uganda Case, August 2015.

from school, household poverty) and should be carried out in cooperation with other projects tackling child labour.<sup>82</sup>

### **Irish Aid**

Irish Aid completed a baseline assessment of ASM (including ASGM) in Northeastern Uganda's Karamoja Region in 2011. This Assessment was prepared by ECO Research Team comprised of among others Jennifer Hinton. A report on gold mining in the Karamoja District by Ecological Christian Organisation (ECO) was published in 2011.<sup>83</sup>

In 2014, Human Rights Watch published a report about the same region entitled "How Can We Survive Here?" The Impact of Mining on Human Rights in Karamoja, Uganda.<sup>84</sup>

### **CSR initiative of Rakai Resources Ltd**

A Canadian company, Rakai Resources Ltd., developed a corporate social responsibility (CSR) initiative to help artisanal miners. The company did this with their Abim project partnered with Salama SHIELD Foundation (SSF), an Ontario-headquartered charity.

Rakai-SSF initiatives are addressing children, young adults and women in artisanal mining. Jointly with Canada's International Resource and Development Institute (CIRDI), Rakai and SSF are advancing education allowing ASM miners both formal mining skills and alternative, legitimate career opportunities outside the sector.<sup>85</sup>

### **NGOs active in Uganda on mining**

There are few lobbying bodies to advocate on behalf of the artisanal miners. EWAD is one of the few established NGOs working with artisanal miners. Other NGOs are the Ecological Christian Organisation Uganda (ECO-Uganda), supporting artisanal miners in Karimoja, and the National Association of Professional Environmentalists (NAPE) based in western region (NAPE is affiliated with Friends of the Earth – FoE).<sup>86</sup>

In 2015, ECO-Uganda together with ActionAid organised a conference about the use of mercury. During the conference, miners asked the government to regulate the use of mercury in gold mining. The miners believe that formalisation of small-scale and artisanal miners will not only fetch government more revenue in terms of licence fees and taxes, but also regulate the use of mercury and other environmentally-unfriendly mining practices.<sup>87</sup>

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82 AidEnvironment, Appendix 7C: External evaluation of Extending Fairtrade Gold to Africa project: Uganda Case Study, August 2015.

83 <<https://thisisafrica.files.wordpress.com/2011/12/mining-sector-report-karamoja-region.pdf>>.

84 <[http://www.hrw.org/sites/default/files/reports/uganda0214\\_ForUpload.pdf](http://www.hrw.org/sites/default/files/reports/uganda0214_ForUpload.pdf)>.

85 Rakai Resources: Africa's Golden CSR Moment Shines in Uganda, Engineering and Mining Journal, February 2015

86 AidEnvironment, Appendix 7C: External evaluation of Extending Fairtrade Gold to Africa project: Uganda Case Study, August 2015.

87 The Observer (Kampala), 'Uganda: Miners, Govt Decry Poor Disposal of Mercury in Mining' <<http://allafrica.com/stories/201503250402.html>>

## 5.4 Initiatives on child labour

There are several initiatives to address child labour by the government in Uganda, as well as NGO and donor programmes. The national policy framework for child labour is as follows:

- The National Development Plan (2010/2011-2014/15) highlights strategies aimed at promoting access to education and skills development and consequently addressing child labour.
- The National Child Labour Policy (2006): The objective of the Child Labour Policy is to integrate child labour concerns into national, district and community development programmes, establish legal, legislative and institutional frameworks for tackling the Worst Forms of Child Labour (WFCL), and to stimulate collective and concerted mobilisation against child labour at all levels
- The National Action Plan for the Elimination of Child Labour (2012/13-2016/17): developed in 2012 by the Ministry of Gender, Labour and Social Development, with support from ILO/IPEC and input from national stakeholders, the National Action Plan (NAP) for Elimination of the Worst Forms of Child Labour aims at operationalising the National Child Labour Policy (2006).
- The Orphans and Other Vulnerable Children's (OVC) Policy: With the overarching goal of attaining "full development and realization of rights of orphans and other vulnerable children", the main thrust of the OVC policy is to reduce vulnerability of OVCs, ensuring social inclusion of marginalised groups, and ensuring participation of OVCs and their families. The OVC policy mentions working children as one vulnerable category and highlights education and child protection as some of the key priority policy strategies.
- National Social Sector Programme Plan for intervention (NSPPI-2) for Orphans and other Vulnerable Children: NSPPI-2 is designed to target particularly the critically and moderately vulnerable children who constitute 51 per cent of the child population in Uganda.<sup>88</sup>

Concrete actions are:

- The Busia District is identified by the Ministry of Gender, Labour and Social Development as a 'hot spot' of child abuse and exploitative labour (especially in mining and fishing).
- CaRNaC is a network of 40 organisations working with children, advocacy/empowerment. The 'Stop Child Exploitation' section of CaRNaC started working in Tiira Village very close to the ASMO mines after a broadcast on MTV about how children are affected by mining.

