

# NATIONAL POLICY ROUNDTABLE ON NATURAL RESOURCE GOVERNANCE IN SIERRA LEONE



## REPORT

*The Freetown International Conference Centre,  
Aberdeen-Freetown.*

**16<sup>th</sup> April, 2024**



INTEGRATED SOCIAL  
DEVELOPMENT  
CENTRE

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## 1 EXECUTIVE SUMMARY

This report is a documentation of the proceedings at a day-long policy roundtable dialogue session organised by the Network Movement for Justice and Development (NMJD) with funding support from the Ford Foundation through the Integrated Social Development Centre (ISODEC). The event took place on the 16<sup>th</sup> April, 2024 at the Bintumani International Conference Centre, in Freetown, capital city of Sierra Leone.

In a Memorandum of Understanding signed between NMJD and ISODEC, it was made clear that the planning and implementation of the Policy Dialogue Roundtable should be inclusive and participatory of the key representatives of government, civil society, the media and, where possible, the private sector. That the event should focus on generating expert-level discussion on the topic of ending equality in the mining and extractive management of Sierra Leone, aimed to proffer informed policy recommendations that are both logical and reachable, given the prevailing political, economic, cultural and social context.

Thus, the organising committee was made up of representatives of CSOs, the government and the media.

The expert presentations were centred on four topics:

i.	TOPIC	EXPERT PRESENTER
ii.	<b>CASE STORY PRESENTATION ON SIERRA LEONE</b>	<b>Mr. Sonkita Conteh Esq.</b> A renowned legal luminary, Country Director for Namati – Sierra Leone. Co-Author of the new land laws of Sierra Leone.
iii.	<b>Ownership, Community Rights and Benefit-sharing of mineral resources – with emphasis on women and youth;</b>	<b>Mr. Daniel Gbondo Esq.</b> Legal luminary in the High Court of Sierra Leone, former head of Policy Unit, Ministry of Mines and Minera Resources
iv.	<b>Responsible mining, Environmental Protection and the threat of climate change;</b>	<b>Salami Kanu</b> CSO lead in the environmental sector, Country Director for EFORAC
v.	<b>Gender and Social Impact of Mining Operations</b>	<b>Eleanor Thompson Esq.</b> Female learned legal luminary in the extractive governance sector of Sierra Leone. Co-author of the new land laws of Sierra Leone. Former Deputy Country Director of Namati  <b>Mr. Andrew Keilie</b>
vi.	<b>Mining and Sustainable Development: To Mine or Not to Mine?</b>	A renowned private sector consultant, CEO of CEMMATS Group Ltd , Author of several Environmental Impact Assessment Reports for a long list of mining and other investment companies of Sierra Leone

A policy panel discussion was also facilitated, following the expert presentations. The panellists were drawn from the government, CSOs and private sector. The topic was on *'the ways to end inequality in Sierra Leone extractive management'*.

A renowned media expert, the BBC Correspondent in Sierra Leone, Mr. Umaru Fofana, moderated the session. The keynote address was delivered by the Minister of Mines and Mineral Resources, Mr. Julius Mattai.

A total of 55 participants attended the session, drawn from government ministries, department and agencies, from the private sector, affected mining communities, international development organisations, the media and civil society.

While it was noted some resounding reform efforts have been made recently to strengthen policy governance of the mining sector with news that aimed at increasing national benefit albeit in a limited way, the urgent need to ensure the full implementation of these new laws was identified.

In addition to that identified priority, further recommendations were made for the *State to increase its participation in the extractive business, for CSOs to support the government to monitor compliance of mining companies and to ensure local-level ownership and accountability. A clarion call was made on the mining sector stakeholders to increase their cooperation with CSOs and community stakeholders, to support local-level efforts that strengthen accountable use of mining revenues devolved at local level. The media was asked to support the effort of the government and civil society to tell mining sector stories.*

The expert presenters raised pertinent issues on the respective topics they presented on, all gearing towards improved mining sector governance. It was noted that *significant policy gaps still exist for some crucial industrial mining activities such as ownership of minerals, underground mining, petroleum exploration and industrial steel processing. Effort to ensure responsible use of natural resources, to respect the environmental preservation was noted, but a neglect on compliance and the repealing effect on mining communities, was also identified.*

The event summed up a remarkable moment for the mining sector to engage in a frank, open conversation on the issues that bother on the past, present and future generations of the country. A willingness for policy stakeholders in government to listen to concerns from sector experts and for community issues to form the priority of national-level policy conversation, were the key takeaways noted by community representatives.

