

Report

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# Documentation of planetGOLD Programme: Formalization Interventions in Colombia

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### Primary Authors:

- Dr. Abby Efua Hilson, University of Kent
- Professor (Dr.) Giorgio de Tomi, University of São Paulo

**Editorial Support:** Susan Keane; Jennifer Wilmore Scroggins – Natural Resources Defense Council

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## Abbreviations/Acronyms

Abbreviation/Acronym	Definition
<b>ASGM</b>	Artisanal and Small-scale Gold Mining
<b>SGC</b>	Colombian Geological System
<b>GDIAM</b>	Mining in Colombia Dialogue Group
<b>GEF</b>	Global Environment Facility
<b>MIAA</b>	Ancestral Artisanal Mining
<b>MADS</b>	Ministry of Environment and Sustainable Development
<b>MME</b>	Ministry of Mines and Energy
<b>MINSALUD</b>	Ministry of Health and Social Protection
<b>RIAS</b>	Integrated Healthcare Attention Pathways
<b>UPME</b>	Mining and Energy Planning Unit

## Executive Summary

The planetGOLD Colombia project, funded by the Global Environment Facility (GEF), aimed to support the elimination and future avoidance of the use of mercury in artisanal and small-scale gold mining (ASGM) in the country. One strategic pillar of the project was formalization. ASGM formalization and regularization interventions in Colombia aligned with the specific mining categories recognized in the Colombian Mining Code, while working to expand legal recognition to less visible practices, such as ancestral artisanal mining, within the subsistence mining category, which is commonly practiced by vulnerable groups including women and ethnic communities.

After 6 years of operation (2018 – 2024), planetGOLD Colombia:

- **Recommended 22 policy regulations, including three with immediate implications for formalization:** the introduction of a differential approach for low capital operations.<sup>1</sup> the regulation of temporal environmental licenses while miners embark on regularization<sup>2</sup> and defining the registration process of subsistence miners.<sup>3</sup>
- **Aided capacity development for promptly issuing environmental licenses, a prerequisite to fulfill the formalization process.** 6 licenses have been approved while 49 are in evaluation.
- **Trained more than 2000 miners in formalization and regularization process.**
- **Started the application to recognize ancestral artisanal mining** as part of Colombia's non-tangible cultural heritage.

These activities set the groundworks for broader formalization implications in the country, including:

- Enhanced Regulatory Framework
- Reduction of Illegal Mining
- Local Development
- Empowerment of Miners
- Recognition of Cultural Heritage
- Improved Working Conditions

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<sup>1</sup> Article 326, Law 1955 of 2019. Plan Nacional de Desarrollo 2018 – 2022.

<sup>2</sup> Resolution 0448 of 2020, which regulates Article 22 of Law 1955 of 2019.

<sup>3</sup> Resolution 40838 of 2019, which regulates Article 327 of Law 1955 of 2019.

# 1 Introduction

The planetGOLD Colombia project, funded by the Global Environment Facility (GEF), aimed to support the elimination and future avoidance of the use of mercury in artisanal and small-scale gold mining (ASGM) in the country. The project was executed by the United Nations Development Program's (UNDP) Colombia office, in partnership with the Ministry of Mines and Energy, and the Ministry of the Environment and Sustainable Development. The project started in 2018 and concluded in 2024.

To achieve its mercury reduction objectives, the project worked along four strategic approaches:

- a) Strengthening institutions and the policy/regulatory framework for mercury-free ASGM.
- b) Increasing the access of miners to finance, to enable the procurement of mercury-free processing technologies.
- c) Increasing the capacity of miners for mercury-free ASGM through technical assistance, technology transfer, and formalization support.
- d) Raising awareness and disseminating the best practices and lessons learned on mercury phase-out in the ASGM sector.

This report documents activities and outcomes under the first approach, as well as specific formalization activities carried out in the context of the technology transfer strategy (item c), conducted through close collaboration with local communities and supporting partners.

## Background and Context

Colombia boasts a pre-Columbian mining tradition, making it a culturally embedded and economically significant activity for ethnic peoples, women, and grassroots collectives. Nonetheless, mercury use in artisanal and small-scale gold mining (ASGM) threatens health, the environment and livelihood sustainability. To support the transition to a mercury-free ASGM sector, planetGOLD Colombia supported the development of grounded approaches to formalize mercury-free ASGM.

In 2018, Colombia's gold production was estimated in 36 tonnes, yet only 27% came from permitted mining operations.<sup>4</sup> Subsistence mining, including vernacular practices such as *barequeo* (traditional gold panning), accounts for around half the total. *Barequeo* is one of the most representative of ASGM in the country, a sector that employs around 350,000 people.

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<sup>4</sup> UNODC. (2019). [Colombia. Explotación de oro de aluvión. Evidencias a partir de percepción remota 2019](#). UPME. [Oro](#). Sistema de Información Minero Colombiano. Consulted on December 1, 2024.

Black communities, Indigenous communities, and grassroots collectives find in *barequeo* and other subsistence mining a culturally embedded and economically significant activity. As such, it has enjoyed state recognition, even if without proper regulation.<sup>5</sup> Nonetheless, mining deposits in ethnic lands have also been targeted by criminal groups with an entrenched mercury use, increasing the vulnerability of traditional land dwellers to pollution and violence.<sup>6</sup> Gold processing has substantially depended on mercury amalgamation, placing Colombia among the top three ASGM mercury emitters worldwide.<sup>7</sup>

Mercury use is common beyond criminal networks. Local ASGM collectives heavily depend on it for gold processing. Although most communities bore a shared understanding concerning the national mercury ban, most lacked access to alternative technologies and responsible end markets, making phasing out mercury a challenging task.

