



Minerals Policy Guidance for Europe

MIN-GUIDE Annual Conference 2016 “Minerals Policy and Governance in Europe”, Brussels, 2 December 2016

Conference Report



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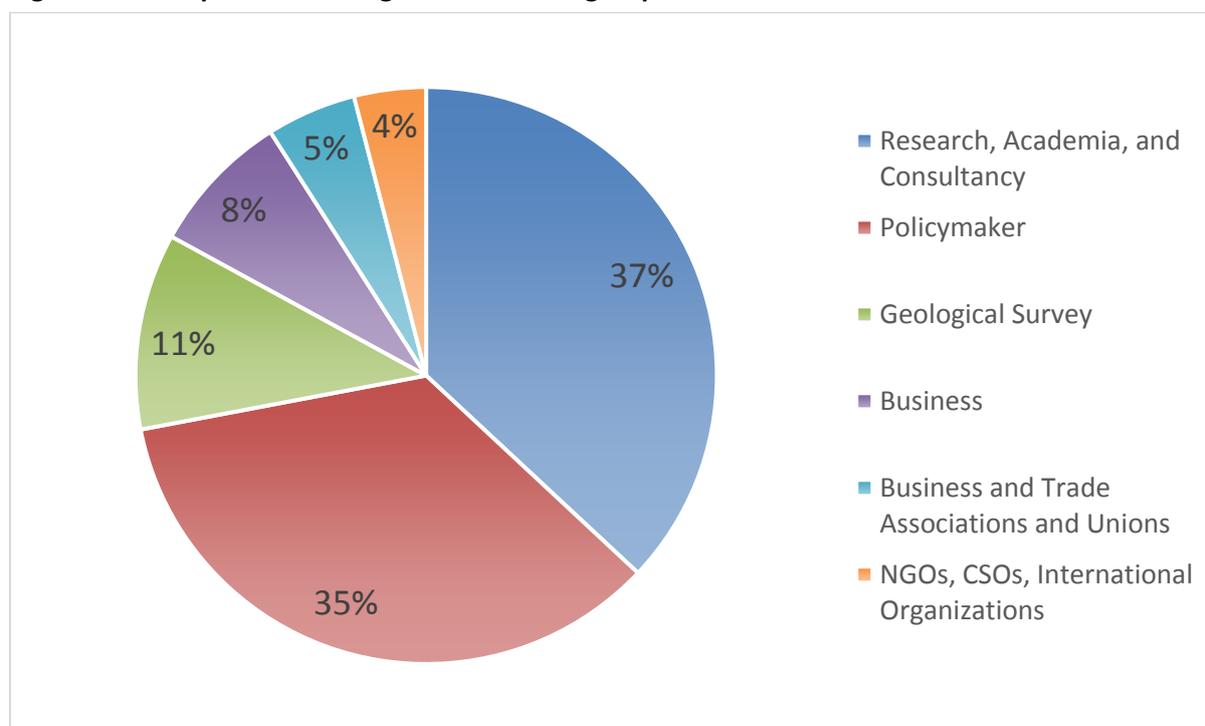
Introduction

The first MIN-GUIDE Annual Conference, "Minerals Policy and Governance in Europe", focused on EU and EU Member State minerals policy frameworks, as well as minerals governance approaches in the EU Member States. The main aim of this Annual Conference was to exchange knowledge and experiences based on the stock-taking of EU Member State and EU level mineral policies and good practice on minerals policy governance. Moreover, the Annual Conference provided a platform for networking and community building, which allowed participants to make use of an informal meeting space to exchange with peers and stakeholders from related areas and communities.

Besides high-level keynote presentations that highlighted important current minerals policy and governance contexts, the Conference comprised of three interactive sessions, introducing participants to good practice results along the three pillars of the MIN-GUIDE approach for Good Governance: 1) Policy coherence (strategic national policy frameworks), 2) Enabling business environment (streamlined permitting procedures), and 3) Transparency & legitimacy (stakeholder involvement). The format of the sessions allowed participants to learn hands-on and exchange about good practice success criteria, explore transferability in their own context, and discuss gaps and future needs. In addition to the presentations and interactive sessions, the MIN-GUIDE Online Minerals Policy Guide was presented.