## **1.1 Background:**

The discovery of mineral endowment in every country does come with such a high sense of excitement in the hope for an improved social and economic status of the people who own the land and the resources. Contrary to this hope, it would take just a little while before communities start experiencing a whole different feel of disappointment and regret. In some of these communities, there are visible signs of conditions that would never have existed if the minerals were not exploited. But there are also a few of, usually,

high profile people placed at the pinnacle of the pyramid who would prefer the mining extraction because they are the ones largely benefiting from the gains of the mining activities. This status quo has grown overtime and has led to a wider range of inequalities at all levels. This situation is definitive of the current Sierra Leone, especially in rural communities where large-scale multinational companies are engaged in active mineral extraction.

Several actions have already been undertaken to bring these situations to the attention of policy stakeholders. As part of such actions, in mid-August, 2022, the Integrated Social Development Centre (ISODEC), a Ghanaian-based development and civil society organization had organised a regional hybrid conference in Accra, Ghana. The conference convened nearly 100 delegates (state and non-state actors) from several ECOWAS countries, including Ghana, Nigeria, Burkina Faso and, Sierra Leone, from Senegal and Liberia.

As a matter of follow-up action and in order to cascade the same policy engagement at country level, ISODEC provided resources to the Network Movement for Justice and Development (NMJD) in order to facilitate a similar national roundtable policy dialogue in Freetown. This event was planned through an inclusive stakeholder organizing committee comprising of NMJD, representatives from CSOs, the government, media and other right-based groups.

The National Roundtable was held on the 16<sup>th</sup> April, 2024 at the Bintumani International Conference Centre, Freetown, capital city of Sierra Leone.

## **1.2 Goal, Aim and Objective of the Policy Roundtable**

The Policy Roundtable was organised to contribute to the overall goal of closing the social and economic inequality gap between the populations in rural mining communities who own the land and the resources on the one hand, and the government and beneficiaries of the multi-national mining companies and their counterparts in high profile political positions on the other hand. These inequalities need to be addressed to ensure that local populations benefit a loft from extractives in Sierra Leone.

The Roundtable Policy Conference thus created a pathway for improved mining sector governance that is aimed to addressing the exacerbated state of inequality in mining communities of Sierra Leone.

Some specific outputs achieved out of the day-long Roundtable Policy Dialogue include:

- a. an expert panel discussion on Policy options for improved mining-sector governance to reduce inequalities in the extractives sector was facilitated.
- b. A presentation of research findings and case studies as background documents stimulated debates and informed the policy deliberations.
- c. There was a participatory knowledge-sharing and networking opportunities among participants;
- d. There were four other expert presentations on the following topics:

- i. *Ownership, community rights and benefit-sharing of mineral resources- with emphasis on women and youths.*
- ii. *Responsible mining, Environmental protection and the threat to climate change.*
- iii. *Gender and Social impact of mining operations.*
- iv. *Mining and sustainable development, responding to the question of whether to mine or not to mine??*

## **2 The Sierra Leone Context'**

Sierra Leone's mineral sector plays a significant role in its economy through job creation and for the revenue it generates from mining royalties, community development funds and other taxes. Mining activities are actively carried out in several rural communities of the provinces. Diamond, Gold, Iron Ore, Bauxite, Rutile and Coltan are the main minerals currently mined on commercial scale, but the geology of the country's profile indicates promising signs of the presence of several others.

However, like many other resource-rich countries in Africa, the people in the rural mining communities of Sierra Leone live with the irony of the abundance of precious minerals in the midst of extreme poverty affecting majority of its citizens, especially those living in rural areas and directly affected by the very mining activities. Several efforts have been employed since the very first day of mining to date, to change this narrative. At some point, it got even worse, leading to several layers of entrenched conflicts that claimed lives of many people from during the civil war to other periodic demonstrations.

That notwithstanding, there have also been an increasing effort of late to stick to the trend of upward movement along the graph of change. This effort has been characterised by progressive reforms and relative commitment to standards that uphold accountable mining governance. Sierra Leone is thus a signature of several international frameworks, including the Kimberley Process Certification Scheme, the Extractive Industry Transparency Initiative, the African Mining Vision, to name but a few. The result of these efforts is clearly seen in the most-recent mining sector governance law, though minimally, the Mines and Minerals Development Act, 2022 which has a number of enviable reforms for which the country is acclaimed. The reform effort was underpinned by a national resolve to make mineral extraction meaningful more beneficial to Sierra Leoneans and to make the mining operations positively impactful on the country through increased revenue with minimal environmental and social impact.