To tackle this problem, Colombia ratified the Minamata Convention in 2019 and forbade mercury use in mining as of 2018.<sup>8</sup> In 2014 the country released two key policies: the National Mercury Plan and the Mining Formalization Policy, suggesting an interconnectedness between ASGM development and an environmental and health agenda.<sup>9</sup>

The reciprocal development of these issues was also signaled in the National Mining Policy, which contemplated actions to phase out mercury, and the formulation of Integral Healthcare Routes (RIAS in Spanish), which considered place- and vulnerability-specific approaches to disease and contamination.<sup>10</sup>

planetGOLD Colombia started in 2018 amidst these developments. The project aimed to eliminate and avoid ASGM mercury use in the country by working along four strategic approaches:

- Strengthening institutions and the policy/regulatory framework for mercury-free ASGM.

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<sup>5</sup> Defensoría del Pueblo. (2010). [La minería de hecho en Colombia](#).

<sup>6</sup> Comisión de la Verdad. (2019). [La Naturaleza en el Centro del Conflicto Armado](#). Conflict between the Colombian government and the FARC guerrilla group lasted for almost 60 years. After signing a peace agreement in 2016, dissident guerrilla organizations competed for natural resources including mining sites.

<sup>7</sup> CIRDI. (2017). Component III: Scoping Study on Extractive Industry and Technical Training at the Regional Level, PART II- Regional Comparative Analysis 2017.

<sup>8</sup> Ley 1658 (July 15, 2013). [Por medio de la cual se establecen disposiciones para la comercialización y el uso de mercurio en las diferentes actividades industriales del país, se fijan requisitos e incentivos para su reducción y eliminación y se dictan otras disposiciones](#).

<sup>9</sup> [Plan Único Nacional de Mercurio](#) (2018). Updated from the first version published in 2014.

MNE. (2014, July 9). [Resolución 90719 de 2014 por la cual se adopta la Política Nacional para la Formalización de la Minería](#). The Minamata Convention does not mandate mercury bans, leaving this as country decision.

<sup>10</sup> MINMINAS. (2016). [Política Minera de Colombia. Bases para la minería del futuro](#).

MINSALUD. (2016). [Resolución 3202 de 2016 por la cual se adopta el Manual Metodológico para la elaboración e implementación de las Rutas Integrales de Atención en Salud \(RIAS\), se adopta un grupo de Rutas Integrales de Atención en Salud desarrolladas por el Ministerio de Salud y Protección Social dentro de la Política de Atención Integral en Salud -PAIS y se dictan otras disposiciones](#).

- Increasing the access of miners to finance to enable the procurement of mercury-free processing technologies
- Increasing the capacity of miners for mercury-free ASGM through technical assistance, technology transfer, and formalization support.
- Raising awareness and disseminating the best practices and lessons learned on mercury phase-out in the ASGM sector.

The project had national-level reach but focused on three departments due to their prominent participation in ASGM: Antioquia, Bolivar, and Cauca.

Formalization activities were covered under (a) and (c) (within the context of technology transfer activities). planetGOLD Colombia engaged with a complex governance landscape that covered different sectors, subnational and decentralized units, development institutions, and local communities. Figure 1 introduces key government collaborators.

These collaborators engage with key ASGM policy arenas of an overlapping nature, including:

- a) ASGM Formalization.
- b) Targeted healthcare for mercury-afflicted communities.
- c) Peace agreement implementation.<sup>11</sup>

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<sup>11</sup> Oficina del Alto Comisionado para la Paz. (2018). [Acuerdo Final para la Terminación del Conflicto & la Construcción de una Paz Estable y Duradera. 24 de noviembre de 2016](#). The peace agreement stressed that traditional artisanal mining should not be mistaken for criminal activity.

**Figure 1. Key government collaborators**

National level	Regional Autonomous Corporation*	Subnational level
<ul style="list-style-type: none"> <li>• Ministry of Mines and Energy (MME).</li> <li>• Ministry of Environment and Sustainable Development (MADS).</li> <li>• Ministry of Health and Social Protection (MINSALUD).</li> <li>• National Mining Agency (ANM)</li> <li>• Colombian Geological System (SGC)</li> </ul>	<ul style="list-style-type: none"> <li>• Antioquia Autonomous Corporation (CorAntioquia)</li> <li>• Bolivar Autonomous Corporation (CAB)</li> <li>• Cauca Autonomous Corporation. (CAC)</li> </ul>	<ul style="list-style-type: none"> <li>• Government of Antioquia</li> <li>• Government of Bolivar</li> <li>• Government of Cauca</li> <li>• Municipalities of: Segovia, Tarazá, Cáceres, Buenos Aires, Suarez, Timbiqui, Guapi, Tiquiso, Rio Viejo, Barranco de Loba, Hatillo de Loba.</li> </ul>

\*MADS-dependent regional authorities that oversee the administration of renewable natural resources.

## Formalization Interventions Chosen

Based on the background above, planetGOLD Colombia embarked on a multi-faceted set of actions to create a favorable environment for ASGM formalization in line with human healthcare, environmental protection, and peacebuilding. The most impactful initiatives were:

- **Intervention 1: A differentiated approach to support ASGM formalization.** The project assisted miners in identifying the most appropriate formalization channels based on their characteristics (subsistence or small-scale mining).
- **Intervention 2: Subsistence mining recognition.** The project supported the development of new regulations to protect and support subsistence mining, including its recognition as an Intangible Cultural Heritage before the Colombian Ministry of Culture.
- **Intervention 3: Mainstreaming gender in ASGM policy.** Crosscutting actions ranging from gender-sensitive policy recommendations to capacity development for gender-specific public services (e.g. in healthcare protocols for mercury pollution and adequate channels to address gender-based violence in ASGM communities).

