GUIDE

planetGOLD Zimbabwe

A Guide to Reforming Formalization of the Artisanal and Small-Scale Gold Mining Sector in Zimbabwe

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This publication was developed under the planetGOLD Zimbabwe project and provides a roadmap for formalization of the artisanal and small-scale gold mining (ASGM) sector in Zimbabwe. It is not a substitute for legal advice or regulation While supported by the GEF, UNEP, IMPACT, and the Government of Zimbabwe, the contents do not necessarily represent the official views of these entities. Successful formalization requires alignment of law, policy, finance, and enforcement.

This publication was funded by the Global Environment Facility. Its contents are the sole responsibility of IMPACT and do not necessarily reflect the views of the GEF Secretariat or planetGOLD Zimbabwe partner agencies. This Guide is not intended to criticize the government but rather to provide constructive technical input supporting ongoing reforms and drafting of the Mines and Minerals Bill. The goal is to benefit Zimbabwe's ASGM sector, strengthens environmental management, and promotes mercury reduction in line with the Minamata Convention on Mercury. The findings and recommendations presented are the result of multi-stakeholder consultations, including dialogues with ASGM miners, representatives from government ministries, Parliament, and civil society, as well as desktop analysis of relevant legislation and international best practices.

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Acronyms

ASM	Artisanal and Small-Scale Mining
ASGM	Artisanal and Small-Scale Gold Mining
GEF	Global Environment Facility
UNEP	United Nations Environment Programme

Introduction

Based on the analysis from the planetGOLD Zimbabwe project from October 2025,[1] the current draft of Zimbabwe's Mines and Minerals Bill does not explicitly provide a roadmap for the formalization of artisanal and small-scale gold miners (ASGM). While the Bill represents a major update to the Mines and Minerals Act of 1961, stakeholders have identified several critical gaps regarding the legal recognition and support of artisanal miners. The Bill currently recognizes small-scale mining but remains silent on artisanal miners, who operate differently in scale and method. The planetGOLD Zimbabwe project has proposed adding a specific legal category for **"artisanal mining"** to clarify their rights and responsibilities. Formalization is seen as the critical first step for the sector to access finance and mercury-free technology, helping Zimbabwe meet its obligations under the Minamata Convention on Mercury.

A Guide to Reforming the Formalization of the Artisanal and Small-Scale Gold Mining Sector in Zimbabwe provides a structured roadmap for the transformation of artisanal and small-scale gold mining (ASGM) from a predominantly informal survivalist economy into a regulated, productive, and environmentally responsible sector. It is premised on the recognition that Zimbabwe already possesses substantial production, socio-economic, and geological data.

The challenge, therefore, is not the absence of information, but rather the imperative to align law, policy, finance, and enforcement mechanisms with the realities that the existing data already reveals. Effective formalization requires the integration of these elements into a coherent regulatory framework that ensures compliance, promotes sustainable development, and enhances the sector's contribution to national economic growth.

The Guide, published by the planetGOLD Zimbabwe project, adopts a step-by-step approach consistent with the global best practice model of planetGOLD programme, which promotes responsible ASGM through governance reform, access to finance, technology improvement (including mercury reduction), and market integration. The planetGOLD Zimbabwe project is supported by the Global Environment Facility (GEF) and led by the United Nations Environment Programme (UNEP). The project is executed by IMPACT, in close partnership with the Ministry of Mines and Mining Development (MMMD), the Ministry of Environment, Climate and Wildlife (MECW), and the Environmental Management Agency (EMA).

[1] The planetGOLD Zimbabwe, STRENGTHENING THE MINES AND MINERALS BILL: Advancing Reforms for the Benefit of Artisanal and Small-Scale Gold Miners in Zimbabwe, October 2025. https://www.planetgold.org/sites/default/files/Impact%20Report%20WEB_0.pdf.

Rather than treating formalization as a once-off legislative act, this framework positions it as a structured transition process anchored in six principles: proportionality, human rights, gender responsiveness, environmental stewardship, transparency, progressive compliance, and evidence-based policy design.