The Conference had 75 participants from 25 countries present. Figure 1 below shows the breakdown according to stakeholder groups.

Figure 1: Participants according to stakeholder groups at the MIN-GUIDE Annual Conference 2016



This report will summarize all keynote presentations, interactive sessions, and the MIN-GUIDE Online Policy Guide presentation. A full documentation of the Conference, including PowerPoint slides, is available online at the [MIN-GUIDE website](#).



Welcome and Opening Session

Gerald Berger (Institute for Managing Sustainability, Vienna University of Economics and Business, Austria) opened the MIN-GUIDE Annual Conference 2016 by welcoming the participants. Gerald then briefly introduced the MIN-GUIDE project ('Minerals Policy Guidance for Europe'). MIN-GUIDE is a three year project that runs from February 2016 - January 2019 and is funded by the European Commission in the Horizon 2020 Programme. The goal of the MIN-GUIDE project is to support the design and implementation of EU Member State and EU level minerals policies along the whole mining supply chain. In particular, the project contributes to the Strategic Implementation Plan (SIP) of the European Innovation Partnership (EIP) on Raw Materials: 2013, Action area II.1: Minerals Policy Framework.

Gerald then explained the three key features of the MIN-GUIDE project. The first key feature is the creation of the [MIN-GUIDE Online Minerals Policy Guide](#). The second feature consists of organising 3 Annual Conferences, which provide a platform for networking and community building for mining sector stakeholders. The third feature is the 5 Policy Laboratory Workshops, which provide processes that guide knowledge exchange and good practice learning among key decision makers.

Session 1: Minerals Policy and Governance in Europe – Perspectives and Challenges

Mattia Pellegrini (Head of Unit, Resource Efficiency and Raw Materials, DG Grow, European Commission) was the first keynote speaker and talked about "Activities and Challenges of the EU's Raw Materials and Minerals Policy Framework: Update and Outlook". Mattia's speech focused on the importance of involving civil society in the mining sector, mentioning that they play an important role for the second pillar "Sustainable supply of raw materials within the EU" of the Raw Material Initiative. In mentioning civil society, Mattia also stressed the importance of having a social license to operate within the mining sector, because if the social perception of a mining activity is negative, one would not be able to fully accomplish intended operations or activities. This remains true even if one has the investment and the knowledge for such activities. Correcting the sometimes negative image of mining, therefore, is vital. He argued, it is not, however, the European Commission's (EC) responsibility to communicate the value of mining operations to civil society. Rather, this responsibility rests with those entities working and interacting the closest with civil society, in order to acquire a social license to operate.

Mattia also focused on investments, because it is an important issue, as it is becoming increasingly difficult to raise the necessary finances to carry out mineral exploration, and, subsequently, taking that all the way to the extraction phase. Mattia stated that the EC's possibilities to support investment in this regard are, however, limited.

Mattia then brought up the important role the MIN-GUIDE Online Policy Guide has, because it will provide a comprehensive repository of minerals policy (incl. legislation) from all EU Member States



and the EU level. In addition, it will comprise good practice case studies on how policies foster innovation in the minerals and raw materials sector value chain (exploration, extraction, processing, and waste management).

Q&A Session

Following Mattia's presentation was a short question and answer session. One of the questions from the participants was regarding the amount of coordination among the different Directorate Generals in the EC, and whether they are able to work with one another without contradicting themselves. Mattia answered that they do their best to achieve policy coherence and develop joint cooperation on policy issues.

Another question was regarding the link between innovation and sustainability and how innovation can be influenced through the policy framework. Mattia responded that MIN-GUIDE is also focusing on how policy can support innovation and will provide in-depth understanding on this link. In this context, he considers it as important to also look at investments and financing, as well as on permitting, thus bringing in the economic and legal framework.