The following sections will provide detailed information on each of these interventions.

## 2 Formalization Intervention 1: A differentiated approach to support ASGM formalization

Small-scale and subsistence mining are distinct under Colombian law, with different recognition pathways. planetGOLD Colombia assisted miners by mapping the regulatory landscape and offering targeted support.

### Description of the intervention

A lawful mining practice is a necessary precondition for any miner to access credit and invest in mercury-free upgraded technologies. planetGOLD Colombia identified different mining categories and the specific mechanisms through which they can become lawful activities (Figure 2)

Figure 2. Formalization and regularization of mining in Colombia



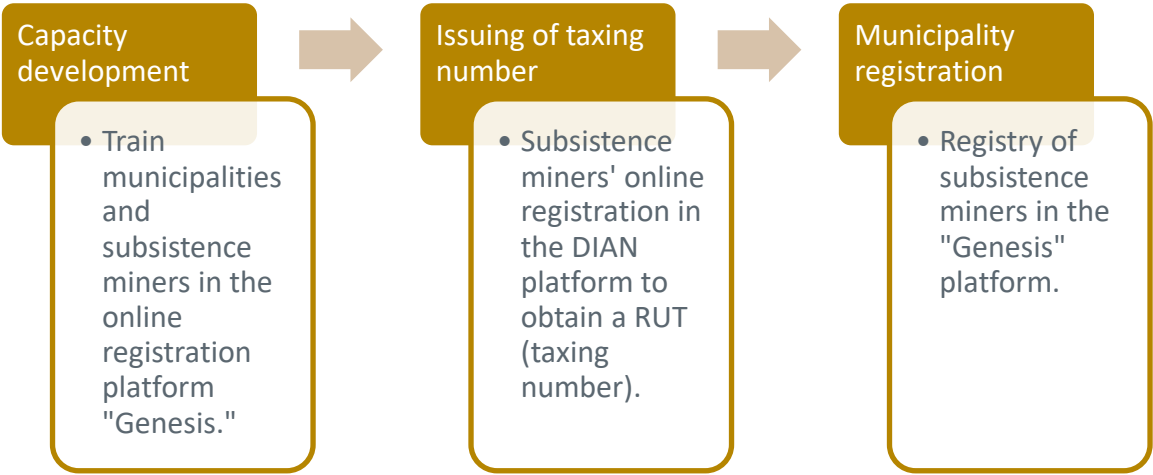
The following figures (3 and 4) depict the planetGOLD Colombia’s approach to assist each case. In the case of subsistence mining, the project opted for “registratones”, or the organization of mass registration campaigns at local municipalities. This initiative entailed a place-based communicational approach to reach as many subsistence miners as possible. Communication was conducted with project partners (see 2.1.2).

planetGOLD Colombia, in coordination with project collaborator Alliance for a Responsible Mining (ARM), provided recommendations for the implementation of the online registration

portal “Genesis”.<sup>12</sup> The “registratones” also provided hands-on opportunities to identify key bottlenecks in online registration and provide timely suggestions.

“Registratones” also involved close-knit cooperation with the taxing authority (DIAN), since registration is contingent on the miner’s procurement of a taxing number.

**Figure 3. Subsistence mining registration approach**



In the case of small-scale mining, the project assisted miners in obtaining various permits. With the benefit of hindsight, it is possible to identify three types of mining groups according to their degree of compliance (figure 4). While reaching out to all groups, planetGOLD Colombia focused on Type 2 miners who were closer to completing the regularization process. Type 3 miners were targeted with a financial assistance strategy.<sup>13</sup>

**Figure 4. Small-scale mining regularization assistance approach**



<sup>12</sup> Mejía, M. A. & Murillo, M.J. (2020, June 5). [5 recomendaciones para que la plataforma “Génesis” logre ser útil para la minería artesanal en Colombia.](#)

<sup>13</sup> See: <https://www.planetgold.org/sites/default/files/Documentation%20of%20planetGOLD%20Colombia%20ASGM%20Financial%20Inclusion%20Interventions.pdf>

## Target Areas and Target Groups

The intervention targeted subsistence and small-scale miners in the provinces of Antioquia, Cauca and Bolivar.

Subsistence miners comprise Black communities, which are entitled to mining zones following their cultural heritage (see Section 3). Women panners, *barequeras*, also represent the most rudimentary expressions of artisanal work. According to the last mining census (2010-2011), around 5168 women work in subsistence and small-scale mining; however, more than 130 000 subsistence miners have registered in the Genesis platform, suggesting that women's participation in the sector may have also increased substantially.<sup>14</sup>

Black communities and women were targeted in the “registratones” by developing alliances with local institutions and representative miners' associations. The project also worked with a gender strategy (see Section 4).

## Partners and Key Stakeholders

A comprehensive list of government stakeholders is presented in Figure 1. In this section, the roles of key collaborators are detailed.

