

SMALL SCALE AND ARTISANAL MINING IN PERU: SHAPING DISCOURSES ON INFORMALITY, ILLEGALITY, AND POVERTY¹

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ABSTRACT

The present paper deals with how artisanal and small-scale mining are associated with discourses on poverty and illegality/informality. It builds on the formal differences that the Peruvian legislation makes between informality and illegality and on data regarding the socio-economic situation of artisanal and small-scale miners by focusing on the case of the Madre de Dios region. At the same time, it marginally addresses the structural factors that shape the discourse on the illegality of ASSM, especially neoliberal extractivism and, implicitly, the prioritization of large-scale mining. It shows that the process of privatization started in the '90s led to the legal marginalization of ASSM, leaving close to no space for the development of sustainable ASSM. Moreover, along with the legal marginalization, the response of public authorities usually involved criminalization and the use of force. The paper aims to inform on state of the art regarding illegal/informal mining in Peru.

Keywords: ASSM, informal economy, gold mining, Prospective authors, Template

Introduction

The following paper deals with how ASSM impacts the legal discourses on illegality/informality in Peru and its connection with poverty. To achieve this aim, the paper is structured in three parts, each elaborating on a relevant dimension of ASSM in Peru. The first part introduces the distinctions that are being made between artisanal and small-scale mining, as well as between illegal and informal mining. The role of this section is to shed light on the complexities related to

¹The present is a shortened, revised, and updated version of a chapter from my (unpublished) M.A. dissertation dealing with mining conflicts in Peru defended in 2017 at the National University of Political Studies and Public Administration.

the way ASSM can be approached on the formality-informality-illegality axis. Moreover, it shows that the legal framework in Peru is in many ways disconnected from the grassroots realities of ASSM. Subsequently, I introduce several aspects related to the social dimensions of ASSM. In this second section, I show that different structural elements contribute to the vulnerabilization of people who engage in informal/illegal ASSM practices, including the lack of access to social services and decent employment. Moreover, I discuss the different socio-ecological risks associated with illegal mining and the impact that a criminalization approach has on people employed in the ASSM sector. In the last section, by looking at the case of Madre de Dios region, I emphasize all the aspects mentioned above. All these are summarized in the Conclusions where I show that when discussing the character of ASSM and the factors that influence employment in the sector, several structural aspects must be considered.

Informal vs. Illegal mining?!

On many occasions, informal and illegal mining are considered equivalent. The Natural Resources and Environment spokesman for Fuerza Popular, Juan Carlos Ramírez, argues the difference between them is very diffuse (Ramírez 2016). However, even though it might seem complicated to distinguish between them, it is legitimate and mandatory to do it.

The first point I want to make is that I understand informal mining in the broader context of the informal economy, which includes *self-employed persons working in unregistered enterprises and for whom the employer does not pay contributions to social protection* (Chen 2012). In the mining sector, informal practices usually occur because states fail to regulate the industry or there are certain deliberate or undeliberate bureaucratic barriers to formalization. According to Hernando de Soto, the informal sector is a sector that uses illicit means to achieve legitimate objectives (de Soto 1988). On the other hand, the illegal economy comprises, but is not limited to, *trade-in stolen goods; drug dealing and manufacturing; smuggling, or fraud* (Schneider and Enste 2000). In short, the main difference between these two is told to be that the first one operates in a legal void, as the latter operates in contrast with existing legal provisions. Beyond rigid definitions, this distinction between informality and illegality comes on a spectrum. As stated in the beginning of the section, informal and illegal mining are often seen as equivalents and, at the same time, they refer to ASSM. Consequently, industrial mining is largely left out from this discussion. According to the World Bank (2009), Artisanal and Small-Scale Mining (ASSM) refers to any mining activity unfolded at the local level that can “clash” with Large-Scale Mining (LSM) operations. Of course, based on tensions between LSM and ASSM, the World Bank's definition is limited to the relation between the two. ASSM is generally associated with the extraction of gold from rocks/sediments or with alluvial mining, although, in practice, it

goes further than the exclusive extraction of precious metals. In accordance with the definition given by Alianza por la Minería Responsable, there are four types of ASSM(Suárez 2015):

- a. Permanent ASSM is a full-year activity involving traditional/ ancestral communities. Often this is the only significant activity of the given society and might be completed by other small extractive activities (including agriculture or small-scale trade)
- b. Seasonal ASSM- based on the seasonal migration of people in mining areas. Usually, it occurs during seasons with low agricultural activity and ensures an additional income source.
- c. "Gold Fever" ASSM- is based on massive migration towards areas perceived as an income opportunity due to the discovery of resources' deposits.
- d. Opportunistic or subsistence-led - an activity practiced due to poverty resulting from different reasons (job loss, natural disasters, lack of access to education or opportunities).