As the country is bracing up for the implementation of the law, it's is also the right time for policy stakeholders to engage at such a high profile level, to reflect on the progress made so far with the reform effort and to further discussion any urgent policy actions to be undertaken as a complementary action to the already achieved success.

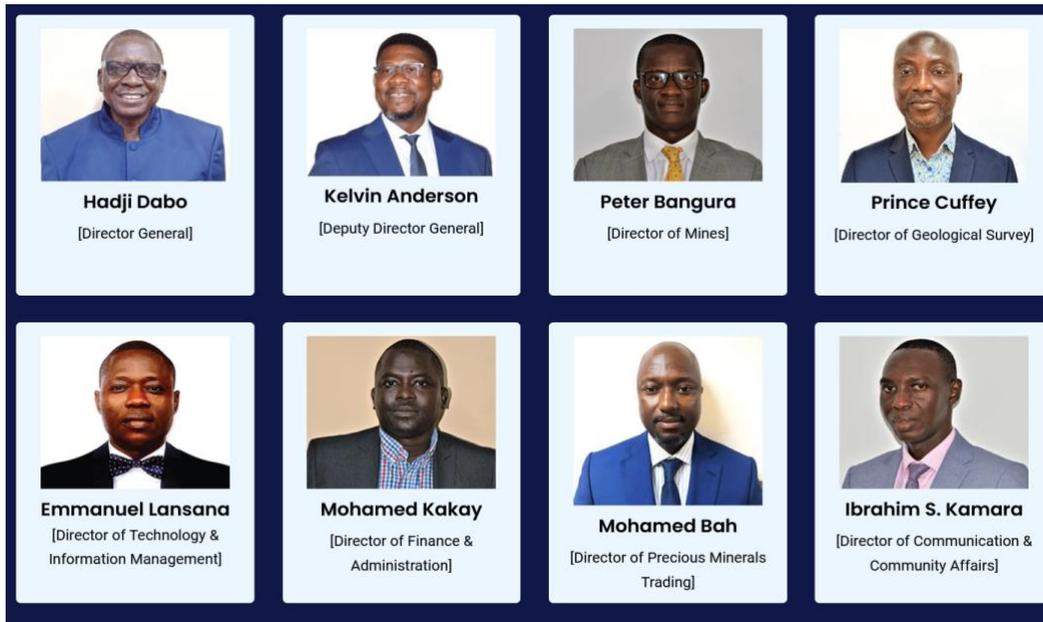
NMJD is one of the leading national CSOs that has actively played along. It is in continuation of the same effort that NMJD partnered with ISODEC to organise the

National Policy Roundtable for stakeholders in the mining sector governance of Sierra Leone.

## 2.1 Sierra Leone Mining Sector Institutional and Legislative Framework – as a measure of the state of inequality

Sierra Leone's mainframe Ministry of Mines and Mineral Resources is the policy governance institution leading the mining sector governance, with the Minister as the political head of the sector. The Ministry has a Board known as Minerals Advisory Board (MAB). The MAB comprises of representatives of the relevant government ministries, departments and agencies, professional and CSO representatives.

Below the Ministry is the National Minerals Agency (NMA), better known as the implementation wing of the Ministry. The NMA has a Director General and sub directors for mining, geology and surveys, for Technology Information and Management, for Finance and Administration, for Precious Minerals and for Communication and Community Affairs. In the recently reviewed NMA Act, 2023, a separate Board of Governors was maintained to supervise the work of the NMA.



SOURCE: NMA website <https://www.nma.gov.sl/>

Both the Minister of Mines and the head of NMA and their deputies are appointed by the President, subject to the approval of the House of Parliament.

For legislative governance, Sierra Leone's mining sector saw a heightened effort to reform its laws and to restructure its institutional framework since a new government came to power in 2018. The effort started with a quick-fix new Extractive Industry Revenue Act, 2018 followed by the formulation of three mining sector policies:

- i. **The Sierra Leone Minerals Policy** which aimed at increasing national benefit from mining
- ii. **The Artisanal Mining Policy** aimed at formalising the artisanal mining sector and the
- iii. **Sierra Leone Geodata Management Policy** which was aimed at providing policy regulation for the use of geodata and other information collected from an aerial geology survey done in 2018.

