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ALL THAT GLITTERS IS NOT GOLD: THE CASE OF CHINESE INVESTMENTS IN THE GOLD MINING SECTOR



POLICY BRIEF #5

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EXECUTIVE SUMMARY

This policy brief examines Chinese investments in Kyrgyzstan's gold mining sector, highlighting challenges and successes in four distinct cases. Chinese investments have been marked by environmental and social concerns, labor disputes, and allegations of corruption. Recommendations include strengthening environmental regulations, ensuring fair labor practices, enhancing transparency and accountability, fostering community engagement, and improving government oversight. While some projects have faced significant difficulties, others have shown positive outcomes, emphasizing the importance of responsible investment practices to benefit both investors and local communities. It is imperative that Kyrgyzstan and its partners prioritize sustainable, transparent, and inclusive approaches to maximize the benefits of these investments while minimizing their negative consequences.

ABOUT THE AUTHOR

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INTRODUCTION

The involvement of Chinese companies in gold mining and processing is shadowed by regular local protests over the environmental and social impacts of conducted operations. However, they could also serve as indicators of the development of the mining sector and the adaptation of companies to the evolving mining policy framework.

In this context, the analysis of selected cases allows us to demonstrate challenges linked to Chinese investment in the gold mining sector. The cases demonstrate issues of concern leading to conflicts, as well as demonstrated good practices supporting mining operations.

Below, four cases of Chinese capital investments in the gold mining sector in Kyrgyzstan are presented.

CASE 1: Ishtamberdi Gold Deposit - "Resources for Investment"

In this case study, the investigation centers on Chinese capital involvement through Full Gold Company LLC, an entity affiliated with the Chinese state-owned gold mining enterprise Lingbao Gold Company Limited, in the development of the Ishtamberdi gold deposit. This case exemplifies Chinese capital participation in the 'Resources for Investment' model.

Agreement and Initial Development (2008-2011)

In 2008, an agreement was reached in which the Chinese side committed to carrying out rehabilitation work on the Osh-Sarytash-Irkeshtam highway section, spanning from 190 to 240 km, in exchange for the rights to develop the Ishtamberdy gold deposit [1]. The agreement was signed between following entities, including the Ministry of Transport and Communications of the Kyrgyz Republic, the State Agency for Geology and Mineral Resources under the Government of the Kyrgyz Republic, China Development Bank, Full Gold Mining Company, Lingbao Gold Company, China Road and Bridge Corporation Chin (CRBC), and "Lin Xi" Investment Company from the Xinjiang Uygur Autonomous Region of the People's Republic of China. In line with this agreement, the Chinese side was responsible for rehabilitating the specified road section, and in return, they gained rights to develop the Ishtamberdi gold deposit.

Financial Structure and License Acquisition (2010-2011)

To finance the project, the Chinese Development Bank provided financial resources to Full Gold Mining LLC, a joint-stock company established by the Chinese side. In 2010, the company underwent re-registration, and its shareholders' structure included Lingbao Hongxin Mining Limited Liability Company (82%) [2], CRBC (10%), and "Lin Xi" Investment Company (8%) [3]. By 2011, the Chinese side fulfilled its obligations related to road reconstruction, and Full Gold Mining Company obtained the license for the Ishtamberdi gold deposit.

Challenges and Controversies

However, this cooperation model, based on "Resources for Investment," has drawn significant public attention and scrutiny due to the absence of direct Kyrgyz state participation in the gold mining project. This has raised concerns about public interest protection, particularly as the development of the deposit and extraction works have been marred by environmental violations, including chemical spills, technological deficiencies, recurring labor conflicts, and tax avoidance practices.

Environmental Issues (2012-2020)

After the completion of the road rehabilitation, Full Gold Mining Company received the license for gold deposit development, and extraction works commenced. In April 2012, the company commissioned the gold processing plant; however, in December 2012, the work was halted by the order of the State Inspectorate for Environmental and Technical Safety of Kyrgyzstan (SIETS). The decision was motivated by the company's inability to rectify various environmental violations, such as the aftermath of a chemical spill in May 2012 during the plant's start-up. Furthermore, the State Inspectorate noted that the plant's technologies were inefficient, with gold extraction levels at 52.9% compared to the projected 85.8%, indicating potential misuse of the ore [4].