- **National government.** Guided step-by-step workshops and received capacity building. Various government entities participated but a key collaborator with the National Mining Agency (ANM), which implements the Genesis registry.
- **Subnational government.** Local municipalities were trained in the Genesis registry, ASGM regulations and related matters to increase ASGM overseeing capacity.
- **Regional Autonomous Corporations.** These institutions were consulted on a case-by-case basis to understand key challenges in environmental licensing.
- **Non-governmental collaborators.** Provided technical assistance and capacity building.
  - Alliance for Responsible Mining
  - Nutabe Foundation
  - Corcreser
- **Mining associations.** Participated in training workshops, disseminated communications among members and presented key challenges in the formalization and regularization process. Key collaborators included:
  - Mining units El Cangrejo and La Gabriela.
  - Women's Association of [Gold] Selectors and Fighters for Peace (ASOMUSELUPAZ), Suárez.

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<sup>14</sup> Castillo & Echavarría. (2021). [Postulación para la inclusión de la minería artesanal ancestral de metales preciosos como forma tradicional de producción en Colombia, en la lista representativa del patrimonio cultural inmaterial de la nación](#). It is estimated that around 20% of registrations are from women.

- Agro-Mining Association for Mindalai (AGROMIN), Suárez.
- Major Community Council of the Upper San Juan (ASOCASAN).
- Unión de Mujeres Barequeras.
- Cooperativa de mineros de Buenos Aires.

## Main Activities and Outputs/Achievements

### Key regulation recommendations

planetGOLD Colombia delivered major and impactful recommendations for an improved approach to formalization of small-scale mining in Colombia, including the introduction of a differential approach for low capital operations.<sup>15</sup> Per this recommendation, more than 100 small-scale miners are expected to become formal in the provinces of Antioquia, Cundinamarca and Casanare.<sup>16</sup>

A differential approach encompasses specific regulations adjusted to the scope and possibilities of each mining category. Specifically, administrative changes to accelerate registration were considered, such as regulation of temporal environmental licenses while miners embark in regularization<sup>17</sup> and defining the registration process of subsistence miners.<sup>18</sup>

### Improving local capacities

The project also partnered with the Regional Autonomous Corporations of Cauca and Bolivar, achieving the following outcomes by 2023:

- 49 environmental licenses in evaluation.
- 6 environmental licenses approved.
- 3 new environmental protocols designed.
- 588 cases of technical assistance to miners.
- 1,088 people were trained on mercury impacts as part of raising awareness.

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<sup>15</sup> Article 326, Law 1955 of 2019. Plan Nacional de Desarrollo 2018 – 2022.

<sup>16</sup> MME. (2022, March 31). [Se firman los primeros contratos con requisitos diferenciales para pequeños mineros en Colombia.](#)

<sup>17</sup> Resolution 0448 of 2020, which regulates Article 22 of Law 1955 of 2019.

<sup>18</sup> Resolution 40838 of 2019, which regulates Article 327 of Law 1955 of 2019.

## Training miners in formalization and regularization

By 2023, a total of 2037 miners of the following provinces had received assistance in formalization and regularization, meeting the original goal (2000 miners):

- Antioquia: 1494 miners.
- Cauca: 543 subsistence miners.
- Bolivar: 27 small-scale mining organizations progressed in obtaining their environmental licenses.

## 3 Formalization Intervention 2: Subsistence Mining Recognition

Although subsistence mining is recognized under Colombian law, the activity has been mistakenly treated as illegal, ignoring its centrality for grassroots collectives. planetGOLD Colombia, in collaboration with allies, supported the recognition of subsistence mining as an intangible heritage practice to strengthen its culturally embedded status.

### Description of Intervention

Over the past two decades, the expansion of criminal organizations has raised concerns about the extent to which mining remains central to satisfying subsistence needs alone for the rural poor and ethnic communities. In Colombia, criminality has been accentuated in the context of guerrilla and the post-peace agreement reorganization of criminal actors, affecting subsistence mining communities,<sup>19</sup> however, predominant narratives portray the sector as illegal.

In the peace agreement, the Colombian government committed to fighting against illegal mining while differentiating it from traditional artisanal mining.<sup>20</sup> According to MME, the differentiation of “traditional artisanal mining” is also important to avoid the stigmatization of ethnic peoples performing mining activities in their collective lands and develop opportunities to position themselves as lawful and legitimate economic actors.<sup>21</sup>

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<sup>19</sup> Oficina del Alto Comisionado para la Paz. (2018). [Acuerdo Final para la Terminación del Conflicto & la Construcción de una Paz Estable y Duradera. 24 de noviembre de 2016.](#)

<sup>20</sup> *ibid*

<sup>21</sup> Direction of Mining Formalization of the Ministry of Mines and Energy. Concepto como postulante emitido por la Oficina de Formalización del Ministerio de Minas y Energía en enero 29 de 2021. Quoted in Castillo & Echevarría (2021).

planetGOLD Colombia aimed to promote a favorable environment for ASGM policy and regulation improvement.<sup>22</sup> Alongside recommendations for the short and mid-term application of ASGM regulations (see Section 2), the project strived to substantially change narratives around ASGM in the country.

For that purpose, the project partnered with the Discussion Group on Mining in Colombia (GDIAM, Spanish acronym), a respected civil society organization that brings together institutions and leading voices concerning mining sustainability in the country.

This partnership aimed to position ancestral artisanal mining (MIAA, Spanish acronym) as a legitimate and dignified activity that conforms to Black people's culture in Colombia. Specifically, the partnership sought the differentiation of ancestral artisanal mining within the subsistence mining category. This distinction acknowledges that while ASGM may provide a subsistence livelihood for the rural poor, it is also a culturally embedded practice for traditional land dwellers.<sup>23</sup>

planetGOLD Colombia and GDIAM built on the experience of the Black communities in the Cauca Canyon. In 2012, these communities applied for the recognition of *barequeo* as cultural heritage. The National Council for Heritage, the Ministry of Culture body that assessed the claim, concluded that *barequeo* was indeed a traditional practice of cultural value, however, not to be restricted to the Cauca canyon but found in other areas as well.