Another participant stated that the perception the general public has of mining is not always positive. The aspect that is often missing is awareness raising in public schools in Europe, especially regarding metals that come from outside of Europe. Mattia also mentioned the Raw Materials Scoreboard, which has 24 indicators that covers a comprehensive set of indicators, and provides an important way to make the mining sector more visible and transparent. Another option is to go to universities and increase awareness on mineral raw materials in the curricula.

Dirk Fincke (Secretary General, UEPG) was the next presenter, and his [presentation, "Creating an Enabling Business Environment: Cornerstones of a Favourable Minerals Policy Framework"](#), dealt with the business side of the mining sector, focusing on the companies' needs. Dirk brought attention to how big and expansive the aggregates industry is in Europe and how much it is worth in terms of turnover, as well as how many people it employs.

Dirk then launched into discussing a "wish list" for a minerals policy framework from the business perspective. The framework should include sound geological knowledge, land-use planning that ensures local access to resources, streamlined permitting procedures, in the form of one-stop-shops, helpdesks that can offer guidance and help make all the paper work run much smoother, fixed timeframe and cost efficiency, and certainty for long-term investments.

Dirk finished his presentation by bringing up the role of recycling in the minerals sector, stating that recycling cannot act as a substitute for primary raw materials, and that at some point the act of recycling outweighs its benefits, meaning one can never reach 100% efficiency in recycling.

Q&A Session

One of the participants mention an important issue that had not yet been addressed, namely that having a social license to operate is important, as it comes up in many discussions. Social licence to operate is very much a part of society now, and the mining sector needs to find a way to address it.



Dirk agreed that this is a very important issue. Dirk had addressed it in his challenges and potential solutions section, having mentioned the Open-Day Events, which allow the general public to visit mining locations, in order to see first-hand what occurs at mining sites. Dirk further stressed the importance of social license to operate, also because the NIMBY (not in my back yard) problem is very real and stakeholders and civil society need to be convinced that mining operations will not be dangerous.

Michael Tost (Mountainuniversität Leoben, Austria) was the last keynote speaker to give a presentation. [Michael's presentation, titled "Stakeholder Involvement in the Mining Sector: Facilitating a Social License to Operate"](#), focused on the social license to operate and why it is so important to integrate it fully into the mining sector. Social License to Operate (SLO) refers to the acceptance within local communities of both mining companies and their projects. SLO does not refer to a formal agreement or document, but to the real or current credibility, reliability, and acceptance of mining companies and projects. SLO is dynamic because stakeholders' perceptions can change over time for different reasons, including (dis)satisfaction with the fulfillment of promises and obligations, unforeseen environmental damages, and the release of new information. SLO can also be revoked and it should never be taken for granted.

Michael then transitioned to discussing the reasons why SLO is of vital importance to the mining industry. SLO is essential for reducing risks, like public criticism, social conflicts, and damage to a company's reputation. Higher costs of projects due to the lack of a SLO are also problematic. A company's ability to obtain financing might be jeopardized, as their endeavors may appear more at risk of societal condemnation. With higher expenses, shareholders' profits might be diminished. Mining companies, therefore, have financial and operational reasons for ensuring that their projects run free of interruptions and, thus, the SLO can be seen as a type of insurance against these types of risk.

Michael also discussed the need for stakeholder involvement in the mining sector. It is generally accepted that stakeholder involvement is important. However, there is no one size fits all solution, as different circumstances and contexts require different solutions, which are also dependent on history, culture, environment, social and economic considerations.

Michael then gave two case study examples, and closed his presentation with next steps and what is needed to move forward in terms of policies and governance. SLO should be seen as a generic concept of social responsibility in a circular economy with mining as a foundation. In this regard involvement of the mining value chain / consumer awareness will play a very large role. Policies that enable the integration of new technologies and SLO need to be developed and utilized, coupled with policies that enable educational measures towards an increased raw materials awareness, as well as policies that enable mining companies to better integrate mining into communities.