The roadmap proceeds through five interconnected steps:

Data-Driven Legal Reform – Ensuring mining legislation reflects actual ASGM production levels, livelihood dependency, and sector dynamics, with differentiated licensing and transitional safeguards that prevent criminalization while encouraging compliance.

Capacity Building and Technical Training – Strengthening geological literacy, technical skills, environmental management, and formal associations to improve productivity and reduce harmful practices such as unsafe mercury use.

Access to Finance – Expanding concessionary credit, guarantee schemes, and structured financial products to reduce reliance on informal financiers and enable investment in safer, more efficient technologies.

Market Integration and Regulatory Coherence – Aligning gold marketing policies with criminal provisions on possession of gold to eliminate contradictions, enhance traceability, and strengthen formal supply chains.

Monitoring and Enforcement of ASGM Regulations – Shifting from enforcement-led suppression toward risk-based, graduated compliance mechanisms that prioritize education, improvement, and accountability.

Collectively, these steps position ASGM formalization as a development strategy, not a punitive framework. By aligning legal reform, institutional strengthening, financial systems, and market access, Zimbabwe can create incentives for miners to enter and remain within the formal economy.

This Guide therefore serves both as an introduction and an operational blueprint: a structured pathway toward a transparent, inclusive, environmentally responsible, and economically resilient ASGM sector that contributes sustainably to national development.

Steps for Formalization

Step 1 Making the Mines and Minerals Bill Data-Driven

Substantial quantitative and qualitative data already exists from government gold delivery records, environmental assessments, academic studies, and sector-specific programmes. Official gold delivery statistics from Fidelity Gold Refineries over recent years have consistently demonstrated that ASGM contributes the majority share of Zimbabwe's annual gold output, in some years exceeding 60% of total deliveries.[2] Estimates frequently place direct and indirect participation in the sector at over 500,000 people, making ASGM one of the largest livelihood sectors outside agriculture.[3] Gender-disaggregated assessments conducted through development programmes further confirm that women are significantly represented in processing, trading, and auxiliary services, even where formal claim ownership remains male-dominated.[4] These are not speculative figures; they are recorded, published, and relied upon in policy discussions.

Despite the availability of this data, the draft Mines and Minerals Bill (2025) do not demonstrably calibrate its regulatory architecture to these realities. For example, where evidence indicates that a majority of miners operate at low-capital thresholds with irregular production cycles, the Bill does not explicitly provide for tiered licensing fees or production-based compliance categories. Where statistics show that ASGM contributes the bulk of national gold deliveries, the Bill does not embed proportionate institutional support mechanisms commensurate with the sector's economic weight. Similarly, although socio-economic data confirms that hundreds of thousands of households depend directly on artisanal mining for subsistence, the draft does not clearly reflect livelihood-protection safeguards or transitional compliance measures designed to avoid mass criminalization. The existence of data on illicit financial flows and smuggling patterns also suggests the need for targeted regulatory responses; however, the Bill appears to emphasize uniform compliance obligations rather than differentiated enforcement informed by documented risk patterns.

Furthermore, available studies[5] documenting the diversity of operational models, including informal syndicates, tribute arrangements, seasonal miners, and women-dominated processing hubs, are not visibly translated into flexible legal recognition frameworks within the draft Bill. If over half a million Zimbabweans are engaged in ASGM activity, and if the sector accounts for the majority share of gold deliveries in certain years, then legislative design should reflect this structural centrality. The absence of explicit reference to ***"artisanal miners"*** in the policy logic of the Bill suggests a disconnect between evidence and drafting. In addition, the Adverse Report of the Parliamentary Legal Committee sites this exclusion as being discriminatory and therefore unconstitutional.[6] The issue is the absence of demonstrable integration of that data into the regulatory choices made. A data-informed Bill would show proportionality, in fees, institutional support,

[2] While addressing small-scale miners under the Zimbabwe Miners Federation (ZMF), Fidelity Gold Refinery general manager Mr Peter Magaramombe said: "Out of the 36.5 tonnes of gold delivered in 2024, the artisanal and small-scale mining sector contributed 65 percent while 35 percent came from large-scale miners. Trust Freddy, "Small-scale miners hailed for 65% contribution to national gold output," The Herald, January 24,2025, https://www.heraldonline.co.zw/small-scale-miners-hailed-for-65-contribution-to-national-gold-output/.

