REPUBLIC OF KENYA

MINISTRY OF MINING, BLUE ECONOMY AND MARITIME AFFAIRS

MINERALS, MINING AND BENEFICIATION POLICY

SESSIONAL PAPER NO……..

Transforming Livelihoods through Sustainable Development and Utilization of Mineral Resources

2026

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FOREWORD

The Government recognises that the mining sector has the potential to contribute significantly to the country's economic development. Currently, the sector contributes around 1 per cent to gross domestic product (GDP) per annum but has the capacity to contribute to 10% as espoused under the *Vision 2030 Economic* Blueprint. Given the potential of the mining sector, the Ministry of Mining, Blue Economy and Maritime Affairs has prepared a comprehensive policy framework to strengthen the regulation and coordination of the sector.

The *Minerals Mining and Beneficiation Policy* aims to create an enabling environment for the mining sector, in support of the sector's goal: *"Transforming Livelihoods Through Sustainable Development and Utilisation of Mineral Resources."* The Policy sets out frameworks, principles, and strategies that will promote exploration, extraction and value addition of mineral resources for sustainable socio-economic development.

Recognizing the important role played by artisanal mining in the provision of livelihoods to millions of families and thus the growth of rural economies, this policy has institutionalised ASM into the mainstream and provides for its legalization. Further, the policy acknowledges the importance on in-country mineral value Addition and processing and further takes cognizant of the continental initiatives such as the Africa Agenda 2063, the Africa Mining Vision and the Africa Green Minerals Strategy. In addition, the Government recently adopted a proposal on the categorization of minerals and declared 14 minerals to be of strategic importance to Kenya's economic diversification. This policy has therefore addressed itself on the peculiar nature of the Strategic Minerals and provided for their exploitation.

The development of this Policy was undertaken in a consultative manner consistent with the provisions of the Statutory Instruments Act and with input from the leading mining stakeholders, mining companies, academic and research institutions, development partners, the Parliamentary Committee on Environment Forestry and Water, civil society, representatives of mining communities and the general public. The Policy therefore represents the aspirations of key stakeholders in the mining sector and full implementation of the Policy will enable the realisation of sustainable mineral exploration and development.

Hon. Hassan Ali Joho, EGH
CABINET SECRETARY

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Mr. Harry Kimtai, CBS
PRINCIPAL SECRETARY

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ABBREVIATIONS AND ACRONYMS

AMV	:	Africa Mining Vision
ASM	:	Artisanal and Small-Scale Miners
ASGM	:	Artisanal and Small Scale Gold Miners
AU	:	African Union
CDAs	:	Community Development Agreement
CEC	:	County Executive Committee
DOJ	:	Department of Justice
DOSH	:	Directorate of Occupational Safety and Health Services
DPSM	:	Directorate of Public Services Management
EAC	:	East African Community
EIA	:	Environment Impact Assessment
ELC	:	Environment and Land Court
ELRC	:	Employment and Labour Relations Court
EMCA	:	Environmental Management and Co-ordination Act
EPCM	:	Engineering Procurement Construction and Management
EVs	:	Electric Vehicles
GDP	:	Gross Domestic Product
ISO	:	International Organization for Standardization
JNAM	:	Joint National Mapping and Reserve Mapping
JOR	:	Joint Ore Reserve Committee
KAM	:	Kenya Association of Manufacturers
KEPSA	:	Kenya Private Sector Alliance
KMD	:	Kenya Meteorological Department
KNCHR	:	Kenya National Commission on Human Rights
MDA	:	Ministries, Departments and Agencies
M & E	:	Monitoring & Evaluation
MFA	:	Ministry of Foreign Affairs
MiBEMA	:	Ministry of Mining Blue Economy and Maritime Affairs
MITI	:	Ministry of Investments, Trade and Industry
MOECCF	:	Ministry of Environment, Climate Change and Forestry
MoLSSS	:	Ministry of Labour & Social Security Services

MoLPHUD : Ministry of Lands, Public Works, Housing & Urban Development

MOU : Memorandum of Understanding

MRB : Mineral Rights Board

MTEF : Medium Term Expenditure Framework

MTP : Medium Term Plan

NAGs : National Airborne Geophysical Survey

NCAJ : National Council on the Administration of Justice

NECC : National Environmental Complaints Committee

NEMA : National Environment Management Authority

NGEC : National Gender and Equality Commission

NMC : National Mining Corporation

NLC : National Land Commission

OMC : Online Mining Cadastre

OSHA : Occupational Safety and Health Act 2007

PERC : Pan-European Codes for Reporting Exploration Results

PFMA : Public Finance Management Act

PLWDs : People Living With Disabilities

PPP : Public-Private Partnership

PSC : Public Service Commission

RMS : Royalty Management System

SAMREC : South African Code for Reporting of Mineral Resources and Mineral Reserves

SMEs : Small and Medium-sized Enterprises

UNFCCC : United Nations Framework Convention on Climate Change

1. CHAPTER ONE: INTRODUCTION

1.1. Background

The Constitution of Kenya provides the overarching legal framework to ensure sustainable and productive management of mineral resources. Articles 62 (1) (f) and 62 (3) defines and declares that all minerals and oils are public land and shall vest in and be held by the national government in trust for the people of Kenya.

Kenya's mining history dates to pre-independence years, particularly in gold mining in Nyanza and Western regions. However, mining activities in the sector have received little attention leading to low investment, hence depriving the country of accruing benefits including foreign earnings, revenue, job creation, and technology transfer among others.

The Mining sector contributes about one percent to the GDP and has the potential to contribute up to 10 percent of the GDP by 2030 as envisaged in Vision 2030. Empowerment of Artisanal and Small Scale (ASM) and promotion of investments in large-scale mining will contribute greatly to the economy through job creation, improve foreign exchange balance, and improve revenue generation through import substitution for mineral value addition.

1.2. Policy Environment

The mining industry is an international business involving complex global investments, networks, financing mechanisms, and mineral markets, hence the need for a comprehensive Policy to incorporate global, regional, and local contexts.

Trading in minerals is globally governed under the World Trade Organization rules of trading. At the continental level, the African Heads of State and Government adopted the African Mining Vision in 2009 at the AU Summit, which aims at the maximisation of the opportunities offered by mineral resource endowment, particularly the "deepening" of the resource sector through the optimisation of linkages into the local economy.

To achieve the principal resource endowment opportunities there is a need to review previous policies to align with the need for in-country value addition and evolving landscape. The Constitution vests mineral resources in the National Government in trust for the people of

Kenya. However, through the devolved system of government, the counties will play a key role in ensuring access to communal land for mining and licensing through participation in the Mineral Rights Board and County Artisanal Mining Committees. Vision 2030 identifies the mining sector as a key driver in the economic growth of transforming Kenya into a newly industrializing, globally competitive, and prosperous upper-middle-income country. In addition, the Mining and Mineral policy sessional paper number 7 of 2016; and the Mining Act Cap 306gives effect to Article 60, 62 (1) (f), 66(2), 69 and 71 of the Constitution, provides for prospecting mining, processing, refining, treatment, transport and any dealings in minerals and for related purposes.

1.3. Policy Rationale

The Mining sector greatly contributes to the economic development of a country by creating wealth through foreign exchange, employment opportunities for both skilled and unskilled personnel, industrialisation, and technological advancement. Kenya's abundant mineral resources hold immense potential to fuel our national prosperity, create sustainable jobs, enhance exports, and contribute significantly to the nation's economic diversification and technological advancement.

Unlocking the potential of the mining sector will accelerate its contribution to national aspirations and prosperity. Maximizing this potential necessitates a robust and forward-looking policy framework that evolves alongside the mining sector's dynamic needs. This Minerals and Mining Policy builds on the foundation laid by the 2016 mining policy but introduces critical enhancements to address emerging issues as follows:

- **Expanding scope:** Its primary focus in mining has remained exploration and extraction overlooking the crucial downstream industries and value-adding activities that drive job creation and economic diversification. The policy will encourage local processing and beneficiation of minerals to create sustainable jobs, diversify the economy, and capture greater economic value within Kenya.

- **Evolving landscape:** The mining sector has experienced significant growth and diversification since 2016, necessitating policy adaptation to address critical issues such as strategic minerals, environmental sustainability, and community engagement. To secure strategic minerals the policy provides mechanisms to prioritize the exploration, extraction, and processing of minerals critical for national security and technological development.

- **Licensing procedures:** Licensing processes need to be facilitative for ease of doing business in mining. If they are cumbersome and time-consuming, they discourage investment and hinder project development. Streamlined licensing will focus on developing licensing systems that implement efficient, transparent, and timely licensing procedures to attract investment and expedite project development.

- **Limited exploration:** Inadequate data and exploration efforts constrain the discovery of new mineral deposits, jeopardizing the sector's long-term sustainability. Enhancing exploration will require strategies for comprehensive geological surveys and exploration activities to identify new mineral resources and diversify the resource base.

- **International developments:** The global mining landscape is dynamic, with evolving regulations and best practices that require policy alignment to ensure Kenya remains competitive and compliant. The policy helps the sector align to emerging international mining regulations and best practices to ensure responsive and sustainable resource management.

- **Mineral promotion and marketing:** Reliable, stable, and efficient marketing system promotes the growth of both local and international markets, and increases foreign earnings and Government revenue. The Government has liberalized mineral marketing arrangements and established formal marketing system. However, export and local mineral markets need to be further developed to facilitate minerals trading.

- **Funding Gaps:** The mining sector is under-funded resulting in inadequate geological data, outdated infrastructure and low attraction and retention of technical expertise. Majorly, mineral exploration has been driven by donors and private investors with the government investing very little in the sector. These gaps hinder the sector's potential for sustainable growth and development.

- **Institutional Capacity:** The mining sector is a highly technical field, which requires specialized skills, well-structured and equipped institutions. The country has inadequate institutions for training in modern mining and related fields; and inadequate supporting institutions hence affecting enforcement, compliance and service delivery. This has resulted in capacity gap within the sector as the few trained abroad have often fallen victim to brain drain leading to human capital flight. This has further been exacerbated by the fact that the industry is poorly incentivized. A clear and well-coordinated institutional and regulatory framework is crucial for the realization of the potential of the mining industry.

