



The Strengths and Weaknesses of Mine Closure and Rehabilitation Procedures in Burkina Faso (West Africa)

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ABSTRACT: Background: Burkina Faso has 18 large industrial Mines in operation, including 17 gold and 1 zinc. Direct mining revenue generated for the benefit of the State budget was 274.29 billion FCFA in 2019, for a contribution of 13.13% to the GDP. Several challenges remain to be met, in particular the successful management of the rehabilitation and closure of Mines. Objective: Does Burkina Faso have an appropriate legal framework capable of ensuring good management of the rehabilitation and closure of Mines at the end of exploitation? The legal foundations of Burkina Faso's environmental policy are found in the Constitution, in laws, decrees and regulations. In the particular field of Mines and quarries, in addition to the Ministry in charge of the environment, the Ministries in charge of Mines and Finance appear as key actors at the administrative level. Other key players are mining companies and local communities. Results: Among the strengths of the legislation are the application of the “polluter pays principle”, the obligation to carry out an environmental assessment for any mining project, with prior validation of ESIA and NIES, a transparent Rehabilitation Fund disbursement mechanism, etc. However, the legislation has some weaknesses such as the dual responsibility, the configuration of the CT/EV that is plethoric (28 members), the lack of provisions discouraging the generation of waste in Mines, the absence of landfill sites supervision, the lack of environmental policy that is specific to the mining sector, etc. Conclusion: It is necessary to work on strengthening this existing regulatory and organizational system in order to ensure a better management of the Mines environmental rehabilitation.

Keywords: Burkina Faso, Legislation, Mine, Environment, Rehabilitation.

INTRODUCTION

The Burkina mining sector has been essential in the country's economy over the past fifteen years (Hilson, 2009; Werthmann, 2017). This boom in the industry, which remains in a state of continuous expansion, began in 2007 with the production start of the first significant industrial Mine since the Poura Mine in the 1960s (Kalin, 1995). Today, Burkina Faso operates 18 large industrial mines, including 17 gold and 1 zinc, 2 industrial gold mines under construction and more than 30 advanced mining projects (Drechsel, Engels, & Schäfer, 2019). Direct mining revenue generated for the benefit of the State budget was 274.29 billion FCFA in 2019, for a contribution of 13.13% to the GDP (National Assembly, 2019). The direct and indirect jobs created in the sector are evaluated respectively at more than 10,000 and 30,000 if we consider a multiplier factor of three generally used to extrapolate indirect mining jobs (Ouoba, 2017). If we can be satisfied with this contribution of the mining sector to the economy of Burkina Faso, the fact remains that several challenges remain to be met, in particular the successful management of the rehabilitation and closure of Mines; anything that would make it possible to guarantee the profitability of the Mines for the benefit of the populations. In fact, in addition to the yet unassessed environmental liabilities of the Poura industrial gold Mine, located in the

south-west of the country (Kagambega, Sawadogo, Bamba, Zombre, & Galvez, 2014), there have been more recently, the Kalsaka gold Mine in the north of the country, which closed in 2013 and constituted environmental disasters without precedent in the mining history of Burkina Faso (Bazillier & Girard, 2020). If we can understand the situation of the Poura Mine from the fact that Burkina Faso was not a mining country and that, at the time, the environmental issue was not necessarily at the heart of mining activities, the case of the Mine of Kalsaka, on the other hand, is difficult to explain. This situation exposes a lack of efficiency in environmental management, particularly in the rehabilitation and closure of industrial Mines. In addition, the rehabilitation and closure of industrial Mines become priority concerns to be taken into account if we consider that most of the Mines in operation in Burkina have a lifespan ranging from seven to ten years (Laurence, 2006). In the coming years, the country will have to face a few closures of Mines in operation with the environmental rehabilitation that goes with it (Smith & Underwood, 2000). Alongside the industrial Mines, there are hundreds of artisanal mining sites, which are without rehabilitation measures, and mostly abandoned, with the entire environmental corollary (Kansole, Compaore, et al., 2021; Console, Yaye et al., 2021; Knoblauch et al., 2020). Does Burkina Faso have an appropriate legal framework capable of ensuring good management of the rehabilitation and closure of Mines at the end of exploitation? If not, what are the strengths and weaknesses of mining legislation in terms of Mine closure and rehabilitation? We will attempt to provide answers to these questions in this manuscript.