Q&A Session

During this question and answer session, there was one comment regarding the relationships between the mining industry and communities and that the current setting puts communities into an adversarial relationship right away, as they can only think about mitigation.



Another participant questioned the definition of social license to operate, because the reference to acceptance in the definition has a different connotation: the company does something that the people then have to accept or reject. However, this participant stated that the goal should be to create a win-win situation, in which both parties feel as if they have contributed, because communities actually have a greater stake than solely acceptance. The community should be involved in the actual planning of mines and mining operations. Michael answered that the participant raised very valid points, and that the goal should definitely not be to create a zero sum game. The ideal would be for both sides to be able to share some of the benefits a new mining project delivers.

The last comment from a participant was regarding social license to operate as already being a top priority. The participant mentioned that not everyone will look favourably on it regardless of the amount of social license one might receive: Every project will meet some form of resistance. Michael responded that he did not have the solution to acquire a social license to operate that produces the best result for every stakeholder. The point he was trying to make was that communication becomes more difficult, as there is more social media, which impacts face-to-face meetings.

Andreas Endl (Institute for Managing Sustainability, Vienna University of Economics and Business, Austria) presented on the results of the minerals policies stocktaking that has taken place in the MIN-GUIDE project. The presentation covered three main topics: (i) importance of policy for innovation; (ii) first results of the MIN-GUIDE project - a stocktaking of EU level and EU Member States' individual minerals and related policies, and EU Member State mineral policy governance frameworks; and (iii) MIN-GUIDE future activities on policy frameworks and their link to industry innovations. The [full presentation](#) can be accessed via the MIN-GUIDE website.

In the first part, Andreas stressed the importance that a policy framework facilitating innovation needs to address certain challenges related to not only the industry sector, but also to public policy governance. In this regard, Andreas referred to public policy governance as enabling the proper functioning of policy-making and its instruments. In the context of the MIN-GUIDE, a number of challenges for minerals policy governance are addressed by the MIN-GUIDE approach for 'Good Governance' i.a. (i) cross-sectoral integration and coherence of policies that are the responsibility of different ministries and policy units within one ministry or (ii) involving the right mix of stakeholders (e.g. industry, research, CSOs) that are crucial in the design and delivery of policies, as well as designing the right processes for effective dialogue and exchange.

In the second part, Andreas outlined the major building blocks of stocktaking of national minerals policy frameworks compiled during the project's initial stage: 1) Individual public policy instruments, 2) policy governance processes and mechanisms. Andreas highlighted that the majority of identified policy instruments are primarily of a regulatory nature (legislation on mining activity such as Acts or Mining Codes) compared to economic instruments (tax incentives, R&D support) or "soft" instruments (information provision and awareness raising for stakeholder involvement). Furthermore, Andreas mentioned that a total of 10 EU Member States have developed Strategic Policy Frameworks (e.g. National Mineral Strategies or Action Plans) fostering more integrated and coherent approaches for minerals policy-making. Andreas continued by presenting the MIN-GUIDE Approach for 'Good Governance' and respective EU Member State policy governance instruments and processes. Andreas described major results and examples of policy governance along the four building blocks of the MIN-GUIDE Approach for 'Good Governance' 1) Strategic Policy framework, 2) Policy Integration, 3) Stakeholder Involvement, and 4) Policy Evaluation. Examples are i.a. voluntary



and on-demand coordination meetings with regions to develop a regional mineral policy (vertical – inter-institutional policy integration in the Czech Republic) or COMES - Committee for Strategic Metals acting as a forum that engages key stakeholders along issues of the whole raw material supply chain (stakeholder involvement for minerals policy making in France).