This Policy aims to create a conducive environment for responsible mining, maximizing economic benefits for all stakeholders and driving sustainable development across the nation. By embracing adaptation value addition and innovation, and undertaking promotional activities, Kenya can unlock a brighter future where its mineral wealth translates into prosperity for all.

1.4. Scope of the Policy

The scope of the reviewed mineral and mining policy is to establish a comprehensive framework for the sustainable and equitable management of Kenya's mineral resources to achieve the socio-economic development of the country. The policy focuses on responsible exploration, extraction, in-country Value addition and utilization of minerals, industrial linkages, mineral promotion and marketing, and capacity building to ensure long-term sustainability. The policy provides for roles and responsibilities for both the national and county governments under the Constitution of Kenya and the Mining Act, of 2016.

1.5. Structure of the Policy

The policy contains a situational analysis that establishes the sector's potential, achievements, opportunities, challenges, and emerging issues. It provides a policy direction that will inform the sector strategies and activities. An outline of the policy implementation plan together with a monitoring and evaluation framework is provided to facilitate the execution of the policy actions.

The policy is built on eight (8) thematic areas including policy, legal and institutional framework; mineral resource endowment; mining and mineral management; mineral value addition and value chain strengthening; artisanal and small-scale mining; mineral marketing and promotion; enablers and sector sustainability; and emerging and cross-cutting issues.

1.6. Process of Developing the Policy

The policy was developed through an inclusive and consultative process. The development process adopted a multidimensional and multi-agency approach given the nature of the activities and regulations in the sector. The views of stakeholders and technical expertise were incorporated.

2. CHAPTER TWO: SITUATIONAL ANALYSIS

2.1. Mining Sector Progress

2.1.1. Policy, Legal and Institutional Framework

2.1.1.1. Global Context

At the global level, Kenya adheres to various international conventions, agreements, and standards that influence its mining sector (in line with Kenya's Constitution which recognises any other law that Kenya has ratified). These include the Minamata Convention on Mercury to mitigate mercury emissions from mining activities; and the United Nations Framework Convention on Climate Change (UNFCCC) that establishes an international environmental treaty to combat "dangerous human interference with the climate system", in part by stabilizing greenhouse gas concentrations in the atmosphere.

Kenya recognizes the four internationally recognized reporting codes for exploration and mining. These are the 43-NI-101, the Joint Ore Reserve Committee (JORC), the South African Code for reporting of Mineral resources and mineral reserves (SAMREC), and the Pan-European Codes for Reporting Exploration Results (PERC).

2.1.1.2. Regional Context

Regionally, Kenya is a member of the International Conference on Great Lakes Region, the Africa Minerals Geo-sciences centre, the African Minerals Strategy Group, African Minerals development Centre, EAC chapter on Minerals, among others. These bodies aim towards promoting transparency and accountability in the oil, gas and mining sectors. Additionally, Kenya aligns with global initiatives and conventions such as the Kimberley Process Certification Scheme for regulating the trade of rough diamonds.

The African Union Agenda 2063 (The Africa We Want) provides Africa's blueprint and master plan for transforming the continent into the global powerhouse of the future. Through goals No.7 and No.8, Africa is anchoring on the blue/ocean economy and environmentally sustainable and climate resilient economies for accelerated economic growth. As part of Kenya's commitment to delivering AU Agenda 2063, Kenya is leveraging the Value Addition approach to grow its economy and enhance the socioeconomic well-being and dignified life of all its citizens.

The Africa Mining Vision (AMV) is a continental initiative aimed at fostering sustainable and transparent development in Africa's mining sector. Established by the African Union in 2009, the AMV provides a strategic framework to guide African countries towards leveraging their mineral resources for broad-based economic growth and sustainable development. It focuses on transforming Africa's mineral wealth into economic and social development by placing people at the Centre of mineral resource governance.

At its core, the AMV emphasizes a holistic approach to mining that prioritizes inclusive growth, community development, and environmental sustainability. It advocates for transparent and accountable governance structures, local beneficiation of mineral resources, and the integration of mining into broader economic development strategies. The AMV encourages African nations to optimize their mineral wealth by fostering linkages between the mining sector and other industries, promoting value addition, and ensuring that mining activities generate tangible benefits for local communities. By aligning policies and practices with the AMV's principles, African countries aspire to build resilient economies, reduce dependency on raw mineral exports, and create sustainable, diversified, and inclusive development pathways.

2.1.1.3. National Context

Under Article 62 (1) (f) of the Constitution "all minerals and mineral oils as defined by law" are classified as public land and by Article 62 (3) they are vested in and are held by the national government in trust for the people of Kenya. Article 60 of the Constitution provides for the principles of land policy which include sustainable and productive management of land resources.

The legal framework for Governance of the Mining sector in Kenya is primarily under the Mining Act, No 12 of 2016. The Act outlines the rights and obligations of mineral rights holders, establishes the process for granting licences and permits, and defines the regulatory framework for mining operations and all other related activities in the Country.

Kenya's development blueprint, Vision 2030 identifies the mining sector as a key driver in the economic growth of transforming Kenya into a newly industrializing, globally competitive, and prosperous upper-middle-income country. One of the key objectives of the Vision is to enhance mining for development through the value addition of mineral resources for competitiveness. In the third medium-term plan of the Vision, the mining sector was recognized as one of the economic sectors that will spur economic growth, and this revitalized activities in the sector. Some of the other policy, legal and institutional frameworks that inform the operations and practices in the mining sector include environment management, occupational safety, and health services, physical planning, devolution, water resources management, wildlife services, forest services, labour, and human rights.

2.1.2. Mineral Resource Endowment

2.1.2.1. Geological Data and Information

Geological surveys and mineral exploration has remained a key source of data and information for informed investment in the mining sector globally. With the completion of a National Airborne Geophysical Survey (NAGS), the government embarked on ground truthing exercises which led to enrichment of the existing geological data and information.

2.1.2.2. Strategic Minerals

Recognizing the pivotal role played by certain minerals in the economic and national security landscape, this mining policy acknowledges the concept of strategic minerals. These are minerals deemed essential for key industries crucial to the nation's prosperity and defence capabilities. This designation is a proactive measure to secure a sustainable supply of resources vital to the nation's infrastructure, innovation, and defence. The Government declared certain minerals as strategic.

2.1.3. Mining and Mineral Management

The country is endowed with various minerals that are spread across the country. There is also potential for discovery of other minerals as exploration is intensified. These minerals are mined at various capacities ranging from large scale to small scale. Mining and mineral management involves various issues encompassing mineral exploration, licensing, compliance, enforcement, technical capacity among others. The Mining Act Cap 306mandates the Ministry to regulate the sector. The existing institutions need to be strengthened to effectively and efficiently undertake this mandate appropriately.

More predominantly, the mining activities are undertaken at small scale level. These activities take place in many parts of the country though not at a level that the mineral endowment of the country may justify. Although Artisanal and Small Scale Mining (ASM) is an income-generating activity for vulnerable groups, its association with illegal mineral dealings, tax evasion, health and safety risks and a variety of illicit activities taints the sector. Indeed, the haphazard nature of ASM makes it difficult to regulate as it often takes place outside the mainstream industry (formal sector). There are immense advantages to be gained by mainstreaming the artisanal and small-scale mining sector, key among them being a likelihood of safer, healthier and more environmentally compliant operations, widening the tax base and enhancement of the investment environment for large-scale mining through the elimination of some of the threats caused by the informal mining to formal mineral exploration and extraction operations.

2.1.4. Mineral Value Chain Analysis

The Mineral value chain entails activities undertaken from exploration to marketing of the final mineral and associated mineral product. The processes under this include exploration, mine development, extraction, processing, refining, transportation, manufacturing, and marketing, among other post-mining activities. Most activities in the mineral value chain in Kenya concentrate on exploration, extraction, transportation, and trading. By adding value to precious, industrial, and green energy minerals, the country stands to gain from royalties and low-carbon growth.

The demand for value-added mineral products has surged both domestically and in global markets. This increasing demand spans diverse industries, with a notable increase in specific minerals driving various sectors including: Renewable Energy and Electric Vehicles (EVs), Technology Industry, Construction and Infrastructure, and Fertilizer Production.

This increased demand for mineral commodities aligns with Government policy interventions aimed at promoting value addition. By capitalizing on the rising demand for these minerals and fostering value-addition initiatives, the government can effectively leverage this momentum to drive economic growth, industrial development, and sustainable practices within the mineral sector.

Some of the barriers that hinder the value addition of minerals within the country include high cost of energy, lack of legal framework and limited skills and technology.

2.1.5. Enabling Environment and Sector Sustainability

2.1.5.1. Access to Land for Exploration and Mining

The Constitution vests minerals on the National Government in trust for the people. At the same time, it sanctifies rights to property including land. Mining operations are undertaken on, in, and or under land. The Mining Act emphasizes the need for land consent from the landowner before exploration and mining operations. There are three types of land ownership as enshrined in the Constitution namely: government or public land, community land, and private land. Mineral rights holders are required to obtain consent from the owner or lawful occupier of the land in which their operations are to be undertaken. The negotiations of these consents between landowners and exploration entities are majorly undertaken by the mineral rights holders.

2.1.5.2. Infrastructure and Technology

There have been notable achievements in the Mining sector that include establishment of the Online Mining Cadastre System, Geo-data Bank, Royalty Management System, Mineral Certification and Analysis Laboratory, Library, the Ports, the Airports, the road and rail network, Ken-trade among others. Implementing these technologies however requires significant capital, necessitating collaboration between the government, private sector, and international partners.

2.1.5.3. Funding

Mining is a capital intensive sector that requires sustainable long-term financing in equipment, infrastructure and technology, human capital and operational facilitation. Revenue collection from various streams of mining activities have grown over time including investments, royalties, fees and levies. While there has been commendable progress on funding of the mining sector activities, the financing has remained insufficient leading to several challenges including inadequate geological data, limited capacity in both equipment, infrastructure and technology, inadequate technical staff and low compliance to mineral rights obligations.