In Peru, there is a distinction made between Small-Scale Mining and Artisanal Mining, a difference made, broadly, in quantitative terms. The Peruvian “Ley General de Minería” (General Mining Law/Act) distinguishes between Small-Scale Mining and Artisanal Mining, as follows:

Table 1. Small-Scale and Artisanal Mining / compiled by the author with data from Ley general de Minería

		Small-Scale Mining	Artisanal Mining
Characteristics	Actors	Natural/ Legal Persons who are usually engaged in the exploitation and direct benefit of minerals	Natural/ Legal Persons who are usually engaged in the exploitation and benefit from it as a means of sustenance and perform their activity with manual activity or essential equipment
	Possession	Possess, by any title, up to two thousand hectares, between	Possess, by any title, up to one thousand hectares, between

		denunciations, petitions, and mining concessions	denunciations, petitions, and mining concessions; Or have agreements/contracts with owners.
	Production Capacity	An installed production and benefit capacity not exceeding three hundred and fifty metric tons per day.	An installed capacity of production and benefit of no more than twenty-five metric tons per day

As already stated, within the umbrella of ASSM, people can engage in either illegal or informal mining if we were to draw a strict line between the two. However, things are more complicated than this, as unlawful and informal activities can be associated with companies, groups, communities, or individuals. If we put face-to-face illegal mining with informal mining, the main difference between the two is that the latter is subject to a process of formalization, or at least an intention for it. The legislation in Peru distinguishes between the two by defining them with associated practices and the context in which they take place. In a sense, illegal mining is a mining activity unfolded in areas protected by law, in water bodies, using prohibited machinery for small-scale mining and artisanal mining, and operating without a Declaration of Commitment. On the other hand, informal mining is not associated with the previously mentioned actions and is subject to formalization promoted by the state. After 2016, the interest in regulating the ASSM sector increased. In this sense, the Legislative Decrees 1293 and 1336 regarding the formalization process and 1351 amends the Criminal Code by adding illegal mining among the crimes and offenses that violate it. These changes opened a new way for the formalization process and a new dimension for the punishment of illegal mining.

Consequently, defining informal mining is a matter of considering the status of the activity regarding the existing norms. As a result, informal mining can become illegal in many stances. If a natural or juridical person fails the formalization process and continues to engage in small-scale mining, they are considered to operate illegally. Additionally, ASSM can produce numerous irreparable damages, including environmental ones. However, the authorities do not consider the lack or level of damages when labeling an activity as informal or illegal, as this status is derived directly from the formalization process. Therefore, there is no proportional judgment of the causes of the actions and the outputs in its damages. According to estimates, ASSM employs around 40 million people globally and makes up approximately 20% of the

global minerals, compared with only 7 million people used by formal LSM (Fritz 2018). According to the World Bank (2019), in Peru, ASSM directly employs 100,000 people and indirectly half a million, with 80% of ASSM activities not being formalized. Moreover, in 2016, according to the same source, the ASSM sector ensured the production of 15% of the gold produced nationally. Given these clarifications, I will continue developing the applied part of the paper by referring to the ASSM sector in Peru. In this sense, I will use the concepts and findings of this section to delimitate the directions of the analysis.

ASSM and its Social Dimensions

The historiography of the Peruvian economy emphasizes industrialization and, consequently, the development of large scale-mining. Usually, it ignores the artisanal and small-scale production, which were dominant until and around 1960s. Historically, in Peru, mining was a small-scale activity completed by large-scale mining at a shallow level in the XIXth and XXth centuries due to the FDIs of British and U.S. companies. However, a great effort was put into creating favorable conditions for the large operations to multiply, while the ASSM sector was, if not ignored, at least not encouraged. Economists argue that this activity became highly recognizable in the 1980s and exists as a mixture of survival and opportunity. Moreover, unlike mega-mining, ASSM is based exclusively on gold exploitation due to the high and stable prices of the metal (Glave and Kuramoto 2007). As an activity, it deals with small-scale operations unfolded with rudimentary equipment. Regarding the location, traditionally, ASSM in Peru is concentrated in four areas: Madre de Dios, the Central South (Ica, Arequipa and Ayacucho), Pataz (La Libertad) and Puno. In these areas, mining became the primary source of income and the main economic activity. Except for some localities of Madre de Dios, everywhere else, villages that conglomerate miners and their families appeared. In the case of the Madre de Dios area, miners usually go only to work and leave their families in their places of origin or move to nearby towns, such as the city of Madre de Dios (Glave and Kuramoto 2007).