In the last part, Andreas outlined next steps and future activities of the MIN-GUIDE project regarding national minerals policy frameworks. Andreas mentioned that the MIN-GUIDE team will setup a system of national focal points, who will be supporting the update timeliness, comprehensiveness and validity of EU level and 28 Member State mineral policy frameworks. Furthermore, Andreas pointed out that future project activities will focus on earmarking policy instruments playing a supporting or inhibiting role for industry innovation.

Q&A Session

Following Andreas' presentation there was a short question and answer session. One participant asked how the framework policies (e.g. National Mineral Strategies) are being assessed, and against which benchmarks they are being compared to. Andreas responded that when it comes to the minerals policy strategies, for example, the types of stakeholders that have been involved in design and implementation, or how well stakeholders are integrated into the policy process, is looked at. Furthermore, the MIN-GUIDE project looked into whether there are links to other policy strategies, or related policy areas (e.g. land use planning) that are being developed or already in existence.

Veronika Cerna (GOPA, Belgium) began her presentation about the MIN-GUIDE Online Minerals Policy Guide by discussing what the goal of the Guide is. The Guide should be an up-to-date online minerals policy guide that offers streamlined and comprehensive information on minerals and related policies implemented at the national and European level. The Guide should also serve as a customizable and user-friendly tool featuring comparable information about relevant mineral and related policies of the European Union and of the 28 EU Member States.

Veronika then guided participants through the process of using the MIN-GUIDE Online Minerals Policy Guide. To see a step by step guide on how to navigate the Online Minerals Policy Guide, please refer to [Veronika's presentation](#).

Veronika also discussed the future additions to the Online Minerals Policy Guide. With additional information, an interactive map will be developed, which will provide a country-based overview of the status of mineral and related policies, as well as governance processes and mechanisms. The Guide will also allow: (i) advanced search and download functions; (ii) country profiles on an interactive map with quick overviews; (iii) continuous updates of existing country profiles and policies; (iv) connection and inclusion of links and content of other relevant initiatives; (v) inclusion of innovation cases and good practices; and (vi) interactive user searches, with instant downloads and visual comparisons.

After Veronika's presentations, participants came forward with suggestions on how to improve the Guide that will be taken into account by the project team in the further development of the Guide.



Session 2: Strategic National Policy Frameworks, Permitting Procedures, and Stakeholder Involvement

This session featured three parallel workshops, one for each of the following topics: (1) strategic national policy frameworks, (2) permitting procedures, and (3) stakeholder involvement. In each workshop, and thus for each topic, three good practice cases were presented and discussed with the participants. This particular workshop iteration, to set it slightly apart from the MIN-GUIDE Policy Laboratory 1, held in Vienna in October 2016, focused on a few key aspects that were found out from the [first Policy Laboratory Workshop](#), which allowed case presenters to explain more in-depth about the key aspects for their particular contexts. Figure 2 below provides an overview of the three parallel workshop and the respective cases that were presented in each one. However, before moving onto the workshops, Andreas Endl gave a presentation of the [results of the MIN-GUIDE Policy Laboratory 1](#), which took place in October, 2016.

Andreas Endl presented on the results of the MIN-GUIDE Policy Laboratory 1 that was held in Vienna on 4-5 October 2016 (a full documentation can be found on the [MIN-GUIDE website](#)). Andreas began by explaining how MIN-GUIDE understands and views ‘good governance’. Good governance for MIN-GUIDE is: (i) based on EU governance frameworks (general and minerals policy specific); (ii) summarized in general principles for good governance; and (iii) investigated to what extent these principles are part of in EU Member States minerals policy frameworks.

Andreas then transitioned to discussing the results and process of the three individual working group sessions that took place at the Policy Laboratory 1. Part 1 of the Policy Lab working group session was about listening, exchanging, and learning, which facilitated an in-depth comprehension of good practice cases, as well as fostered discussion among participants and case presenters on key aspects and their respective success criteria. The identification of key aspects were the important building blocks of cases and had a high relevance for stakeholders. In Part 2 of the Policy Lab sessions, participants were asked to discuss the transferability between the key aspects of the presenting countries and the participant’s own country.