2.1.5.4. Human Resource Capacity

The mining sector is a highly technical field, which requires specialized skills and well-structured and equipped institutions. The sector faces a huge shortage of highly skilled human resources. Consequently, the sector is establishing the National Mining Instituteas a centre of excellence in mining skills.

2.1.6. Research and Innovation

The research and innovation space in the mining sector is still underdeveloped. The research undertaken has not been adequately disseminated and there exists a knowledge gap between the industry and the public sector about the existing minerals and the opportunities they present to the country through processing and value addition. Currently, a lot of minerals are mined and exported in their raw form which gives them a low market value. In addition, mining especially for ASM utilizes low-level technology, (hand tools) which has higher risks to the miners' safety as well as causes environmental pollution due to inefficiency. Research, innovation, and creation of practical solutions for the Kenyan mining sector calls for innovative thinking on how to upgrade skills and technology to improve the value chain. By creating synergies between institutions then the above issues can be addressed to improve the sector.

2.1.7. Environmental Sustainability

Mining operations in Kenya have adverse impacts on the environment due to the level at which the operations are carried out. The impacts of extraction of mining operations leads to environmental degradation, dust and air pollution, the collapse of mines and shafts among others. To ensure a clean and safe environment, the government needs to promote environmental protection and conservation through enforcement of the relevant laws.

2.1.8. Role of County Governments in the Mining Sector

The Mining Act Cap 306 acknowledges the critical role of County Governments in the overall management of mining in the Republic of Kenya. Through various instruments, the Act has made provisions for the participation of county governments in the regulation of mining. Also, the Act provides for the sharing of benefits accrued from mining to the national government, county government and communities to promote inclusivity.

2.1.9. Local Content

To ensure the involvement and ownership by the local communities, the law provides for promotion of Local content through training and capacity building, supply of goods and services, and benefit sharing. Compliance with this requirement is key in ensuring promotion of ownership and sustainable livelihoods of the communities.

2.1.10. Fiscal Regimes

The mining fiscal regime is a key element of the regulatory framework under which mining companies invest in exploration and utilization projects. Mining is a global industry, where a responsive fiscal regime provides a competitive edge for attracting investors. To balance the interests of mining investors with those of Kenya, there is need for a transparent, accountable, and predictable fiscal regime that takes into account the particular risks and economic characteristics associated with mineral operations.

2.2. Opportunities in the Mining Sector

Availability of Critical and Energy Transition Minerals: Kenya is home to several deposits of critical and green energy minerals. These include copper, coltan, graphite, nickel, chromite, rare earth elements, niobium, radio-active minerals among others. These minerals are yet to be commercially explored and therefore presents a significant opportunity for both local and international investment. These minerals are currently in very high demand globally.

Discovery of more Mineral Deposit: Kenya undertook a national airborne geophysical survey covering the entire terrestrial land mass. This survey is expected to lead to discovery of more commercially viable mineral deposits for industrial, technology, agro and energy purposes.
Mine Support Services: There exist a huge potential for the provision of mine support services in drilling, blasting, mineral testing and analysis; Engineering Procurement Construction and management (EPCM), consultancy services among others.

Technological Advancements and Transfer: As the demand for metals and minerals continues, so do advancements in mining technology. To sustain long-term success the mining sector must adopt cutting edge technology to streamline their processes, improve the safety of workers, minimise their impact on the environment and ensure mutual benefit for the communities where they are located. Additionally, the Ministry must ensure there is technology transfer in mining operations for sustainability.

Regional Hub (In-Country Processing): Kenya is positioning itself as a regional hub in mineral processing, marketing, dealings and utilization. Kenya has potential to provide value addition mining services of minerals sourced from the region due to its capital installations, infrastructure, and stability. Kenya is a regional gateway to for the great lakes region. The government is also in the process of establishing industrial parks with a vision of value adding the natural resources within its borders while encouraging development of raw minerals from the region. To succeed in this, several interventions have to be looked at to reduce the cost of processing and value addition which are currently very high in order to be a leading competitive producer of value-added products from the mining operations, favourable manufacturing incentives have to be put in place to encourage in-country processing.

Employment and Training: The Mining Act Cap 306 recognizes artisanal mining, paving the way for a sub-sector (ASM) that continues to employ the majority of workers within the mining sector. Primarily, job opportunities in mining, particularly within ASM, are clustered around the point of extraction due to undeveloped value-addition/processing capabilities. Other job creation sectors within mining include logistics, environmental management, research and development, social welfare, and marketing. While the extraction of some of these minerals requires skilled personnel such as geologists and engineers, additional employment opportunities exist further down the value chain. This will however require investment in mineral processing capacities as well as capacity building to produce a skilled workforce in areas such as metallurgy and lapidary.

Artisanal miners remain largely unregulated leading to adverse effects such as unrealized tax revenue, exploitation of minors, mineral smuggling, and environmental degradation. The ongoing mainstreaming of artisanal miners via artisanal committees and co-operatives is expected to not only significantly alleviate these issues but also help generate sustainable employment; thus, widening the tax base and contributing to economic growth. Certainly, all forms of employment within the sector could benefit from legislation providing guidelines on employment, training, and skills transfer, driving socio-economic growth.

Mineral Exports and Imports: Kenya finds itself in the position of importing refined minerals and mineral products.In addition, the country exports raw or low-valued mineral ores significantly depriving the sector commensurate earnings to fully capitalize on the value chain inherent in its mineral resources. This situation ultimately undermines the sustainability of the sector's contribution to the GDP.

A strategic shift toward value addition within the country would enable Kenya to harness the full potential of its mineral wealth. This shift involves investing in local processing and refining capacities, thereby creating jobs, fostering industrial growth, and ensuring a more sustainable and lucrative utilization of the nation's mineral resources. By maximizing the value derived from these minerals domestically, Kenya can enhance its economic resilience, create a more balanced trade scenario, and secure a stronger and more sustainable future for its mineral sector.

2.3. Emerging and Crosscutting Issues

2.3.1. Gender Issues

Women and children are increasingly getting involved in the extractive industry, especially in artisanal and small-scale mining (ASM). They engage in labor-intensive mining and other related activities using rudimentary processing methods including the hazardous amalgamation with mercury and the use of Cyanide in the case of gold extraction.

Other challenges experienced by women in the sector are exacerbated by the gender inequalities in access and control over resources including productive assets, exclusion in decision making processes, limited access to information and technology, limited knowledge, and inadequate capacity to engage in the sector and limited knowledge of enterprise development in the mining sector.

2.3.2. Child Labour

Under the Child Protection Law and Policy, it is an offense to employ anyone below the age of 18. Unfortunately, in the case of artisanal mining, child labor continues to be prevalent, a fact especially true in gold (predominantly Western Kenya) and sand mining regions where minors engage in the practice and consequently miss out on a proper education leading to a host of developmental issues.

2.3.3. Disability Mainstreaming

Many People Leaving with Disabilities (PLWDs) have limited access to employment opportunities and therefore health, education, housing, and other amenities. In the interest of promoting inclusivity and the government's commitment to protecting the rights and opportunities of PLWDs. PLWDs face discrimination in many sectors of the economy including mining, thus denying them full economic participation. It is imperative that PLWDs' needs are recognized and the appropriate legal frameworks are implemented to protect and promote their interests.

2.3.4. Conflict Minerals

While Kenya may not have a history of being traditionally associated with the conflict mineral issues prevalent in some other regions, it is imperative to remain vigilant and proactive in preventing any potential risks associated with the extraction and trade of minerals. This ensures that minerals sourced within Kenya do not, in any way, contribute to conflict financing, human rights violations, or related issues.

2.3.5. Climate Change

Mining activities contribute to greenhouse gas emissions due to intensive use and over-reliance on fossil fuel for extraction, transportation, and processing. Mining requires large pieces of land and therefore deforestation and habitat losses. Mining activities also contribute to the contamination of water sources through heavy metal release and sedimentation. This can harm aquatic ecosystems and reduce the availability of clean water for communities downstream. Dust and air pollution is also common in Mining processes. This pollution exacerbates respiratory problems and contributes to regional climate change by altering atmospheric patterns.

2.3.6. Green Energy

Kenya has emerged as a leader in incorporating green energy solutions within its mining industry, emphasizing sustainability and environmental responsibility. Notably, the country has made substantial progress in geothermal power generation, exemplified by the Olkaria Geothermal Plant in the East African Rift Valley. This flagship project harnesses geothermal energy to power mining operations, contributing to a reduction in reliance on non-renewable sources and mitigating carbon emissions.

Additionally, there is a growing trend in the integration of solar energy within the mining sector, with companies adopting solar technologies to power facilities and decreasing dependence on conventional energy sources. The Kenyan government has played a pivotal role by implementing policies and offering incentives to encourage green energy adoption in mining, including favourable regulations and tax benefits. Moreover, mining companies are actively embracing energy-efficient technologies and practices, optimizing processes to minimize energy consumption and utilizing environmentally friendly equipment.

2.3.7. Intra and Inter Country Mineral Trade

The traceability of mineral movements within our borders, from the point of origin to the end consumer or the exit port for exports, poses a significant challenge. The lack of a structured and well-defined procedure to monitor these mineral movements locally has hindered the ability to track the benefits back to the source communities. This absence of a clear monitoring framework not only fails to curb unregulated mining (smuggling) and illicit cross border trade but also compromises transparency, accountability, and the rightful allocation of benefits to the affected communities.

3. CHAPTER THREE: POLICY DIRECTION

3.1. Goal

This Policy aims at creating an enabling environment for the mining sector toward the realization of the sector goal of *"Transforming Livelihoods through Sustainable Development and Utilisation of Mineral Resources"*.