SIETS suspended the license until environmental violations were rectified, which occurred only in September 2013. As the plant's technological issues persisted, the company was granted permission to export gold concentrate to China. The modernized plant was finally launched on December 24, 2016, and it began producing doré alloy, which could be further processed at the state KyrgyzAltyn's gold refinery in Kara-Balta [5].

Despite modernization efforts, the company's environmental management remains a constant challenge. In June 2018, local residents protested against Full Gold Mining Company's activities, urging state authorities to verify its compliance with environmental standards, especially regarding the use of harmful chemical substances and the relocation of tailings dams. Residents also demanded compensation [6]. Local concerns revolved around the risk of cyanide leaks from mining waste [7]. These concerns were amplified by an industrial safety audit conducted by the State Inspectorate for Environmental and Technical Safety in April 2019, which revealed problems with waste management communication to local residents. This was highlighted when local residents halted the transport of chemical waste in February 2020 [8].

Labor Strikes (2012, 2018)

During Full Gold Mining's operations in Kyrgyzstan, other violations and problems emerged. In terms of labor practices, at least two strikes occurred. The first strike took place in February 2012 when workers protested low wages, resulting in a 30% salary increase agreement with the company [9]. The second strike took place in January 2018 when the company laid off over 400 workers, citing the risk of bankruptcy. The conflict

was resolved through negotiations between Full Gold Mining and the Central Committee of the Mining and Metallurgical Trade Union of the Kyrgyz Republic, with workers returning to their positions later that same month [10].

Tax Avoidance and Extended Export (2014)

It's noteworthy that Full Gold Mining was implicated in at least one instance of tax avoidance. In 2014, the State Service for Combating Economic Crimes (SSCES) and the State Tax Service identified that the company had evaded taxes amounting to 1.16 million USD. During the investigation, the company admitted guilt and compensated for the damage [11]. This raised controversies, as taxes were the only Kyrgyz state interest in this project after the company had fulfilled its obligations regarding road construction. Additionally, the extended export of gold concentrate to China was seen as of little benefit to Kyrgyzstan.

Corruption Allegations

The continued problems surrounding the project have sparked speculation that corruption may have been involved from the project's inception. Activists primarily raise concerns about the alleged understatement of deposit reserves when the agreement with Chinese companies was signed in 2008. Local activist Ulanbek Abdykerimov claimed that the Soviet estimation of the deposit was approximately 78 tons, while the agreement indicated only 29 tons. According to Abdykerimov, the resource estimation of the gold deposit was allegedly lowered in favor of the Chinese side, possibly in the private interest of Maxim Bakiyev, the son of Kyrgyz ex-President Kurmanbek Bakiyev, who was ousted in 2010. Consequently, after Bakiyev's overthrow, calls for a revision of the agreement have persisted [12].

In conclusion, the Ishtamberdi gold deposit project, marked by Chinese capital involvement under the 'Resources for Investment' model, serves as a striking example of the complex challenges, controversies, and lingering suspicions that can surround international collaborations in the mining sector, leaving questions about environmental responsibility, labor practices, and resource estimation still unanswered.

CASE 2: Solton-Sary Deposit - “Yellow Fume and Chinese Demarche”

In this case study, we delve into the development of the Solton-Sary gold deposit by Zhong Ji Mining Company LLC, an entity affiliated with the state-owned China National Gold Group Corporation, China Gold. This case sheds light on the complexities of Chinese investment in Kyrgyzstan's mining sector and the 2019 Solton-Sary riot, a significant conflict between the Chinese mining company and the local population where 48 Chinese workers of Zhong Ji Mining Company LLC were injured. It caused a strong Chinese demarche, urging the Kyrgyz government "to take effective measures to protect the legitimate rights and interests of Chinese companies, as well as ensure the safety of Chinese citizens and avoid the recurrence of such incidents" [13].

Zhong Ji Mining Company LLC: From Formation to Conflict

Zhong Ji Mining Company LLC was reportedly founded in 2008 as a subsidiary of Shaanxi Yanglaoda Investment Company [14]. In 2016 it was re-registered as a wholly owned subsidiary of China Gold Hong Kong Buchuk Mining Company affiliated to state-owned China National Gold Group Corporation (China Gold) [15]. It is also worth to mention that Kyrgyz projects of China Gold could be seen as part of “mobilization order” issued by the Chinese Communist Party (CCP) to state-owned enterprises to see new business opportunities along in the Belt and Road Initiative countries [16].