[3] Viola Mambrey et al., *Artisanal and small-scale gold mining: A cross-sectional assessment of occupational mercury exposure and exposure risk factors in Kadoma and Shurugwi, Zimbabwe*, Environmental Research, 184, May 2020, https://doi.org/10.1016/j.envres.2020.109379.

[4] Munyaradzi Dzvimbo, *Scratching the Surface: Exploring Women's Roles in Artisanal & Small Scale Mining in Zimbabwe,* Budapest International Research & Critics Institute – Journal (BIRCI-Journal), 2, August 2019, https://bircu-journal.com/index.php/birci/article/view/398.

[5] Tinotenda Tingini and Olushola Eniowo , Breaking the informal cycle: integrating artisanal and small-scale mining into the formal economy, ResearchGate, 2025,https://link.springer.com/article/10.1007/s13563-025-00557-z

[6] Averse Report of the PLC on the Mines and Minerals Bill, 2025, https://www.veritaszim.net/sites/veritas_d/files/2%20MINES%20AND%20MINERALS%20ADVERSE%20REPORT%202025.pdf

enforcement sequencing, and compliance thresholds, aligned with the documented scale, contribution, and socio-economic profile of Zimbabwe's ASGM sector.

The development of the formalization regulatory framework for the sector must first acknowledge that artisanal and small-scale miners operate distinctly from large-scale miners, not only in scale but also in their capacity for operational and regulatory compliance. Consequently, mining laws should include tailored provisions specifically addressing the needs and realities of artisanal and small-scale miners. According to the World Bank, the Artisanal and Small-Scale Mining (ASM) sector cannot be effectively regulated by the same legal framework which governs large scale miners but require special legal provisions for formalizing ASM.[7]

There is first a need for the systematic identification, classification, and recognition of the various categories of ASGM miners operating within the sector. The categorization helps to ensure that legislative and policy instruments provide proportionate regulation, commensurate obligations, and appropriate compliance mechanisms tailored to the specific scale, methods, and socio-economic context of each category of operator.

This approach is particularly critical considering the current legislative landscape, wherein the Mines and Minerals Bill of 2025, creates a singular and undifferentiated classification for ***"small-scale miners,"*** without explicit recognition of "artisanal miners" as a distinct category. The absence of differentiation in the classification of miners risks the unintended consequence of leaving artisanal mining activities without a legal framework directly governing their operations. This legislative gap could undermine the effective regulation, formalization, and development of the sub-sector, given that artisanal miners often operate under markedly different conditions from more capitalized small-scale mining enterprises, including lower levels of mechanisation, reduced technical capacity, and heightened vulnerability to market and regulatory pressures.

[6] Averse Report of the PLC on the Mines and Minerals Bill, 2025, https://www.veritaszim.net/sites/veritas_d/files/2%20MINES%20AND%20MINERALS%20ADVERSE%20REPORT%202025.pdf

[7] World Bank, *Program for improvements to the profiling of artisanal and small-scale mining activities in Africa and the implementation of baseline surveys*, Washington DC, 2004, https://documents1.worldbank.org/curated/en/425371468192844301/pdf471000WP0AFR0B1ing0surveys01PUBLIC1.pdf.