The new application, presented in 2021, argued for a wider geographical distribution of *barequeo* and included related traditional mining techniques such as *mazamorreo* or *zambullidero*.<sup>24</sup> It also includes Emberá and Zenú indigenous peoples.

Figure 5 synthesizes the MIAA's key characteristics in the new application. One of the most distinctive is traditional botanical knowledge for gold processing, avoiding mercury use. Up to 78 plants have been identified for their mining applications due to their mucilage content, whose viscid qualities make it a strong gold adhesive.

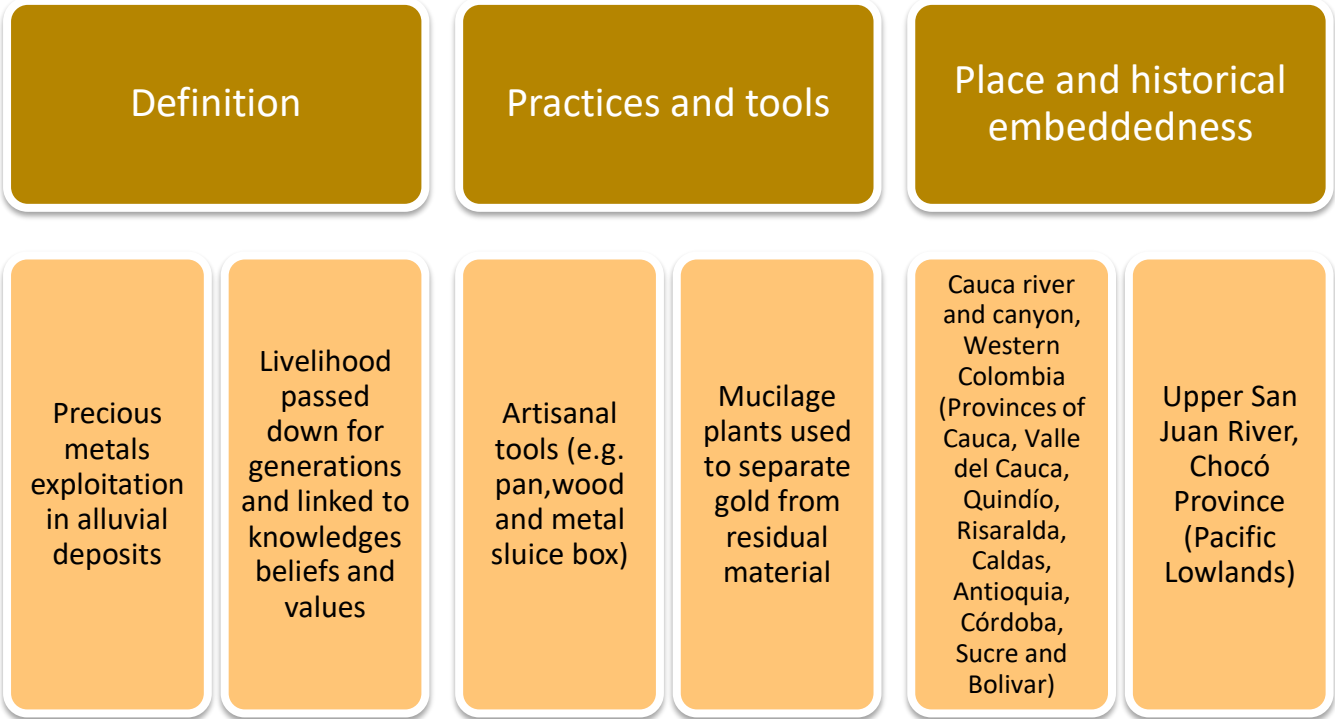
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<sup>22</sup> GEF Gold Colombia. (2022). *Gestión Integrada de Mercurio en el Sector ASGM de Colombia*. Evaluación de Medio Término.

<sup>23</sup> Castillo & Echavarría. (2021). [Postulación para la inclusión de la minería artesanal ancestral de metales preciosos como forma tradicional de producción en Colombia, en la lista representativa del patrimonio cultural inmaterial de la nación.](#)

<sup>24</sup> Diving to obtain gold-rich mud from ponds.

