Civil Society for Poverty Reduction

Luapula province

Impact Assessment of Mining Activities And the Economic Benefits For the Poor in Luapula

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# TABLE OF CONTENTS

LIST OF TABLES ........................................................................................................................................... 3  
LIST OF PICTURES .......................................................................................................................................... 3  
LIST OF ACRONYMS ....................................................................................................................................... 4  
EXECUTIVE SUMMARY ................................................................................................................................. 5  
CHAPTER ONE: INTRODUCTION .................................................................................................................... 7  
  1.1 Background ............................................................................................................................................... 7  
  1.2 Study Objectives ....................................................................................................................................... 7  
  1.3 Methodology ............................................................................................................................................. 8  
CHAPTER TWO: RESEARCH FINDINGS ............................................................................................................ 8  
  2.1 Type of Mining Methods and Mine Lifespan .......................................................................................... 8  
  2.2 Employment .......................................................................................................................................... 10  
  2.3 Environmental Impact Assessments and Land Allocation ................................................................. 11  
  2.4 Production, Tax and Levies .................................................................................................................... 13  
  2.5 Community Socio-Economic Linkages ............................................................................................... 14  
CHAPTER THREE: OTHER CROSS-CUTTING ISSUES ......................................................................................... 16  
  3.1 HIV/AIDS and Gender Concerns ........................................................................................................... 16  
  3.2 Infrastructure .......................................................................................................................................... 16  
  3.4 Corruption ............................................................................................................................................. 17  
CHAPTER FOUR: CONCLUSION & RECOMMENDATIONS .............................................................................. 18  
ANNEX 1: LIST OF RESPONDENTS ................................................................................................................ 20  
ANNEX 2: LIST OF RESEARCHERS .................................................................................................................. 21
LIST OF TABLES

Table 1. Type of mining and life span.................................................................Page 09
Table 2. Employee wage scale.............................................................................Page 11

LIST OF PICTURES

Picture 1. Equipment used in the mines..........................................................Page 09
Picture 2. Miners working at Kabasa Mine.......................................................Page 11
Picture 3. Copper and silver ore from Anvil Mining........................................Page 15
Picture 4. Offices of ZRA and Immigration Department in Nchelenge............Page 17
LIST OF ACRONYMS

AVAP – Anti-Voter Apathy Project
AIDS – Acquired Immune Deficiency Syndrome
CSOs – Civil Society Organizations
CSPR – Civil Society For Poverty Reduction
DPO – District Planning Officer
DC – District Commissioner
ECZ – Environmental Council Of Zambia
FNDP – Fifth National Development Plan
FGD – Focus Group Discussion
ILC – Inter-Institutional Land Committee
LPPMT – Luapula Provincial Programme Management Team
HIV/AIDS – Human Immunodeficiency Virus
MDLA – Mansa District Land Association
NDC – Nchelenge District Council
M.o.M.M.D – Ministry Of Mines and Mineral Development
ZRA – Zambia Revenue Authority
EXECUTIVE SUMMARY

Civil Society for Poverty Reduction (CSPR) in Luapula Province conducted an assessment of the impact of mining activities and economic benefits for the poor in two districts, namely Nchelenge and Mansa.

Although Zambia’s economy is reportedly diversifying, mining is still a major source of tax revenue in the country. Therefore, revenue from mining needs to be harnessed in order for government to obtain the much needed resources for national development. Luapula province has huge copper, manganese, cobalt, iron ore and many other mineral deposits that are unexploited. The research revealed that there has been an increase in production levels of manganese in the province. Nevertheless, there is further need to invest in the mining industry and to exploit the untapped mineral resources in the area.

It was revealed that there is no proper legal framework and enforcing mechanism regulating the operations of mining in the province. This has resulted in illegal mining by some community members and unscrupulous investors. The lack of physical presence of the Ministry of Mines and Mineral Development (MoMMD) in the province has also negatively affected the mining activities; a fact which was echoed by both government and traditional leaders during the research.