The state's interventionism in the economy was visible in the ASSM sector in the second half of the XXth century. In this framework, the state decided that the Mining Bank (Banco Minero) would play a double role both as a lender and as a control and regulatory mechanism for the activity. Moreover, the state undertook some incoherent actions during this period, especially concerning granting mining concessions to large operators. In many cases, although the ASSM was encouraged, the authorities issued concession permits for mega-mining projects in areas where small and artisanal miners were already operating. In this ambiguous setting, to which we add the increase in the price of gold, in this period- especially in Madre de Dios- several

organizations and associations of small miners were created aimed at lobbying for formalization and legal recognition(Arroyo, SPDA 2016).

While in the 1990s, under Fujimori's government, the large-scale mining boomed, authorities utterly ignored ASSM. In this sense, the General Law on Mining in 1992 established the requirements exclusively for the mega-mining sector. Starting with the early 2000s, ASSM was perceived relatively positively under Toledo's government. The Law for the Formalisation and Promotion of Small-Scale and Artisanal Mining maintained that ASSM activities were beneficial, especially because they ensured employment(Arroyo, SPDA 2016).At the same time, clashes and conflicts between miners and local communities became more and more present. Until 2006, the state took a somewhat coercive stance by militarizing areas where ASSM was developed and tightening the penalties. After 2010, the stance regarding ASSM taken by the government was "aggressive," as an Emergency Decree was issued to make the activities that the government tolerated more explicit. This Decree made the difference between illegal and informal mining(Arroyo, SPDA 2016). In contrast with the previous period, during 2010 and 2015, state actions were accentuated by the Executive Branch, with a less relevant role of Congress and an even more marginal role of the Judiciary. The outgoing government of President Alan García (2006-2011) began this process with the issuance of the Emergency Decree 012-2010, and the government of President Ollanta Humala (2011-2016) continued and deepened this trend with the distribution of a series of decrees(Arroyo, SPDA 2016).

In Peru, 85% of ASSM miners extract gold(Fritz 2018), sold to "legitimate" companies, and, consequently, entering the formal economy. However, ASSM activities are primarily viewed with suspicion by different entities, including public authorities, private companies, and especially environmental groups (Buxton 2013). Traditionally, the literature studies ASSM activities directly relate it to poverty. Of course, poverty cannot be neglected, considering that many people employed in ASSM activities are doing them for subsistence. At the same time, ASSM produces environmental damages and high spills of mercury. However, it is equally valid that, although it is a colonial heritage, following independence ASSM was either ignored or criminalized in time. Moreover, the areas where ASSM is practiced were subject to Emergency Decrees and emergency states, creating a situation of emergency-based governance, making it almost impossible for the miners to formalize. Equally, the activity is related to opportunity and subsistence(Glave and Kuramoto 2007). However, on many occasions, a difference between the two is not made as in some cases, no distinction is made between informal and illegal mining. There is also a low interest in calculating the actual damages produced in a particular place. Additionally, the ASSM sector is still considered of marginal importance in the overall economy.

At the same time, there is still confusion regarding how this activity is unfolded and what groups or communities produce the damages. Similarly, ASSM works following an extractivist logic. However, it finds itself in a contradiction and, in some cases, in conflict with the main actors perpetuating the extractivist model: the state and the mega-mining companies. Therefore, it is essential to look at ASSM as an alternative history of mining and a source of contesting a hegemonic discourses. Consequently, I will further discuss the situation of Madre de Dios to cover the dynamic and evolution of the sector and its particularities in this specific region.

Case Study: Small Scale Mining in Madre de Dios

*"Estamos en Madre de Dios y su capital es Puerto Maldonado. La Madre de Dios está "mal donada" al hombre. ¿Qué quiere decir eso?, qué Dios es infinito, pero hay cosas de Dios que están mal donadas y unos tienen mucho y otros tienen poco. Y esto está pasando en Madre de Dios"*²

As it was already discussed in the introduction, the Peruvian legislation does recognize the distinction between informal and illegal ASSM, but in practice, this distinction is hard to make. I consider that the version of defining informality of Hernando De Soto (de Soto 1988) is more accurate than the actual distinctions made by the government because of the already mentioned reasons.

