THE SIERRA LEONE MINERAL SECTOR:

The emphasis on natural resource extraction to generate economic growth and promote development by reducing poverty and thereby ensuring sustainable peace has generated controversy amongst development scholars, donors and borrowers, and civil society. These observers have noted that resource extraction has questionable economic and development benefits, and can exact severe socioeconomic and environmental costs. Indeed, despite the intensive exploitation of Sierra Leone’s natural resource wealth especially diamonds since the early 1930s, poverty still remains pervasive and endemic.

Over the last three decades, Sierra Leone has suffered from conspicuously constrained economic growth, with negative GDP growth rates recorded on a year-on-year basis, and produced disappointing results in terms of promoting development and addressing the basic needs of their citizens. As a result the country has persistently maintained the bottom ladder of the Human Development Index for more than the last three consecutive years. This implies that there is large proportion of people living on less than $1 per day.

In spite of this negative development, the mining sector is believed to be the only sector that can easily contribute significantly to the country’s economic recovery and development process. Diamonds remain the chief export earner, with significant reserves of other minerals such as gold, rutile, bauxite, chromites and iron ore, as well as a potential for oil discovery. Despite its great potential, the mining sector accounts for only about 20% of GDP due to improper policies for the exploitation and utilization of the resources in the sector.

The mining sector in Sierra Leone of which diamonds play a central role, was no doubt, the economic nerve center for the growth and development of the country in the 1960s and 1970s. It was a major source of revenue for the government and its proper management had a significant implication in the economic, social and even political life of the people of Sierra Leone. With bad politics, poor management and downward economic trends, the diamond sector became mismanaged, uncoordinated; illegality prevailed and eventually collapsed. The 11-year brutal rebel war (1991-2002) was partly
a result of this unfortunate situation that ended up drilling the last nail in the death coffin of the mining sector.

With the diamond mines in the firm grips of the rebels, it was possible for them (the rebels) to bankroll their war machinery, destroy more than 3,000 communities, kill over 75,000 people, dislocate/displace close to half the 5 million inhabitants and rape so many women and girls, brutally hack-off the limbs of more than 2000 innocent civilians and forcefully ab duct about 10,000 children to be used as beasts of burden. The diamonds were used to devastate, destroy, disfigure and damage every aspect of the country. Yes, diamonds are capable of doing this and anything else—indeed anything the users want to put it into.

But before this war, the sector was already in bad shape—un-regulated, uncoordinated, mismanaged, corrupted and politicized. It was a free for all sector inundated with criminal elements. It was a fertile ground for foreign diamond business tycoons and companies that were prepared to make as much profits as possible in the midst of chaos and uncertainties. Business was ‘good’ for the crooked as Sierra Leone degenerated till it came to its knees with the outbreak of the war in 1991.

DEVELOPMENT DIAMONDS?

The response of Civil Society to the human tragedy came when the campaign to criminalize conflict/blood diamonds was launched in 2000 by Partnership Africa Canada (PAC), Global Witness (GW), International Peace Information Service (IPIS) and Network movement for Justice & Development (NMJD) and their partners. This campaign aimed at drawing international attention to the global criminal nature of the Sierra Leone diamond trade, the global security implications inherent in such an affair, the insensitivity of the international community to the plight of the near genocide that was being planned in Sierra Leone and the need for a global international action to halt trade in conflict diamonds and institute a global mechanism to make trade in diamonds conflict free. This is what was accomplished in the three year tripartite negotiations among governments, diamond industry and civil society that culminated in the signing of the Kimberley Process Certification Scheme (KPCS)\(^1\) in January 2003 that is now acceded to by 43 countries including the European Community, involved in the production, export and import of rough diamonds and accounts for approximately 98% of the trade in rough diamonds.

The aim here is to isolate rebel groups using diamonds for war and protect the legitimate trade as well. This is not to say that corrupt and oppressive governments will not trade in diamonds. And it does not also deal with the problems of miner and digger in the diamond pits anywhere. KPSC only deals with the trade aspect—how the diamond travels from the production till it is exported, processed and traded. With the certification

\(^1\) The Kimberley Process Certification Scheme is an innovative voluntary system that imposes extensive requirements on Participating Nations to certify that shipments of rough diamonds are free from conflict diamonds
process Sierra Leone export of diamonds has increased from USD41.73 million in 2002 to USD76 million (82%) in 2003, with 2004 projected at USD100 million.2

Sierra Leoneans are hopeful that the mining sector will once again be made to make important contributions towards industrial, socio-economic and infrastructure development particularly in the rural areas. It is expected to provide new employment opportunities, generate foreign exchange earnings and contribute ignornantly to government revenue.3 The establishment of the USAID funded and managed Peace Diamond Alliance (PDA)4 launched in December 2002 has a formal membership of miners/diggers, dealers, exporters and aims at coordinating the diamond sector to ensure that mining is done in a responsible, transparent, accountable manner that benefits the membership and the community as a whole. Presently concentrated in Kono district, it is meant to spread out in other parts of the country. Capacity building and facilitating fair trade are part of the agenda of PDA.