METHODOLOGY

Burkina Faso has gradually acquired a legal arsenal regarding environmental management (Batterbury, 1997). The legal foundations of Burkina Faso's environmental policy are found in the Constitution, in-laws, decrees and regulations.

2.1. Environmental policies

The literature review shows that the National Policy for Sustainable Development (PNDD) is the reference policy for environmental protection (National Assembly, 2013). In addition to this policy, we can cite the National Land Use Planning Policy (PNAT), which considers environmental concerns regarding rehabilitation (Bouda, 2008). Other sectoral policies also refer to environmental issues. The PNDD expresses the country's will to solve its difficulties and overcome the many challenges on the road to sustainable development and progress.

2.2. The National Spatial Planning Policy (PNAT)

By Decree No. 2006362/PRES/PM/MEDEV/MATD/MFD/MAHRH/MID/MECV of 20 July 2006, the Government of Burkina Faso adopted a national land use planning policy. It constitutes an orientation guide for planning studies and actors acting on the ground.

2.3. The Legal Framework

There are several texts of laws and regulations of interest relating to the rehabilitation and closure of Mines (Nana & Beddewela, 2019). Through some of its provisions, the Constitution of Burkina Faso gives pride of place to protect the environment. The preamble to the Constitution strongly emphasizes "the absolute necessity of protecting the environment.". The Mining Code, now in force, was adopted on 26 June 2015. Article 25 of this Code establishes a Mine rehabilitation and closure fund. Article 27 states that the rehabilitation and closure fund funds activities related to the mine's rehabilitation and closure. It is funded by the annual contribution of holders of industrial or semi-mechanized exploitation permits or beneficiaries of authorization for industrial exploitation of quarry substances according to the estimated costs of implementing environmental rehabilitation defined in the environmental and social impact study. The amounts collected under the mining environment preservation and rehabilitation fund are tax-free on profits (Mégret, 2011). The Ministries in Charge of Mines, Environment, and Finance produce an exhaustive and comprehensive joint annual report on the status and management of the Mine Rehabilitation and Closure Fund. Article 41 of the code specifies that the application for an industrial exploitation permit for a large or small Mine must be accompanied by a favourable opinion on the environmental feasibility of a rehabilitation and closure plan. Authorization from the National Radiation Protection and Nuclear Safety Authority is required in the case of radioactive mineral substances. Article 139 indicates that the activities governed by the Mining Code are conducted in such a way as to ensure the preservation and sustainable management of the environment under the conditions and methods established by the regulations in force. To this end, the holder of an industrial operating permit audits the environmental management system every two years. For approval, an audit report is submitted to the Minister in charge of the environment. The technical services of the administration have free access to the mining sites to carry out the necessary checks and inspections. Article 142 specifies that in addition to the provisions of the Mining Code, the holders of mining titles and the beneficiaries of authorizations are also subject to the legislative and regulatory provisions. Law No. 006-2013/AN of 2 April, 2013 on the environmental code in Burkina Faso sets the fundamental rules governing the environment. Through the provisions of the Environment Code, measures are taken to prevent and control the impact of human activities likely to harm the environment. Article 25 of this law mentions that "any activity likely to generate significant impacts on the environment is subject to the prior opinion of the Minister responsible for the environment. The opinion is drawn up based on a strategic environmental assessment (SEA), an environmental and social impact study (ESIA) or an environmental and social impact notice (ESIN). In accordance with article 2, the Forest Code adopted by Law No. 003-2011/AN of 5 April 2011, on the Forest Code in Burkina Faso "aims in particular to establish a harmonious relationship between the necessary protection of natural forest resources, wildlife, and fisheries and the satisfaction of the economic, cultural, and social needs of the population" (Dorlöchter-Sulser, Kirsch-Jung, & Sulser, 2000). In addition, it provides in its Article 50 that any execution of major works involving clearing a certain magnitude is subject to prior authorization based on an environmental impact study. Article 41 specifies that forests be protected against all degradation and destruction. Law No. 002-2001/AN of 8 February 2001, relating to water management, clarifies the place of water resources in society. It defines the legal framework and the mode of management