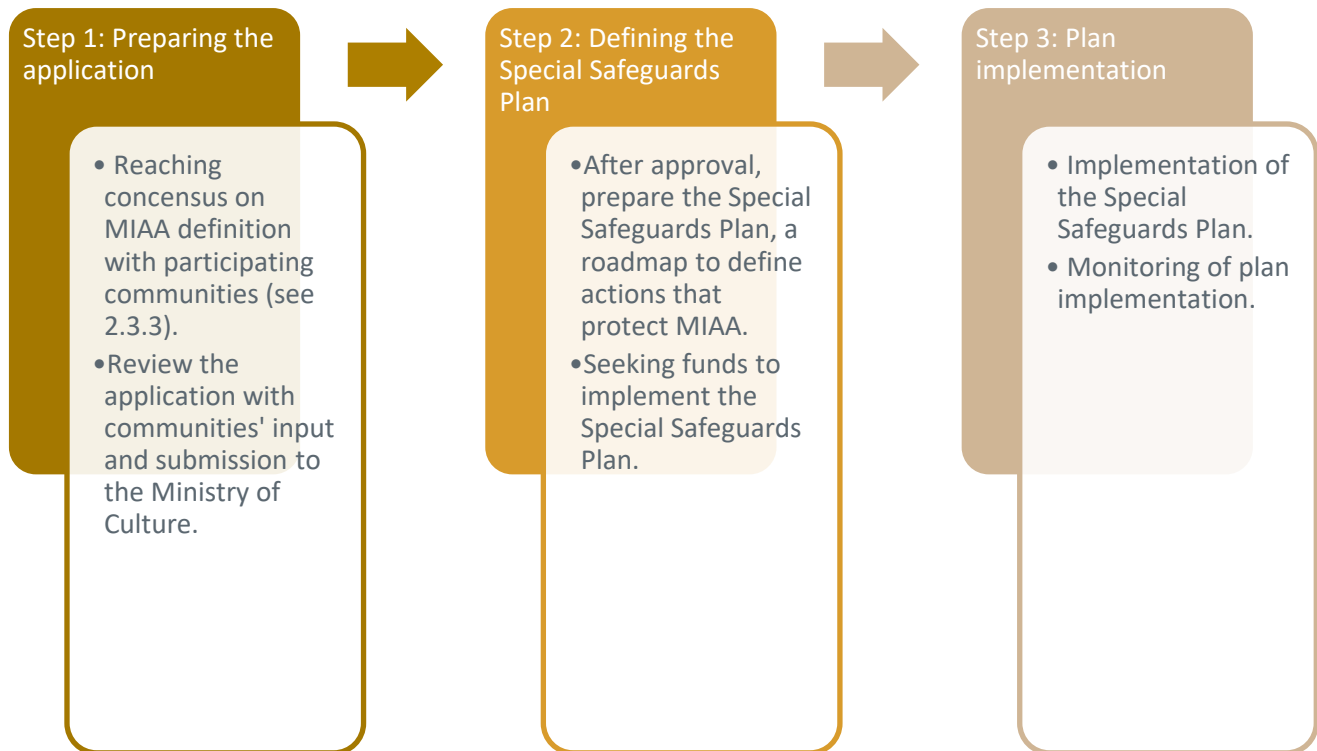
**Figure 5. Description of ancestral artisanal mining (MIAA)**



planetGOLD Colombia and GDIAM planned to achieve MIAA recognition in three steps (Figure 6). planetGOLD Colombia supported and actively collaborated with the elaboration of the application package for the Ministry of Culture (Step 1). The ministry approved the presentation of the application, starting the process to officially introduce MIAA in the Representative List of Intangible Cultural Heritage of Colombia.<sup>25</sup> Right now, the initiative is undergoing Step 2.

<sup>25</sup> Application admittance: May 12, 2021. Castillo & Echevarría. (2023). [La minería artesanal ancestral de metales preciosos \(MIAA\). Reporte sobre el proceso de construcción del Plan Especial de Salvaguardia \(PES\) a 2022.](#)

**Figure 6. Steps to achieve MIAA recognition**



## Target Areas and Target Groups

Black and Indigenous communities of Western Colombia practice MIAA in the following areas:

- Upper Cauca River
- Mid Cauca River
- Cauca Canyon
- Lower Cauca
- Upper San Juan, Chocó

Thirteen community organizations supported the original proposal. Although the list has expanded since then, these organizations have co-developed the initiative since its inception and continue to be involved in the process:

- Community Councils of Northern Cauca Association (ACONC), Santander de Quilichao.
- Community Councils of Mindalai, Suárez.
- Women's Association of [Gold] Selectors and Fighters for Peace (ASOMUSELUPAZ), Suárez.
- Agro-Mining Association for Mindalai (AGROMIN), Suárez.
- Community Council of Cerro Teta, Buenos Aires.
- Major Community Council of the Upper San Juan (ASOCASAN).
- Barequeros of Man River, Cauca.

- Barequeros of Colorado, Nechii.
- Subistence Mining Association (ASOBAM), Margento, Cauca.
- Barequeros of Vaquero and San Pablo, Caiceres.
- Barequeros of Ilusioin, Cauca.
- Barequeros and fisherfolk association of Sabanalarga, Toledo, Bricenpo, Ituango, Valdivia and Cauca, Rios Vivos Movement.
- Indigenous Reservation Cañamomo-Lomapieta.
- Ancestral Mining Association (ASOMICARS).

“Diálogos territoriales” (“territorial dialogues”) were introduced as an effective mechanism to promote community consensus, retrieve observations and recommendations, and provide updates on the process.<sup>26</sup> Key characteristics of these dialogues are:

- Communities summon the dialogue in accordance with their governance traditions and cultural practices.
- Agendas are defined in conversation with host communities.
- GDIAM and other guests respect community discussion on various mining practices beyond MIAA.
- If communities agree to participate in the initiative, they delegate a representative.
- Field visits to mining operations were performed when possible.

## Partners and Key Stakeholders

Key partners for this intervention, and their roles, include:

- GDIAM: Co-defined the initiative and continues implementation beyond planetGOLD Colombia timeframe.
- Ethnic Communities: Provide input, participate in workshops and express their demands for MIAA protection.
- Ministry of Culture: Evaluates the proposal and approves MIAA inclusion in Colombia's Representative List of Intangible Cultural Heritage.
- Mining authority: Representatives of the MME and provincial units provide opinion along the process.

## Main Outcome and Learnings

The initiative started the MIAA recognition process, gaining the approval of the Ministry of Culture. The process brought together a wide-ranging group of local stakeholders, turning the process into an emerging governance arena. The initiative has been adopted by partner GDIAM, which will continue implementation beyond the span of planetGOLD Colombia. For planetGOLD Colombia, MIAA recognition is one of their most ambitious initiatives.