Development and Environmental Concerns: A Timeline of Events

The Solton-Sary gold deposit is divided into 3 sections - Altyn-Tor, Buchuk, Ak-Tash. The Chinese company received its license for the exploration of Buchuk section in 2009 and started its first field operations in 2011, momentarily causing the first clash with local residents of Emgekchil village demanding to hand over the license to a locally-owned company, “Emgekchilaltyn” [17]. Despite preliminary problems, the company was determined to continue its operations and in 2013 received its second license to conduct mining operations on the section [18]. In April 2018 the company received the consent of the Min-Bulak village council for the construction of infrastructure objects on its pastures [19]. Starting in 2019 the company conducted large-scale earthworks preparing the terrain to construct a gold processing plant and a tailing dam. The fast pace of construction works together with explosive works accompanied with allegedly toxic yellow and red post-blast fumes, and discharging toilet waste into river acting as water source for local villages have led to serious concerns among the local community [20].

“When they conducted explosive works it was like in Chernobyl. They blew up a lot. There was red smoke...then black smoke...then green smoke after the explosions. I don't know what they used for explosions.” -

interview with local resident [21]

In addition to the environmental concerns, it's important to highlight that the company's consultations with the local community before commencing the investment were ineffective. Local residents have expressed their dissatisfaction, noting that the consultations did not involve experts with the necessary knowledge, initially causing mistrust and undermining further dialogue.

“They came two or three times. When we asked what would happen to the pastures, we were told that they would sow sainfoin, this is because they do not have specialists, otherwise experts would say that sainfoin does not grow at an altitude of 3500 meters, these people should have known this. It is irresponsible...” -

interview with local resident

The 2019 Solton-Sary Riot: A Clash between Chinese Miners and Local Population

In July 2019, the situation deteriorated as water and air pollution allegedly led to livestock losses and illnesses among children. This escalation culminated in limited protests. Then, on August 3, 2019, a critical incident occurred when two local shepherds were severely beaten by Chinese workers, triggering a mass riot. As a result, on August 5, 2019, hundreds of local residents seized the mining field, resulting in the expulsion of Chinese workers and the suspension of work [22].

Complex Conflict Environment: Local Interests and Multi-Layered Issues

Although violations on behalf of the investor could be identified, the situation cannot be simply put into the blame game frame. The case is grounded in a multi-layered conflict environment where local villages form a microcosm of interests. The Solton-Sary gold deposit area is used as a source of drinking and agricultural water for neighboring villages, as pastures by shepherds, as well as by illegal artisanal and small-scale miners. The interests of villages differ based on territorial division, land use rights, and other factors, including the experience of former investors.

Wider Patterns: Similar Conflicts and Ecological Concerns in the Region

It should also be noted that local residents are influenced not only by the experience of the development of the Solton-Sary gold deposit but also by the nearby Kumbel gold deposit area, where conflicts exhibit similar patterns. Interviews with local residents, as well as media reports, indicate that not only foreign investors (Chinese and Russian) but also Kyrgyz investors face public backlash due to ecological disasters, including water pollution and extensive soil degradation [23]. Additionally, there have been various attempts by local residents to independently develop the Kumbel gold deposits [24].

Challenges in Managing Conflicts and Accountability

Taking into the above, the management of these interests is challenging, as a conflict in one layer may aggravate a conflict in another layer. Although the Chinese investor - Zhong Ji Mining LLC cannot be held accountable for managing all layers, it shall comply with ecological standards and engage in wider transparent dialogue with the local community to minimize conflict situations. Just before the riot the Environmental and Technical Safety Inspectorate identified 83 gross violations during the exploration work by the Chinese company [25]. However, both authorities and Zhong Ji Mining LLC did not respond immediately, despite the fact that some issues were highly sensitive, such as alleged discharging toilet water into a river sourcing local villages with drinking and agricultural water [26].