Policy Objective: *The main aim of the Policy is to set out frameworks, principles, and strategies that will promote exploration, extraction and value addition of mineral resources for sustainable socio-economic development. The specific objectives of the Policy are to:*

i) Establish an enabling policy, legal and institutional framework that boosts sector productivity, competitiveness, stability, standardization, and sustainability.
ii) Promote acquisition, processing, storage, and dissemination of adequate geological data and information for sustainable mineral resource management and informed decision-making.
iii) Promote sustainable mining through effective and efficient licensing, supervision, trading, and marketing, and by creating an enabling environment for the application of appropriate mining technology and practices.
iv) Establish mechanisms that will encourage mineral value addition and sector value chain linkages for optimal utilization of minerals.
v) Provide a framework for formalization of artisanal and small-scale mining and provide opportunities promoting artisanal and small-scale mining
vi) Establish a framework for effective mineral promotion, marketing and trading, generation of adequate revenue, and equitable sharing and allocation.
vii) Promote a conducive mining environment.
viii) Strengthen the framework for addressing emerging and cross-cutting issues on responsible mining practices and social justice.

3.2. Guiding Principles

The Mining sector in Kenya shall be guided by adherence to the following principles and values:

i. Inter-generational equity and sustainable utilization of mineral resources;

ii. Integrating sound environmental protection, health, and safety considerations in mineral resources development;
iii. Equitable access to mineral resources and benefit sharing;
iv. Transparency, accountability, and public participation;
v. International and regional cooperation in the management of mineral resources;
vi. Respect of socio-cultural values, access to justice, gender equality and inclusiveness; and
vii. Productivity and value addition in minerals and mineral development of horizontal and vertical linkages to the local economy.

3.3. Policy Statements and Actions

3.3.1. Policy, Legal and Institutional Framework

The development of the Mining and Minerals Policy (2016) and the Mining Act (2016) marked a milestone in the management of mineral resource endowment and regulation of the mining activities in Kenya. This led to the establishment of the National Mining Corporation (NMC) as a key government investment agency on mining and spearheading development of strategic minerals, development of relevant regulations, legalisation of artisanal and small-scale mining, mineral resource mapping, development of the geo-data bank and the mineral certification laboratory.

However, the policy and legal environment are not comprehensive on issues of benefit sharing, artisanal mining, mineral value addition, and management of strategic minerals. The coordination can be improved by establishing an institutional framework supporting effective promotion and regulation in specialized areas including geological survey, training, and research, sector regulation, and supervision. The Government plans to foster the development of a thriving mining sector that will contribute to sustainable economic development. In this respect, the Government has an important role to play in ensuring that the country secures the maximum benefits from mining. The environmental, health, and safety standards under which economic activities are conducted in Kenya are available through various legal and regulatory regimes.

Policy Objective 1: *To establish an enabling policy, legal and institutional framework that boosts sector productivity, competitiveness, stability, standardization, and sustainability, the Government will undertake the following **policy actions**:*

1. Develop and review relevant regulations and guidelines by the Mining Act Cap 306.
2. Process amendments to the Mining Act Cap 306 in tandem with changing regulatory, supervisory and sector promotion requirements.
3. Strengthen the mandates of the National Mining Corporation, Mineral Rights Board, and Geologist Registration Board.
4. Establish National Mining Institute to promote technical skills development;
5. Establish the Geological Survey of Kenya to strengthen research and development in exploration, mining and mineral processing;
6. Establish a Mining tribunal to solve mining disputes.
7. Establish a Mineral Regulatory Authority for enhanced efficiency and effectiveness in management of mineral rights;
8. Establish Mineral Development Levy Fund to sustainably finance the sector's regulatory operations;
9. Establish a Mineral Sovereign Fund to promote intergenerational equity;
10. Promote intergovernmental and community coordination through Artisanal Mining Committees, Community Development Agreement Committees, and Community Royalty Sharing Committees.
11. Develop guidelines that ensure benefits accruing from the mining sector are maximized for greater socio-economic development including requiring mining companies to meet obligations on the following: -
    a. Employment, training and skills transfer
    b. Use of local goods and services
12. Implement frameworks for equitable sharing benefits accruing from mining activities between the National Government, the County Governments and Communities.

3.3.2. Mineral Resource Endowment

Due to increased interest in the mining sector, there is a need to provide accurate and timely geological data and information. The Government, through a Multi-Agency team, concluded a

Nationwide Airborne Geophysical Survey (NAGS). To confirm and enrich the geo-information obtained, the Government will undertake ground truthing exercises on the identified 970 geophysical anomalies. However, information expected to be obtained from the ground truthing exercise will not be conclusive on resource geometry. Three-dimensional models of the deposits will be necessary to establish the size and orientation of the deposits. This information will be critical to investors and financiers in respect of decision-making.

Kenya has an abundance of untapped natural resource wealth covering a wide range of minerals. The National Geo-Data Bank has been developed to act as a geological data repository. There is still more that's pending in terms of detailed geological data concerning Geochemical, Geophysical, Drill Cores Repository and Satellite Imagery. On this account, the Country needs to undertake a detailed geo-scientific assessment and generate the necessary geo-information, maps, and data that will bolster local and foreign investment in the sector.
Globally, statistics, data, and modelling are driving the mining sector thus it is imperative that we formulate and adopt this policy to achieve our short, medium, and long term goals towards establishing a sustainable extractive sector contributing 10-20% to the GDP.

Policy Objective 2:*To promote the acquisition, processing, storage, and dissemination of adequate geological data and information for sustainable mineral resource management and informed decision-making, the Government will undertake the following* ***policy actions***.

1. Establish a reliable Geological Data and Information Management system.
    a. Undertake ground truthing based on the findings from the National Airborne Geophysical Survey;
    b. Develop and decentralize accredited mineral analytical laboratories.
    c. Enhance operations of the National Geo-data bank through digitization, vectorization of geological data and information; and development of the Library Management System.
    d. Develop a protocol for access to the relevant geological data and information to stakeholders depending on need and user access rights arrangements; and
    e. Undertake detailed mineral exploration in order to provide necessary data for de-risking investment in the mining sector;

f. Establish a publicization program on geological data and information for the promotion of mining opportunities.
g. Establish comprehensive data management systems to collect, analyze, and disseminate relevant information within the mining sector.
h. Utilize digital platforms for real-time data sharing, fostering transparency and informed decision-making.
i. Prioritise responsible extraction and utilisation of minerals to ensure long-term resource availability, environmental conservation, and community well-being:
    i) Engage with local communities, stakeholders, and industry experts to develop and update guidelines for responsible mining;
    ii) Collaborate with industry stakeholders to develop and enforce guidelines for sustainable and ethical mining practices, with a focus on environmental conservation and community engagement; and
    iii) Establish certification programs for mining companies adhering to responsible practices to incentivize environmental social governance.

2. Develop and Commercialize Strategic Minerals
    a. Gazette and regularly update the list of strategic minerals based on evolving economic, technological, and geopolitical considerations;
    b. Institute a regular review process for the list of strategic minerals, considering economic, technological, and geopolitical factors to adapt to changing circumstances;
    c. Collaborate with international organizations and mining agencies to exchange information and best practices on mineral assessments;
    d. Utilise advanced data analytics and remote sensing technologies to monitor global mining trends and identify emerging strategic minerals.
    e. Review strategic mineral regulations to align them with governmental objectives including mineral value addition.
    f. Enhance the capacity of the National Mining Corporation to independently and collaboratively explore strategic minerals, aligning with the national interest.
        i. Invest in training and technology for the National Mining Corporation to enhance its capabilities in mineral exploration, extraction, and investment decision-making;

ii. *Implement training programs in collaboration with educational institutions and industry experts to equip National Mining Corporation staff with the requisite skills in mineral exploration and extraction; and value addition*
iii. *Foster partnerships/joint ventures with technology companies to integrate cutting-edge tools for efficient exploration and decision-making.*

g. Mitigate the risks associated with global supply chain fluctuations and geopolitical tensions on strategic minerals:
    i. *Implement strategies to diversify sources and destinations of strategic minerals,*
    ii. *Foster international partnerships and diplomatic ties to facilitate partnerships with diverse mineral-rich nations; and*
    iii. *Explore in-country mineral value-addition for strategic minerals,*
    iv. *Ensure the National Mining Corporation, either independently or in partnership and joint ventures with other entities, explores and extracts strategic minerals domestically, fostering self-reliance and minimizing external dependencies.*
h. Promote research and development initiatives to harness the technological applications of strategic minerals, fostering innovation and supporting key industries crucial to national prosperity: -
    a. *Allocate resources to research and development projects aimed at maximizing the technological applications of strategic minerals, supporting the growth of key industries.*
    b. *Establish mining research centres across the country.*

3.3.3. Mining and Mineral Management

The Mining Act provides the regulatory framework necessary to govern mining operations. However, the mining sector still faces various challenges including inadequate capacity in compliance, enforcement, modelling and technical expertise in contract negotiations. By addressing these issues, the mining sector will become regionally competitive, whilst at the same time ensuring that the mining benefits due to the national government, county government, host communities, and investors are fully realized.

Policy Objective 3: *To promote sustainable mining through effective and efficient licensing, supervision, trading, and marketing, and by creating an enabling environment for the application of appropriate mining technology and practices, the government will undertake the following* ***policy actions****:*

1. Develop a licensing and compliance system that will enable the efficient management of concessions and allocation of mineral rights.
    a. Develop and review licensing and compliance regulations and guidelines for prospecting, mining, storage, value addition, trading/dealing, transportation and commercial explosives,
    b. Automate mineral rights management to guarantee efficient, effective and transparent concession and mineral rights administration.
    c. Strengthen monitoring and enforcement of regulatory compliance in mining activities through regular audits, inspections, and collaboration with other relevant authorities to ensure mining operations adhere to established standards.
    d. Develop Licence application templates, Mineral audit/inspection manuals, and compliance reporting templates to guide the license holders.
    e. Strengthen the compliance and enforcement function of the Ministry.
2. Promote and enforce sustainable mining practices that minimize environmental impact.
    a. The government will improve and enforce regulations promoting sustainable mining practices, emphasizing responsible extraction methods, reclamation of mined areas, and the reduction of negative environmental impacts.
    b. Develop guidelines for environmental responsibility and compliance
    c. Enforce the environmental protection bond as provided for in the Mining Act 2016
3. Develop guidelines promoting local community engagement and empowerment and encourage mining companies to engage in initiatives that empower and benefit local communities.
4. Develop strategies to diversify mineral markets and reduce dependency on specific markets.
    a. Explore and implement market diversification strategies, seeking new international markets for minerals.
    b. Collaborate with industry stakeholders to identify emerging markets and facilitate trade agreements to enhance market resilience.

c. Actively engage in international collaborations to secure market access for Kenyan minerals. The government will foster collaborations with international trade organizations, negotiate trade agreements, and participate in global initiatives to enhance market access for Kenyan minerals. This involves diplomatic efforts and active participation in international forums related to mineral trade.