Another initiative that is pushing forward the development diamonds agenda is the educational and advocacy work of the NMJD initiated and run Campaign for Just Mining (CJM)5 in Sierra Leone. Launched in January 2000 as part of the “Conflict/blood Diamond Campaign” CJM advocates for legality, accountability, transparency and social responsibility in the mining sector. The aim her is to contribute to the consolidation of peace in the country by ensuring that the mining sector is made to operate in a way that is acceptable, beneficial to the local people taking in account their needs and peculiar situations with their active involvement in decisions relating to policies, laws, agreements, and other relevant issues. This is pursued through educational programmes, consultations, capacity building programmes, and campaigns at both local and international levels. The work of CJM is supported a lot more by Partnership Africa Canada and other friends. Much has been achieved but of course a lot remain to be addressed.

Broader, umbrella and more inclusive civil society coalition establishment in the name of National Advocacy Coalition on Extractives (NACE) replacing the Diamond Area Community Development Fund (DACDF)6 initiative has given a new stamp to the institutionalization of the campaign thereby legitimizing the earlier initiatives and providing a more solid platform for policy engagement. As a matter of fact this new coalition accommodates few government institutions like the Ministry of Mines and Mineral Resources, the ministry of Local Government; also included is the Anti-Corruption Commission. Originally the major pre-occupation of NACE was to ensure the proper, transparent, accountable and beneficial use of the DACDF. NACE provides a

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2 Gold and Diamond Department (NRA)-Half Yearly Report: January – June 2004 pg.8
3 Proposed Core Mineral Policy of Sierra Leone-November 2003 (1.4)
4 PDA is a membership organization of diggers, miners, dealers, and exporters. It aims at ensuring that diamonds come to benefit the local people/diggers/miners, communities and the investors
5 CJM is a network of Civil Society Groups across Sierra Leone fighting for JUST mining policies and practices in the mining sector
6 Launched in January 2001, the Govt. gives 25% of the 3% that is generated from diamond exports to be sent back to diamond mining communities/chiefdoms for development from the mining licenses issues in that chiefdom and value of diamonds gotten from that chiefdom. This came about as an out come of the CJM campaign.
unique opportunity for direct bilateral engagement between government and civil society. It is modeled on the Kimberley Process and very soon the corporate entities will be encouraged and invited to take part. However, the individual advocacy organizations maintain their autonomy and mandate even as they belong to the coalition. The coalition gives a broader outlook to the campaign and provides platform for solidarity and unity of purpose.

THE CHALLENGES

With the end of the war in 2002, there has been an increased influx of diamond exploration and mining companies (for alluvial and Kimberlite mines). The physical mining process itself has a direct negative impact on the environment and if appropriate measures are not taken it will lead to destruction and threatening of the peace already achieved. For instance, mining activities, particularly in the eastern and southern regions of the country have left vast areas of land deforested and degraded. It is estimated that between 80,000 and 120,000 hectares of land have been mined out in different parts of the country with minimal efforts at reclamation. The uncontrolled exploitation of mineral resources, coupled with the absence of mitigating policies and conservation programmes over the years has resulted in downward spirals of environmental degradation and socioeconomic consequences.

Development

Inspite of the problems inherent in the diamond sector, there is great expectation that once again this sector is looked upon to salvage the country from its present crisis. This is better captured by the Ministry of Mineral Resources in their Proposed Core Mineral Policy of November 2003\(^7\), which states “The minerals sector has been an essential part of the Sierra Leone economy for almost ninety years. Reform of the mineral sector and the diamond industry in particular are considered crucial because of their importance to the economic development of the country. The Government has correspondingly assigned a high priority to activities aimed at the reactivation and sustainable development of the mineral sector to assist in rebuilding the country and rectifying the devastation caused by the war” In recognition of the environmental degradation caused by mining, the irresponsible manner in which it is conducted and the negative economic impact on the people and country, the proposed Core Mineral Policy document went on the add “The principles and objectives outlined in the Core Mineral Policy will ensure that the development of the minerals sector is achieved in ways that will protect the environment and that are socially responsible and economically viable”

It is also increasingly believed that mining can definitely contribute to enhance economic growth; increase government revenues that can be used to finance development initiatives and the provision of essential public services; create jobs; facilitate the transfer of technology; lead to the improvement or construction of essential infrastructure; and catalyze the growth of lateral or downstream industries. These theoretical arguments, however, are often at odds with empirical evidence of the negative impacts of mineral