Step 2 Capacity Building and Technical Training

The next formalization step of artisanal and small-scale miners is capacity building and technical training. The draft Mines and Minerals Bill of 2025 makes provisions aimed at the technical capacitation of the artisanal and small-scale miners. Section 280 of the Bill mandates the Department of Mining Engineering to provide technical and professional training and advisory to artisanal and small-scale miners. Section 326 empowers the Minister to establish training institutions for the technical education and training of persons leading to the awarding of diplomas and certificates.

It has been widely acknowledged that deficiencies in technical knowledge, particularly in areas such as safe mining methods, ore recovery optimization, environmental management, occupational health and safety, and compliance with licensing requirements, are a primary cause of inefficiencies, environmental degradation, and unsafe practices within the ASGM sector. Addressing these gaps is therefore integral not only to improving productivity but also to aligning the sector with national mining standards, environmental laws, and international best practices.

A scoping study by Pact (2015) in the Kadoma and Shurugwi regions revealed that over 70% of miners self-identified as unskilled in mining-related work[8]. This lack of technical competence is not confined to gold mining but is likely reflective of the broader ASM sector across all mineral types.

Zimbabwe does possess significant geological data. The Geological Survey Department, established under the Ministry responsible for mines, has historically undertaken national geological mapping, mineral exploration surveys, and the compilation of mineral occurrence records. Over decades, the State has generated geological maps, mineral indices, and technical reports covering major greenstone belts and gold-bearing formations. However, the practical question is not whether geological data exists, but whether it is sufficiently current, digitized, accessible, and operationally usable for artisanal and small-scale miners. Like many technical departments in the region, the Geological Survey's capacity has at times been constrained by limited funding, outdated equipment, incomplete digitization, and human resource attrition. This does not negate the existence of data; rather, it highlights a capacity and accessibility gap.

The challenge, therefore, is compounded not by the absence of geological information, but by limited accessibility and usability. Even where geological and mineral resource data is available within government repositories, it is rarely packaged in formats accessible to ASGM operators. Technical maps, stratigraphic descriptions, and geochemical reports require specialist interpretation. Without structured translation into simplified prospecting guides, localized deposit models, or field-based demonstrations, such data remains functionally inaccessible to miners. This knowledge gap contributes to inefficient extraction, unsafe shaft placement, low recovery rates, and environmental degradation, not because miners are unwilling to comply, but because they lack applied geological literacy.

The Mines and Minerals Bill can address this gap by embedding a statutory mandate for capacity building and technical extension services specifically tailored to ASGM. First, it could require the Geological Survey Department to develop simplified geological bulletins and district-level mineral opportunity maps designed for small-scale operators. Second, the Bill could establish a dedicated ASGM Technical Support Unit responsible for translating geological data into practical training modules, prospecting guidance, and on-site advisory services. Third, it could provide for structured collaboration between the Geological Survey, training

[8] The Chamber of Mines of Zimbabwe and PACT, A Golden Opportunity: *Scoping Study of Artisanal and Small-Scale Fold Mining in Zimbabwe*, , July 2015, p. 71, https://artisanalmining.org/InventoryData/lib/exe/fetch.php/biblio:zwe-2015a.pdf?cache=

institutions, and mining schools to deliver short courses in basic geology, ore body identification, mine planning, and grade control adapted to artisanal contexts. Finally, a cost-recovery but subsidized access mechanism could be introduced to ensure miners can obtain relevant geological data at affordable rates.

By explicitly linking geological information systems to ASGM training and extension services, the Bill would shift from a compliance-centred framework to a productivity-enhancing one. Strengthening institutional capacity within the Geological Survey Department while simultaneously building geological literacy among ASGM operators would improve recovery rates, reduce environmental damage, enhance safety, and increase formal gold deliveries. In this way, geological data becomes not merely a state archive, but an active instrument of formalization and sector modernization.