*"The shepherds said that the Chinese built their toilets there on the river, and then we drank this water, it was the very last straw, the people got angry and rebelled. They didn't care about us." -
interview with local resident*

Thus, the failure of the investment of Zhong Ji Mining Company LLC could be linked both to its corrosive behavior reflected in a lack of environmental accountability and systemic problems in the mining sector management, e.g., integration of artisanal and small-scale mining (ASM) into the formal legal system.

Current Status and Future Prospects: Solton-Sary Gold Deposit

As of June 2022, Kyrgyz President Sadyr Zhaparov stated that authorities are analyzing possibilities to restart works at the Buchuk section [27]. Simultaneously, it was announced that another state-owned Kyrgyzaltyn reached an agreement to develop the Altyn-Tor section jointly with another foreign company Avelum Partner LLC linked to Indian investors [28]. Thus, the importance of managing conflicts on the Solton-Sary gold deposit is still relevant with or without Chinese investors' engagement.

CASE 3: Taldy-Bulak Levoberezhny Development - “Not Without Challenges”

The development of the Taldy-Bulak Levoberezhny gold deposit is a prime example of constructive Chinese capital engagement in Kyrgyzstan. This case involves the joint venture Alтынкен LLC, owned by Kyrgyz state-owned Kyrgyzaltyn OJSC and Chinese Superb Pacific Ltd., a subsidiary of Zijin Mining Company Ltd. The case also includes the construction of a gold refining plant by JL Makmal Development, affiliated with various Chinese citizens.

Background

The project's history dates back to 1995 when newly independent Kyrgyzstan began its efforts to develop the Taldy-Bulak Levoberezhny gold deposit with participation from foreign investors worldwide, including Australia, Switzerland, Malaysia, and Kazakhstan. In 2006, Kyrgyzaltyn OJSC entered into a 60:40 joint venture with Kazakh company Summer Gold Ltd., forming Alтынкен LLC to develop the mine and securing the necessary licenses. However, by 2010, concerns arose regarding the Kazakh investor's failure to meet investment obligations due to construction delays.

In September 2011, Summer Gold Ltd. sold its 40% share in Alтынкен LLC to the Chinese investor, Superb Pacific Ltd., a subsidiary of Zijin Mining Group Company Ltd. (Zijin) [29]. This move was met with approval from Kyrgyz authorities, signaling a more committed investor. Commenting on the transaction, then-Chairman of the Board of 'Kyrgyzaltyn' OJSC, Osmonbek Artykbaev, stated that the project finally gained a “normal” investor and not just another “reseller” [30].

Positive Developments

In July 2015, production at the Taldy-Bulak Levoberezhny gold mine officially commenced, and Kyrgyzaltyn OJSC representatives lauded the Chinese investor for making the project operational. This achievement marked the opening of the second "world-class" gold mining project in Kyrgyzstan, following the Kumtor gold mine [31].

Moreover, Altynken LLC has become the second-largest taxpayer to the Kyrgyz state budget, highlighting its significant economic contributions [32].

Challenges and Resolutions

During the construction phase, Altynken LLC encountered tensions with the local population. Between 2012 and 2014, local residents raised concerns, primarily related to two issues: compliance with environmental norms and the requirement to source at least 90% of the labor force locally. The first issue was dismissed by many representatives of local and state authorities, who considered it a tactic employed by populists to make unreasonable financial demands. It should be noted that the construction process underwent repeated inspections by responsible agencies, causing delays as the company struggled to obtain necessary permits promptly [33].

The second issue, due to its high social sensitivity, led to the temporary suspension of construction works in October 2012. Although Altynken LLC, as the main investor, adhered to the local employment quotas, such demands could not be enforced on specialized contractor companies from China that were employed during the construction phase without negatively impacting the technological process. This situation led to a higher number of Chinese workers, which raised concerns among local residents. Tensions escalated into a mass protest following a brawl between workers, resulting in the evacuation of Chinese workers and the temporary suspension of work [34]. However, the conflict was eventually resolved, and work resumed.

Accountability and Transparency

Since 2015, most of the initial problems have been addressed as Altynken LLC increased production capacity and stabilized operations. The company is frequently cited as a positive example of accountability and transparency in the mining sector, actively pursuing various Environmental, Social, and Governance (ESG) programs. These include an industrial safety program called "Respect for Life. Safety First," an ecological program titled "Clean Waters and Green Mountains - These Are the Mountains of Gold and Silver," a training plan for local residents called "Man Above All," and the establishment of the Kemin Kelechegei Public Foundation to improve basic infrastructure [35].