\(^7\) Proposed for the review of the Mineral Act of Sierra Leone
resource abundance on human development. Research seems to indicate that although mineral exports may make up a significant share of a country’s exports, mineral development does not always boost a country’s economic growth and may, in some cases, contribute to increased poverty. The reasons for the lack of economic growth in the mineral sector dependent states are not entirely conclusive (Ross, 1999). However, low levels of employment in the sector, use of mostly imported technology, high market volatility of minerals, competition with agricultural sectors, and institutional corruption and mismanagement may be contributing factors (Sideri and Johns, 1990; Gelb et al., 1988; Auty, 1990). Moreover, it is seen that the actual strategic interventions in the mining sectors are often inconsistent with the government stated development programme rationale.

The resulting implication is the country’s lack of fiscal discipline and sustainability that have long-term socioeconomic consequences on the well being of its citizens.

**Health**

Inspite of the growing expectations that the mining sector will be of any good, the present reality spells doom for the communities, the miners and country as a whole. Artisanal Mining, which is the most widespread form of mining, is very badly managed and uncoordinated. The mining areas are the poorest in terms of health facilities and sanitary conditions. A recent research conducted by Green Scenery\(^8\) described the situation in part thus: “There is very poor sanitary condition with dug out pits infected with mosquitoes, bacteria and pother vectors, found in towns and villages and even near homes. Thus there is prevalence of malaria, at times cholera, and diarrhea. Mining activities such as diving, deep pits mining have left people blind, deaf, and disfigured. There were reports of chronic pains, pneumonia and sexually transmitted infections. Essential drugs to address the health needs are inadequate and available ones are expensive….Lack of good drinking water particularly in major towns is a major problem. All the streams and rivers are heavily affected by mining such that they are hardly drinkable. The population largely depends on water wells and few can afford the portable sold in shops. There is no tap or pipe borne water\(^9\). This is how the major mining district of Kono\(^10\) in Sierra Leone looks like. What the other mining parts of the country is like is everyone’s guess.

This picture is the same all over the country and worse scenarios are being developed in the new diamond finds in Kamakwie in the Northern region.

**Human rights**

One precarious human rights situation is the phenomenon of child miners in the diamond mines. A huge number of children estimated at some 10,000 between the ages of 6-18 are found in the mining pits\(^11\). There are no clearly defined child labour standards and only very limited piecemeal, isolated programmatic interventions to remove children from the

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\(^8\) Environmental and Human Rights NGO in Sierra Leone

\(^9\) Green Scenery Policy Paper Series:01/07-Diamond Mining And Human Development In Kono District Pg.5

\(^10\) Kono district is the major diamond mining/producing district in the country. It has both extensive alluvial and Kimberlite diamond deposits being exploited at the moment.

\(^11\) UNAMSIL CP, Mining Policy & children draft 30/11
mines and to provide them with alternatives (education, skills training) and their families (income generation) exist so far. Clearly, a policy framework is needed that provides for

- The development of a clear child labour standards and their monitoring/implementation
- The signing and ratification of the ILO Convention C182
- The sensitization of communities, families, miners, children and concerned institutions
- The programmatic/strategic intervention especially with access to education/skills training and alternative income to families

Women who are engaged in mining are corrupted and made to operate in illegality. Mining areas are apportioned inequitably to women leaving the rich areas to men only, sometimes under the guise of secret society laws. The women are discriminated against in holding political leadership positions such as becoming Paramount Chiefs. Women contestants in the last District Council elections were forced to withdraw their candidature in certain chiefdoms.

Early marriages are very much prevalent in the district as a result of the influence of the mining activities. Boys as young as seventeen or even below are married to girls as young as fifteen years. Teenage pregnancy is another prevalent issue. Some of the teenage marriages are forced marriages due to poverty in the home. Rape and other sexual offences are reportedly not high but prostitution rate is very high. Domestic violence is common occurrence with cases of such nature frequently reported in the police. In the remote areas it is hardly reported.

Education
The history of education in Sierra Leone is such that it is better developed, more concentrated and more accessible to people in other parts of the country-non/less mining areas. Look at what Green Scenery research came of with for Kono, the greatest mining district of the country district.

“The worst affected area of life in the district is education. This has a long history dating as far back as 1930 when mining was first introduced in the district. Since that time on to the war period, the people of the district put premium on mining than education. School going children were denied schooling for the mining pits. The girl child was discriminated against by not allowing her to go to school amongst the few who were sent to school. Thus education is at law ebb in the district. Even after the war when the attitude of the people seems to have changed in favor of education, the lack of educational facilities such as infrastructure for schools, learning equipment and conducive and encouraging environment for both schooling and working conditions of service, are making education still wanton in the district. The few schools are now highly populated with children but there are no trained and qualified teachers. A school of about eight hundred pupils have only one salaried teacher. Parents are compelled to voluntarily contribute to pay the temporary teachers to teach their children. Girl child education is still a problem. The few that go to school often drop out due to early pregnancy. Sex education and other sanitization programmes on such issues are hardly organized to help ameliorate these problems.
The unavailability of tertiary institutions such as teacher training colleges compounds the problems. Vocational institutions for technical education are to a large extent unavailable with only two starting now in the township of Koidu. The most lauded SABABU Education program is hardly visible in the district\textsuperscript{12}.