The law should expressly mandate the structured recognition, establishment, and institutional support of ASGM syndicates and associations at local, provincial, and national levels. Rather than treating collective organization as optional, the legislative framework should promote syndicate and association-based models as foundational units of formalization. Such entities should be vested with defined legal personality, minimum governance standards, internal accountability mechanisms, and proportionate reporting obligations. Properly constituted, these associations can serve as:

- Primary conduits for capacity-building, technical extension, and training interventions.
- Coordinated platforms for dissemination of regulatory updates and geological information.
- Entry points for structured access to finance and equipment-sharing arrangements; and
- Self-regulatory bodies responsible for preliminary compliance monitoring and peer accountability.

Government support should extend beyond recognition to active facilitation. This may include financial assistance for registration and administrative setup, technical guidance on governance frameworks, and provision of shared infrastructure such as office space,

record-keeping systems, and digital reporting tools. The establishment of decentralized ***"satellite"*** associations within mining districts would bring regulatory engagement closer to operational sites, reducing enforcement costs and improving responsiveness.

Experience across regulatory sectors demonstrates that collective entities are inherently easier to supervise than fragmented individual operators. Organized associations enhance traceability, reduce incidences of non-compliance through peer oversight, and create structured communication channels between government and miners. By institutionalizing syndicate and association-based models within the Bill, Parliament would create a scalable governance architecture capable of supporting progressive formalization while fostering coordination, accountability, and sustainable sectoral development.

Step 3 Access to Finance

Access to finance constitutes a decisive structural lever in the formalization of the ASGM sector in Zimbabwe. While licensing, compliance, and enforcement mechanisms are central components of regulation, they cannot achieve meaningful formalization in the absence of affordable and structured financial inclusion. Empirical evidence from Zimbabwe's ASGM landscape demonstrates that limited access to formal credit compels miners to rely on informal financiers, gold buyers, equipment sponsors, and middlemen who advance capital in exchange for discounted gold or exclusive purchasing arrangements. This dependency entrenches informality, distorts pricing structures, weakens traceability, and perpetuates illicit trade channels.[9] Consequently, access to finance is not merely an economic issue; it is a governance and compliance issue. Without structured financing pathways, regulatory obligations risk becoming punitive rather than transformative.

The Bill commendably contains provisions relating to the establishment of the Mining Industry Environmental Protection Fund and the introduction of grant-based mechanisms intended to support environmental and safety compliance. These provisions acknowledge that small-scale operators require financial assistance to meet statutory environmental standards. However, environmental compliance funding alone is insufficient to catalyze comprehensive formalization. ASGM operators require working capital for equipment acquisition, mechanization, geological prospecting, shaft reinforcement, mercury-free processing technologies, safety gear, and business registration costs. In the absence of affordable credit, miners remain trapped in low-productivity cycles that undermine both income stability and regulatory compliance. A narrow focus on environmental remediation funding, without parallel productive financing mechanisms, risks addressing symptoms rather than structural constraints.

[9] African Union. 2009. Africa Mining Vision. African Union, Addis Ababa; World Bank. 2012. Artisanal Mining in Critical Ecosystems: A Look at Gabon, Liberia, and Madagascar. The World Bank, Washington DC; Villegas, C., Weinberg, R., Levin, E., Hund, K. 2012. Artisanal and Small-Scale Mining in Protected Areas and Critical Ecosystems Programme (ASM-PACE): A Global Solution. WWF, Dar es Salaam; 'What is ASM?', http://chambersfederation.com/what-is-asm/

To strengthen Step 3 as a formalization pillar, the Bill could be improved by explicitly providing for the establishment of concessionary credit lines, state-backed guarantee schemes, and revolving funds specifically earmarked for ASGM operators. Concessionary facilities, administered through designated financial institutions, could offer reduced interest rates calibrated to gold production cycles rather than rigid monthly repayment structures. A partial credit guarantee scheme would de-risk lending to ASGM operators by absorbing a percentage of default risk, thereby incentivizing commercial banks to extend credit to a historically excluded sector. A revolving fund model, capitalized through a modest allocation from gold royalties or export proceeds, could provide sustainable and replenishable financing targeted at equipment upgrading, safety improvements, and productivity enhancement.