Mining activity by its nature poses serious environmental concerns that impact heavily on the livelihood of the people. Among the detrimental environmental effects is environmental degradation as a result of open pits, deforestation and air pollution. Heavy traffic of trucks has caused a lot of damage to the gravel roads leading to the mines. These have not been maintained for a long time except for a few which the Rural Roads Unit was contracted by Genesis Procurement to work on roads leading to the mines where the latter operates from.

Land disputes have also been on the increase. According to the findings in the report, some chiefs have been accused of having a part in land allocation for mining and this has caused disputes in the land allocation. Moreover, there are issues of boundary and encroachment into state reserves. The communities are slowly losing out on the land and are not accessing the benefits from mining.
There have been little local community benefits from the mining activities in the province. Most mines are unable to absorb the labour force available as most of the major mines are heavily mechanized. With no clear corporate social responsibility rules, the province is experiencing a reduction in forestry products such as mushrooms, caterpillar collection and honey production due to increased mining activities resulting in the cutting of trees. This has an adverse impact on the livelihoods of the local people.

To address these issues, the following measures should be put in place:

1. Government should through the established departments like M.o.M.M.D and ZRA strengthen and adequately enforce the existing mining laws and policies in order for real benefits to be derived from the mining sector.

2. Operationalise the offices of both MoMMD and ECZ which should be well staffed to ensure adherence to mining policies, procedures and legislation by the mine owners and also reduce on bureaucracy involved in acquiring mining licenses, especially for small scale miners.

3. There is need to increase, through tax reform system, the financial benefits flowing to the province from the mining sector. Increasing the tax for foreign investors would allow local companies to compete for business.

4. Government should put up mechanisms that would make all mining entities adhere to the existing laws in order to safeguard the employees and the environment.

5. Government together with other stakeholders should compel mining companies to plough back to the communities in which they are operating, in terms of infrastructure development and other social amenities like health and education.

6. Government and all players in the sectors should be able to identify and come up with long term measures against corruption.

7. In cases of unavoidable displacements government should find alternative land for the displaced people.
CHAPTER ONE: INTRODUCTION

1.1 Background

Luapula province like many other provinces in the country has a rich and diverse mineral resource base. A number of mineral resource explorations have been conducted in the province and these have revealed the presence of rich mineral ores such as copper, gold and manganese. Although there have been efforts made by the government to diversifying the economy, mining is still a major source of tax revenue and a driver of the economy. Because of the significance of mining to the economy, it is therefore critical to harness mining revenue in order to obtain the much needed resources for national development and poverty reduction.

Luapula province has huge copper, manganese, cobalt, iron ore and many other mineral deposits that are unexploited. Since 2008, the province has focused on mining the unexploited minerals and the major mineral being mined is manganese. Manganese is found in most parts of Mansa and is largely mined at a small scale but it is marred with a lot of illegal activities. Due to the illegal mining, government has lost a lot of revenue, which potentially could have been channelled to address social and economic development issues.

Based on the foregoing, the Civil Society for Poverty Reduction (CSPR) identified the importance and potential of mining for economic growth and poverty reduction in the province. In this regard, an assessment on the impact of the mining sector with regards to the economic and social benefits for the people of Luapula was initiated. The CSPLPPMT thus created an opportunity to speak for and on behalf of the poor majority in the province regarding the potential social and economic benefit that could come from mining in the province.

1.2 Study Objectives

This study aimed at highlighting the impact of mining activities in Luapula and establishing the social and economic benefits accrued to the people.

The specific objectives of the study were:

1. To establish the type of mining activities currently undertaken in the province.
2. To establish the level of contribution of the mining sector in terms of employment in the province.
3. To assess the type of mineral revenue collection modes established by government.
4. To establish the community socio economic linkages of mining activities.