of this resource. Article 2 stipulates the right of everyone to have water corresponding to their needs and the basic requirements of their life and dignity (Petit & Baron, 2009). Article 51 provides that in the event of accidental pollution of the water, the public persons who intervened materially or financially are entitled to reimbursement by the person or persons who are responsible for the accident, the costs of investigation and expertise presented by them as well as the expenses incurred to mitigate or avoid the aggravation of the damage. Law No. 023/94/ADP of 19 May 1994 on the Public Health Code defines in its fundamental principles "the rights and duties inherent in the protection and promotion of the population's health" as well as "the promotion of environmental health.". In addition, the code deals with several other matters in the environment, including atmospheric pollution, toxic waste, and various noises and nuisances (Hamel & Schrecker, 2011). The implementing decrees of the laws mentioned above, which allow the organization of the rehabilitation and restoration of the environment of the mining sites, are essential:

Decree No. 2017-0036/PRES/PM/MEMC/MATDS/MINEFID/MEEVCC/MCIA of 26 January 2017 on the management of mining titles and authorizations.

Decree No. 2015-118/PRES/TRANS/PM/MERH/MATD/MME/MS/MARHASA/MRA/ MICA/MHU/MIDT/MCT of 22 October 2015 on the conditions and procedures for carrying out and validating the environmental assessment strategy, the study and the environmental and social impact notice. A site rehabilitation and closure plan must be updated gradually during the operation phase until the end of mine activities (Bainton & Holcombe, 2018).

Decree No. 20170068/PRES/PM/MEMC/MEEVCC/MINEFID/MATDSI of 15 February 2017, on the organization, operation and methods of collecting the resources of the Mine Rehabilitation and Closure Fund. The Mine Rehabilitation and Closure Fund is a window of the Intervention Fund for the Environment (FIE) (L'economiste du Faso, 2015).

Decree No. 2017- 047 / PRES / PM / MEMC / MINEFID / MECCEV / MATDSI of 1 February 2017 on the organization, operation and methods of collecting resources from the Fund for rehabilitation, securing artisanal mining sites and combating the use of prohibited chemicals. This decree sets the organization, operation and methods of collecting resources dedicated to the rehabilitation fund, securing artisanal mining sites and combating the use of prohibited chemicals.

Decree No. 98322/PRES/PM/MEE/MCIA/MEM/MS/MATS/METSS/MEF of 28 July 1998 on the conditions for the opening and operation of dangerous, unhealthy and inconvenient establishments. This decree sets the environmental conditions for the opening and operation of dangerous, unhealthy and inconvenient establishments.

Decree No. 2015-1205/PRES-TRANS/ PM/ MERH/ MEF/ MARHASA/ MS/ MRA/ MICA/ MME/ MIDT/ MATD of 28 October 2015 on standards and conditions for wastewater discharges. It aims to avoid or eliminate pollution linked to the discharge of polluted or contaminated wastewater into receiving environments and to protect public infrastructures for the pre-treatment and management of wastewater and the environment and public health. Decree No. 2015-1200/PRES-TRANS/ PM/ MERH/ MATD/ MME/ MS/ MARHASA/MRA/MICA/MHU/MIDT/MCT of 28 October 2015, on the procedures for carrying out the environmental audit. Notwithstanding the provisions of articles 3 and 4, article 5 specifies that the competent authorities may request at any time, an environmental audit.