The reform effort also saw the review of the Mines and Minerals Act, 2009 to have a new Mines and Minerals Development Act, 2022 (assented in 2023), a reviewed Environmental Protection Agency Act and the National Minerals Agency (NMA) Act, all achieved in 2022.

Sierra Leone is also considering increasing State's participation in extraction, processing and marketing of its minerals. In addition to a new provision that requires a mandatory minimum 10% State's equity ownership in all foreign large-scale mining investments, a new law was legislated in 2023 titled *The Sierra Leone Mines and Minerals Development and Management Cooperation Act, 2023*. The spirit of this law is to prepare the legislative group for a possible State's ownership of a mining company in Sierra Leone, according to the Minister of Mines and Minerals Resources during the Policy Roundtable.

The National Revenue Authority (NMA) is responsible for the fiscal regime regulation through an Extractive Industry Revenue Act of Parliament, 2018 which says as thus:

FIRST SCHEDULE - MINES AND MINERALS

Part I: Royalties (Section 3) Royalty Rates

1. (1) Subject to sub-paragraph (2), the following shall be the royalty rates for minerals-
  - a. 3% for minerals obtained pursuant to an artisanal mining licence; and
  - b. in the case of minerals obtained pursuant to a mineral right other than an artisanal mining licence-

- (i) 6.5% for precious stones other than special stones;
- (ii) 8% for special stones;
- (iii) 5% for precious metals; and
- (iv) 3% for other cases, including bulk minerals.

(2) Samples of minerals obtained for purposes of assay, analysis or other examination or testing shall be exempt from royalties, but royalties shall apply if a sample is sold.

### 3 THE POLICY ROUNDTABLE

#### 3.1 Arrival and Registration

Participants were welcomed at the Freetown International Conference Centre for the Roundtable Event as they arrived. Breakfast was served whilst registration was going on simultaneously. Participants at the event included those from Government Ministries, Departments and Agencies (MDAs), Civil Society Actors,

International Non-Governmental Organisations and UN Agencies were all in attendance amongst many.

### **3.2 Opening Courtesies – Call to Order, Prayers, Introduction of Master of Moderator**

A call to order was made by Jacob Wilson, the M&E Officer for Land for Life/NMJD. Jacob encouraged every participant to be sited for the opening of the session. Two participants volunteered to lead the Christian and Muslim prayers respectively.

After the prayers were said, participants introduced themselves individually and the moderator, Umaru Fofanah was also introduced. In his opening statement, Mr Fofanah briefly explained his background and why he always preached against tribalism and regionalism. He said that the roundtable discussion was right at the centre of his heart because he had grown up seeing how the wrong use of natural resources in Sierra Leone had led to chaos and disaster in mining communities.

He further stated that he had mined for diamonds to pay his fees and address other social issues. He advised all participants to be attentive and contribute to the process because there would be an opportunity for participants to raise questions etc.

Mr. Fofanah provided a rundown of the event and advised the various speakers to speak directly to the issues because according to him the entire roundtable discussion will be documented and shared among participants for their feedback and key input.

### **3.3 Opening statements by Mr. Abu Brima- Executive Director, NMJD.**



Recognised as host and convener, it was his role to declare the event open and set the state for the dialogue session. He is a notable name in Sierra Leone extractive governance sector and an erudite CSO lead.

In his opening statement, Mr. Brima emphasized that the issue of natural resources holds great significance for every participant, as they are integral to our existence as human beings. He highlighted the close collaboration

between ISODEC and NMJD in addressing community issues and advocating for fair mining practices.

Dilating on the context, Mr. Brima expressed concern about the entrenched poverty situation in mining communities and the arrant state of marginalisation in places where natural resources are extracted, urging all participants to take the matter seriously. He referenced that in 2022, a high-level conference was held in Ghana to discuss natural resources and societal inequality, during which he recalled that Sonkita Conteh Esq.

delivered a presentation on the link between natural resources and inequalities. NMJD's Executive Director said that the roundtable event in Freetown that day served as a follow-up to the Ghana conference, where Mr. Sonkita Conteh from Sierra Leone did a presentation on the case study of Sierra Leone's natural resources.

Mr. Brima described the entire event as a platform for Sierra Leoneans to engage in discussions on effective and responsible management of the country's natural resources, with the aim of narrowing existing gaps. He emphasized the need for a united front to address key issues related to natural resource governance in the country.