In addition to capital access, structured financial inclusion must be paired with business organization support. The Bill could mandate technical assistance programmes that assist miners to formalize into legally recognized entities capable of opening bank accounts, maintaining production records, and preparing basic financial statements. Financial literacy training, bookkeeping support, and cooperative governance guidance should be integrated into financing mechanisms as eligibility conditions, thereby linking access to capital with progressive compliance and transparency. This approach would ensure that financing does not simply inject liquidity into informal structures but instead incentivizes gradual integration into the formal economy.

Importantly, structured access to finance also strengthens traceability and revenue mobilization. When ASGM operators transact through formal banking channels, production volumes become more accurately recorded, tax compliance improves, and gold marketing flows are more transparent. Financial inclusion therefore enhances both regulatory oversight and national revenue collection.[10] By embedding targeted concessionary financing instruments within the Mines and Minerals legislative framework, Parliament would shift formalization from a predominantly enforcement-driven model to an incentive-based development model. Access to finance, in this context, becomes not a peripheral support measure but a central institutional bridge between informality and sustainable formal sector participation.

[10] Enoch Adranyi , Lindsay Stringer, and Henrice Altink, "Artisanal and small-scale gold mining governance and cross-sectoral policy coherence in Ghana", *Resource Policy*, 96, September2004, https://doi.org/10.1016/j.resourpol.2024.105235.

Step 4 Market Intergration and Regulatory Coherence

Market integration must be approached with careful alignment between gold marketing policy and criminal enforcement legislation. Zimbabwe's gold marketing framework contains a structural tension that directly affects ASGM formalization. On the one hand, Fidelity Gold Refineries operates a ***"no questions asked"*** gold buying policy designed to incentivize gold deliveries through official channels and curb smuggling. On the other hand, the Gold Trade Act contains provisions that criminalize possession of gold without a valid licence, resulting in arrests of miners and traders who may be operating informally but are nevertheless part of the productive chain. This duality creates regulatory uncertainty. Miners are encouraged to deliver gold formally yet risk criminal sanction at points of possession and transportation. Such inconsistency undermines trust and weakens the incentive structure for formal participation.

A coherent market integration step requires harmonization of these legal and policy instruments. If the objective is to increase official gold deliveries, reduce illicit financial flows, and formalize ASGM participation, then possession-related offences must be carefully calibrated to distinguish between organized criminal smuggling networks and livelihood-based artisanal operators transitioning toward compliance. The Bill should provide transitional safeguards, safe-harbour provisions, or conditional amnesty mechanisms for registered ASGM operators delivering to authorized buyers. Without this alignment, enforcement may unintentionally target small-scale miners while leaving larger illicit trading syndicates intact.

Furthermore, market integration must reduce reliance on predatory buyers and informal financiers who exploit price asymmetries. Transparent pricing dissemination, efficient payment systems, reduced transaction delays, and decentralized gold buying centres can make formal channels economically competitive. This can work if coupled with provision of technical support, financing, and other incentives to lure miners away from informal financiers. Strengthening traceability systems at the point of purchase, rather than criminalizing upstream possession in blanket terms, would allow authorities to track production flows while maintaining proportionality in enforcement.

Finally, addressing illicit financial flows requires targeting the financial and trading nodes that extract disproportionate benefit from informality. The Bill should strengthen oversight of licensed buyers, enhance reporting obligations for bulk traders, and introduce coordinated financial intelligence mechanisms to detect suspicious transactions. Formalization will not succeed if only miners are regulated while the trading ecosystem remains structurally opaque.

Market integration, therefore, is not merely about access to buyers; it is about regulatory coherence. Aligning marketing incentives, criminal provisions on possession of gold, and traceability systems will create a predictable legal environment in which ASGM operators can transition from informality to compliance without fear of arbitrary penalization. In doing so, Parliament would move beyond enforcement-centric reform toward an integrated framework that strengthens revenue collection, reduces smuggling, and builds institutional trust within the gold value chain.