Decree No. 2017-0035/PRES/PM of 26 January 2017, adopting a mining convention model.

Decree No. 2012-482/PRES/PM/MCE/MEF/MATDS of 7 June 2012 on the creation, organization and operation of regional consultation frameworks for the mining and quarrying sector. This decree establishes regional consultation frameworks intending to take into account the concerns of local communities in the process of mining in Burkina Faso.

2.4. The Application Decrees

Two main Texts relate to the rehabilitation of artisanal mining sites.

Interministerial Order No. 2019-552/MEEVCC/MMC/MINEFID/MATDCS of 30 October 2019, setting the amount and terms of use of the deposit for the rehabilitation of artisanal mining sites. For each site operated, the National Agency for the Supervision of Artisanal and Semi-mechanized Mining Operations (ANEEMAS) (Konkobo & Sawadogo, 2020) collects and pays the deposit into the account of the Intervention Fund for the Environment (FIE), lodged with the public treasury. While, Interministerial Order No. 2019-553/MEEVCC/MMC/MINEFID/MATDCS/MSECU of 30 October, 2019, determining the key for the distribution of resources from the Fund for the rehabilitation, securing of artisanal mining sites and the fight against use of chemicals. The fight against the use of chemicals during mining, the fight against child labor on mining sites and the awareness and supervision of artisanal miners are provided by ANEEMAS. The National Office provides security measures for artisanal mining sites (ONASSIM) (Côte & Korf, 2018). The rehabilitation and closure of artisanal mining sites at the end of mining or abandoned that are carried out by ANEEMAS with the support of the Bureau of Mines and Geology of Burkina (BUMIGEB). This was done under the control of the competent technical services of the Ministry in charge of the environment.

2.5. The institutional framework

According to Decree No. 2019-0139/PRES/PM/SGG-CM of 18 February, 2019, relating to the tasks of the Government, the Ministry in charge of the environment ensures the implementation and monitoring of the Government's policy in the protection of the environment. In addition to the Ministry in charge of the environment, the Ministries in charge of Mines and Finance appear as critical actors at the administrative level. Other key players are mining companies and local communities.

2.6. The Ministry of the Environment, Green Economy and Climate Change (MEEVCC)

In the Burkinabe institutional system, the MEEVCC is unquestionably the actor that mainly oversees the sound environmental management of projects. About his powers, they are defined by decree no. 2016-027/PRES/PM/SGG-CM of 23 February 2016 on the powers of the members of the Government. Under the terms of this decree, the "Ministry of the Environment, Green Economy and Climate Change ensures the implementation and monitoring of the Government's policy on the environment and the sanitation of the living environment". The key technical services of the Ministry in charge of the environment, which are central to the rehabilitation and closure of mines include the National Agency for Environmental Assessments (ANEE) and the Intervention Fund for the Environment (FIE).

2.7. The other MEEVCC structures

The other structures of the MEEVCC involved in the Mine closure and rehabilitation plan (PFR) are its central and decentralized structures, which are: the Permanent Secretariat of the National Council for the Environment and Sustainable Development (SP/CNDD); the General Directorate for the Preservation of the Environment (DGPE); the General Directorate of Water and Forests (DGEF); the National Authority for Radiation Protection and Nuclear Safety (ARSN) and the Regional Directorates for the Environment, Green Economy and Climate Change (DREEVCC). These structures participate in reviewing ESIA and NIES reports and monitoring the implementation of ESMPs.

2.8. The Ministry of Energy, Mines and Quarries

The key structures of the Ministry of Energy, Mines and Quarries involved in the rehabilitation and closure of Mines include the General Directorate of Mines and Geology (DGMG) for industrial and semi-mechanized mines; the Directorate General for Careers (DGC) for industrial careers and the Mines Inspectorate for industrial mining and quarrying and semi-mechanized quarrying.