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88 Christine Mbabazi Mpyangu (et al), March 2014, p. 82.

- Between 2010 and 2015 US Agency for International Development (USAID) provided Uganda with US\$ 22.9 million for a project called Strengthening Uganda’s National Response for Implementation of Services for Orphans and other Vulnerable Children (SUNRISE OVC), with Busia being a target district (including Sikuda and Buteba sub-counties, the ASMO communities). At district-level, a multi-pronged approach is being taken forward by the Departments of Education, Probation and Community Development with NGO partners such as World Vision.
  
- Sikuda and Buteba sub-counties, have by-laws on child protection and para-social workers are appropriately trained.<sup>89</sup>

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89 AidEnvironment, Appendix 7C: External evaluation of Extending Fairtrade Gold to Africa project: Uganda Case Study, August 2015.

## 6 Conclusions and recommendations

### 1. Use and magnitude of child labour in artisanal gold mining Uganda:

The children working in the artisanal gold mines of Uganda are subject to the worst form of child labour because it exposes children to hazardous substances and conditions. These children are risking their health and their future prospects – since the mining interferes with their education. A large number of children, about 10,000 to 15,000, work in the gold mines across Uganda (this number fluctuates depending on school holidays and the weather).

There is a broadly shared awareness on the mining sites that children should not work in the gold mines during school term time and police chase children away now and then. However, children are still allowed to work on the mining sites during weekends and holidays and are risking their health. Besides the group of children combining work with school, there is also a considerable number of children not going to school at all and working at the mining sites full time. National Uganda laws prohibit children to work younger than twelve, children younger than 14 are only allowed to do light work which does not affect the child's education. All employment that is injurious for a child's health, dangerous or hazardous is prohibited. These laws are clearly not observed.

Although the majority of the children interviewed in the mining area of Mubende are still attending school and only work in weekends and holidays (16 weeks per year at least 5 days per week), they are still directly working with and exposed to mercury a large number of days a year. Nobody on the mining sites seems to be fully aware of the toxicity of mercury and no measures are taken to reduce the risks, neither for the children nor for the adults.

#### **Root causes for child labour in mining**

To effectively tackle child labour in mining, actions need to offer alternatives and have impact on the main causes of child labour in artisanal gold mining in Uganda which is lack of decent work and income for adults, instable family situations, lack of awareness around child labour and the importance of education and the costs for and lack of sufficient schools and quality education.

The main reason given for not attending school is the high costs involved. Although the fees are officially abolished money still has to be paid for lunches, school materials and uniforms, as well as for school development funds and examinations. All of the school-going children interviewed mentioned they were working to earn money for school fees, books and uniforms.

Another reason for school absenteeism is the low quality of the education. This is partly due to shortage of good quality teachers and the high absence of teachers. The education officer of the Mubende District told that it was reported that 5 out of 8 teachers in Kitumbi Subcounty are working in the mines themselves. This corresponds with a World Bank report concluding that 60% of the Ugandan teachers are not teaching the children in school, either because they are absent (24 per cent), not in the class (29 per cent), or in the class but not teaching. In this situation being at school does not make a lot of sense for children, especially when they also can go to the mines and earn

their own money and buy their own food and clothes. For the children interviewed this was clearly considered important and having a positive effect on their status and self-esteem.

In Central Uganda, where Mubende District is located, around 60 per cent of the children face the challenge of poverty and difficult family situations. Eleven per cent of the children are orphans. This results in a high percentage of children working and missing out on school. Most children attend primary school – in Mubende District attendance is 80 per cent – but few will continue to secondary school (nationally only 16 per cent of children of secondary school age actually attend secondary school). Of the 80 per cent of children attending primary school in Mubende District, most children will not finish within seven years but will repeat years, or drop out of school for long periods. Fewer than 70 per cent will actually complete primary school.