**Socio-cultural issues**

The socio-cultural disintegration of the mining communities is fast approaching alarming levels. The influx of immigrants both local and international in mining communities/districts has resulted in increases level of non-mining and anti-social activities including crimes, drug abuse larceny, murder, rape, indecent assault and exposures, prostitution vagrancy and the like. Even traditional leaders like local chiefs have been seem abandoning their responsibilities in their localities for mining pits in other parts of the country. Many sacred bushes/shrines have been desecrated and turned into mining sites. Needless to say that the increased level of lawlessness and the conflicting relationship among authorities and different sectors of society has often provided a fertile ground for conflicts and political manipulations.

Mining activities have serious adverse impacts on the social organization and cultural values of the people in the affected regions. Concerns are expressed about housing, unemployment, family disorganization, social dislocation and polarization, school-dropout rates, prostitution and drug abuse.

**Environment**

The environment seems to be the hardest hit by Artisanal and Small Scale Mining activities. Mining has adversely affected the entire environment of all mining districts over the years to crisis level involving major degradation of the land, loss of biodiversity and health risks. Valuable forest trees have been destroyed causing the animals to migrate into areas of less threat or go into extinction. Leopards, lions, elephants, which had been present in the district, can no longer be seen. Even the vegetation for smaller animals has been destroyed causing them to migrate to other areas in search of habitat. There is constant drainage of underground aquifers and running streams are highly polluted. Aquatic plants and animals have been destroyed by mining activities. Sea animals and fishes have migrated to fresh water areas, as the waters are always kept turbid due to mining activities. Water from wells is often found to contain very high levels of iron substances, which adversely affect the health of people.

Heritage sites, such as ancient caves, secret society shrines (sacred groves), have all been destroyed along with all forms of biodiversity. Arable land for agricultural purpose has been destroyed together with agricultural crops and economic trees forcing farming communities into hostile alternative livelihoods. Deforestation is at its highest and has affected the local climate making rainfall pattern very unusual thus affecting the growth of farm crops. Farming population have diminished with a large percentage moving into mining areas and hence changing their

\textsuperscript{12} Green Scenery Policy Paper Series:01/07-Diamond Mining And Human Development In Kono District Pg.5
livelihood patterns, while the lesser percentage have migrated to areas of fertile lands. The attendant problems to such human movement that are being experience are, scarcity of food, congestion from lack of housing; poor health and sanitation; rampant illicit mining, and high crime rate. Land destroyed by rampant illicit mining activities has not been reclaimed to undertake agricultural and other non-mining activities on them. The entire land topography in most of the mining areas has been grossly distorted due to constant erosion.

Mining activities have been carried out in towns leading to destruction of dwelling houses. Some houses have pits dug underneath them endangering the lives of the inhabitants. There were instances when dwelling houses got sunk in dug pits underneath. The roads have been rendered unmotorable the few motorable ones are in deplorable conditions. This has made other economic activities such as trade particularly in local foodstuffs and other commodities, virtually impossible or very burdensome. People are highly dependent on imported items from other parts of the country and foreign countries. Water dams are also destroyed by the mining activities making safe drinking water hard to come by.

What seems to be surprisingly emerging as the rule in the socio-economic framework is that the mining sector had been left as a domain for ‘trying your luck” allowing everyone to dig as deep and wide as possible for ones survival. With government unable and unwilling (with international trade dictates where the market is left to control the economy) to provide adequate employment, basic social services such as health, education, sanitation etc, to the war ravaged and growing population, the only sector that offers space with no credentials is the mining sector-children, women, authorities, foreigners as well as criminals are all ‘trying their luck’, sometimes stepping on each others toes, clashing, fighting, conniving and cheating and the weak usually coming out as the losers. The strong, powerful and influential destroy anything that stands their way.

How can mining be of any use or meaning if it does not address itself to the obvious issues of health, education, housing, water and sanitation, community cohesion, roads, rights of women and welfare of children? Will mining be ever made to benefit local communities if communities remain to be exporters of raw minerals? If mining is that developmental, where is it most consumed and how come that the communities producing the minerals never get to own and control anything?