1.3 Methodology

This study was conducted in two districts of Luapula Province, namely, Mansa and Nchelenge. The respondents included staff from mining firms, government officials and non-state actors working in the mining industry such as Anvil Mining in Nchelenge, Genesis Procurement Company, Kabasa Mining, Crux Resources and Nsakasha mining.

Purposive sampling was used to select the study sites and mining firms. A broad range of data was collected using both qualitative and quantitative survey methods. Semi-structured questionnaires were employed as well as in-depth interviews with Zambia Revenue Authority (ZRA) officers, local authorities, government officers and non-state actors from both Mansa and Nchelenge districts. The assessment was conducted by members of the CSPR Luapula Provincial Programme Management Team. A list of respondents can be found in Annex 1 of this report.

CHAPTER TWO: RESEARCH FINDINGS

2.1 Type of Mining Methods and Mine Lifespan

The mining firms in Luapula employ both mechanised and labour intensive mining methods. Mechanized mining involves the use of heavy equipment such as bull dozers, excavators, crushers, earth movers, cranes and front low loaders while labour-intensive mining involves the use of picks and hoes to mine the manganese. The latter method of mining is potentially unsafe and risky.
Genesis Mining is the largest mining firm operating at a large scale in a joint venture with Luapula Base Metals Limited. Other companies operating at a large scale include Cruix Resources and Tranter-Zambia group of companies (see Table 1). However, Tranter-Zambia is not engaged in mining but is undertaking exploration. It was noted that full exploration works take approximately 1 to 3 years before venturing into mining. Tranter-Zambia has been undertaking the exercise for 2 years since they started the exploration in Kalaba and may embark on large scale mining by 2012.

### Table 1: Overview of respondent mining enterprises

<table>
<thead>
<tr>
<th>Mining Firm</th>
<th>Type</th>
<th>Equipment</th>
<th>Lifespan</th>
</tr>
</thead>
<tbody>
<tr>
<td>Genesis (Kabasa Mine)</td>
<td>Large scale</td>
<td>Mechanised &amp; labour</td>
<td>Unknown</td>
</tr>
<tr>
<td>Cruix Resources</td>
<td>Large scale</td>
<td>Mechanised &amp; labour</td>
<td>3-7 years</td>
</tr>
<tr>
<td>Anvil Mining</td>
<td>Large scale</td>
<td>Mechanised &amp; labor</td>
<td>3 years</td>
</tr>
<tr>
<td>Nsakasha mining</td>
<td>Small scale</td>
<td>Labour</td>
<td>Unknown</td>
</tr>
<tr>
<td>Machimba – 1</td>
<td>Small scale</td>
<td>Labour</td>
<td>Unknown</td>
</tr>
<tr>
<td>Filolyo 1 &amp; 2</td>
<td>Small scale</td>
<td>Labour</td>
<td>3-7 years</td>
</tr>
<tr>
<td>Tranter</td>
<td>Large scale</td>
<td>Mechanised</td>
<td>Exploration stage</td>
</tr>
</tbody>
</table>

Source: Field data
2.2 Employment
Despite an increasing number of mining activities in the province and in Mansa district in particular, unemployment levels have continued to be high with a record of 60%\(^1\). Most of the mining firms are operating at a small scale and therefore do not employ a lot of workers. In addition, a number of the mining companies employ workers on a casual basis. For example, Genesis employs a total of 270 workers. Of these, 50 are permanent employees and the rest are on short-term contracts of three months.

\[\text{Picture 2: Manganese mine workers}\]

In terms of wages, a majority of the firms pay wages based on the productive capacity of the employee. On average a casual worker is paid K10,000 per one tonne bag of manganese. The average wage for most general workers is K520,000.00 per month (See Table 2). The unskilled workers are paid around K300,000 to 350,000 per month, amounts way below the minimum wage of K419,800 per month. Skilled workers’ wages range between K520,000 to K1,200,000.