2.9. The Ministry of Economy, Finance and Development (MINEFID)

The role of MINEFID in implementing PRFs is centred on the recovery of resources from funds dedicated to the rehabilitation and closure of Mines and quarries and the control of their use. In addition to the main key ministries mentioned above (Environment, mines and economy), the following ministries, structures and organizations are involved at a lesser level in implementing PRFs. These include the Ministry in charge of the administration of the territory; the Ministry responsible for security; the Ministry in charge of infrastructure; the Ministry of Health; the Ministry in charge of agriculture; the Ministry of Water; the Ministry of Animal Resources; the Ministry of Social Action; municipalities and Civil society.

2.10. The Mining companies

Mining companies that are project developers are subject to environmental assessment studies accompanied by Mine rehabilitation and closure plans. These studies, including the PRF, must be formally validated by the Ministry responsible for the environment before the start of any mining activity. The operating company has not only an obligation to contribute annually up to the total amount to be contributed, spread over the life of the Mine, but also the responsibility to rehabilitate and adequately close the Mine at the end of the operation.

2.11. The Neighboring communities

These are the local populations residing in the area of influence of the Mine. They should be informed and consulted throughout the development and implementation of rehabilitation and closure plans. In particular, the latter can play an important role in the choices for the use and future development of the site and the activities of progressive rehabilitation and restoration of the land.

RESULTS AND DISCUSSION

To ensure better coordination and effective implementation of PRFs, the Government, under the leadership of the Ministry in charge of the environment, issued Interministerial Order No. 2019-554/MEEVCC/MMC/MINEFID/MATDCS of 30 October 2019, establishing the Interministerial Technical Committee for the examination of plans and programs for the rehabilitation and closure of Mines and quarries. The Interministerial Committee (CT/EV) for monitoring and controlling the rehabilitation and closure of Mines and quarries and setting the conditions of validation, disbursement, control of rehabilitation works and determination of eligible works. The CT/EV is created within the Ministry in charge of the environment. Chaired by the Secretary General of the Ministry responsible for the environment, it is made up of twenty-eight (28) members from the ministries responsible for the Environment, Mines, finance, local authorities, health, agriculture, livestock, water, infrastructure and social action, the municipality or municipalities concerned, INERA, civil society. The CT/EV can call on any resource person to participate in its work. It examines, analyzes and validates the plans or programs for the rehabilitation and closure of Mines in progress or at the end of exploitation or abandoned. It validates the disbursement plans, monitors the funding and disbursements of the mine rehabilitation and closure funds, transmits the validated rehabilitation plan to the committee in charge of works monitoring and control, and validates the end-of-work report submitted by the committee in charge of monitoring and control. Some works are eligible for the Mine rehabilitation and closure fund (Otto, 2009). The Minister in charge of the environment seizes the Board of Directors of the FIE to deliberate on the evaluation reports of the CT/EV, which meets twice a year to examine proposals for updating the rehabilitation plans and draw up the annual report on the management of the Fund and the status of implementation of the rehabilitation plans. These deliberations are forwarded to the Ministers in charge of Mines, the