However, despite these efforts, workers' protests have occasionally recurred, primarily regarding wages and perceived issues with transparency in the employment of local residents [36].

CASE 4: The Makmalzoloto Gold Mining Plant Revival - "Reignited Prosperity"

The fourth case examines Chinese capital involvement in the revival of the "Makmalzoloto" Gold Mining Plant (MGMP), which serves as the primary production branch of state-owned "Kyrgyzaltyn" OJSC. Located in the Makmal deposit, MGMP was Kyrgyzstan's first industrially developed gold mining project, starting operations in 1986.

MGMP played a vital socioeconomic role in the Toguz-Toro district of the Jalal-Abad Region in western Kyrgyzstan, acting as the primary local employer and contributing up to 95% of the district's budget. Due to its significance, its operational period, initially planned for 10 years, was extended multiple times, with production officially ceasing only on 1st September 2018 [37].

Background

Over the last decade, "Kyrgyzaltyn" OJSC noted the need for investment in conducting additional reserve exploration, technological modernization of the existing gold processing plant, and the construction of a tailing processing plant [38]. In 2017, the company expressed interest in foreign and domestic companies investing in the plant's revival [39]. Accordingly, this case explores two instances of Chinese capital involvement related to MGMP.

The Ambiguous Involvement of "GL Makmal Developing" LLC

The first instance involves "GL Makmal Developing" LLC, controlled by Chinese businessman Yang Weihong. In 2015, the investor signed a land lease agreement with Kyrgyzaltyn OJSC to construct a new gold processing plant within MGMP's territory. However, this new facility despite being within its perimeters would not be directly affiliated with any of "Kyrgyzaltyn" OJSC's business entities. In 2017, MP Kozhobek Ryspaev, then-chairman of the Parliamentary committee on the fuel and energy complex and subsoil use, accused "Kyrgyzaltyn" OJSC of hindering the investment plans of the Chinese investor, who not only aimed to build a new gold processing plant but also expressed interest in exploring new gold deposits linked to MGMP. "Kyrgyzaltyn" OJSC distanced itself from the Chinese investor's plans, stating that it was a private business endeavor unrelated to MGMP's revival plans [40]. Considering the context, Ryspaev's statement could be perceived as advocating for a specific investor rather than genuinely safeguarding the state interest and investors rights.

Additionally, it is crucial to underscore that "GL Makmal Developing" LLC severely damaged its reputation when, in April 2018, newly constructed facilities were set ablaze by outraged local residents. The investor had blatantly disregarded local laws, neglecting essential steps such as obtaining construction permits and conducting necessary environmental impact assessments [41]. Troublingly, both before and after the incident, state authorities, including the State Ecological and Technical Inspection and the Anti-Corruption Service of the State Committee for National Security of Kyrgyzstan (SCNS), openly acknowledged that these facilities were constructed in clear violation of existing laws and regulations [42]. This raises serious questions about the alleged negligence of both the investor and authorities, leading to local discontent.

The Constructive Involvement of Manson Group LLC

The second Chinese capital involvement is directly linked to the revival of MGMP under the auspices of "Kyrgyzaltyn" OJSC. On 14 November 2018, a competition was announced for the creation of a joint venture based on MGMP. The main evaluation criteria included

the provision of jobs for the local population, the obligatory use of environmentally friendly reagents and modern technologies in mineral processing, the timeline for commissioning a new gold processing plant and/or modernization of an existing one, investment capability without relying on external funds, the level of contribution to the Development Fund of the Toguz-Toro region, and the support of non-core industries to increase employment and develop the region's economy [43].

Pretenders had 30 days to submit proposals and the winner was determined on 17 December, 2018. Three Chinese companies submitted proposals: Manson Group LLC, Shynkyiyuan Frunze LLC, and Central Asian Metalkom LLC [44]. All proposed a joint venture structure in which 30% would be owned by "Kyrgyzaltyn" OJSC, and 70% by the investor. Manson Group LLC emerged as the winner, committing to create 1,315 jobs and investing \$75 million from its own funds. The company also pledged to contribute 2% of the joint venture's gross annual income to the Development Fund of the Toguz-Toro region annually after commissioning the gold processing plant, and up to 10 million KGS before commissioning. To further boost employment, Manson Group LLC proposed building various facilities, including a honey processing plant, brick factory, and greenhouse-modular complex in the region [45].