If the Artisanal and Small Scale Mining is that problematic, un-developmental, environmentally destructive so far in the lives of Sierra Leoneans since the 1980s, can corporate mining e.g. Kimberlite mining be of any difference and fulfill the dreams of at least the Ministry of Mines and Mineral Resources as articulated in the proposed Core Mineral Policy? Let us take a close look at the corporate environment in the mining sector.

CORPORATE ENGAGEMENT

It has often been alleged that the mining companies contribute so much to national economy. For example, Sierra Rutile Limited (Rutile mines) is said to have contributed
$9.3 million to government between 1967-1995. This is to say that for 28 years of good productivity Sierra Leone was getting only a pitiful sum of less that $400,000 a year officially. The operations of these companies-sierra Rutile Limited, Sieromco (Bauxite Mining), Koidu Holdings (S.A.) Limited\textsuperscript{13} in Kono have much to offer by way of suffering and damage to the economy, community and environment in Sierra Leone.

Large mining investments increasingly open up in remote areas where local communities are often outside the economic mainstream of the national economy. In Sierra Leone there is limited institutional capability to manage the social and economic implications of such sudden growth of investments in remote areas. Any local income from mining is mainly through auxiliary activities such as sale of food, operating restaurants and sale of soft drinks and alcohol, etc.

Poor local indigenous people pay a disproportionately high cost for mining, while receiving few of its benefits. Take for instance, in the rutile mines, between 1979-1988 12 communities comprising of 590 homes with a total population of 5,525 were involuntarily relocated. From 1998 to 2001 a further 166 homes of 1,906 people were relocated. The relocations are done without the active involvement of the local people through the much talked about ‘village resettlement committees’, the livelihood of the people are destroyed (being mainly farmers), their most productive farm lands are taken, they are forced to abandoned their familiar locality for an unknown environment with no proper resettlement plan. The company is not made to compensate the local communities for the loss of their hunting and fishing grounds, drinking water, forest products, sacred sites and other elements of the environment.

The Koidu Holdings Limited (the new comer in the game) is even more aggressive and desperate. In all, about 4,536 people (284 households)\textsuperscript{14} will be directly affected by the Kimberlite Mining (that reside in the concession area) project that needed to be relocated. Since they started operations in October/November 2003 only ten poorly constructed, incomplete, unventilated in an unwanted location have been handed over to authorities for 10 households albeit disagreements and controversy. To date many people have refused to relocate. They company continues to blast the Kimberlite with impunity twice every week with no protection to the local residents. In the process many have lost their properties, have their houses and themselves vulnerable to the vibrations, the dust, noise, thieves, and so on. Even schools, clinics and businesses have not been spared.

There are situations in which local communities reject mining activities in their community due to concerns regarding the projected displacement of half of its residents and fears regarding the potential impacts of mining on the community’s traditional livelihood (Oxfam, 2002). Studies however indicate that displacement may result in serious social problems, including marginalization, food insecurity, and loss of access to common resources and public services, and social breakdown (MMSD, 2002:158-159).

\textsuperscript{13} Koidu Holdings Ltd. is the subsidiary company of Branch Energy that got the Kimberlite mining concession from Diamond Works
Needless to say, local communities are least empowered in demanding fair compensation. In some areas mineral officials have forced small-scale miners to accept and sign value agreements with large-scale miners thereby losing their properties by being bought off by mining companies many of them at very low prices. Such pressures magnify the extent of conflicts over resource use. This is clearly evident in the current mining operations carried out by the Koidu Holdings Limited, Kono District. Here local authorities were asked to sign (unwillingly) and accept conditions set by the corporate mining company.

There have been cases of gross violations of human rights by security and police personnel, such as unlawful detentions, intimidation and assault by security personnel on civilians. Incidents of this nature were witnessed by human rights and environmental activists/organizations. The activists too have been harassed and threatened by authorities.

The life of the people inhabiting the Kimberlite mining area is one of total misery. They are perpetually harassed out of their homes whenever the mine blasting is taking place. No provision had been made for their relocation even though that was a precondition before the mining could have commenced. School children are whisked out of school during the blast. People run out of their homes leaving them at the mercy of thieves who sometimes make away with their belongings. There is no protection from both local and national authorities and the company officials. Even the workers such as security personnel are not protected from the mining blast. Houses have often been destroyed and there was an incident of a death from of the fragment of the blast in the chiefdom.

Women and children are the most affected as they are often found in the town while men go to mining pits in surrounding towns. The people are highly traumatized as the blasting keeps them in perpetual fear of their lives every week. No proper arrangement had been made for compensation to the affected people nor has any proper provision been made for their relocation to an ideal place. The company cast the blame on the government of Sierra Leone and the local authorities. The vibration from the blast is virtually causing great suck to the people and the entire environment destroying under ground structures such as the bedrocks and other underground aquifers.