### 3.4 Statement by Sam Danse-Executive Director, ISODEC



Mr. Danse stated that the conference served as a follow-up to a previous conference held in Ghana two years ago, which delved into the relationship between natural resources and inequality. He emphasized that the conference, funded by the FORD Foundation, aimed to facilitate national policy roundtables and the dissemination of ideas that would generate policy proposals for nations. He noted that the mismanagement of natural resources by the extractive industry over the years has resulted in inequality, as well as social and

environmental impacts in resource-rich areas. However, he acknowledged that despite Sierra Leone achieving the highest score in the implementation of EITI standards in 2019, more efforts were necessary to tackle inequality and ensure that investment proceeds are effectively utilized for the benefit of all.

The Executive Director- ISODEC emphasized the need to prioritize the sustainable energy usage of vulnerable and marginalized groups. Furthermore, he advised that the policy and legal frameworks governing the private sector in Sierra Leone should be carefully crafted to ensure accountability, transparency, and responsiveness to the needs of communities and marginalized individuals.

He called upon all stakeholders in the sector to collaborate in addressing the numerous challenges faced by communities due to poor resource management. Mr. Danse proposed that the group partners with the African Union (AU) and the Economic Community of West African States (ECOWAS) to develop accountability policies that would hold the government accountable.

## 4 PRESENTATION OF CASE STUDY ON SIERRA LEONE

This presentation was once done during the regional policy conference Accra, in Ghana.. Some of the key highlights of his presentations are:

- a. That, regardless of the continuous growl and cry against the odds of colonialism, it is noteworthy that the system of governance that continued after Sierra Leone gained independence and the one that continue to prevail, are the exact prototype of the one existed under colonial rule and little or no significant effort

has been made to entirely change the laws. Mr. Conteh argued that the government, after attaining political independence soon found pleasure in the same legal system that the colonial master had initiated as means of absolute control over the people and the State. He referenced the fact that until recently when the 2023 version of the mining law changed it, that the ownership of the minerals of Sierra Leone were vested in the government other than the State and the people. This singular excess law has made the public officials in government assume absolute ownership and control over local residents in whose lands the minerals are found.

- b. He referenced the first mining ordinance introduced by the British in 1927, and several others that followed, whose contents, he noted, are highly reflective in all the laws that followed even after independence was attained in 1961.
- c. He pointed out that until those foundational mishaps in the laws and the form of State-centered mining-sector administration are changed, the minerals in Sierra Leone can only benefit a few people at the top while the marginalized majority at the bottom continue to cry out loud;
- d. He brought the participants to speed to 2022, when Sierra Leone enacted the National Land Commission and Customary Land Rights Acts as a way of putting power and decisions in the hands of customary people. Laws he described as forward-looking and whose contents he said, could have informed the mining sector governance laws. He however expressed dismay that, even with the existence of some admirable provisions in those land laws, that some decisions were made so that the mining law took the shape that did not entirely represent the wish and aspiration of the citizens of Sierra Leone.
- e. He mentioned that the artisanal mining space which should have been reserved for Sierra Leoneans is now being taken by foreigners. He cited several instances where these foreigners are colluding with some local chiefs to undertake mining operations on a significantly high scale without following due diligence.
- f. That the effort of the Environmental Protection Agency (EPA) to strengthen its demand for mining companies to conduct environmental impact assessment and to secure an a license from EPA to carry out their operations, is noteworthy. He however pointed out the focus has been seen shifting significantly from a regulatory authority to revenue generation agency which he said may soon lead to a conflicting interest.
- g. On the economy, he noted that in 2011-2013, the GDP and foreign exchanges of Sierra Leone were boosted as a result of mining activities undertaken, though it was not sustainable and that the benchmarks of these economic boost are nowhere visible on the communities from which the mining activities were carried out, except the ravaging environmental and social impacts;

- h. That in 2018, the inequality score of Sierra Leone was 35.7%, which makes the country a bit far off from 0% equality neutral point. He explained further how these score are calculated – that from 0% downwards indicated that there is level of equality and on the other hand, upwards would mean that there is a high rate of inequality.
- i. That from the gender perspective, men have dominated the mining sector for a very long time. However, some laws like the Gender Equality and Women's Empowerment Act if implemented very well will help solve some of this inherent inequality in the mining sector. On compared poverty line, he said is noted at 70% of poor people in Sierra Leone are women especially those living in rural mining communities.
- j. Inconsistent spending patterns in Sierra Leone, he said, could be noted as one of the key driving seats of inequality in Sierra Leone. He pointed out that, appallingly, the government does not seen making premium expenditure on needs that narrow the inequality gap – such as universal healthcare, affordable quality education, poverty reduction, job creation etc.
- k. He cited that the new mining law calls for Free Prior and Informed Consent (FPIC). A good example, he said if implemented well, will help to restore lost rights to communities;
- l. As acclaimed, the new mining law stipulates that a minimum 1% of annual revenue is expended on community development. This, he said is comparatively better than the previous 0.01% that existed in the previous law, but that a 1% share is still insignificant when compared to impact and loss that communities endure,
- m. He further noted some inconsistencies between the new land law and the the new Finance Act of 2024. As against the provision of the land laws that says the government will stipulate a minimum fee for land leas, but that communities can negotiate, that the new finance act seems to have definitely pegged the value of land at 20 USD per hectare without any clear explanation or a provision for communities to demand otherwise,