In 2019, Manson Group LLC entered a joint venture with "Kyrgyzaltyn" OJSC, receiving a 66% share in Makmal Gold Company LLC (MGM). In September 2019, MGM resumed work at the gold mine and by March 2020, the existing gold processing plant was put back into operation [46].

The company's commitment to enterprise development and social responsibility was evident through its employment policies tailored for local residents, the initiation of employment projects, and its support during the pandemic period. These efforts were put to the ultimate test when MGM employees defended the enterprise and safeguarded the investor amid the turbulent times following the 2020 Kyrgyz Revolution [47]. As a result, Manson Group LLC's capital investment in MGM stands as a compelling example of “constructive capital” involvement.

CONCLUSIONS & RECOMMENDATIONS

The policy brief, "All That Glitters Is Not Gold: The Case of Chinese Investments in the Gold Mining Sector," sheds light on the complexities and challenges associated with Chinese investments in Kyrgyzstan's gold mining sector. Through the analysis of four distinct cases, the brief emphasizes the urgent need for responsible investment practices that prioritize environmental sustainability, fair labor practices, transparency, and community engagement.

In examining these cases, it becomes evident that a one-size-fits-all approach is inadequate. Instead, a tailored strategy considering the unique socio-cultural and environmental context of each mining project is imperative. Strengthening environmental regulations, promoting fair labor practices, enhancing transparency, and engaging with local communities are pivotal steps toward achieving sustainable mining practices.

Moreover, integrating artisanal and small-scale mining into the formal legal framework, supporting independent environmental and social impact assessments, and fostering culturally sensitive approaches are vital components of a comprehensive solution. Government oversight and regulation play a crucial role, necessitating the alignment of existing laws with international standards and rigorous enforcement of regulations.

Corporate social responsibility must be more than a buzzword; it should translate into tangible benefits for local communities, including investments in education, healthcare, infrastructure, and sustainable livelihoods. Additionally, continuous monitoring and adaptation are essential, ensuring that mining practices evolve in response to emerging challenges and lessons learned from past experiences.

In conclusion, the policy brief underscores the urgency for Kyrgyzstan and its partners to prioritize sustainable, transparent, and inclusive approaches in the gold mining sector. By doing so, not only can the negative consequences associated with mining activities be minimized, but the benefits can be maximized, leading to shared prosperity for investors and local communities alike. It is imperative that Kyrgyzstan seizes this opportunity to transform its mining sector into a model of responsible and sustainable development, setting a precedent for the global mining industry.

In light of the complex challenges highlighted in the cases of Chinese investments in Kyrgyzstan's gold mining sector, a set of recommendations has been formulated.

RECOMMENDATIONS

1. Strengthening Regulatory Framework and Oversight

1.1 Enhance Environmental Regulations and Compliance:

Drawing from the insights gained from environmental infractions documented in the Ishtamberdi and Solton-Sary cases, it is crucial for the Ministry of Natural Resources, Ecology, and Technical Supervision of the Kyrgyz Republic to fortify environmental regulations. These regulations must be comprehensive, sensitive to Kyrgyzstan's unique ecological landscapes, and strictly enforced. Regular and thorough audits and inspections should be carried out to ensure mining companies strictly adhere to these regulations. Establishing a specialized environmental oversight unit within the Environmental and Technical Supervision Service under the Ministry (annotation: successor of the State Inspectorate for Environmental and Technical Safety in the sphere of state environmental control), equipped with enforcement powers, is essential. This dedicated unit should vigilantly monitor compliance, promptly address violations, and implement preventive measures to mitigate further environmental damage.

1.2 Promote Fair Labor Practices:

Based on the labor strikes observed in Full Gold Mining, the Ministry of Labour, Social Security and Migration of the Kyrgyz Republic, must enforce fair labor policies within the gold mining sector. Workers deserve just wages, safe working conditions, and fair

treatment. Establishing a rapid response mechanism for labor disputes, where the Ministry mediates between workers and companies, will maintain harmonious labor relations and prevent conflicts from escalating.