## 2. The supply chain from mines to point of export

The artisanal gold miners in Mubende District, including children, sell their gold to on-site buyers. These gold buyers sell to other buyers in the country's capital, Kampala. Uganda's 2015 official gold export statistics show only 0.54 kg of gold originating from Mubende, which was exported to Korea. Researchers for this report estimate that 20 kilos of gold could be produced on the Rubali mining site alone per month. This production is not included in the official statistics, since it is produced without licences.

The artisanal gold is smuggled out of the country without going through the designated channels. The destination of the gold is often said to be Dubai. UN Comtrade export statistics confirm significant gold export from Uganda to the United Arab Emirates; 1,937 kilos in 2014.

## Recommendations

### Recommendation for downstream companies in the gold supply chain

- ❑ Companies in the gold supply chain should take steps to ban mercury in (artisanal) mining.
- ❑ Move beyond the area of conflict minerals in your due diligence with regard to the gold used in your products; do not focus solely on gold sourced from the DRC and neighbouring countries but extend your policies to all countries producing (artisanal) gold.
- ❑ Companies must map – if possible, jointly – their entire gold supply chains including the artisanal gold supply, and share this information publicly.
- ❑ Companies have to know which countries, specific regions and suppliers they source gold from, carry out a risk assessment of all the countries and regions involved, and identify in which supply chains and at what specific points the company can use its influence to achieve a positive impact. The risks identified have to be mitigated through initiatives taken by companies together with other stakeholders. It is crucial to involve local organisations and initiatives in both risk assessment and remediation efforts.

- An engagement with actors within the supply chain, as well as other local actors, to work towards progressive improvement in the artisanal and small scale mining – including formalization and improving working conditions for adult workers -, is to be preferred over avoidance of artisanal mining.
- Work with and/or support local initiatives to get children from gold mine areas to school and to make sure that all children receive full-time quality education.

### **Recommendations for CSO's**

- Initiatives on eliminating child labour in artisanal mining should be done in cooperation with other efforts on combatting child labour and improving the educational infrastructure and quality – either by the government and/or local or national NGOs, community based organizations and trade unions
- Social and communities empowerment programs are further encouraged in mining communities targeting all children including underprivileged children (i.e. orphans, children from poor families etc.) in these communities. The programs should focus on ensuring these children remain in school and that these children receive quality education.

### **To the Ugandan Government**

- Work with local stakeholders (local government, companies, mining cooperatives, mine owners, NGOs, unions, local child rights groups, etc.) to raise awareness about child labour, and set up programmes to prevent and remedy both this and other labour rights violations found in mining sites.
- Work with pan-African and/or regional African organizations (e.g. ECOWAS) to develop programmes that tackle child labour and improve working conditions for adult workers in gold-producing communities. Wherever possible, channel these efforts into the context of regularising illegal mining.
- Ensure an effective control of mines operating within the bounds of legality, and take action to tackle both money-laundering and the smuggling of gold to other countries.
- Take measures to abolish the use of mercury in gold mining
- Improve the education infrastructure and make sure that all children in mining areas receive full-time quality education without charging fees or paying other costs.
- Adopt legal provisions on small scale and artisanal mines, including attention to working conditions and child labour, that effectively prevent child labour in gold mines under 18 and provides decent working conditions for adults.
- Investigate the number and working conditions of children participating in mining and activities related to mining, and share these with the public, policy makers and other stakeholders. Involve all stakeholders in interventions on child labour in artisanal gold mining.