While the skilled workers wages may seem significant, it is important to analyze these in light of the cost of living using the JCTR national Basic Needs Basket, which in December 2010 indicated a figure of K2,897,430 and K3,019,100 for January 2011. In comparison to the cost of living wage figures, it can be noted that the mine workers wages significantly fall below these figures.

\(^1\) Mansa Labor office
Based on figures of the Basic Needs Basket, 75% and 63% of the monthly incomes for rural and urban populations respectively goes to food expenses. Though the percentage share of income on food expenses is high, it does not imply that households have adequate and nutritionally balanced food to eat, it only means that out of the meagre incomes people earn, a huge proportion goes to food. This leaves them with little or no income to spend on health care, education and clean water. Some economists have suggested that the proportion of total expenditure spent by families on food is a proxy indicator of poverty levels and households therefore spending more than 35% of their total income on food could be deemed to be poor.

### Table 2: Employee Wage Scale

<table>
<thead>
<tr>
<th>No.</th>
<th>Employee Category</th>
<th>ZMK Salary/Wage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Full time</td>
<td>1,200,000 – 2,000,000</td>
</tr>
<tr>
<td>2.</td>
<td>Part time (general workers)</td>
<td>520,000</td>
</tr>
<tr>
<td>3.</td>
<td>Casual workers</td>
<td>10,000 per 1 tonne bag</td>
</tr>
</tbody>
</table>

By and large the conditions of service among workers are not satisfactory. A majority of the mine workers are working for low wages in an unsafe environment. It was noted for instance, that while the large scale mine companies have safety measures in place which include protective clothing for the workers, small scale mines were said to have poor safety measures. Due to the illegal registration of some of the mine companies, it has been a challenge to account for the safety and exact number of people that some of mine companies have engaged as there are no records available with the relevant authorities like the labour office. The mine office in Mansa was closed indefinitely at the time of the assessment, therefore, no information was provided from the office.

### 2.3 Environmental Impact Assessments and Land Allocation

Before commencing any major industrial activity, the law requires that an environmental impact assessment is done by the Environmental Council of Zambia (ECZ). According to the guidelines, a prospective mine owner is required to develop an environmental brief which is submitted to ECZ. According to this brief, the prospective mine owner will undertake to adhere to the following;
- Avoid both noise and dust pollution
- Properly manage solid waste generated from the mining activities
- Avoid deforestation and unnecessary vegetation clearance
- Avoid any negative impact on both surface and underground water
- Avoid wild life displacement
- Avoid over loading to avoid damage to roads and bridges

Once these environmental briefs have been developed by the prospective mine, ECZ conducts an inspection and on that basis takes a decision on whether to approve or not. The briefs are then taken to the local authorities for further scrutiny and site inspection. However, the site inspection is rarely done by the local authority due to lack of logistical support and this implies that companies are granted to commence operations without any risk assessment conducted on the part of the council authority.

In terms of land allocation for mining activities, it was noted that the land for these activities is allocated by the traditional leaders and as such, some traditional leaders, would abuse this position by displacing households and providing the land to mining companies. This has resulted in land disputes which have resulted in displacements and encroachment. The process of land allocation involves issuance of a mining license by the Ministry of Mines and Mineral Development (M.o.M.M.D) headquarters. Once issued with a licence, the mine owners are then directed to a specific area for land allocation by traditional leaders. The role played by the traditional leaders in allocating land is not conducted in some cases in a transparent manner. According to the Mansa District Land Alliance (MDLA) due to this lack of transparency, there were significant land disputes among the inhabitants of the mining areas. MDLA further bemoaned the favouritism shown towards the large scale mining firms and lack of transparency by ECZ in conducting the Environmental Impact Assessments.

To address some of the foregoing challenges, MDLA has sought to create an Inter-Institutional Land Committee (ILC). The stakeholders to this committee will include:

- MDLA
- Land and Survey departments
- Civil Society for Poverty reduction (CSPR)
- Traditional leaders
- Ministry of Justice (MoJ)
- Legal Aid Board

The aim of the committee would be to ensure that there is a coordinated approach to the development of the mining activities. It will also ensure that people are not unfairly treated because of the mining activities and that they should be compensated should evictions become necessary. This would be done through litigation and advocacy on land matters affecting the local people.