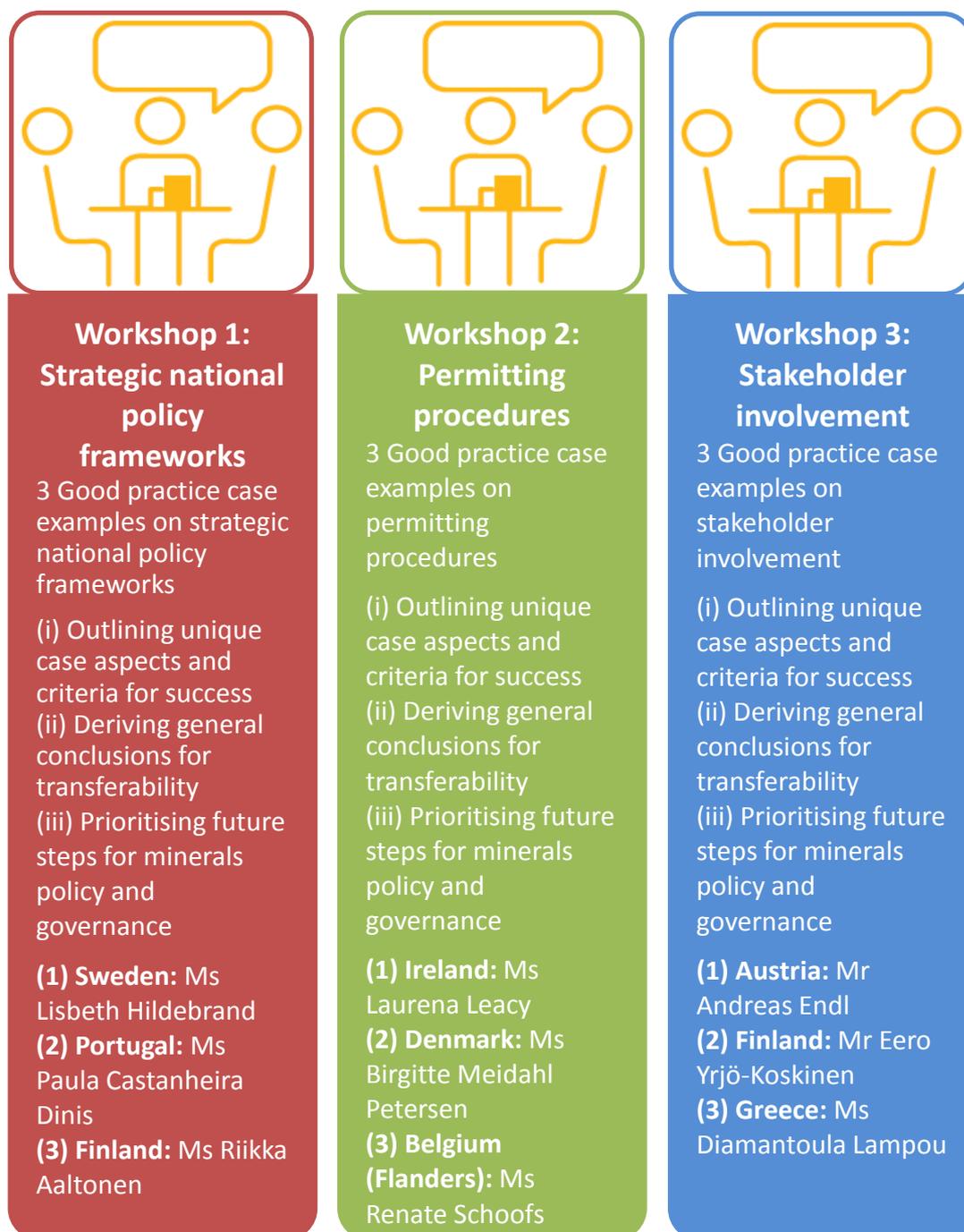
The key aspects that were developed from the Policy Laboratory Workshop in Vienna were used in the parallel workshops at the Annual Conference. The 6 key aspects for the first workshop on Strategic National Policy Frameworks were: (i) the communication approach; (ii) the link to other strategies; (iii) social openness and responsibility; (iv) the integration of mining into land-use policy; (v) network activities for stakeholders; and (vi) collaborative approach for implementation.