Environment and Local approval authorities. The FIE's Chairman of the Board of Directors transmits the approved plan to the Minister in charge of Finance for disbursement authorization. The disbursement authorization of the Minister in charge of Finance is notified to the Central Bank of West African States (BCEAO) and the Ministers in charge of Mines and the Environment (Gueye, 2001). The Interministerial Monitoring and Control Committee is made up of sixteen (16) members exclusively from the ministries in charge of mines and the environment. He can call on any resource person. It is responsible for monitoring the execution of Mine rehabilitation and closure works, technical control of Mine rehabilitation and closure works and makes recommendations to the operator for the proper execution of the validated rehabilitation plan. In the event of insufficiency or poor execution noted in the works, corrective measures at the promoter's expense are prescribed by the CT/EV. If all Mine rehabilitation and closure works are successful, the Monitoring and Control Committee draws up an end-of-works and closure report and sends it to the CT/EV for validation. The Minister in charge of the environment delivers to the operator the report of the end of the works of rehabilitation and closure of the Mines, a discharge on the basis of a report of the monitoring-control committee at the end of an observation period of ten (10) years. The disbursement of the Mine rehabilitation and closure fund is done gradually according to the different phases planned by the promoter for carrying out the work. No other disbursement is authorized after validation by the Interministerial Committee for monitoring and control of the proper execution of the works and on the effective justification of the previous disbursements after the end of the works of each level of rehabilitation. The sums thus used are free of income tax. As a result, all mining companies have opened their mine rehabilitation and closure accounts in commercial banks in Burkina Faso. The report of the Parliamentary Commission of Inquiry of the National Assembly, produced in 2016 (National Assembly, 2016) on the governance of the mining sector, recommended the transfer of funds for the restoration and preservation of the environment from commercial banks to the Central Bank of the West Africa (BCEAO). The Government prescribed in Decree No. 2017-0068/PRES/PM/MEMC/MEEVCC/MINEFID/MATDSI of 15 February, 2017 on the organization, operation and methods of collecting the resources of the Mine Rehabilitation and Closure Fund that holders of industrial, semi-mechanized exploitation permits and beneficiaries of authorizations for the industrial exploitation of quarry substances are required to refer to the FIE for the opening of a trust account entitled "Rehabilitation Fund and mine closure" at the BCEAO. This clarification in the decree was necessary to compel all mining companies to open their account at the BCEAO. In relation to this decree, the FIE proceeded with the request to open accounts in the books of the BCEAO for all the mining companies in operation (National Assembly, 2016). As of 30 March, 2019, eleven (11) accounts were actually opened at the BCEAO and three (03) were in the process of being opened, and twelve companies paid their dues (Table 1).

Table 1: Statement of contributions to the Mine rehabilitation and closure fund at the end of July 2020

FORECASTS						INVENTORY			
N°	Company	Initial Lifespan	Production start date	Yearly forecast	Expected total forecast (lifetime)	Effective balance at 31 /12/ 2019	Elapsed time (years)	Balance due on 12/31/2019	Balance difference
1	SOMITA	12	08/10/2007	50 000 000	600 000 000	4 226 918 296	12	600 000 000	3 626 918 296
2	BMC	7	16/05/2008	39 285 715	275 000 000	321 407 825	11	432 142 865	-110 735 040
3	KALSAKA	6	30/10/2008	279 916 667	1 679 500 000	1 710 707 088	11	3 079 083 333	-1 368 376 245
	SEMAFO BURKINA	17	30/06/2008	200 000 000	3 400 000 000	4 509 132 460	11	2 200 000 000	2 309 132 460
4	SMB	10	23/02/2010	221 439 237	2 214 392 373	1 062 294 889	9	1 992 953 136	-930 658 247
5	ESSAKANE	12	10/08/2010	770 833 333	9 250 000 000	16 208 976 346	9	6 937 500 000	9 271 476 346
6	BISSA GOLD	12	17/01/2013	166 666 667	2 000 000 000	2 868 941 000	6	1 000 000 000	1 868 941 000
7	NANTOU MINING	12	19/01/2013	292 000 000	3 504 000 000	2 516 409 153	6	1 752 000 000	764 409 153
8	RIVERSTONE KARMA	9	29/04/2016	194 117 647	1 650 000 000	760 210 878	3	582 352 941	177 857 937
9	ROXGOLD	10	07/07/2016	225 000 000	2 250 000 000	599 958 000	3	675 000 000	-75 042 000
10	NETIANA MINING COMPANY	2	01/06/2017	415 380 863	830 761 725	119 941 000	2	830 761 725	-710 820 725
11	HOUNDE GOLD	8	06/09/2017	1 458 750 000	11 670 000 000	1 666 888 252	2	2 917 500 000	-1 250 611 748
12	SEMAFO BOUNGOU SA	8	05/10/2018	1 250 000 000	10 000 000 000	1 014 731 438	1	1 250 000 000	-235 268 562
			TOTAL FORECAST		49 323 654 098	37 586 516 625		24 249 294 000	13 337 222 625
N. B	1) the forecasts are those drawn from the ESIA's					3) the positive difference in the balances corresponds to the mines that have updated their costs			
	2) some have had their lifespans extended					4) the negative difference corresponds to the mines which have less than the forecasts			