## Annex 1

# List of Licensed Gold Dealers as of December 2015

MDL No.	Holder	Date of Grant	Address	Commodity
0551	apex infra projects ltd	5/12/2015	plot 30 by pass kampala	precious metals
0552	consolidated services ltd	5/12/2015	plot 32 jinja road kla	precious metals
0553	alis trading (u) ltd	5/12/2015	plot 5 3rd floor williamst	precious metals
0554	hipoint limited	5/12/2015	ntinda kampala	industrial minerals
0554	krol ira and gevogyan vruyr	5/18/2015	buziga hill makindye kla	precious stones
0556	krol ira and gevogyan vruyr	5/18/2015	buziga hill makindye kla	precious metals
0557	britop uganda ltd	5/18/2015	britop building kyegegwa t/c	industrial minerals
0558	afford (u) ltd	5/27/2015	station house jinja rd	industrial minerals
0559	parrots enterprises ltd	5/28/2015	arrow complex b23 ben kiwanuka street	precious stones
0560	mubende trust gold buyers and traders ass	6/2/2015	kassanda mubende	precious metals
0561	masereka joachim	6/5/2015	margarita street kasese	industrial minerals
0562	knowlex investment ltd	6/8/2015	old kira rd bukoto kla	precious metals
0563	navasir trading company ltd	6/11/2015	plot 3A2 &3A3 forest mall	precious metals
0564	novasir trading company ltd	6/19/2015	plot 3A2 &303 sportlane forest mall kla	precious stones
0565	semutooke properties ltd	6/22/2015	plot 1 block 497 busiro county	precious metals
0566	kroona metals and investments ltd	6/24/2015	plot 420 muwanga crescent munyonyo	precious metals
0568	shreesha metals and minerals (u) ltd	7/10/2015	mutungo parish	precious metals
0569	sunbird resources ltd	7/13/2015	plot 9 yusuf lule road	precious metals
0570	african gold refinery ltd	13 August 2015	plot 41 jinja road kampala	precious metals
0571	birfa group ltd	17 August 2015	plot 32 lumumba avenue nakasero	precious metals
0572	hajji fahad ibrahim lugobe	19 August 2015	bandari rise bugolobi	precious metals
0573	golden orb minerals E.A ltd	26 August 2015	plot 13/15 kiira road kla	precious metals
0574	archan jewellers ltd	31 August 2015	plot 6 acacia mall	precious stones
0575	archan jewellers ltd	31 August 2015	plot 6 acacia mall	precious metals
0477	pure minerals uganda ltd	13 February 2015	plot 3 kimathi avenue	precious metals
0478	ki3r minerals	13 February 2015	plot 549 block 11 weraga road kabowa	base metals
0479	seahorse international ltd	16 February 2015	plot 2 mbarara	industrial minerals
0480	somdian ltd	19 February 2015	plot 111 bukoto street	precious metals
0481	rwenzori agro company ltd	23 February 2015	p.o. box 523 kasese	industrial minerals
0482	hillmarks ltd	23 February 2015	kasese	industrial minerals
0483	lwasa traders (u) ltd	24 February 2015	plot 12 ben kiwanuka street kampala	precious metals
0484	2M capital traders ltd	3 March 2015	plot 9 luthuri drive bugolobi	industrial minerals
0485	capital minerals ltd	3 March 2015	plot 1&3A nakolongo virat alloys	base metals
0486	gulmoher infrastructure ltd	5 March 2015	plot 5 kanjokya street kla	precious metals