The second workshop, Permitting Procedures, covered 5 key aspects, with the 6th aspect added during the workshop: (i) one-stop-for exploration; (ii) time-dependent availability of exploration data; (iii) context specific environmental impact assessment (EIA); (iv) inclusion of remediation; (iv) planned areas for mining in land-use plans; and (vi) one-stop-shop for extraction.



The third workshop, Stakeholder Involvement, also had 6 key aspects: (i) managing stakeholder involvement; (ii) holistic approach and common objectives; (iii) adapting international experience to local contexts; (iv) sufficient funding for continuation; (v) building stakeholder confidence through a committee; and (vi) involve academia in minerals policy.

Figure 2: Parallel Workshop topics and respective good practice cases



In the different workshops, the above listed countries gave presentations on their respective good practice cases to the respective workshop themes. Each representative for the country good practice case presented two key aspects that are unique to their specific country and shared them with the



workshop group. Each presentation lasted for 15 minutes, which allowed for a 5 minute long question and answer session. The presentation for each of the case countries can be found on the MIN-GUIDE website. Below are links to each of the PowerPoint presentations in PDF format. For a more in-depth analysis, please refer to the [MIN-GUIDE project report “Good practice cases on minerals policy governance”](#).

Workshop 1: Strategic national policy frameworks

- Case 1: [Sweden’s Minerals Strategy \(SE\)](#)
- Case 2: [Policy and Regulatory Framework on Mineral Resources \(PT\)](#)
- Case 3: [Making Finland a leader in the sustainable extractive industry – action plan \(FI\)](#)

Workshop 2: Permitting procedures

- Case 1: [Licensing system for exploration \(IE\)](#)
- Case 2: [Parallel processing of permit applications for extraction \(DK\)](#)
- Case 3: [One-stop-shop for permitting procedures \(BE\)](#)

Workshop 3: Stakeholder involvement

- Case 1: [Raw Material Alliance \(AT\)](#)
- Case 2: [Network for Sustainable Mining \(FI\)](#)
- Case 3: [National Committee for Mineral Resources \(GR\)](#)

Once the presentations were concluded, table discussions were held, in order to discuss what the most important aspects were in each workshop. The table discussions were intended to spark debates that drew upon multiple perspectives and multiple country experiences, as well as to determine if there were key aspects that might have been missing or overlooked. Participants were then tasked with voting on the key aspects that were presented, in order to determine the aspects that have the most impact, or are the most important for the particular workshop themes. The results of the voting were then presented in the panel discussion (next session below).

Session 3: The Way Forward in Minerals Policy and Governance

After the Parallel Workshops were concluded the outcomes of the discussions and the voting were presented in the plenary and reflected in a panel discussion. The panelists were: **Anne Auffret** (Policy Officer, Unit Resource Efficiency and Raw Materials, DG GROW, European Commission); **Aurela Shtiza** (IMA-Europe); **Luca Demicheli** (EuroGeoSurveys); **Peter Moser** (Professor of Mining Engineering and Mineral Economics, Mountainuniversität Leoben, Austria); and **Jon Hobbs** (WWF Extractive Sector).

The **strategic national policy framework topic** focused, amongst others on political will. Anne Auffret began the discussion about political will by stating that it is a fairly risky thing. From a policymaker’s perspective, political will is affected by the media and stakeholders. Anne also stated that mineral strategies need to have political will at all levels and, in particular, at the public authority level.