When we speak of Madre de Dios, we usually think about the environmental disaster produced by small-scale alluvial mining activities. Moreover, the discussion on mercury pollution is directly associated with ASSM activities, although the patio amalgamation process was intensively used (at an industrial scale) (Nriagu 1994). A simple search on Google will shape an image that is very popular related to Madre de Dios: massive deforestation, women and children intoxicated with mercury, forced labor, environmental disaster. Of course, these images are not different from reality. Nevertheless, it is often ignored that, despite the general perception, some artisanal and small-scale miners use sustainable methods to avoid mercury pollution. However, the critical difference is made regarding how these realities are generally interpreted at the

²The quote was picked from the website <http://quickgold.gordasevich.ru/>, which is a project developed by the Russian Photographer Andrey Gordasevich and the Swiss Sociologist Nils Krauer in different regions of Peru from where gold is extracted. The quote belongs to a person from Madre de Dios ("Don Marco"), and can be translated as follows: "We are in Madre de Dios (trans. Mother of God), and its capital is Puerto Maldonado (a pun: mal=bad/poorly/wrong, donar= to give). The Mother of God is wrongly given to the men. What does this mean? That God is infinite, but there are things of God that are wrongly given (to the men), and some have a lot while others have so little. And this is what happens in Madre de Dios."

decision-making level, where the logic of individualism in the context of neo-liberalization of the economy plays a key role. This can be seen by looking both at the normative framework and the discourses originating from different organizations (both private and public).

In Madre de Dios, although it was “discovered” as a wealth source since colonial times, the actual “gold rush” went through several stages in time. However, the consolidation of the gold extraction in the region is generally accepted to have started between the 1960s and 1970s, in the context of the global increase in the price of gold and on the state colonization of the Amazonian area (L. V. Arroyo 2014). As a result, the region started to attract more and more people who settled in the region and formed organizations that influenced the dynamic of the alluvial gold extraction sector on a small scale. Several mining leaders of the associations (like *Asociación de Pequeños Productores Auríferos de Madre de Dios* and *Federación Minera de Madre de Dios*) created in the region since the 7th decade of the 20th century were critical actors in the development of the norms targeting the formalization of the ASSM, especially in the process of the development of the Law on Formalization and Promotion of AMS in 2002 (Arroyo, SPDA 2016).

The artisanal and small-scale activities are currently located on the rivers Huaypetuhe, Madre de Dios, and Malinowski (Kuramoto 2001). The latest information from the Peruvian National Statistics Institute shows that gold production increased in 2016 by 11.1% compared to 2015, reaching 1,284 kilograms of fine metal. The artisanal and small-scale miners sustained the increase (Government 2016). The rapid development of the sector had several causes: poverty, the increased price of gold, and the limited presence of the state in the region (GOMIAM 2015). Regarding the company of the state in the area, only in the last decades has it started to consolidate, but mainly to promote investments in plantations mining, create environmental conservation projects (GOMIAM 2015), and through the militarization of the areas.

As the development of the industrial sector was encouraged in the region (especially lumber and mining industries), conflicts erupted, involving first miners and indigenous communities. The disputes lasted throughout the 90s and reached their peak at the beginning of 2001 when the state intervened in Madre de Dios suspending mining activities in eight zones of conflict within the region (Supreme Decree No. 056-2001) (GOMIAM 2015). The conflicts that existed and persisted in Madre de Dios between social actors (involving miners, farmers, and indigenous people) usually revolve around the exploitation of gold as on many occasions, the property over land overlaps, in the sense that mining activities are sometimes unfolded in a protected or agricultural area. This happens mainly because the mining “concessions” involve establishing verbal agreements between social actors in the field. Consequently, as the nature of the contracts