5. Encourage the adoption of advanced technologies in mineral processing.
    a. Facilitate the adoption of modern and environmentally friendly technologies in mineral processing; and
    b. Collaborate with research institutions and industry experts to identify and promote state-of-the-art processing methods that enhance efficiency and reduce environmental impact.
6. Establish and enforce quality standards for value-added minerals and mineral products.
    a. Develop and enforce quality standards for minerals, ensuring that products meet international specifications. This will also involve setting up and fully operationalizing the laboratories in the regional offices.
    b. Implement certification programs to enhance the marketability of Kenyan minerals and build trust among international buyers.
7. Invest in research and development initiatives to enhance mining technologies and processes.
    a. Allocate resources for research and development in the mining sector.
    b. Collaborate with academic and research institutions to drive innovation, improve extraction processes, and develop eco-friendly methods for mineral processing.

3.3.4. Mineral Value Addition and Beneficiation

Value addition has the potential to increase productivity, wealth creation, employment, foreign exchange, and enhanced contribution to GDP. Utilization of local deposits requires protection from importation to encourage extraction, value addition, and utilization to promote the growth of the domestic mining industry, meet domestic demand, foster self-reliance, and leveraging Kenya's mineral endowment for economic growth. The country will require adherence to quality standards, responsible sourcing, and environmental sustainability, enhancing the marketability of Kenyan mineral products.

Currently, Kenya exports the bulk of her minerals in raw form, without undergoing some processes of beneficiation, and as a result, the Country has continued to fetch low incomes. By locally adding value to the minerals, there is potential to build in-country cottage industries, create more jobs, and generate more revenues. To maximize these opportunities, the Country needs to promote industry inter-linkages along the mineral value chains and disincentivize exports of raw minerals where Kenya has a distinct advantage for instance in strategic minerals. Value addition creates opportunities for the development of a circular economy in the mining sector, reducing dependence on virgin resources. Kenya has an opportunity to become a mining hub in the region by prioritizing value addition in its minerals sector.

Despite the enormous strides made by the Government in terms of mineral value addition, challenges involved include high energy costs, unskilled labor force, exorbitant land rates hindering access to land, hostility from host communities, cheap imports, inadequate geological data to spur accelerated exploration activities and mineral rights acquisition, speculative prospectors and miners and fluctuating global markets and demand scaling down mine operations.

Policy Objective 4: *To establish mechanisms that will encourage mineral value addition and sector value chain linkages for optimal utilization of minerals, the government will undertake the following* ***policy actions***.

1) Promote sustainable mineral value addition and in-country processing the Government will:
    a) Develop a regulatory framework to govern value addition and beneficiation.
    b) Establish and enforce legislation that reduce the export of raw minerals via restrictions through export bans.
    c) Regulate importation of locally available minerals and mineral products.
    d) Collaborate with stakeholders in the whole mineral value chain through mechanisms of innovating recycling of waste and tailings.
    e) Promote optimal use of mineral value addition by-products and safe disposal of chemical waste. Among the interventions is reprocessing gold tailings.
    f) Develop ISO Certified laboratory that can handle mineral analytical needs at both local and regional levels.

g) Develop certification programs and standards for products resulting from value-addition processes.
h) Collaboration with other state agencies to facilitate the importation of raw minerals from the region for value addition/ Mineral processing.

2) Develop mechanisms for the promotion of investments in mining and value addition: -
   a) Establish an institutional framework to facilitate marketing of mineral investment opportunities and promotion of value addition by encouraging the use of appropriate technology and enhancing capacity in relevant institutions.
   b) Endeavour to explore markets for finished mineral products and available opportunities in Kenya thus, encouraging the growth of the industry.
   c) Invest in mineral value addition for strategic and critical minerals.

3) Preserve the traditional craft in mineral value addition skills and share the knowledge.
   a) Develop a research program in partnership with the Technical and Vocational Education centres to promote and improve skills in mining and value addition.
   b) Advocate a certification framework to recognize technical training and hands-on-skills in mining and value addition.

4) Encourage value addition to minerals within the country before export.
   a) The government will develop policies that incentivize mining companies to engage in value addition processes within Kenya.
   b) Apply lower rate for in country value added minerals and lower royalty rate on the sale and export of value-added minerals.

5) Position the country as a Regional Hub promoting In-Country Processing to sustain manufacturing and value-addition centres within the country.

   a) Promote and incentivize in-country processing of minerals by developing strategies encouraging mining companies to establish processing facilities within Kenya, adding value to raw minerals and promoting downstream industries.

      i) Explore ways to source affordable and clean energy supply to operate mineral value addition activities.

      ii) Encourage local participation in value addition

b) Establish collaborative frameworks with industry stakeholders to facilitate in-country processing to foster partnerships that support the development of in-country processing initiatives, leveraging collective expertise and resources.

c) Develop strategies to promote market access for processed minerals by facilitating local and international partnerships, trade agreements, and marketing initiatives to promote the export of processed mineral products, maximizing economic benefits.

d) Invest in research and development for advanced processing technologies in in-country processing by allocating resources for research and development focused on advanced processing technologies.

e) Encourage local employment and skills development in processing facilities through strategies that require processing companies to implement training programs that enhance the skills of the local workforce, contributing to community development.

3.3.5. Artisanal and Small-Scale Mining

The Mining Act Cap 306 legalizes artisanal mining operations, appreciating its contribution to employment in the informal sector. The Government has embarked on formalization of artisanal mining through the issuance of permits and the formation of marketing cooperatives for artisanal miners. Additionally, the national government in collaboration with the county governments continues to map the artisanal miners to set aside artisanal mining areas. The Government has continued to partner with international organizations in areas of training and funding for the artisanal and small-scale miners.

Despite these interventions, the ASMs sub-sector continues to face challenges relating to among others; funding, health and safety risks, and lack of requisite skills to undertake sustainable mining and mineral processing. This policy therefore provides specific policy actions to address the sub-sector.

Policy Objective 5: *To provide a frame work for formalization of artisanal and small-scale mining and provide opportunities for promoting artisanal and small-scale mining, the government will undertake the following* ***policy actions***.

1) Promote formalization and management of the ASMs
   a) Develop favourable regulations and guidelines on ASM
   b) Gazette and Operationalize artisanal mining committees for the 47 counties.
   c) Develop a database of ASMs.
   d) Promote formation of cooperatives by the ASMs.
   e) Set up minerals licensing systems suited to artisanal mining and small-scale mining.
   f) Delineate and reserve areas for artisanal mining.
   g) Mitigate health, safety, and environmental risk exposure to artisanal and small-scale mining.
2) Build the capacity and productivity of ASMs.
   a) Promote training of ASM on safe mining and mineral processing, entrepreneurship, and financial prudence.
   b) Develop capital support programs for the ASM.
   c) Facilitate access to financial facilities tailored to ASM's business value chain.
   d) Facilitate access to market information.
3) Establish measures to guarantee access to affordable mining, mineral processing services, and market for ASM products.
   a) Develop linkages with the market for ASM products.
   b) Develop centres of excellence where the ASM members will be in a position to access mineral processing services and markets for the mineral products; and
   c) Establish value addition centres in gemstone-producing belts, gold refineries in gold areas, and other centres that can handle other minerals.
   d) Ensure fair pricing and business practices for ASM products and services.
   e) Facilitate access to land for ASMs through the development of standardized procedures for planning operations.
4) Promote sustainable mining and processing by ASMs.
   a) Encourage the use of appropriate, affordable, and safe technology by giving support for the collation and dissemination of information about appropriate technologies and provision of extension services and technology demonstrations.
   b) Promote the interests of small-scale mining by providing advice and support to small-scale miners on forming representative associations.
   c) Assess various cottage industry players and conduct capacity building to encourage them to produce products from mineral resources.

5) Improve revenue collection from ASMs.
   a) Develop mechanisms for tracking and collecting revenue from ASMs.
   b) Provide incentives and training to ASMs to encourage tax compliance.

3.3.6. Mineral Promotion, Marketing, Trading, and Wealth Creation

The mining landscape in Kenya is predominantly characterized by moderate corporate investments, considerable segment comprises artisanal miners who directly employ a substantial workforce and limited socioeconomic influence. To promote sustainable investments in the mining sector and cultivate a favourable environment, proactive measures are imperative. With the potential to leverage the sector to generate transformative national development and economic growth in line with the government's economic agenda, this contribution is anticipated to increase significantly with a potential of contributing upto 10% to the GDP. This is expected to increase rapidly with the renewed focus and support for the sector by the Government and its stakeholders.

The government continues to put in place various measures to promote investor confidence in the sector thus providing an opportunity for growth, investment, revenue generation, royalty sharing, infrastructural development, and improvement in the livelihoods of beneficiary communities and stakeholders.

Policy Objective 6:*To establish a framework for effective mineral promotion and trading, generation of commensurate revenue, and equitable sharing and allocation, the government will undertake the following* ***policy actions****.*

1) Promote Mineral trading: -
   a) Fast track issuance of Mineral Dealing Trading and Processing Licenses to provide an enabling environment for mineral trading and processing operations in the country.
   b) Provide a tailored Mineral Dealing Licence for Jewellery Processing and Trading to ensure all jewellery making and trading are fully regulated and provided for under the mining regulations.
2) Promote transparency in mineral trading processes: -
   a) Establish and enforce regulations that ensure transparency in mineral trading transactions.

b) Implement systems for tracking, reporting, and auditing to prevent illegal trade and foster a fair and accountable trading environment.