#### 4.1 Expert Presentation 1: Ownership, Community Rights and Benefits Sharing of Minerals Resources:

The following comments were noted as exact words of the expert presented, **Mr. Daniel Gbondo Esq.** as he presented on the topic Ownership, Community Rights and share of the benefits of mineral resources.

- a. Noted that the policy roundtable created the space for intellectual exchange that would shed light on some of the challenges that we know are inherent in the exploitation of extractive resources;
- b. Exploitation of Sierra Leone's extractive resources has produced mixed results.

- c. Communities have had to endure loss of livelihoods and inadequate compensation for both physical and economic displacements occasioned by the expansion of the scope and depth of extractive resource exploitation.
- d. We cannot continue exploiting our mineral resources without creating win-win conditions for the country, companies, and citizens as a whole.
- e. To optimise benefits from the extractive sector, we have to ensure that there are upstream, side stream and downstream linkages with other sectors of the economy.
- f. The government's over-reliance on receiving payments from extractive companies cannot generate a fair share that the citizens of this country deserve.
- g. Creating legal regimes that transfer revenues from extractive resource exploitation for the direct benefit of citizens of this country is commendable.
- h. Communities can only be protected from the harmful effects of extractive industry operations when the institutions are created to manage them. The extractive sector has the requisite capacity to discharge its duties and have the right policy.
- i. Communities need to share in the ownership of the minerals on their land as the only way by which full benefit if communities form their God-given minerals can be guaranteed.

#### 4.2 Expert Presentation 2: Gender and Social Impact of Mining Operations.

Madam **Eleanor Thompson Esq.** made her presentation through an expert note pre-prepared and circulated after her presentation. The following were noted in her presentation:

- a. Noted that the relevant MDAs must put women at the center of policymaking and law-making; that doesn't mean that they are given one "tokenistic" seat in a committee or are consulted as part of a tick-box exercise. But rather women in mining communities must be at the center of shaping mining sector policy. That necessarily means that relevant MDAs need to take an inclusive and bottom-up rather than top-down approach to policymaking. Whether there are quotas or not, whether required by the GEWE Act or not, that doesn't stop us from going beyond the standard (or rock-bottom).
- b. Relevant MDAs should ensure enforcement of existing laws; we have the laws she noted; let's use them! If even the requirements in Schedule 3 of the EPA Act on what should be included in an EIA is enforced, the gender and social impacts can be identified and mitigated (or avoided). This goes beyond lip service enforcement. For instance, there's a difference between a consultant doing a 15-minute highly technical presentation on the environmental studies done in connection with a mining project and a

real interactive discussion with communities (with active participation of women) on the impacts, mitigation measures, and alternatives of the mining project. Those two approaches yield much different results. It would be interesting to see a study comparing the gender and social impacts in mining communities where the former approach is taken versus the latter.

- c. Development Partners should support their partners to undertake robust data research and data collection on the gender and social impacts of mining that can underpin policymaking, law-making, and practical interventions by government and non-governmental actors that these development partners support.
- d. For effective policymaking for natural resource management, the Government, led by the MMMR's research and policy staff, should dedicate resources to quantitative and gender-responsive data collection.
- e. A Sierra Leone Country Mining Vision, if ever finalised and adopted, must have the protection and promotion of women in the mining sector as a key principle and all actions in the Vision's action plan must be context-specific and practical. For instance, the AMV country action to ensure progress toward gender equity and the empowerment of women generally charges states with initiating empowerment of women through integrating gender equity in mining policies, laws, regulations, standards and codes. Sierra Leone's country mining vision should focus on how this translates to changing the gender inequalities and gender-based violence in mining communities. Rather than continuing to enact laws and adopt policies at national level when there are many that can already be implemented.
- f. All mining companies should establish company-level/operational-level grievance mechanisms for women and members of mining communities to make complaints regarding harms suffered as a result of the company's operations or against company staff. This is now a requirement under section 80 of the National Land Commission Act 2022.
- g. Mining investors and operators should review their compliance with the Local Content Agency Act and the Gender Equality and Women's Empowerment Act, especially in terms of employment of women generally and in management positions. They should go beyond the minimum quotas for employment. Preferences should be given to women from local communities, if possible.