2.4 Production, Tax and Levies

It was observed that the absence of information about the legal registration of mining companies has made it difficult to establish the actual production levels (in tonnes) of different mineral ores which are necessary to compute the taxes and levies due. According to the Zambia Revenue Authority (ZRA), it is very difficult to account for all the production and the required taxes. At the time of the study, it was discovered that only one mining company was up to date with the payments of taxes. According to ZRA the other companies in the sector operate at a scale too small for them to even produce up to the level of even exporting the manganese. This has resulted in them having to sell their produce to Genesis Mine which is involved in the procurement, mining and export of minerals. This implies that ZRA is unable to directly capture taxes from the small scale companies.

It was further noted that Government was losing a lot of revenue from the minerals in the province because companies were not adding value to the minerals and were thus exporting them in raw form and at a far much cheaper price. The Province has no local manufacturing companies processing manganese. One of the reasons for this is that, the infrastructure and facilities such as electricity are not well developed in the province to support manufacturing. There is need therefore for government to facilitate the growth of the mining sector in Luapula province by improving the infrastructure and increasing and improving electricity supply to the area. This will allow companies to construct refineries and smelters to add value to the minerals being mined in the area.
Apart from taxes, levies are collected from mine companies with transit ports in the province. For instance, Anvil Mining Company operates from a mine in Congo DR with a transit port in Nchelenge. They transport an average of 320 tonnes of copper and silver in a day from DRC.

According to the logistics officer at Anvil transit port in Nchelenge, the mining company pays levies for every barge which docks at the harbour to the local authority. They pay an average of K9,000,000 million in a month. A levy of K100,000 is paid for each truck from the port to the barrier. It was noted that there were more than 100 trucks in a week on average with revenues amounting to K10,000,000 per week from truck levies alone. The money collected from levies is used for daily running of the local authority and also repair of the roads in the district.

**Picture 3: Copper ore and Silver from Anvil mining in Nchelenge at the Port**

However, it was noted that the local authority in Mansa has not exploited fully the opportunity to collect mineral levies from the mining companies. Nevertheless, it was noted that arrangements were being put in place by the local authority to collect mineral levies. For instance the local authority had begun to discuss with Genesis Procurement on paying Mineral Levies for trucks, charged per tone at a prescribed rate.

**2.5 Community Socio-Economic Linkages**

The main reason for carrying out this assessment was to see to what extent the mining activities had benefitted the community. This is specifically in relation to employment creation both directly and indirectly as well as benefits from corporate social responsibility initiatives that would contribute to social improvement in the province.
While significant investment has occurred in the mining sector since 2008, it was clearly observed that investors have not fully taken note of the country laws and have failed to honour the commitments they made in the development agreements. Some investors have taken advantage of the fact that Zambian state institutions are too weak to effectively regulate their activities.

Although investments have created some new jobs, the working conditions are poor, creating amongst mineworkers a category of the working poor. To a large extent mining activities have benefited the investors themselves and few others and not the poor.

Among the mining companies involved in corporate social responsibility, only Genesis mines in Mansa and Anvil mines in Nchelenge have been involved in a number of corporate social responsibilities activities. This however they could not sustainably undertake due to the global financial and economic crunch which led to a drop in the price of most minerals which lead to a decline in the companies’ revenues.

Anvil mine, despite not having physical mines in the province, have engaged in a number of corporate social responsibility programs. For instance, they have built offices for ZRA, Immigrations department. They also provide fuel and transport to government especially during national events. They also buy timber from Don Bosco in Kazembe as way to empower the local people.