The national environmental policies have not been able to adequately guard and protect local communities from the adverse impact of mining operations. However, this has led, not only to environmental degradation, but to a deepening of poverty levels among the local population. Sierra Leone’s national laws have enabled KHL free reign. The laws do not comply with international human rights standards; they offer no adequate respect for community land rights, no rights if refusal of informed consent and no effective protection for traditional livelihoods and cultures. The legal regime governing mineral resources grants near total control to the government. In fact, Sierra Leonean authorities have treated opposition to irresponsible mining activities as a subversion, often acting with aggression against civil society activists and community leaders seeking to retain their customary lands or to participate in decision-making regarding use or management of mineral resources. Often as the companies constructed their mining base camp, procession plants, roads, and other infrastructure local communities are forced to relocate.
and barred access to land now under the company’s control denying pole of their livelihood.

The most obvious impact to biodiversity from mining is the removal of vegetation, which in turn alters the availability of food and shelter for wildlife. At a broader scale, mining may impact biodiversity by changing species composition and structure. For example, acid drainage and high metal concentrations above a certain threshold can be injurious to human health and the environment. In rivers, it generally results in an impoverished aquatic environment. Some species of algae and invertebrates are more tolerant of high metals and acid exposure and may, in fact, thrive in less competitive environments (Kelly, 1998:86). Exotic species (e.g., weedy plants and insect pests) may thrive while native species decline (Ripley, 1997: 94).

Mining is expected to create badly needed jobs, help build schools, roads and other needed infrastructure in the surrounding rural areas. Rather, employment cuts across the nation suggesting that mining employment has an impact at national level rather than on local communities. When claim holders enter into agreements with large-scale miners they are restricted to a few development activities within the holdings. In many cases such restrictions have affected negatively the employment of members of the village communities in mining areas.

**DEVELOPMENT DIAMONDS ARE POSSIBLE ONLY IF....**

| Any benefits can be completely negated if....communities lose their land or their fundamental rights to a livelihood, a home, clean water or a safe environment. |

Yes, diamond can be for development, but for them to be certain conditions-policy and programming must inform the process. Some of those conditions are outlined below.

1. **The right to participate**
   “*The rights of the people concerned to the natural resources pertaining to their lands shall be specially safeguarded. These rights include the right of these people to participate in the use, management and conservation of these resources*”

This is guaranteed under article 15 of the International Labour Organization’s Convention no. 169 concerning Indigenous and Tribal Peoples in Independent Countries (1989). This principle of participation is a fundamental democratic and human right, which is basic to sound social and economic development. To deny it is a gross injustice, and a sure way of promoting discontent, anger, frustration and opposition and then conflict.

The requirement for the free, prior and informed consent of local communities and indigenous people is an internationally recognized human right that has been adopted by
the European Union, intergovernmental development agencies and international financial institutions. It is a process where local communities and indigenous peoples, government and companies may come to mutual agreements in terms that gives affected communities enough leverage to negotiate conditions under which they may proceed.

2. Removal and resettlement

The removal of villages, farms, houses and their inhabitants to be resettled elsewhere as a required by a company for its mine and associated facilities can be traumatic and disruptive for anyone and if not handled properly can have enormously negative effects. The World Bank, which has been involved for many years in projects which displace large numbers of people has in 1990 come up with guidelines for the handling of this process thus:

“Development projects that displace people involuntarily generally give rise to severe economic, social and environmental problems: production systems are dismantled; productive assets and income sources are lost; people are relocated to environments where their productive skills may be less applicable and the competition for resources greater; community structures and social networks are weakened; kin groups are dispersed; and cultural identity and traditional authority and the potential for mutual help are diminished. Involuntary resettlement may cause severe long-term hardship, impoverishment and environmental damage unless appropriate measures are carefully planned and carried out” (World Bank 1990:par.2).

3. Artisanal and Small-scale mining

These activities should be formalized, legalized, regulated and integrated into the formal sector. To derive the greatest benefit out of it there should be modernization of production methods, eradication of child labour, development of income generating opportunities for local women and the strengthening of local mining organizations/groups.

The majority of direct livelihoods in the mining industry are in the small scale and artisanal segments. Many environmental NGOs, governments and others regarded artisanal and small scale mining to characterize the absence or low degree of mechanization, low safety standards, poorly trained personnel, large influx of migrant workers, low pay scale, low productivity, chronic lack of capital, illegality due to mining without concession rights, little consideration of environmental impact and unknown mineral reserves. The Artisanal mining sector is unregulated and unsupported which results in severe environmental degradation, smuggling, crime and dreadful social and unsanitary conditions. The resources and attention which have flowed in its direction have been small in comparison to the large-scale mining. The Johannesburg Plan of Implementation regards this sector as a potential positive contributor to sustainable development, and calls for financial and technical support for “safe and sustainable livelihood opportunities in small-scale mining ventures”.