is speaking, and it happens that they are defined temporarily according to the intuition of the miner and of the holder regarding the value of the gold deposit in the territory, non-complying with the agreement gives rise to conflicts. Moreover, the institutional factors impacted the dynamic of the disputes. Beyond the verbal agreements, the “misunderstandings” directly resulted from the land and mining reforms promoted in the 90s, which pursued a privatization-led logic in the sense that private ownership of land was followed. The first step that allowed a legislative "spillover" was the adoption of a new Constitution in 1993, which emphasizes the importance of private property. Moreover, in contrast with the Constitution of 1979, which established that all the natural resources are a “*heritage of the nation*” but belong to the state, the one in 1993 maintains that the state is sovereign on deciding the way resources are used. Land reform, which promoted and encouraged economic activities involving land ownership, was developed on this basis. This provision legitimizes the further development of the sectors involving natural resources, as it recognizes the state’s superiority on hierarchizing between their uses. Furthermore, the Constitutional argument can stand as a basis for encouraging large-scale operations over small-scale ones, or as we saw in the case of socio-environmental protests but is equally valid for ASSM.

Regarding the perception of the ASSM activities, beyond the conflicts that erupted between miners and indigenous communities, the state institutions were rather inexistent in the region. According to a study conducted in 2014, there is an excellent contrast between the public services encountered in Puerto Maldonado and the rest of the region, as state institutions, services, and security are somewhat lacking in the rest of the area (Mujica 2014). This, of course, impacts both informal and illegal mining, as is the first source of their development. Moreover, when the first process of formalization started, it was instead an initiative of the Asociación de Pequeños Productores Auríferos de Madre de Dios, as when the extractivist boom began at the beginning of the 1990s, as the financing of mining projects was retracted, through the closing of the Mining Bank. This meant that small-scale miners remained with limited financial resources for investing in machinery technology, limiting their actual chances for investment. The association started to “pressure” to launch a formalization process in this context. Of course, this would have meant financing and acquisitions in the sector. Along with the local level, starting with the 2000s, World Bank manifested its concern regarding the ASSM sector globally, allegedly for their social and environmental impacts. The recommended W.B. policies addressed four axes: formalization (granting of use rights and licenses), administrative simplification, specialized technical assistance (in production, financing, and marketing), and control and monitoring actions by the state institutions. In Madre de Dios, the state's efforts-imposed conditionality. As a pre-condition for formalization, the small-scale miners would have had to

resolve the existing conflicts with the native communities. Instead, the ASSM activities increased outside a normative framework in this context(L. V. Arroyo 2014). In this case, the externalization of conflict resolution from state institutions towards social groups was an important strategy that consolidated the marginalization of ASSM, as well as the redirection of public attention from the states' inability to ensure decent access to social services ASSM miners as well as decent employment.

Another aspect related to the adoption of the Constitution of 1993 impacts the ASM sector, and consequently, this sector in Madre de Dios was the assignment of greater executive power to the President. On this basis, the presidencies of Alan Garcia (2006-2011) and the one of Ollanta Humala (2011-2016) were defined by an increased number of Executive decrees regarding the mining sector. Consequently, there was a slow elimination of dialogue for policies related to an industry that was relevantly impacting, at least from an environmental point of view. Both the regional institutions and the ASSM associations were excluded from dialogue. Additionally, along with decrees related to formalization, which were analyzed in the section dealing with the distinction between informal and illegal mining, there was an increase in the security forces in the region. However, according to evaluation reports, these actions did not succeed in halting the advance of illegal mining. Moreover, it is believed that this intervention increased social unrest and conflict(L. V. Arroyo 2014). For example, after Ollanta Humala's Decree on criminalizing illegal mining in 2012, when the legal distinction between informal and unlawful mining was established in Madre de Dios, a protest culminated with clashes with the police officers in several death miners during the clashes. In this case, it is essential to underline that the attitude adopted about ASSM (either illegal or informal) in Madre de Dios involved the security forces, whose role was to destroy the machinery and detain the illegal miners. Moreover, the actions were related to also limiting the gas ratios for the inhabitants of Madre de Dios. In this sense, in 2015, through the Decree 036-2015-EM, it was established that larger quantities of gasoline were to be purchased only by small-scale miners that are registered in the Hydrocarbons Record. The justification for the Decree was that it would affect the capabilities of illegal miners to continue their activities, considering their use of machinery requiring high volumes of gasoline. However, even though it has a specific target, the Decree did not affect only those perpetuating illegal activities but also those that did not. Moreover, the "exceptions" through which the state chose to govern created a cycle of conflict and protest, as in November 2015 when several groups (including from the business sector and the native communities) protested the Decree that limited ratios and positioning themselves against the way the state chooses to govern.