**Picture 4: Offices for ZRA and Immigration in Nchelenge**

The picture shows the immigration office in Nchelenge built by Anvil Mining as a corporate social responsibility programme of the company
All in all, the level of corporate social responsibility being undertaken by the mining firms in the province is very low. A number of mining companies operating in the province cannot be held accountable due to poor coordination on the part of government, which has resulted in failure to ensure that only licensed companies were involved in mineral extraction in the province. If this was undertaken in the context of a good policy and legal framework, the mining sector in Luapula province could greatly contribute not only to the economy of the province but that of Zambia as a whole.

CHAPTER THREE: OTHER CROSS-CUTTING ISSUES

3.1 HIV/AIDS and Gender Concerns
As a result of the increase in the mining activities, there has been a corresponding increase in the movements of trucks in and out of the province. The communities’ concern is that because of the high poverty levels, the province may see increased commercial sex activities, which would result in a number of women exposing themselves to HIV/AIDS. On the other hand, it was also noted that mining activities were affecting household food security as families were either selling or leasing out their farm land to small scale miners in the quest for easy money. This has also resulted in family break down with women and children being the most affected.

3.2 Infrastructure
It was established during the assessment that very little has been done in terms of infrastructure development by both the government and the mining companies. Most of the mining firms were renting existing offices and warehouses, contrary to the expectations of the local communities of Luapula, who would have wanted to see the construction of new structures and roads as a result of the mining activities. The mines have largely contributed to the destruction of both feeder roads and main roads in the district due to heavy trucks carrying manganese. As a result of the damage, the local people have been experiencing difficulties in using the roads to transport their agricultural produce to the market, especially when using the roads leading to Kalaba and Kabunda. Based on what was observed, the mining companies are not doing enough to plough back into the communities. Efforts could have been made to repair damaged roads and bridges.
3.4 Corruption
Although the extent to which corruption and corrupt practices took place could not be determined, certain activities and comments pointed to its presence as can be observed from the Crux example below. Poor law and policy enforcement in this sector coupled with a presence of corrupt practices has made it extremely difficult for the local people to benefit from the mining activities. The following have contributed to likelihood and possibility of the presence of corrupt practices;

1. The long, tedious and bureaucratic process of acquiring a mining license.
2. Lack of seriousness by E.C.Z in issuing environmental assessment reports.
3. Understaffing at the M.o.M.M.D office which hinders their capacity to implement laws and monitor mining activities.
4. Centralized issuing of mining licenses which was frustrating to the local companies.
5. Uncoordinated land allocation without the involvement of stakeholders.

These are some of the critical issues that have to a great extent contributed to the threat of corrupt practices. Because of the challenges that individuals and companies face in obtaining mining licenses, many have ventured into illegal mining activities. Most of these people are those with perceived connections to high offices.

Case study: Crux Mining Group of South Africa

Crux Mining Group of South Africa had secured mining rights on a land area covering over 1.2 million acres in Luapula province. The mining firm invested over USD3,000,000 in its operations in Zambia. Their mining licenses were revoked in 2010 and in 2011 the license was cancelled on allegations of illegal manganese mining in Kabunda area. Despite the license having been withdrawn, mining activities carried out by unknown persons have continued on site. Tonnes and tonnes of manganese are transported from the mine each day with an average of ten truck loads. Crux Mining officials denied being involved in the mining activities and stated that they had reported the matter to the law enforcement officials and those from M.o.M.M.D but nothing has been done.

Further research revealed that the matter of Crux Mining license was before the courts and LPPMT could not proceed with further inquiry.
Based on the case study of Crux mining company, it is evident that the mining sector in Luapula is marred with corrupt practices. Unless a proper audit is conducted to ascertain the mining activities and mining firms operating in the province the government will continue to lose a lot of revenue. To partly address this matter, government would need to put in place stringent measures to ensure that only licensed companies were involved in mineral extraction in the province.

CHAPTER FOUR: CONCLUSION & RECOMMENDATIONS

Civil Society for Poverty Reduction in Luapula feels that very little has been done by the mining sector in terms of reducing poverty. A lot is yet to be done in order to see full economic impact that will result in tangible benefits for poverty reduction, with specific results in sectors like agriculture, tourism and hospitality, health and education.