Developing policies seeking to eradicate small-scale mining because of unsafe working conditions and serious environmental impacts, or informal, non-taxed status, there seem to be a realization that eradicating artisanal and small-scale mining is neither easy nor morally justifiable until and unless there is some alternative or complimentary economic activity that offers hope to those whose livelihoods would be eliminated. Specifically, the
development of alternative livelihood will depend on the communities’ asset base. The assets of artisanal mining communities, which include not only natural/biological assets (i.e., land, water, common-property resources, flora, fauna), but also social (i.e., community, family, traditional social networks, organisation, participation, empowerment; human assets (i.e., knowledge, creation by skills), and physical assets (i.e., roads, markets, clinics, schools, bridges). In addition, consideration will be given to the earning capacity of artisanal mining, and the dynamic and sustainability dimensions of the sustainable livelihood approach.

It is also recognise that driving the activity underground simply compounds the problems of child labour, environmental damage and occupational hazards. These problems are very real and cry out for action. But a cooperative and supportive approach by the authorities is likely to get much further than punitive measures.

- Explore the linkages between poverty, artisanal mining and sustainable livelihood in order to identify better entry points for sustainable development
- Create facilities to serve as an independent capacity building resource for communities and governments in areas impacted by mining development. Capacity building to help national and local government and local communities for effective participation in developing community sustainable development plans.
- Institute policies that are able to palliate the lack of physical collateral by exploring the feasibility of a micro credit for environmental rehabilitation work concepts.
- Upgrade and recognize artisanal mining so that the livelihoods of artisanal miners can be improved through access to education, training, credit and investment opportunities and formal land tenure arrangements. The resulting increased incomes should be an engine of economic growth and benefit the creation of alternative livelihoods.
- Promoting small-scale mining as a catalyst and an anchor for other productive activities to stimulate the development of complementary and alternative productive ventures necessary for sustainable development
- Placing people first through both pro-poor strategies and participatory methodologies aimed at strengthening the organizational capability of grassroots communities therefore favouring a bottom-up approach; and
- Strengthen monitoring responsibility.
- License fees should include component for reclamation and rehabilitation. Disbursement from this fund should be the joint responsibility of the appropriate ministry and chieftoms.

4. Right to fair compensation
Natural justice demands that people who suffer damage to or loss of, property as a result of mining should be fairly and adequately compensated. Guided by article 15 of the ILO Convention no. 169 which states

“In cases in which the State retains the ownership of mineral or surface resources pertaining to lands, governments shall establish or maintain procedures through which they shall consult these people...The peoples concerned shall wherever possible participate in the benefits of such activities, and shall receive fair compensation for any damage which they sustain as a result of such activities”
And in Article of the UN Declaration on the Rights of Indigenous Peoples, it is said that: “Pursuant to agreement with indigenous peoples concerned, just and fair compensation shall be provided for any such activities, and measures taken to mitigate adverse environmental, economic, social, cultural or spiritual impacts”

It is important to note that for most traditional communities, land is their legacy, from the past, their provenance for the present and their security for the future. When land is taken away, they lose all this. Monetary compensation is at best only a partial substitute. It brings no cultural legacy, or sense of identity and, because it so easily used up or squandered, offers little security for the future. All it can do, if it is sufficient and is handled properly, is provide some income for the present. But often, if the amount is too small, it doesn’t even do that.

5. Avoiding human rights abuses
People have the right to live free from the threat of violence. The use of military forces or private security firms for security of the mines especially where they have a poor human rights record should be avoided. People who live in mining concession areas/mine sites are often subjected to threats and intimidation, heavy-handed action, violence and even lead to killings by security forces. It is very easy for the appropriation of land and other resources by a mining project to make local people feel exploited, vulnerable and angry-exploited because valuable assets have been taken, vulnerable because land or other assets, which were the source of their long-term security, have been lost and angry that their rights and concerns have been brushed aside. It is inevitable that some will see the use of violence as the way to right the situation.

6. Minimizing Environmental impacts
People have the right to a safe environment. People who rely on that physical environment (soil, water, bushes/forest) for their livelihood or well-being should not have it endangered. If damage does occur, the company should be fully responsible for restoring the damage and providing appropriate compensation.

The need for Strategic Environmental Assessment and impact management
Such assessments are likely to miss out the cumulative impacts associated with mining in the basin. Although the mining projects are located in specific localities (districts), there are associated impacts such as employment, communicable diseases etc. that cross-district and regional boundaries. Strategic environmental assessment (SEA) would have assisted strategic decision-making, including spatial planning, improving the quality of policies, plans and programmes, thus contributing to more sustainable development.