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<sup>26</sup> Castillo & Echevarría. (2023). [La minería artesanal ancestral de metales preciosos \(MIAA\). Reporte sobre el proceso de construcción del Plan Especial de Salvaguardia \(PES\) a 2022.](#)

Collaborating closely with reputable actors with experience was important to steer the process forward.

However, these collaborations should respect the extent of each party's contribution to the process. The initiative may have progressed faster if key contributions were clearly defined beforehand.

Community participation serves as a cornerstone of this initiative. Territorial dialogues are conducted to gather community input. However, several constraints, including limited familiarity with the Ministry of Culture's dynamics, pose challenges to the extent to which communities can influence the initiative.

## 4 Formalization Intervention 3: Mainstreaming Gender in ASGM Policy

Women represent around 20% of subsistence and small-scale miners in Colombia, yet national mining policies have limitedly incorporated a gender approach to include their specific needs. planetGOLD Colombia conducted cross-cutting actions to mainstream gender in ASGM policymaking across sectors and scales of action.

### Description of Intervention

planetGOLD Colombia's gender strategy covered three dimensions:<sup>27</sup>

- **Institutional.** This dimension concerned training workshops for public servants on the gender approach, as well as the implementation of public services attuned to women's needs, such as gender-based violence attention protocols.
- **Community.** This dimension concerned developing a platform for women in ASGM communities. Key actions were supporting the creation of women ASGM organizations and their participation in local decision-making.<sup>28</sup>
- **Individual.** Awareness raising for women in ASGM regarding key public services, mercury pollution, and empowerment.

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<sup>27</sup> planetGOLD Colombia. (2018). Plan de género con enfoque diferencial. Proyecto GED Gold Colombia: Gestión Integrada del Mercurio en el Sector ASGM de Colombia 2018 – 2023 – PNUD.

<sup>28</sup> A national network of women in ASGM was supported as part of planetGOLD Colombia's aims to improve financialization access. For more information, see <https://www.planetgold.org/sites/default/files/Documentation%20of%20planetGOLD%20Colombia%20ASGM%20Financial%20Inclusion%20Interventions.pdf>

Two issues, gender-based violence and health care, cut across these dimensions and cement a legacy for the holistic implementation of gender-sensitive approaches in ASGM.

**a) Gender-based violence prevention and attention protocols.**

Violence against women is prevalent in highly masculinized economic sectors such as mining, even though women are substantially employed and contribute to the local economy. In the case of ASGM, planetGOLD Colombia identified the lack of guidelines to include gender in ASGM regulation.

The project worked on two levels:

- **National level.** The project formulated recommendations to implement a gender approach in the new Mining Code and the National Environmental System. In the first case, it worked with MME to raise awareness about the different conditions women and men in ASGM face, such as the uneven distribution of domestic labor in addition to mining work and the absence of protocols to deal with gender-based violence in ASGM communities.

In the second case, planetGOLD Colombia aimed to mainstream a differential gender approach in environmental administration, working with MADS officials. In both cases, the actions were channeled through capacity development workshops and recommendations.

- **Local level.** In collaboration with the Municipalities of Santa Rosa del Sur and Montecristo in the Sur de Bolivar region, planetGOLD Colombia implemented gender-based violence (GBV) referral pathways, which are attention protocols for vulnerable populations experiencing violence in ASGM communities (e.g., women and diverse vulnerable peoples).

The protocol design focused on using simple language when dealing with victims, clearly stating what steps follow, and avoiding revictimization by simplifying the testimony registration process.

**b) Healthcare protocol for mercury contamination.**

The healthcare protocol for individuals affected by mercury exposure was developed with Universidad Nacional de Colombia (UNAL) and with the support of the Ministry of Health. This collaboration focused on creating a comprehensive healthcare protocol for those at risk or in situations related to mercury and its compounds.

While the protocol targeted both men and women, it was conceived as a response to women in subsistence mining who demanded clearer indications concerning mercury contamination and learning about potential impacts to their children.

This protocol was developed under the framework of RIAS – Integrated Healthcare Routes, which considers place- and vulnerability-specific approaches to disease and contamination.<sup>29</sup> RIAS were created as part of the Minamata Convention commitments, and they resonated with women in ASGM's demands for fairer and more effective attention to mercury contamination for themselves and their families.

The protocol considers mercury pollution prevention and mitigation. In the first instance, it provides useful recommendations for healthcare public servants and communities considering mercury presence in everyday items, particularly food. The protocol provides a comprehensive list of mercury-containing fish.

In the second instance, the protocol recommends various activities including:<sup>30</sup>

- “Biomonitoring,” which refers to the periodical monitoring of mercury levels in risk populations.
- Identification of beliefs and imaginaries concerning mercury exposure risks.
- Conduct awareness-raising activities.
- Design an Epidemiologic Monitoring System, which includes industrial hygiene approaches and centers on mercury pollution mitigation as an occupational risk.

The protocol defines vulnerable populations, including low-income women, with a higher exposure risk due to their participation in ASGM.

## Target Areas and Target Groups

These actions involved various sectors but mainly targeted healthcare policy. ASGM improvement is closely linked with the sector's capacity to channel local concerns about healthcare impacts. This perspective was solidified in the National Mercury Plan for the Health Sector.<sup>31</sup>

Key target groups included public servants in the MNE, MADS, and local municipalities and ASGM communities with women participation interested in controlling mercury exposure.