3) Encourage the adoption of technology for tracking mineral movements: -
   a) Collaborate with relevant agencies and technology providers to implement systems for real-time tracking of mineral movements.
   b) Utilize block-chain or other advanced technologies to enhance traceability, reduce smuggling, and provide verifiable information on the origin of minerals.
4) Invest in capacity building for customs and regulatory agencies by allocating resources for training programs to enhance the capacity of customs and regulatory entities responsible for overseeing mineral trading.
5) Establish a collaboration framework with regional partners to establish common trading standards and create a cohesive regional approach to mineral trading, reducing discrepancies and enhancing cross-border cooperation.
6) Enhance transparency and accountability in mineral trading processes and transactions
   a) Establish regulations and guidelines to govern trading in minerals locally and for export.
   b) Establish and implement measures to combat corruption in mineral trading: -
      i) Strengthen anti-corruption measures in the mineral trading sector by empowering law enforcement agencies.
      ii) Implement robust reporting mechanisms, conduct regular audits, and establish severe penalties for corruption-related offenses.
      iii) Conduct public awareness campaigns on ethical mineral sourcing to educate consumers, businesses, and the public about the importance of supporting ethically sourced minerals, and promoting awareness of the social, environmental, and economic impacts of responsible mineral trading.
7) Establish a collaboration framework to harmonize rules of trading with international certification bodies for mineral trading by aligning mineral trading practices with global standards.
8) Establish and implement continuous monitoring and evaluation mechanisms for mineral trading including the Royalty Management System, and regularly assess the effectiveness of policies, identify emerging challenges, and adapt regulatory frameworks to ensure the sustainability and integrity of mineral trading practices.
9) Establish trading regime that guarantee the authenticity of minerals including developing and equipping laboratories within the country and have them accredited to issue

identification certificates for minerals and help address the issue of origin and traceability of minerals.

10) Develop linkages between the actors in mineral value addition and the consumers of the mineral products
   a) Establish consultative forums for partnerships and collaborations.
   b) Promote self-regulation through the formation of associations and the development of a code of conduct.
   c) Undertake market surveys to promote linkages between consumer needs and mineral products.
11) Ensure optimal benefits on mineral products and maintain a stable balance between supply and demand: -
   a) Implement strategic stockpile management,
   b) Ensure fair pricing and market practices,
   c) Identify market opportunities and trends,
   d) Build capacity for marketing and negotiation skills
   e) Improve transportation networks and logistics
   f) Organize minerals and mining investments, trade fairs, exhibitions and diplomatic initiatives for mineral promotion.
12) Ensure continued sector growth and competitiveness: -
   a) Develop a comprehensive investment plan for building and upgrading the infrastructure and technology necessary to support the mining sector;
   b) Invest in research and development to open up new opportunities in mining, increase efficiencies in extraction and utilization, and reduce environmental impact.
   c) Provide access to Geospatial data and a centralized database
   d) Explore opportunities for diversifying mineral and mineral product output to enhance revenue and market stability.
   e) Establish measures to protect the rights of small-scale miners and integrate them into the formal economy.

3.3.7. Enablers and Sector Sustainability

The mining sector operates within a complex web of influential factors, encompassing governance, access to land for exploration and extraction, robust infrastructure, financial support, skilled human resources, environmental considerations, community engagement, fiscal policies, and the imperative for ongoing research and innovation. These multifaceted elements collectively determine the performance of the mining sector. Addressing these areas of improvement would significantly grow the sector's capacity, competitiveness, and sustainability, paving the way for enhanced productivity and responsible resource utilisation.

The Mining Act Cap 306 provides for local community involvement through employment opportunities, training initiatives, and engagement in the procurement of local goods and services. The Act addresses the critical aspect of access to land for exploration and mining, establishing clear guidelines on landowner's consent. It delineates the role of county governments in the mining sector, ensuring their active participation and influence in the governance and management of mineral resources. The Act underscores environmental concerns by stipulating measures and standards aimed at promoting sustainable mining practices and environmental conservation.

The mining sector requires an optimal mix of all levels of skills for its productivity. Various tertiary institutions are providing training on specialized skills and technical skills such as geology, engineering, environmental management, and gemmology, among others. However, the mining sector requires dedicated training institutions in some critical specialized skills. There is a pressing need for educational institutions to enhance their curriculum which will build an effective human resource capacity tailored to the demands of the mining sector. Capacity building and retaining local human capital is a critical issue that affects the productivity of the sector due to the existing policies, and institutional and legal frameworks.

Appropriate and comprehensive policy will help in creating a conducive environment to attract both local and foreign investors in the sector. They are essential in investment in human capital, technology transfer and skills transfer to the locals. The Government is committed to establishing an efficient regulatory framework that promotes responsible and sustainable mining, processing, and mineral value-addition activities, prioritizing worker health and safety, environmental protection, and community well-being. Building the capacity of local investors is one of the critical strategies for the sustainable utilization of mining opportunities.

To promote local content there is a need to develop and implement mechanisms that enhance the participation of Government (National & County), communities, and other stakeholders in mining investments. The fiscal regime stands as a pivotal area necessitating improvement, where reforms in taxation, royalties, and incentives could stimulate investment and sustainable growth. The fiscal regime for mining will be harmonized and transparent to enable investors to predict and plan for all fiscal obligations and enhance the ability of mining authorities to administer the regime efficiently and effectively.

Policy Objective 7: *To promote a conducive mining environment, the government will undertake the following **policy actions**.*

1) Ensure the right and ease of **access to land** for exploration and mining
   a) Develop legislative mechanisms to give guidelines to allow the right and ease of access to land for mineral exploration and mining;
   b) Train and deploy mining social development officers to facilitate negotiations and address other community-related issues for purposes of achieving and maintaining harmony in the sector;
   c) Develop land use plans and zoning regulations for mining activities, while considering environmental, social, and economic factors;
   d) Enforce compliance on mining companies to implement their mine closure commitments on post-mining land use;
   e) Integrate technology for effective monitoring of land use in mining areas, including leveraging technologies such as satellite imagery and geographic information systems.
   f) Enhance land tenure security for mining operations, by minimizing the risk of land disputes and adequate dispute resolution mechanisms by ensuring the rights of mining companies while respecting the rights of local communities.

2) Promote development and adoption of adequate **infrastructure and technologies.**
   a) Facilitate development/construction of the requisite infrastructure related to mining;
   b) Encourage preferential electricity tariffs tailored to support and sustain key mining industries and value addition investments.
   c) Improve accessibility of mine machinery and equipment to miners.
   d) Provide incentives for adoption of modern technologies in mining operations.
   e) Promote technological transfer by encouraging the formation of partnership consortiums between local and foreign miners.

f) Promote the integration of renewable energy sources in mining operations

3) Promote access to **financial support** for Mining and related activities: -
   a) Ensure ease of access to geological data and information that will lead to increased confidence between potential financiers and investors in the mining sector and related services.
   b) Develop and implement strategies to attract local and international investments in the mining industry. This includes promoting investment forums, providing information on investment opportunities, and offering incentives to potential investors.
   c) Facilitate establishment of Public-Private Partnerships (PPPs) funding models and mining projects
   d) Promote access to finance for small and medium-sized mining enterprises, including encouraging financial institutions to create specialized financial products tailored to the needs of SMEs in the mining sector which may include credit facilities, grants, and capacity-building programs to support their growth and sustainability.
   e) Establish a dedicated public financing mechanism for the mining sector: -
      i) Establish a Mining Sovereign Fund.
      ii) Establish a Mineral Development Levy Fund.
      iii) Explore and implement financing mechanisms that prioritize sustainability including green bonds, impact investment funds, and other financial instruments that align with environmental and social responsibility in the mining sector.
      iv) Develop solutions in partnership with the financial institutions for adequate lending and other financial services to the mining sector.

4) Build competent and adequate **human resource capacity** with the requisite mix of skills necessary in the mining sector: -
   a) Facilitate continuous professional development for mining professionals, through in-service training, certifications, and knowledge-sharing to keep the workforce abreast of technological advancements and best practices.
   b) Strengthen the Geological Registration Board to regulate training standards in the mining sector, and to collaborate with professional associations in the mining sector to set and maintain industry standards for qualifications, ethics, and best practices.

5) Fostering **research and innovation** to drive technological advancements and best practices in mining.
   a) Allocate funds for research and innovation grants to encourage the development of new technologies, environmentally friendly practices, and sustainable mining solutions.
   b) Undertake an assessment of utilization options of the available mineral resources for purposes of targeted investment promotion campaigns.
   c) Facilitate technology transfer programs from research to industry by establishing programs that facilitate the transfer of innovations and solutions from research and innovations institutions to mining companies.
   d) Develop platforms that encourage collaboration between researchers, mining industry stakeholders, and government agencies.
   e) Facilitate regular knowledge-sharing forums, workshops, and conferences to promote dialogue and cooperation in advancing research and innovation in the mining sector.
   f) Provide support, mentorship, and funding opportunities to encourage entrepreneurship and the development of innovative solutions within the mining industry.
   g) Formulate policies based on research findings and industry needs through a framework for incorporating evidence-based research into the development, evaluation, and adaptation of policies related to the mining sector.
   h) Prioritize research on environmental and social impacts of mining including promoting research studies on biodiversity conservation, community well-being, and sustainable resource management to guide responsible mining practices.
   i) Develop framework to encourage collaborative research projects between research institutions, mining companies, and other relevant stakeholders. Including a recognition and reward regime for successful collaborations that contribute to the advancement of knowledge and innovation in the mining sector.