- h. Private sector umbrella bodies should set industry voluntary and involuntary standards for their members who are investors and operators in the mining sector regarding protection and promotion of women and marginalized groups.
- i. Continue to gather data in all its forms on the gender and social impacts of mining operations. This also means analysing and seeing the trends: What has changed? How? Why? Could lead down a different data collection or research road than previously contemplated. Transforming the data and existing research into practical, easy-to-understand tools for women, traditional authorities, policymakers, and the private sector in the best way possible.
- j. It is not enough for women to know that they can **SAY NO** to mining development. Understanding the law is not enough; but it has to be practical. CSOs working together in partnership - some do legal empowerment, others livelihood support, others social programs, others address SGBV. All have to work in tandem because the issues are cross-cutting and intersectional.

#### 4.3 Expert Presentation 3: Mining and Sustainable Development: To Mine or Not to Mine.

**Mr. Andrew Keilie** is a renowned professional in the mining governance sector of Sierra Leone, having won a long list of contracts for environmental impact assessment and other professional studies in the sector. His presentation was aimed at sustainable mining, whether to mine or not to mine. His presentation however focuses on these key highlights:

- a. An effort should be made at economic diversification so that other sectors are developed to augment the income from the mining sector and provide a revenue base when the mining sector runs out of steam.
- b. Land use is an important consideration as there are many competing uses for such lands. The assessment of sustainable development issues in such contexts is absolutely desirable in the decision making process, which should be interdisciplinary and involve all stakeholders.
- c. Donors and NGOs should become actively involved in the mining sector in developing countries. They should help fill knowledge gaps so as to turn mining benefits into sustainable development for the poor host countries/communities.
- d. Donor institutions must be actively engaged in order to ensure that large-scale commercial mining activities offer socio-economic benefits to low-

income mineral rich countries. Large-scale commercial mining in resource rich developing countries must not be discouraged, but rather be developed by involving all stakeholders (companies, host country/communities, governments, donors and NGOs) in order to foster economic development in a just and sustainable manner.

- e. Targeting transparency both on the part of the corporation and the host government would improve fiscal benefits. The present lack of transparency limits host countries' revenues – resources that could have been put into other productive sector activities or social services.
- f. Transparency and tax evasion have been some of the donors' priority areas. It is imperative that they continue with and strengthen their activities to combat the multinational mining corporations' illicit financial flows and tax evasion practices.
- g. A lack of transparency also means that the state itself does not reveal the revenues earned through mining and thus does not have to justify fiscal expenditure from mining related revenue. Therefore, there is a need for donor and NGO assistance to help governments develop more efficient tax collection practices, and the redistribution of fiscal revenue to other productive sectors also needs to be developed.

## 5 POLICY PANEL DISCUSSION

The panel consisted of different actors who have spent some considerable time in the natural resource governance advocacy in Sierra Leone. The topic of discussion was centered on ending inequality. Each discussant was allowed to respond to the questions posed. The session was moderated by Mr. Umaru Fofanah. The discussants were:

**Thophilus Gbeinda**  
*a Civil Society Representative,  
 Chairman for Journalist on Mining and  
 Extractives*

**Aminata Kellie Lamin**  
*Governance Advisor, Action Aid Sierra  
 Leone*

**Esther F. Kandeh**  
*Executive Director Women on Mining and  
 Extractives*

**Mabinty Sesay**  
*Snr. Policy Analyst, Ministry of Mines and  
 Mineral Resources*

The discussion points and the key comments are noted in the table below:

Discussion Point 1:	<b><i>Ending Inequality in the Natural Resource Sector</i></b>
<p>➤ <b>Response of Theo-Gbeinda</b></p>	<p>➤ <i>Drastic measures need to be taken by everyone in the country to address inequality;</i></p>