MDL No.	Holder	Date of Grant	Address	Commodity
0487	hima cement ltd	6 March 2015	hima town	base metals
0488	kigezi industries (u) ltd	10 March 2015	plot 27 katuna rd kabale	industrial minerals
0489	tororo cement ltd	10 March 2015	tororo cement factory	industrial minerals
0490	wagagai ltd	18 March 2015	kasenyi nkumba parish	industrial minerals
0491	ruth potter	18 March 2015	kiwattule kampala	precious metals
0492	quantum satis revival ltd	18 March 2015	plot 22 bunyonyi drive bugolobi	precious metals
0493	namukupa hardware enterpriess (u) ltd	20 March 2015	mutebi building katwe kampala	base metals
0494	yuvesta agents ltd	20 March 2015	plot 19B bandari rise bugolobi kampala	base metals
0495	drito global corporation ltd	24 March 2015	6th floor workers house	precious metals
0496	royal transit ltd	13 April 2015	plot 4 parliament avenue	industrial minerals
0497	kipande investment ltd	20 April 2015	shop 2 maluku road mbale	precious metals
0498	ZS1 enterprises ltd	23 April 2015	plot 17A Nile Avenue Jinja	industrial minerals
0499	SSSR ltd	27 April 2015	plot 3 sports lane lugogo	precious metals
0399	steel rolling mills ltd	5 January 2015	plot 86/90 5th street industrial area	base metals
0400	amina longok	5 January 2015	acholi inn moroto town	industrial minerals
0327	lujiji mining & processing co. ltd	7 January 2015	plot 635/636 sir apollo kagwa road kampala	precious metals
0328	dahab trade ltd	8 January 2015	plot 4A pilkington road kampala	precious metals
0329	all sane pit ltd	12 January 2015	plot 55 bandari rise kampala	base metals
0330	kyoburunga annet	14 January 2015	najjanankumbi	base metals
0332	roger mugambwa	16 January 2015	kabale	industrial minerals
0333	kamwe trading company ltd	19 January 2015	forest mall kampala	industrial minerals
0334	byaruhanga william & family investments	19 January 2015	kabale central market	base metals
0335	kagera mining company (u) ltd	27 January 2015	block 255 mwanga road kampala	precious metals
0336	montreal group (u) ltd	27 January 2015	plot 66 kira road kampala	precious metals
0337	mineral exodus international ltd	28 January 2015	plot 4 tufnell drive kampala	precious metals
0340	nikki rush mining group ltd	2 February 2015	plot 20&26 block 15 kabalagala	precious metals
0341	nikki rush mining group ltd	2 February 2015	plot 20&26 block 15 kabalagala	base metals
0342	equipment investments ltd	4 February 2015	plot 34 kyadondo road kampala	precious metals
0343	abdul amin muhammad	5 February 2015	entebbe manyago	precious metals
0344	westcorp mining ltd	5 February 2015	naguru kampala	precious metals
0345	YS goldstone uganda ltd	9 February 2015	plot 1 workers house pilkington road 5th floor	precious metals
0347	industrial minerals ltd	9 February 2015	plot 9&36-46 off kasese-mbarara road	industrial minerals
0348	treasure highland caves ltd	9 February 2015	plot 58 kanjokya street kampala	precious metals
0349	euro group africa ltd	11 February 2015	plot 66A kira road kampala	precious metals
0350	york stones (u) ltd	11 February 2015	piida road mityana town	base metals
0577	mazoori trading company ltd	3 September 2015	kamwokya kampala	precious metals
0578	pavlov import and export ltd	4 September 2015	buziga kampala	precious metals
0579	custom mineral logistics international	8 September 2015	mpondwe lhubiriha town council	precious metals
0581	souther minerals ltd	10 September 2015	plot 18 kar drive kololo	precious metals
0582	navtan gold ltd	11 September 2015	plot 41 kira road kamwokya kampala	precious metals
0584	florence mugote	28 September 2015	p.o. box 1431 Jinja plot 10/11 yusuf lule lane	precious stones

MDL No.	Holder	Date of Grant	Address	Commodity
0585	golden mining agency ltd	28 September 2015	p.o box 11189 kampala plot 100 ggaba road kampala	precious metals
0586	mineral solutions (u) ltd	28 September 2015	p.o box 9203 kampala plot 40 bombo road	precious metals
0587	shiram jewellers	30 September 2015	shop no. 11 kololo kisementi kampala	precious metals
0588	kgrg mineral international ltd	2 October 2015	1st floor 39A lumumba avenue kla uganda	precious metals
0589	k.b. finance (u) ltd	5 October 2015	p.o.box 8115 klabhatia chambers parliamentary avenue	industrial minerals
0590	greenstone resources ltd	8 October 2015	p.o. box 300 busia	precious metals
0591	shayona holdings ltd	13 October 2015	plot 1 swaminarayan close wankulukuku nalukolongo kla	precious metals
0592	adamawa investment (u) ltd	13 October 2015	p.o. box 27433 kla mutundwekabawo zone lubaga div	precious metals
0593	jimpexx mining company ltd	23 October 2015	plot 1001 gaba road kla	precious metals
0594	tarkshya ltd	23 October 2015	plot 59 kira road kla	precious metals
0595	sonetrans ltd	26 October 2015	plot 30 kla rd green towers	precious metals
0596	chemines ltd	2 November 2015	plot 113 wavamuno road munyonyo kla	precious metals
0597	asma strategies and logistics (u) ltd	6 November 2015	plot 107 buganda rd afri courts building ground florr kla	precious metals
0598	abbarci mining company ltd	11 November 2015	plot 170 bombo road kawempe kampala	precious metals

## No Golden Future

### Use of child labour in gold mining in Uganda

A large number of children work in Uganda's artisanal gold mines. Of all the artisanal gold miners in Uganda, between 20 to 30 per cent are children. Some children (periodically) attend primary school whilst still working in the mines to pay for their education, clothes and books. Many other children work in the mines throughout the year and some even live on the mining sites. Gold mining is arduous work even for adults, but for children the conditions are even more unsafe, unhealthy and the exposure to hazardous and toxic chemicals, including mercury, can lead to life-long health problems.