6) Promote **environmental integrity and climate change** mitigations for all mining activities for both onshore and offshore: -
   a) Develop regulations to ensure that mining companies include post mining land use rehabilitation within their EIA when applying for permits and licenses.
   b) Develop mechanisms that ensure the protection of ecosystems that can be affected by mining activities including partnerships with other institutions in ensuring the restoration of ecosystems affected by mining activities during and post mining.

c) Develop a framework to sensitize miners on environmentally sound mining practices.
d) Promote responsible environmental stewardship and sustainable practices among miners, local community, and industry stakeholders with a reward regime for environmentally responsible practices.
e) Emphasize the adoption of clean technologies, waste management practices, and effluent treatment to minimize environmental pollution.
f) Adopt sustainable mine water and mine waste management practices in mining operations.
g) Establish and enforce rigorous standards for rehabilitation and reclamation by setting clear standards for post-mining rehabilitation and reclamation, and ensuring that mining companies develop and implement comprehensive plans to restore mined areas to a state that supports ecosystem recovery and community well-being.
h) Encourage mining companies to reduce their carbon footprint by developing strategies for reducing carbon emissions associated with mining operations, and promoting the adoption of renewable energy sources, energy-efficient technologies, and sustainable transportation practices to minimize environmental impact.
i) Promote involvement of local communities in environmental management decisions through establishing mechanisms for meaningful community engagement in environmental management related to mining activities, and empowering local communities to participate in environmental impact assessments, monitoring, and decision-making processes.
j) Promote and incentivize green mining practices by developing strategies that promote and incentivize environmentally friendly mining practices including tax incentives, subsidies, or recognition for mining companies adopting green technologies, energy-efficient technologies, and practices reducing environmental impact, and promoting sustainable resource extraction.
k) Rehabilitate abandoned mines in collaboration with the relevant stakeholders.
l) Establish frameworks for knowledge exchange, technology transfer, and financial support to advance sustainable practices within the mining industry.

7) Strengthen the regulatory framework for **health and safety** in the mining sector*:*

a) Develop mine health and safety regulations, and guidelines that will enhance health and safety in the mining sector.

b) Establish a system for conducting regular safety audits and inspections of mining operations.

c) Enforce compliance with safety standards, identify potential hazards, and enforce corrective actions to enhance overall safety in the sector.

d) Enhance emergency responsiveness and health surveillance by developing and implementing emergency response plans for operations and activities across the mining value chain.

e) Collaborate with healthcare professionals and mining companies to establish health surveillance programs to monitor and assess the health of mining workers, provide regular health check-ups, and address occupational health concerns to prevent and manage work-related health issues.

f) Establish systems for accident reporting, investigation, and prevention in the mining areas.

g) Promote the use of technology to enhance safety in mining operations. This includes the use of sensors, automation, and real-time monitoring systems to identify and address potential safety hazards promptly.

h) Facilitate research and development initiatives focused on safety-enhancing technologies.

i) Collaborate with industry experts to establish standards for safety training, emergency response, and occupational health, reducing workplace accidents and promoting worker well-being.

8) Promote **intergovernmental collaboration and partnerships** in the Mining Sector

a) Build the capacity of the county governments and other MDAs on their role in the mining sector to facilitate the registration of Artisanal and small-scale miners to form marketing cooperatives within their jurisdictions.

b) Cooperate with county governments and other MDAS to facilitate the negotiation and implementation of Community Development Agreements (CDAs).

c) Establish effective conflict resolution mechanisms ensuring that disputes involving communities, mining companies, and other stakeholders are addressed promptly and fairly, preventing prolonged conflicts.

d) Implement programs to enhance community awareness and participation in mining governance.

9) Promote **local content** by developing strategies to enhance local participation in large-scale mining activities.

a) Review the laws to introduce targeted measures that facilitate increased local participation in large-scale mining. This may include revising licensing criteria, providing financial incentives, and establishing support mechanisms for local entrepreneurs.
b) Implement programs to strengthen local entrepreneurship in the mining sector.
c) Collaborate with relevant stakeholders to develop and implement programs that provide financial and technical support to local entrepreneurs interested in the mining sector. This includes access to funding, mentorship, and skills development.
d) Conduct public awareness campaigns on the benefits of local content in mining to educate the public, local communities, and stakeholders about the benefits of local content in mining. This includes the economic, social, and environmental advantages of increased local participation.

10) Establish a competitive **Fiscal Regime** to inspire investments in mining: -

a) Review and harmonise the fiscal regime that strikes a balance between generating revenue and attracting investment in the mining sector.
b) Fortify the various Funds established under Mining Act Cap 306 in the PFMA to ensure equitable and sustainable financing in the Sector.
c) Develop model mineral agreements to be used for negotiations of large scale mining projects.
d) Develop frameworks to promote partnerships with development partners.

3.3.8. Emerging and Cross-cutting Issues

While mining holds immense potential for economic growth and resource development, its impact extends beyond mere extraction. Mining raises questions about the conflict minerals, equity, fairness, and social justice. With the ethical sourcing of conflict-free minerals and the imperative of gender, youth, and disability inclusion, every facet of mining is linked to broader societal concerns. The equitable distribution of benefits are fundamental pillars upon which a sustainable and responsible mining industry must be built.

Understanding and addressing these interconnected issues is crucial to ensure that Kenya's mining sector contributes not just to economic prosperity, but also to a just and equitable future for all. Ensuring minerals are not financing armed conflict by establishing effective traceability mechanisms and supporting communities affected by conflict mineral extraction. Ensuring equitable access to mining benefits and opportunities, addressing gender and age-based inequalities in the sector, and creating inclusive workplaces for people with disabilities.

Policy Objective 8: *To strengthen the framework for addressing emerging and cross-cutting issues on responsible mining practices and social justice*, the government will undertake the following **policy actions**: -

1) Develop and implement frameworks, structures, and mechanisms that ensure equitable participation, ownership and decision-making, mining value chains by women, youth, and persons with disabilities, senior citizens, marginalized communities, and minority groups.
   a) Promote equitable access to the land, technology, capital, local content and value addition opportunities, employment, training, knowledge, and decision-making in the mining value chain.
   b) Establish measures to eradicate all forms of discrimination and exploitation in mining based on gender, age, and disability.
   c) Develop reservation regime for opportunities in the mining sector by promoting affirmative action based on gender, youth, and disability mainstreaming.
2) Develop and implement frameworks for effective management of mineral conflicts: -
   a) Enhance identification and prioritization of mineral suppliers and partners by establishing guidelines requiring stakeholders to prioritise partners demonstrating transparent supply chain practices. This involves creating a framework for the evaluation and verification of ethical mineral sourcing.
   b) Establish and implement a comprehensive due diligence process, clearly defining steps, emphasising transparent supply chain practices, and ensuring collaboration with relevant authorities, regional and international bodies.

c) Conduct comprehensive risk assessments and implement proactive measures, by developing protocols for stakeholders to conduct thorough risk assessments and establishing proactive measures for identifying, assessing, and mitigating potential risks associated with conflict minerals.
d) Encourage stakeholders to engage in certification programs by promoting and supporting stakeholders' participation in certification programs, and fostering partnerships with certification institutions.
e) Develop initiatives for capacity building on mineral conflicts through training programs.

3) Ensue adherence to child labour laws.
   a) Create public awareness among the mining community on child labour laws.
   b) Conduct regular surveillance, surveys, and audits to control child labour.

4. CHAPTER FOUR: IMPLEMENTATION FRAMEWORK

4.1. Legal and Regulatory Framework

A clear and well-coordinated institutional and regulatory framework is crucial for the realization of the potential of the mining sector. The Constitution, Mining Act cap 306 and other legislations providing policy and regulatory direction on matters related to mining activities shall guide the decision-making and actions. This policy shall provide the overarching direction and will read together with other relevant policies and legislations thereby ensuring coherence and harmony as well as creating synergy across respective stakeholders, institutions, and jurisdictions.

4.2. Coordination Framework and Administrative Mechanisms

The Government of Kenya through the Ministry responsible for Mining will be responsible for overseeing the implementation of this policy. However, the actual implementation will be the preserve of key sector stakeholders including the private sector and the process shall be guided by the implementation plan provided in **Annex I.**

Implementation of the minerals and mining policy shall be the responsibility of the Cabinet Secretary responsible for Mining. The State Department responsible for mining will coordinate the activities of all players in the mining sector in Kenya. To execute its mandate, the department has relevant technical and professional staff.

4.3. Resourcing Arrangements

The government shall allocate adequate resources for the effective implementation of this policy. The government shall seek to reserve a proportion of revenues generated from mining activities to be used for the development of the mining sector.

Implementation of the Policy will be funded by the government and the private sector through Public-Private Partnerships (PPP) arrangements. Government through negotiation with the Development Partners will enable mobilize additional resources.

4.4. Partnerships and Collaboration

The government shall establish a framework promoting the participation of all stakeholders in the growth and development of the mining sector. The public-private partnership and community mobilization and participation shall form the core basis for driving investments in the mining sector.

5. APTER FIVE: MONITORING AND EVALUATION

5.1. Purpose of Monitoring and Evaluation

Monitoring and Evaluation is a key component in the successful implementation of the Mining and Mineral policy and should be part of the policy implementation process. This entails setting up systems and processes necessary to ensure all the intended policy goals and objectives are achieved as planned.

The implementation of the Policy will require continuous monitoring and periodic evaluation to report on the progress made and ascertain whether the intended policy goals and objectives have been achieved. Key performance indicators of the policy will be used to guide the Monitoringand Evaluation process of the Policy.

5.2. Monitoring

Monitoring of this policy will be undertaken on a continuous basis and reporting to a Monitoring and Evaluation Committee under the Ministry responsible for Mining through Projects' internal and external progress reports, attendance to stakeholder forums, public participation feedback, agreed Memorandum of Understanding, and Funding reports. The government will develop a monitoring framework that shall ensure accurate and timely data collection and processing.

5.3. Evaluation and Reporting

Evaluation of this policy will be done by the Government in collaboration with stakeholders in the mining sector to determine the long-term effects of policies that have been implemented. The government shall conduct midterm and end-term evaluations to determine the extent to which the policy is realizing its objectives.