Step 5 Monitoring and Enforcement of ASGM Regulations

The final step towards formalization of the ASGM sector entails compliance monitoring and enforcement. Monitoring and enforcement should reinforce formalization rather than hinder it. The law must prioritize progressive compliance with practical workable steps that protect people and the environment, while facilitating the orderly transition of miners and traders into the formal economy. In this manner, enforcement serves as a pathway to legality, not as an obstacle to livelihoods. The Bill notably mandates that departments within the Ministry, such as the Department of Geological Survey and the Department of Mining Engineering should be tasked with monitoring mining activities through inspections of operations and investigation of mine accidents as well as compliance to work programmes during the exploitation of mineral exploration in various licence areas. The realization of these functions and how they integrate with the formalization of small scale and artisanal miners require clear steps for implementation and progress on the mandate. A sound mandate anchors several principles including:

1. **Proportionality** - obligations and sanctions should reflect the scale and risk profile of artisanal and small-scale operations.

2. **Non-discrimination** - similarly situated operators should be treated alike.

3. **Transparency** - criteria, checklists and outcomes should be publicly available.

4. **Gradualism** - enforcement should support phased improvement rather than demand instant perfection.

Effective enforcement relies on realistic regulations and decentralised capacity. Rules must be technically feasible, cost effective and aligned with the operational rhythms of small-scale mining. Authority for inspection and support should be delegated to provincial and district offices. These should be equipped with appropriate budgets, vehicles, field test kits and trained personnel. Additionally, local participation strengthens legitimacy and information flow. As such, enforcement should incorporate community monitors, grievance channels and periodic public forums.

The approach should be risk-based and focused on problem solving. Inspectors must prioritise higher-risk sites and activities, such as mercury intensive processing, unstable excavations, child labour risks, violent disputes, contaminated effluents and smuggling corridors. Monitoring tools should include scheduled inspections, unannounced spot checks, environmental and health sampling, verification of production and sales records, and supply-chain bag-and-tag or digital traceability to the first legal sale. Each visit should conclude with a written compliance plan that outlines realistic corrective actions and timelines.

Sanctions follow a graduated ladder. Initially, education and warnings should be issued for first offenses. If necessary, written improvement notices and technical assistance can be provided when capacity constraints exist. Administrative penalties should be proportionate and payable through transparent e-payment systems. Conditional suspension may be applied for unresolved material risks to health, safety or the environment. Criminal prosecution should be reserved for wilful, repeated or egregious violations such as organised violence, severe ecological harm, systematic child labour or large-scale smuggling. This approach aims to protect the public while preventing the effects of pushing operators back into informality.

Enforcement should integrate cross-cutting areas. This includes mercury risk management aligned with Minamata obligations, including the phased elimination of harmful practices and the promotion of safer alternatives. It must also ensure that human rights and labour protections that prohibit child labour, safeguard the rights of women and the youth, and guarantee basic occupational health and safety. Furthermore, supply-chain due diligence should follow the OECD five-step

framework, linking site-level monitoring to responsible trade practices. Anti-money-laundering safeguards at buying points and borders should implement know-your-customer rules, suspicious transaction reporting and coordination with customs and financial intelligence units.

Integrity measures are crucial for effective enforcement. Inspection checklists and annual enforcement statistics should be made public. Inspectors should be rotated and high-risk operations should require two-officer teams, while cash payments of fines in the field must be prohibited. Whistle-blowers must be protected and independent complaints and appeal mechanisms should be monitored. Inspector performance should be monitored, and corruption must be addressed swiftly. These measures help to build trust and reduce rent-seeking behaviour.

Finally, monitoring must be measurable and adaptive with well-defined indicators for injuries and fatalities; mercury and cyanide use and releases; compliance defects detected and resolved; formal sales volumes; timeliness of corrective actions; and resolution of grievances. Data should be disaggregated by location and gender to enable targeted support. Periodic public reports and scheduled legal reviews must be produced such that rules and methods evolve with evidence. All these elements ensure fair, predictable and development-oriented enforcement. When realistic rules, decentralised capacity and credible incentives are combined with principled oversight, monitoring becomes the mechanism that secures formalization. This approach steadily raises standards across the artisanal and small-scale mining sector.