Prior to mining activities by corporate bodies, EIA should be undertaken and defended in a public venue. Start-up would depend on approval of the programmes. During the life of the corporate body, corporate environmental reporting should be done and made public at regular intervals. This will give an idea of the corporate social responsibility and progress so far in ensuring that compliance to corporate environmental policies implemented.

A review of the quality and effectiveness of EIA performance is required:

- EIA reports should be presented in a non-technical language, and the affected communities have the capacity to study and understand the issues they raise.
Other sources of information, which are primarily the national press and the District Assemblies, are made accessible to these communities.

- EIA processes initiated much earlier in the project cycle to influence project design and in many cases; EIAs not to be undertaken as ‘stand alone’ processes but to be integrated in the project design.
- In general, EIAs should be descriptively and analytically strong to consider cumulative impacts; and assess project alternatives. Compliance issues should be very clear in the EIAs and the quality of EIAs be of a good standard.
- Environmental Audit Reports be treated as open documents, thus allowing public access to the information required to promote and ensure environmental compliance by mining companies, which can refuse to accept a report’s recommendations to minimize the negative impact of mining activities on the environment.
- Prior-consent rules mandating community consultations should not be restricting especially attendance at meetings.
- The quality of EIAs should not be constrained by resources, time limitations, and lack of political commitment.
- The social impact of mining projects should be inadequately addressed, with adequate action, especially to payments of compensation and royalties.
- Provisions should be made for communities to reject or terminate a mining permit, thereby giving them the ability to stop a project that would be seriously detrimental to their land and livelihood.
- Affected communities should have a lot of say in determining basic issues, such as the location of the various components of the mining project.
- There should be a lot of follow-up in cases in which hearings have raised serious objections to an EIA.
- In addition, local authorities should be given the necessary legal backing to enforce the requirement that an EIA be completed for all industrial and other development projects, as well as the personnel and financial capacity to ensure compliance with environmental quality standards.

7. Shortcomings in the legislation
The Mineral Sector Policy is seen to be an important tool for alleviating poverty in the country by creating gainful and secure employment in the mineral sector, by providing alternative sources of income particularly for the rural population and by ensuring environmental protection and management. Although there are strategies set to fulfill this goal, mining companies do not want to undertake activities beyond compliance requirements. Obviously, Improving the social services and livelihoods of the neighbouring communities is a pre-requisite for sustainable mining. This calls for review of the mining laws including EIA.

The economic rents captured by government are very small (3%). This has socioeconomic and environmental implications as less provision is made for workers, communities and stakeholders.

Mining activities give rise to very significant social, environmental and economic costs at closure. Because these costs are not fully acknowledged at the outset, and often ignored
or poorly managed during the mining period, neither the company nor the government (nor anyone else) makes provision to pay them.

8. Special attention to women
Women have the right to be free of discrimination and harassment. In mining communities, women are in a disadvantaged position economically and socially. Mining projects should be design to ensure that they do not further marginalize women nor increase their already heavy burden.

- Views of women in mining project areas should be heard and their concerns taken into account in project design and implementation
- Companies should fund women’s resource centers, run by NGOs, which can provide information, advice, training and support
- Female headed households should be recognized and treated in the same way as male headed ones, as far as compensation is concerned
- Preventive measure should be instituted, including staff training, to minimize the impact on local women of the social ills normally associated with a mining operation, for example, excessive gambling, and drinking, prostitution, sexually transmitted diseases, rape and violence against women.
- Every mining project should adopt a policy of maximizing employment opportunities for women. This should include the hiring and training of women in non-traditional jobs such as bookkeeping, laboratory work and machinery operating. It should also include the active countering of discrimination, harassment and male backlash in the work place.

9. Corporate Social Responsibility
Companies should accept that they have an obligation to provide jobs, services and other development benefits locally, and should design projects so as to maximize these direct benefits to communities in the mining area, who must bear most of the negative impacts.

- Maximum number of jobs for local people i.e. original inhabitants of the project area
- Training plan designed for enabling local people to acquire relevant employment skills
- Services such as health clinics, safe water sources and schools should be provided by the company so that the access of the local population to such services is at least as good as and preferably better than, in the rest of the country.
- Financial and other arrangements should be made to ensure that such services continue to operate after the mine is closed.

10. It is our belief that companies can be made more responsible if the countries where they originate from hold them accountable and made to abide by certain codes of conduct like the Corporate Social Responsibility, Extractive Industries Transparent Initiative in the countries/communities where they operate. With independent monitoring mechanisms and enforcement of a penal code, poor local communities should not be suffering so much. It is this insensitive, indifference and double standard measure of the North that makes it harder.
I will end with the quotation from a affected local community leader in the Koidu Holdings Kimberlite mining area in Kono:

“WE NEVER THOUGHT THAT THIS WAS THE BEGINNING OF THE DESTRUCTION OF OUR LIFE.”