The reporting framework shall be undertaken on annual basis culminating from the status report which shall be prepared annually. Some of the key outcome monitoring and evaluation indicators include:

i) Value of mineral production

ii) Level of value addition through mineral production and development
iii) Employment opportunities created
iv) Wealth created by contribution to GDP and employment earnings
v) Revenue generation and sharing from mining initiatives
vi) Contribution to exports
vii) Local content promotion
viii) Community development

5.4. Review of the Policy

With the dynamism of the mining sector, the policy will be reviewed after 10 years or/and on a need basis to conform to local, regional, and international standards, emerging issues, and best practices.

6. ANNEX I: POLICY IMPLEMENTATION MATRIX

POLICY OBJECTIVES	ACTIVITIES	OUTPUT INDICATORS	EXPECTED OUTPUT	TIMEFRAME	RESPONSIBILITY
Establish an enabling policy, legal and institutional framework that boosts sector productivity, competitiveness, stability, standardization, and sustainability.	Finalize regulation guiding laboratory services pricing	Laboratory services pricing regulation guideline	Laboratory services pricing regulation guideline		MiBEMA
	Continue undertaking benchmarking exercises to conform with internationally accepted laboratory processes	% level of conformity with international laboratory processes	Laboratory process benchmark report		
	Pursue ISO Certification	ISO certification	ISO certification		
	Enforce provisions within the law	No. of Enforced provisions	Compliance Reports		
Promote the acquisition, processing, storage, and dissemination of adequate geological data and information for sustainable	Continue equipping the Madini Laboratory with state-of-Art-of- analytical equipment	% increase in equipping Madini Laboratory with state of the art equipment	Modernized Madini laboratory		MiBEMA, Multi Agency team (JNAM)

POLICY OBJECTIVES	ACTIVITIES	OUTPUT INDICATORS	EXPECTED OUTPUT	TIMEFRAME	RESPONSIBILITY
mineral resource management and informed decision-making.	Undertake capacity building in management of Madini laboratory and testing procedures	No of staff trained on Madini Laboratory and testing procedures	Skilled Staff on Madini Laboratory and testing procedures		
	Finalize the National Geo-data Centre	National Geo-data centre	National Geo-data centre		
	Finalize the National Airborne Geophysical Survey	National Airborne Geophysical survey	National Airborne Geophysical survey		
	Undertake Ground truthing	No. of Ground, Truthing reports	Ground Truthing Reports		
Promote sustainable mining through effective and efficient licensing, supervision, trading, and marketing, and by creating an enabling environment for the application of	Collaborate with other international countries/communities removing non-tariff barriers for which they are responsible	No. of Established collaborations	Improved trading with other international countries/ communities		MiBEMA
	Collaborate with relevant institutions that have a role	No. of established collaborations	Engagement framework		

POLICY OBJECTIVES	ACTIVITIES	OUTPUT INDICATORS	EXPECTED OUTPUT	TIMEFRAME	RESPONSIBILITY
appropriate mining technology and practices.	in dealing with non-tariff barriers				
	Identification of areas and processing slowing down investments in the local mineral addition	No. of areas identified	Reports		
	Package mineral data in a manner easily available to potential investors in local mineral value addition	No. of dissemination reports	Increased Investment		
	Continue attending international mining forums to show-case opportunities in mineral value addition in Kenya	No. of international mining forums attended	Mining forums Reports		
	Collaborate with research institutions in developing environmentally friendly	No. of collaborations agreed	Collaboration agreements and reports		

POLICY OBJECTIVES	ACTIVITIES	OUTPUT INDICATORS	EXPECTED OUTPUT	TIMEFRAME	RESPONSIBILITY
	mineral processing techniques				
Establish mechanisms that will encourage mineral value addition and sector value chain linkages for optimal utilization of minerals.	Establish mineral value addition and processing centers	No. of established value addition and processing centers	Mineral value addition and processing centres		MiBEMA
	Undertake scoping studies for establishment of mineral value addition centers	No. of Scoping studies undertaken	Scoping Study reports		
	Continue equipping exiting mineral value addition centres	No. of equipped Mineral value addition centres	Equipped Mineral Value Addition Centres		
	Develop and commission the already proposed mineral value addition centres such as Kakamega Gold Refinery, Kisii soap centre and Vihiga granite processing centre	No. of operationalization, mineral value addition centres	Operalizational Mineral Valthe ue Addition centers		

POLICY OBJECTIVES	ACTIVITIES	OUTPUT INDICATORS	EXPECTED OUTPUT	TIMEFRAME	RESPONSIBILITY
	Research on alternative use of these mineral waste	% increase inuse of mineral waste	Increase use of Mineral waste		
	Set apart areas for establishing cottage industries	Proportion of area set apart for cottage industries	Area allocated		
	Collaborate with miners in the establishment of cottage industries	No. of MoUs signed with miners	Cottage industries		
	Identification of areas with tailings	No. of tailings reports	Reports		
	Identify areas where mineral value addition and processing has been practised	No. of Mineral Value addition report	Mineral Value Addition reports		
	Liaise with other stakeholders in creating and enabling environment for investment in value addition	No. of stakeholders engaged	Stakeholders report		

POLICY OBJECTIVES	ACTIVITIES	OUTPUT INDICATORS	EXPECTED OUTPUT	TIMEFRAME	RESPONSIBILITY
	Establish a metallurgical lab	Established metallurgical lab	Metallurgical lab		
	Equip the Laboratory	Equipped Laboratory	Equipped Laboratory		
Provide a frame work for formalization of artisanal and small-scale mining and provide opportunities for promoting artisanal and small-scale mining	Formalize the ASMs	No. of policies and regulations developed and implemented	Formalized ASMS	2024	MIBEMA, State Department for Cooperatives and County Governments
	Facilitate the ASMs in forming cooperatives	No of ASMs Cooperatives	ASMs Cooperatives		
	Facilitate/link ASMs with potential donors	No. of ASMs donor funded projects/activities	Donor Funded projects/activities		
	Help ASMs acquire modern equipment for value addition where possible	% of Modernised equipment	Modernized ASMs Sub-sector		
	Coordinate training of ASMs by institutions offering mineral value	No. of ASMs personnel trained	Skilled Labour force		

POLICY OBJECTIVES	ACTIVITIES	OUTPUT INDICATORS	EXPECTED OUTPUT	TIMEFRAME	RESPONSIBILITY
	addition and processing skills				
Establish a framework for effective mineral promotion and trading, generation of commensurate revenue, and equitable sharing and allocation.	Collaborate with other stakeholders in developing a list of critical infrastructure, to be put in place especially mineral rich areas	No. of stakeholders engaged	Collaboration agreements and reports		MiBEMA
	Streamline the mineral pricing procedure especially for exports	% increase in mineral exports	Advise on output of the mineral pricing procedure		
Promote a conducive mining environment	Undertake a study of the existing local industries and mineral raw materials consumed in their processes	% increase in optimal use of Minerals raw materials	Increase in mineral revenue growth		MiBEMA
	Undertake more mineral exploration to increase the specific mineral deposits	% increase in mineral exploration activities	Increased mineral revenues		

POLICY OBJECTIVES	ACTIVITIES	OUTPUT INDICATORS	EXPECTED OUTPUT	TIMEFRAME	RESPONSIBILITY
	Sensitize the mining companies on the use of harmful processing chemicals	No. of mining companies sensitized	Training/ workshop reports		
	Collaborate with the research/training institution in developing relevant curriculum	No. of personnel trained	Skilled Labour force		
Strengthen the framework for addressing emerging and cross-cutting issues on responsible mining practices and social justice.	Promote sustainable disposal of chemical waste used in the mineral processing	% increase in adoption of sustainable disposal methods	Decrease Disposal of chemical waste		MiBEMA
	Continue undertaking specific industry needs	No. of Research reports	Research reports		
	Strengthen the inspectorate sections by providing vehicles and other relevant equipment	% increase in support of inspectorate sections	Full operational inspectorate sections		

7. ANNEX II: LIST OF POLICIES, STRATEGIES REVIEWED

Policy and Legal Frameworks		Institutions
Policy	Mining and Minerals Policy, Sessional Paper No 7 of 2016	DoM, DoGS, NMC
	National Environment Policy, Sessional Paper No 10 of 2013	Ministry of Environment Climate Change and Forestry, NEMA
	Occupational Safety and Health Policy, 2012	DOSH,
	National Action Plan on Business and Human Rights, No. 3 of 2021	KNCHR, DOJ, NCAJ, KAM, KEPSA, NGEC, MITI,MFA&DA, National Treasury
	National Sustainable Waste Policy, 2021	Kenya Waste Council, MoECCF, NEMA, County Governments
	National Climate Change Framework Policy, Sessional Paper No. 3 of 2016	NEMA, MoECCF, KMD
Laws	Mining Act, 2016	Ministry of Mining, Blue Economy and Maritime Affairs, National Mining Corporation, Minerals and Metals Commodity exchange

	EMCA, 1999	NEMA, NET, NECC, NETFUND, CEC, County Governments, LAs
	Sustainable Waste Management Act, No. 7 of 2022	Waste Council, NEMA, County Governments
	OSHA 2007	Directorate of Occupational Safety and Health Services
	Climate Change, 2016	MoECCF, NEMA
	Explosives Act, Cap 115	Ministry of Mining, Blue Economy and Maritime Affairs
	Work Injury Benefits Act, 2007	Ministry for Labour and Social Services, DOSH, , ELRC
	National Land Commission Act, No. 5 of 2012	County Land Management Boards
	Employment Act, 2007	Ministry of Labour, Employment and Labour relations Court
	Land Act, 2012	ELC, NLC
	Kenya Accreditation Service Act, 2019.	Kenya Accreditation Service
	Public Health Act, No. 21 of 2017	

	Physical and Land Use Planning Act No. 3 of 2019	County physical and land use planning consultative forum
	Community Land Act and Land Act	Ministry of Lands, NLC, County Government, ELC
	Water Act, 2016	WRA, Water Tribunal, ELC, Basin Water Resources Committee, Water Resource Users Associations
	Children's Act, No. 29 of 2022	