Monitoring should be risk-based and intelligence-led, prioritizing high-risk sites, hazardous substance use, child labour, disputes, and smuggling corridors, using inspections, spot checks, sampling, supply-chain traceability, community monitoring, and digital reporting, complemented by education and participation. Enforcement should follow a compliance ladder, starting with warnings and coaching, escalating to administrative penalties, conditional suspension, or seizure for repeated or serious breaches, and only proceeding to criminal action in extreme cases, as blanket bans without alternatives drive illegality.

Sustainable monitoring requires predictable funding from national budgets, development partners, and earmarked royalties or licensing revenues for equipment, training, and data systems. In practice, a cycle of risk profiling, annual plans, baseline notifications, standardized inspections, corrective plans, follow-ups, and integration of universities and polytechnics for audits and capacity-building ensures compliance. When law is realistic, responsibilities decentralized, assistance accompanies sanctions, and supply-chain and financial oversight are integrated, lawful behaviour becomes the path of least resistance, harms decline, and the state–miner social contract is strengthened, reflecting international best practices from UNEP, and other governance guidance.

Conclusion From Recognition to Reform

Zimbabwe stands at a pivotal moment in the governance of its artisanal and small-scale gold mining sector. The evidence is unequivocal: ASGM is no longer a peripheral activity operating on the margins of the economy, but a central pillar of national gold production and rural livelihoods. The data on gold deliveries, employment, and socio-economic dependency already tells a compelling story. What remains unfinished is the translation of that story into law. The gaps identified in the draft Mines and Minerals Bill do not reflect a failure of intent, but rather a misalignment between legislative design and the lived realities of the sector the law seeks to regulate.

The reforms proposed in this Guide demonstrate that this misalignment can be corrected through deliberate, evidence-based policy adjustments. A data-driven legal framework can differentiate artisanal miners from small-scale operators and calibrate licensing regimes to actual production capacities. Institutional capacity can be strengthened through targeted geological extension services, practical training programmes, and the structured organization of miners into associations capable of participating in the formal economy. Financial inclusion mechanisms, concessionary credit lines, guarantee schemes, and revolving funds, can address the structural capital constraints that perpetuate informality. Similarly, harmonizing gold marketing incentives with criminal enforcement provisions can eliminate regulatory contradictions that currently undermine trust in formal channels. Finally, a progressive monitoring and enforcement model can ensure that compliance becomes achievable, predictable, and development-oriented rather than punitive.

If these adjustments are incorporated, the draft Mines and Minerals Bill have the potential to become the cornerstone of a modernized ASGM governance framework. Rather than merely regulating the sector, the law could actively enable its transformation, unlocking productivity gains, strengthening environmental stewardship, improving traceability in gold supply chains, and expanding the state's revenue base. Formalization, in this sense, is not an administrative exercise but a nation-building project: one that recognizes the contribution of hundreds of thousands of Zimbabweans who already sustain the country's gold economy.

The path forward therefore requires a shift in perspective. Formalization should not begin with enforcement; it must begin with recognition. Recognition of the scale of the sector, the livelihoods it supports, the data that already exists, and the institutional reforms required to translate that knowledge into effective governance. When legislation reflects reality, compliance becomes possible. When compliance becomes possible, participation becomes attractive. And when participation becomes attractive, the cycle of informality begins to break.

This Guide is therefore not simply a critique of legislative gaps; it is an invitation to refine the law so that it reflects the economic and social architecture of Zimbabwe's gold sector. If the recommendations outlined here are embraced, Zimbabwe could design one of the most progressive ASGM formalization frameworks in Africa, one that balances regulation with development, accountability with opportunity, and national economic interests with the dignity and resilience of the miners themselves.

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