Among the key issues affecting the growth of the mining sector in the province are poor coordination and supervision of mining activities which has resulted in illegal mining resulting in loss of revenue through taxes. There is also very little incentive for growth of the local industry in the province due to lack of infrastructure and energy that would enable industries to process the raw material and produce other finished products. This in turn makes the province simply a producer of raw materials and hence denying the local people benefits from their natural resources.

The research noted that there are a number of institutional and economic reasons why Zambia still struggles to secure equitable and sustainable benefits from foreign investment in the mining sector. Some of the processes that would be undertaken to address this include: greater transparency around contract awarding and conditions; enhanced capacity at the Zambia Revenue Authority; better-trained and better-paid environmental and safety inspectors; and, a concerted strategy to develop local manufacturing capacity.

In addition to this, the following measures should be put in place:

8. Government should through the established departments like M.o.M.M.D and ZRA strengthen and adequately enforce the existing mining laws and policies in order for real benefits to be derived from the mining sector.
9. Operationalise the offices of both MoMMD and ECZ which should be well staffed to ensure adherence to mining policies, procedures and legislation by the mine owners and also reduce on bureaucracy involved in acquiring mining licenses, especially for small scale miners.

10. There is need to increase, through tax reform system, the financial benefits flowing to the province from the mining sector. Increasing the tax for foreign investors would allow local companies to compete for business.

11. Government should put up mechanisms that would make all mining entities adhere to the existing laws in order to safeguard the employees and the environment.

12. Government together with other stakeholders should compel mining companies to plough back to the communities in which they are operating, in terms of infrastructure development and other social amenities like health and education.

13. Government and all players in the sectors should be able to identify and come up with long term measures against corruption.

14. In cases of unavoidable displacements government should find alternative land for the displaced people.
## ANNEX 1: LIST OF RESPONDENTS

<table>
<thead>
<tr>
<th>District</th>
<th>Mining Firms</th>
<th>Government Departments</th>
<th>Other stakeholders</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mansa</td>
<td>Genesis Procurement company</td>
<td>ZRA offices</td>
<td>Mr. Silaupa – Proprietor Silaupa Mine</td>
</tr>
<tr>
<td></td>
<td>Kabasa Mining (being run by Genesis)</td>
<td>Central Statistical Office</td>
<td>Luapula Small Scale Mines Association Mr. Mwaba</td>
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<tr>
<td></td>
<td>Crux Resources</td>
<td>Mansa municipal council</td>
<td>Mansa Land Alliance</td>
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<td></td>
<td>Nsakasha Mines</td>
<td>Labour office</td>
<td></td>
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<td></td>
<td>Tranter Group of companies</td>
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<td>Machimba – 1</td>
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<td>Filolyo 1 &amp; 2</td>
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<tr>
<td>Nchelenge</td>
<td>Anvil Mining</td>
<td>Nchelenge district council</td>
<td></td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>8</strong></td>
<td><strong>4</strong></td>
<td><strong>3</strong></td>
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## ANNEX 2. LIST OF RESEARCHERS

<table>
<thead>
<tr>
<th>NAMES</th>
<th>ORGANISATIONS</th>
</tr>
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<tbody>
<tr>
<td>1. SAMUEL MANDA</td>
<td>Z.R.C.S</td>
</tr>
<tr>
<td>2. FR. NICODEMUS CHABU</td>
<td>CARITAS MANSA</td>
</tr>
<tr>
<td>3. MR. ELIAS ZULU</td>
<td>C.S.A.W.U.Z</td>
</tr>
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<td>4. MR. MICAEL MWALE</td>
<td>A.V.A.P</td>
</tr>
<tr>
<td>5. MR. MONTA CHABU</td>
<td>P.P.A.Z</td>
</tr>
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<td>6. MS. HOPE MWELAISHA</td>
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