2. Transparency, Accountability, and Community Engagement

2.1 Ensure Fiscal Transparency and Responsible Taxation:

To prevent incidents like the tax evasion seen in Full Gold Mining, the State Tax Service under the Government of the Kyrgyz Republic must implement stringent measures for mining companies' tax compliance. Transparent financial reporting and responsible taxation are crucial. Additionally, a portion of mining revenues should be allocated directly to local communities through a dedicated fund managed by the Kyrgyz authorities, with local civic society oversight and extended transparency. This fund will drive community development initiatives, ensuring that the benefits of mining are shared locally.

It should be noted that such funds must function under strict scrutiny due to cases of alleged misuse, as exemplified by the Issyk-Kul Region Development Fund established in 2011 and financed by the Kumtor Gold Company. Support for the region's development is marred by embezzlement charges against fund management [48].

2.2 Facilitate Genuine Community Engagement:

Drawing from the lack of effective community consultations seen in multiple cases, it is vital for the Ministry of Economy of the Kyrgyz Republic, other central bodies, and local authorities to facilitate transparent and culturally sensitive dialogues between mining companies and local communities. These consultations, involving experts and local leaders, should be comprehensive and inclusive. Establishing grievance mechanisms within mining companies, monitored by local governments, will ensure prompt resolution of community concerns, fostering trust and open communication channels.

3. Social Responsibility and Cultural Sensitivity

3.1 Promoting Artisanal and Small-Scale Mining (ASM) Integration and Sustainable Economic Transition

It is important to recognize the significance of ASM and integrate it into the formal legal framework. Provide support, training, and resources to artisanal miners, ensuring responsible mining practices. Facilitate cooperation between artisanal miners and authorities that emphasize the importance of requalification and skills development for artisanal miners to enhance their transition into formal mining operations. The importance of ASM and the involved local population shall not be underestimated as the sector is largely underreported and acts as a "blind spot" in large-scale mining investment, causing resistance during various phases. The conflict between the Chinese mining company and the local population at Solton-Sary is a clear example of the challenges associated with artisanal mining that often go unnoticed. The rapid expansion of the mining operation, coupled with environmental concerns and inadequate community engagement, led to significant local unrest.

In large-scale mining projects, it is imperative to develop comprehensive investment programs and mechanisms that facilitate local economic and labor transitions. These initiatives are crucial not only for transitioning to formal mining operations but also for diversifying employment opportunities across various sectors. By strategically planning and implementing these programs, sustainable alternatives to artisanal mining can be created, ensuring the overall development of local communities and promoting a balanced economic transition.

To ensure local benefits from such project partnerships between mining companies and local businesses, including suppliers and contractors, shall be promoted. For example, the procurement of goods and services from local suppliers can stimulate the growth of local enterprises.

3.2 Support Independent Environmental and Social Impact Assessments:

Encourage independent Environmental and Social Impact Assessments (ESIAs) conducted by experts not affiliated with the mining companies. Ensure these assessments are comprehensive, transparent, and accessible to the public. This transparency will foster trust within local communities, ensuring that the environmental and social implications of mining activities are well-understood.

3.3 Encourage Meaningful CSR Investments:

Drawing inspiration from the positive practices identified in the cases, mining companies are urged to adopt proactive and community-centric Corporate Social Responsibility (CSR) initiatives. Emulating the model set by Alтынкен LLC in the Taldy-Bulak Levoberezhny gold deposit case, where transparent initiatives like "Man Above All" and the establishment of the Kemin Kelecheği Public Foundation significantly contributed to community development, companies are encouraged to engage in similar efforts. By dedicating a substantial portion of profits to fund community development projects, healthcare facilities, education, and infrastructure, mining companies can foster a sense of shared prosperity and mutual benefit. Regulatory authorities, building on successful practices like those seen in the positive resolution of conflicts in the Taldy-Bulak Levoberezhny case, should establish clear guidelines for CSR investments, ensuring transparency, accountability, and direct positive impact on local communities.