In this dynamic of criminalization, however, the space for the people involved in ASSM practices in Madre de Dios is minimal, as the entire attention is put into the “elimination” of illegal mining, the militarization of the area, and limitations related to the access to services and goods. Moreover, the voice of the associations representing the miners is often ignored based on Constitutional provisions that do not necessarily force the power to be accountable for the decisions made. Equally, the state perpetuates a discourse that transforms the ASSM miner into a criminal, as a participant in a workshop organized by *Alianza por La Minería Responsable*:

(Translated from Spanish) “Illegal mining indeed developed in a part of the region, but this is due to the absence of the Peruvian state. Where was the Peruvian state during the growth of illegal mining? Why is there so much disorder? Unfortunately, the state was absent. However, the miners who have truly sought formalization are us. The Peruvian state transformed us, with the current rules in Peru, in illegal miners.”(Responsible 2017)

However subjective this statement might be, the legislation was instead dictated from the center and was based on force and the state of the exception. Although it went through several reformation processes, the ASSM sector in Madre de Dios was "governed" by conflict. Moreover, since the region started to be more often subject to a "state of emergency," either due to the disputes between natives and miners or because of the mercury pollution, the image on Madre de Dios is more and more apocalyptic. In this framework, however, there are sustainable methods used by miners that did not formalize yet and methods helping them avoid mercury and, consequently, pollution. One example in Huepetue, Madre de Dios, is Green Gold HTP which uses green technology to substitute mercury. What is important to underline is that these examples are marginal in the public discourse. The presence and activity of the associations in the region and the openness to cooperate, as also their constant proposals for the improvement of the procedures for formalization in 2016, including the commitment to halt the use of mercury, should be seen and treated as opportunities, beyond the constant criminalization and militarization. Additionally, it is essential to acknowledge that the transition towards less-polluting technologies must have support to be sustainable.

Conclusions

The evolution of the ASSM sector in Peru started to be somewhat uncertain since the extractivist boom of the 1990s. In Madre de Dios, its future is even more uncertain, as the region raises many concerns, including social conflicts and environmental damages. However, this evolution towards the “ecological disaster” that is today is deeply rooted both in the extractivist-led discourse perpetuated at the national level and in the legislative changes and voids that governed

the sector since the 1990s. Moreover, the alternation of lack of public services (like schools, health services) and increasingly high-security forces operations are creating a hostile environment for these activities to be unfolded sustainably. Despite the legislative void, some organizations fought for the formalization of miners in the ASSM sector. Nevertheless, the lack of resources granted and the constant presence of the army and police significantly impact the region and its image. In addition, the continuous presence of the security forces and the continuous decree-based ruling create an environment of conflict.

With around 40 million people engaging in ASSM activities globally, the sector is far from being small. However, as shown in the case of Peru, and especially in the case of Madre de Dios, ASSM is either marginal or is ruled through states of exception and the use of force. At the global level, the discourse around informal ASSM started to shape towards centering artisanal and small scale-mining in development. However, due to its decentralized character, compared to LSM, artisanal and small-scale mining is in many instances either criminalized and/or associated with high social risks, including the precarity of employment, as well as forced and child labor, human trafficking, and environmental destruction. There is no question regarding the socio-ecological effects of illegal/informal ASSM. However, addressing the socio-ecological complexities might contribute more to the solution.

In my paper, I tried to show how ASSM in Peru shapes the discourses on illegality, informality, and poverty. In this respect, I looked at how the legal discourses surrounding ASSM cannot draw a clear line between illegal and informal activities. The legal framework is rarely connected to the realities on the ground, where access to finance is an essential obstacle for people to formalize. Moreover, ASSM is in many instances associated with poverty. The vulnerabilization of people derived from lack of access to social services (including social assistance), or decent jobs in the formal economy, contributes to employment in the informal sector. At the same time, it is worth mentioning that ASSM, even when it can be delimited as illegal, does not operate outside the formal economy, given how the metals extracted are introduced in the legal economic circuits. It is also essential to consider how the global value chains of precious and valuable metals are structured to contribute to the development of (including) illegal small-scale mining.

In short, there are a series of structural aspects that need to be considered when we talk about the character of ASSM and the factors that determine the employment of people in the sector. The office-based approach of my paper makes it rather informative. Therefore, it has several limitations, including the disconnection from the context I write about. However, my aim with this work was not to build generalizations about ASSM but rather to look at its particularities in a context.

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