Table 2: Strengths and Weaknesses of the legal framework for the rehabilitation and closure of mines and quarries

Strengths	Weaknesses
Existence of a legal, institutional and organizational framework	Dual responsibility: Ministry in charge of the Environment and the Ministry of Mines
Use of approved expertise for environmental assessments	The non-binding and certifying nature of the use of an approved expert for the environmental assessment
Application of the "polluter pays principle": - Costs inherent in carrying out the environmental assessment at the expense of the Promoter - Cost of rehabilitation borne by the promoter	Failure to take environmental liabilities into account (Poura Mine and artisanal mining sites)
Supply of a trust account for the benefit of the rehabilitation and closure of the Mine during the exploitation phase by the promoter (industrial mines, semi-mechanized mines and industrial quarry)	Failure to take into account the Ministry in charge of Mines in the Board of Directors of the FIE
Contribution to a rehabilitation fund for artisanal Mines and quarries and semi-mechanized quarries (25% of the fixed fee paid by the holder + rehabilitation deposit)	The housing of the Rehabilitation Funds at the FIE does not necessarily correspond to the primary idea of the funds dedicated to the FIE
Obligation to carry out an environmental assessment for any mining project	The possibility for the FIE to use the Rehabilitation Fund for other purposes other than rehabilitation (payment of per diems for the administrators of the FIE Board)
Sanctions provided for breaches of environmental legislation	Failure to take into account the indirect costs of rehabilitation, in particular transport costs (Predefined list of works eligible for the Fund)
Prior validation of ESIA's and NIES and favorable environmental feasibility opinion from the Minister in charge of the environment before the start of mining and quarrying operations	The rehabilitation of semi-mechanized quarries is not well regulated (lump sum to be paid despite the NIES)
Well-structured and transparent Rehabilitation Fund disbursement mechanism	Low amounts paid for the rehabilitation of artisanal Mines and quarries
Impossibility for the promoter to make a withdrawal or disbursement from the Rehabilitation Fund without the authorization of the Minister of Finance	Little consideration of neighboring communities
Progressive disbursement system of the Rehabilitation Fund	Confused responsibility at the administrative level between the CT/EV and the Monitoring-Control Committee in environmental rehabilitation
Possibility of associating external expertise when needed in the context of the review, validation and monitoring of the implementation of the PRF	The configuration of the CT/EV: plethora (28 members)
Consideration of the progressive updating of the PRF	- Lack of provisions discouraging the generation of waste - Absence of supervision of landfill sites - Lack of environmental policy specific to the mining sector

CONCLUSIONS

The Burkinabe mining sector is a dynamic sector with greater development potential in the years to come. To take better advantage of this continuous growth of the mining sector, the problem of environmental rehabilitation and the closure of mines must be a central issue to minimize the setbacks of mining as much as possible, particularly in terms of the environment. In this regard, Burkina Faso has an appreciable legal, institutional, and organizational framework. However, the analysis of this framework reveals strengths and weaknesses. In view of the weaknesses identified, it is necessary to work on strengthening this existing regulatory and organizational system to ensure better management of environmental rehabilitation and better treatment of residual waste.

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Conflict of Interest:

The authors have not declared any conflict of interest.

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