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<sup>29</sup> MINSALUD. (2016). [Resolución 3202 de 2016 por la cual se adopta el Manual Metodológico para la elaboración e implementación de las Rutas Integrales de Atención en Salud \(RIAS\), se adopta un grupo de Rutas Integrales de Atención en Salud desarrolladas por el Ministerio de Salud y Protección Social dentro de la Política de Atención Integral en Salud -PAIS y se dictan otras disposiciones.](#)

<sup>30</sup> planetGOLD Colombia. (2023). [Acciones de salud pública para la prevención y minimización de personas con exposición a mercurio y sus compuestos.](#)

<sup>31</sup> MINSALUD. (2018). [Plan de Mercurio para el sector salud.](#)

## Partners and Key Stakeholders

Key collaborators include:

- National University of Colombia, partner to address mercury contamination through a comprehensive healthcare service.
- MNE.
- MADS.
- MINSALUD.
- Mining communities.

## Main Activities and Outputs/Achievements

### Main outcomes

The main achievements under this initiative included:

- 38 public servants trained in gender-based violence attention protocols.
- 2 municipalities with developed gender-based violence referral pathways.
- 1 healthcare protocol for mercury contamination with a gender-sensitive approach.<sup>32</sup>

The Colombian ASGM sector presents a particularly favorable environment for mainstreaming the gender approach. Women barequeras have been at the forefront of national protests against illegal mining and have been positively associated with livelihood sustainability. However, specific actions to operationalize the gender approach are challenging to implement due to the complex governance landscape in the country.

Additionally, the two experiences presented under the mainstreaming gender initiative involved collaboration with MINSALUD, a sector that is rarely engaged in ASGM policymaking, and local municipalities, which oversee mining and healthcare channels on a daily basis but make little connection between both. For planetGOLD Colombia, a key factor in advancing these experiences was the formulation of recommendations that closely aligned with the local population's needs and demands. This approach provided concrete examples to understand how to address policy challenges effectively.

## 5 Cross-cutting Issues

### Human Rights and the Environment

Although planetGOLD Colombia did not have specific activities focused on human rights, the project was framed and implemented amid national discussions on the peace agreement with

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<sup>32</sup> planetGold Colombia. (2023). [Acciones de salud pública para la prevención y minimización de personas con exposición a mercurio y sus compuestos.](#)

the FARC guerrilla and the emerging challenges. Mining has been envisioned as a key revenue-generating activity to fund peace-building efforts. However, ASGM's contributions have not been particularly clear.

planetGOLD Colombia contributed to clarifying some of these connections, for instance, by linking the formalization of subsistence mining with broader processes of land tenure reform, one of the key items in the peace agreement. This approach aimed to highlight how subsistence mining could support peace-building activities and contribute to the overall success of the peace process.

## 6 Findings, Experiences and Lessons Learned

### Highlights of Formalization Interventions

Throughout 6 years, planetGOLD Colombia:

- **Recommended 22 policy regulations, including three with immediate implications for formalization:** the introduction of a differential approach for low capital operations.<sup>33</sup> the regulation of temporal environmental licenses while miners embark on regularization<sup>34</sup> and defining the registration process of subsistence miners.<sup>35</sup>
- **Aided capacity development for promptly issuing environmental licenses, a prerequisite to fulfill the formalization process.** 6 licenses have been approved while 49 are in evaluation.
- **Trained more than 2000 miners in formalization and regularization process.**
- Started the application to recognize ancestral artisanal mining as part of Colombia's non-tangible cultural heritage.

### Broader Implication for Formalization

The formalization of mining through the efforts of planetGOLD Colombia can have significant implications:

#### Governance and Regulation:

- **Enhanced Regulatory Framework:** The introduction of policy regulations creates a more transparent and accountable mining sector.
- **Reduction of Illegal Mining:** By providing a clear path to formalization, illegal mining activities can be curbed, reducing associated criminal activities and conflicts.

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<sup>33</sup> Article 326, Law 1955 of 2019. Plan Nacional de Desarrollo 2018 – 2022.

<sup>34</sup> Resolution 0448 of 2020, which regulates Article 22 of Law 1955 of 2019.

<sup>35</sup> Resolution 40838 of 2019, which regulates Article 327 of Law 1955 of 2019.

### **Community Development:**

- **Local Development:** Formalized mining operations can contribute to local economies, supporting infrastructure development and community services.
- **Empowerment of Miners:** Training and capacity building empower miners to take control of their livelihoods and negotiate better terms with buyers and authorities.

### **Social Benefits:**

- **Recognition of Cultural Heritage:** By recognizing ancestral artisanal mining, the initiative preserves important cultural practices and traditions.
- **Improved Working Conditions:** Formalization often leads to better working conditions, safety standards, and health protections for miners.

## **Specific Factors for Success and Lessons Learned**

The project faced significant challenges, including the COVID-19 pandemic, escalating criminal activity, and environmental catastrophes. Additionally, personnel rotation created further difficulties, as transitions were often slow and incomplete. One particularly complex issue was the definition of roles and responsibilities for recognizing ancestral artisanal mining. This lack of clarity was perceived as a key factor hindering close-knit collaboration, a dynamic the project aimed to implement.

The most significant is the violence prevalent in many mining areas, which are threatened by criminal organizations.

Alliances with local partners were crucial for sustaining mid-term collaboration with mining communities through capacity-building workshops. Local contacts provided essential insight and access to communities that would have otherwise remained out of reach.

## **Long-term Sustainability**

- **Legacy of Knowledge:** Training over 2000 miners creates a legacy of knowledge and expertise that can be passed on to future generations.
- **Sustainable Practices:** Implementing sustainable mining practices ensures that mining remains a viable economic activity without depleting resources or harming the environment.



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