Aurela Shtiza offered her point of view on this discussion topic, stating that education on raw materials and tracing the growth of jobs across the supply chain were important for creating political will, and being able to show facts. Gerald Berger, the moderator, asked about the role of businesses, to which Aurela responded that NGOs want to see businesses as constructive partners. Aurela focused on the industrial minerals sector as an example, because it is linked with the entire society, as sourcing and support are all done locally, and the minerals that are extracted do not travel more than 100-200 km. Returning to the political will topic, Aurela stated that elections can change the nature of mining licences, potentially making them null and void.

Luca Demicheli gave insights from the exploration side, sharing that they invest most of their budget on communication. The political will that is based on communication is driven by quotas, so when the need arises, politicians are forced to act.

Peter Moser argued that the election cycle, usually a 4-5 year period, is the timeframe most politicians are oriented towards, which makes long-term strategic planning often hard to achieve in reality. In addition, he pointed out that politicians often mirror 'public opinion' as described in the media. Both issues have an impact on minerals and mining policy.

Jon Hobbs acknowledged that he does not focus so much on Europe, but instead focused on how the African Union has developed the African Mining Division. Jon recommends his colleagues to use it, as it reflects the successful activities and addresses sustainability. Jon also focused on the fact that Society's perception of mining is changing, and sustainable mining needs to have some sort of political will. SDGs are not drafted only for developing countries. The mining sector should be streamlining their efforts for the SDGs, and also needs to be more proactive at the strategic level.

Workshop 2 on **permitting procedures** focused on mining being on equal footing as other land uses and one-stop-shops. Aurela Shtiza started by addressing the former topic and stated that it is a painful process to do this, as it is very challenging to bring mining up to the same level as other land-use planning options. Currently, it is not optimal and the mining sector needs to improve. Aurela shared that the first step to helping mining gain equal footing would be to link the mining sector to land-use policies. There will be a call in 2017 to address this topic specifically, and is already being considered in some Member States. Regarding one-stop-shops, Aurela shared that it always goes back to the link between minerals and land-use policy. For companies, it is nightmarish to have to go through so many authorities.

Luca Demicheli shared that the process can be fast or very slow. One has to be able to work within the culture of a specific country or region. Sometimes there is a lot of animosity between regions, which is a huge obstacle. There are ways to force Member States to adopt certain standards, but mostly the Member States have the responsibility.

Jon Hobbs shared that mining needs to happen where there is ore. In his experience, thinking globally, there is a deficit in environmental procedures and there is the problem that environmental agencies are usually defunct. The mining site, in terms of emissions, is relatively small in comparison to logging or other land uses. Jon cautioned that if one cannot anticipate one's impacts, one cannot prepare for them or react quickly enough against them, which makes justifying this land-use more difficult.



Workshop 3 focused on **addressing and engaging stakeholders**. Aurela Shtiza stated that engaging with people has been more challenging, as the NYMBY problem has become more of a BANANAS (Building Anything Near Anywhere Not Allowed) problem. Aurela cautioned that discussions need to be based on facts, and that emotions should not run wild when dealing with minerals policy and stakeholder engagement.

Luca Demicheli mentioned that the first impression counts in minerals policy. One has to do it correctly from the start. The role of the EU is to say that there needs to be something at the local level that addresses stakeholder involvement and engagement with the mining sector.

Peter Moser added to this discussion, stating that the key is in understanding the real interests of stakeholders, because, once one understands their interests, one can better manage stakeholder conflicts.

Jon Hobbs finished the discussion by cautioning everyone that the mining sector often becomes trapped in silo thinking. Mining, however, requires integrated and multi-stakeholder processes, in order to be successful.

Conference Closure

Gerald Berger wrapped up the MIN-GUIDE Annual Conference 2016 by thanking participants for attending and the case presenters for presenting their cases once again. Gerald reminded participants that the next Policy Laboratory Workshop, [Policy Laboratory 2 “Innovations and Supporting Policies for Mineral Exploration and Extraction”](#), will be held in Leoben, Austria on the 21-22 March 2017.