3.4 Promote Comprehensive Social Packages:

Building on the positive practices identified in the brief, regulatory authorities and local governments are urged to champion comprehensive social packages akin to those initiated by successful ventures. Emphasizing best practices observed in the Taldy-Bulak Levoberezhny case, where tensions with the local population were effectively resolved through transparent dialogue and commitment to local employment quotas, these social packages should encompass healthcare, education, and infrastructure development. Just as Manson Group LLC in the Makmalzoloto Gold Mining Plant Revival case demonstrated, integrating these packages into the mining companies' operational plans is essential for long-term sustainability. Continuous evaluations, guided by the success stories in the brief, should shape the evolution of these initiatives, ensuring they align with the ever -

changing needs of the communities. Collaborative engagement with the affected communities, as demonstrated in the successful resolution of conflicts in the Taldy-Bulak Levoberezhny case, remains pivotal in ensuring these social packages genuinely serve the best interests of the locals.

4. Investment in Community Development and Continuous Improvement

4.1 Invest in Comprehensive Community Development:

Close monitoring of community development initiatives is essential. Investments should genuinely improve the lives of local residents, focusing on education, healthcare, and sustainable livelihoods. Collaborative efforts between mining companies, local governments, and NGOs are key. Together, they can design and implement comprehensive community development programs tailored to local needs, fostering a sense of ownership and sustainable progress.

4.2 Encourage Continuous Monitoring, Adaptation, and Learning:

Establishing a dedicated local initiative/platform for continuous monitoring of mining activities, social impacts, and environmental factors is crucial. This agency, comprising experts and stakeholders, will regularly update standards based on emerging challenges and global best practices. Furthermore, facilitating regular knowledge-sharing sessions between government agencies, mining companies, NGOs, and local communities will foster collaborative problem-solving and continuous improvement in mining practices.

5. Enhancing Environmental Monitoring and Management.

5.1 Implementing Comprehensive Air Quality Monitoring Systems:

Given the potential hazards associated with mining operations, particularly surface blasting that could generate harmful gases, mining investors must prioritize the establishment of robust Air Quality Monitoring Systems. These systems, operating online, provide real-time updates on air quality and pollutants, addressing concerns stemming from incidents like those at the Solton-Sary Deposit. Proactive monitoring ensures immediate detection of harmful gases, calming fears within local communities. By granting residents access to real-time air quality data and timely alerts, this system proactively mitigates concerns arising from past incidents, such as the "yellow fume" speculations. Managing pollutants effectively, especially those generated by mine explosions, guarantees the safety of local residents.

5.2 Comprehensive Water Quality Assessments, Water Quality Monitoring and Early Warning Systems

In response to challenges like those faced in the Ishtamberdi Gold Deposit, where environmental violations raised concerns about water quality, mining companies must conduct meticulous Water Quality Assessments. These assessments should encompass all affected areas, including rivers, streams, and groundwater sources. Water Quality Monitoring and Early Warning Systems, based on modern biomonitoring systems using mussels, could be applied, allowing for online access to data. This transparency reassures

communities that water quality is under constant scrutiny. By drawing lessons from past incidents, these systems prevent potential issues from escalating, ensuring the protection of water sources and calming communities affected by mining activities.

5.3 Implementing Sustainable Water Management Practices:

Instances such as those seen in Full Gold Mining's operations, involving alleged discharging of waste into rivers, underscore the importance of Sustainable Water Management Practices. Mining investors must be held accountable for responsible wastewater treatment and discharge methods. Learning from these challenges, the industry can adopt practices that not only meet but exceed environmental standards. By ensuring water management strategies align with the highest environmental criteria, future incidents of pollution can be prevented, preserving the integrity of water sources and the well-being of local communities.

In summary, these recommendations, grounded in meticulous analysis and real-world cases, establish a foundational framework for transforming international investments in the Kyrgyz Republic's mining sector. Strengthening regulatory oversight, promoting fair labor practices, enhancing transparency, fostering genuine community engagement, and prioritizing environmental protection are fundamental aspects of this approach. Embracing accountable investment practices and addressing the corrosive impact of capital are crucial steps toward ensuring the well-being of local communities and preserving Kyrgyzstan's natural resources. This framework not only serves as a model for responsible and ethical business conduct but also sets a standard that mutually benefits the Kyrgyz Republic and its international partners, including Chinese investors.

DISCLAIMER:

The analysis and recommendations presented in this policy brief are based on data and conditions as of March 2023. While every effort has been made to ensure the accuracy and relevance of the information, circumstances may have changed since that time.

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