	<ul style="list-style-type: none"> <li>➤ We should be sincere in our quest to address inequality in Sierra Leone;</li> <li>➤ The state should ensure a win-win situation in the mining sector;</li> <li>➤ The corporate social responsibility of companies should not be captured as an expenditure from profit. It should be part of the goodwill of the companies.</li> </ul>
<ul style="list-style-type: none"> <li>➤ <b>Responses of Aminata Kelly-Lamin:</b></li> </ul>	<ul style="list-style-type: none"> <li>➤ To end inequality, Sierra Leoneans should be considered as key players in global natural resources management;</li> <li>➤ A level field should be provided for Sierra Leoneans especially those in rural communities to participate in the natural resource management of the country;</li> <li>➤ Tax treaties and frameworks should favour Sierra Leonean companies as against foreign companies;</li> <li>➤ All categories of society should be involved in the decision-making process to ensure that there is equality in the natural resource governance of the country;</li> <li>➤ There should be bottom-top (Community to government) approach in the natural resource governance of Sierra Leone</li> </ul>
<b>Discussion Point 2</b>	<b>Assessment of the implementation of the Mining and Land Laws of Sierra Leone as related to women's rights</b>
<b>Esther F. Kandeh:</b>	<ul style="list-style-type: none"> <li>➤ The first step to address inequality in the mining sector is to pass laws that will address inequality;</li> <li>➤ The new land laws and other gender-sensitive laws passed by the Parliament of Sierra Leone are yet to be fully implemented. Until it is fully implemented, we cannot say the law is gender friendly;</li> <li>➤ Women's education on the natural resources laws of Sierra Leone is to be considered by the government and CSOs;</li> <li>➤ All mining companies should have gender-safeguarding laws that will protect women;</li> </ul>
<b>Mabinty Sesay</b>	<ul style="list-style-type: none"> <li>➤ The Mines and Minerals Development Act 2022 makes provision for women's representation on the Minerals Advisory Board;</li> <li>➤ Lots of sensitization need to be done to ensure that women understand the issue of equality in the extractive sector;</li> </ul>

	<ul style="list-style-type: none"> <li>➤ The government is working hard to ensure that all Gender Acts are fully implemented</li> <li>➤</li> </ul>
<b>Discussion Point 3</b>	<b><i>The Mining Laws and Artisanal Miners</i></b>
<b>Aminata Kelly-Lamin</b>	<ul style="list-style-type: none"> <li>➤ The mining laws do not protect artisanal miners;</li> <li>➤ To protect the rights of not only artisanal miners, but Natural Resource Governance should also be a component in the constitution of Sierra Leone;</li> <li>➤ The government should ensure that revenues from mining companies are well-protected to seek the interest of everyone, especially the vulnerable ones in communities;</li> </ul>
<b>Discussion Point 4</b>	<b><i>The Impact of Mining on the Environment. Who Should Be Blamed?</i></b>
<b>Theophilus</b>	<ul style="list-style-type: none"> <li>➤ Government should be blamed for the consequences of mining on the environment,</li> <li>➤ Mining companies should pay huge land reclamation fees so that the damage can be mitigated;</li> </ul>
<b>Esther F Kandeh</b>	<ul style="list-style-type: none"> <li>➤ Recommendations on the environmental impact assessment should be followed through;</li> <li>➤ Many people have died as a result of the damage done on the environment by these mining companies;</li> <li>➤ Many people cannot grow their food crops on land that has been used for mining.</li> </ul>
<b>Discussion Point 5</b>	<b><i>Should the state take over mining in Sierra Leone?</i></b>
	<ul style="list-style-type: none"> <li>➤ The government should have a fair share of mining proceeds.</li> <li>➤ For the state to take over mining, it needs to ensure that the laws are in favour of the people whose lands are being utilized to get these minerals.</li> <li>➤ The state should ensure that strong mechanisms are put in place before taking over the sector.</li> </ul>

## 6 KEYNOTE STATEMENT - by the Minister of Mines and Mineral Resources- GoSL



The Minister expressed gratitude to NMJD and ISODEC for organizing an exceptional roundtable discussion in Freetown. He emphasized the significance of Sierra Leone's natural resource sector, as it greatly contributes to the country's revenue generation. The Minister concurred that the sector should be governed by legislation that not only safeguards the rights of local communities but also protects the environment. He elucidated that the country's mineral wealth is owned by

the state on behalf of the people, rather than by the government itself. This, he noted, has been a major factor contributing to poor natural resource policies in the country. The Minister recollected that between 2012 and 2015, minerals accounted for 25% of the country's GDP, and Sierra Leone ranked as the 6th largest exporter of iron ore to China. However, this growth was not sustainable. Looking ahead to 2023, the Minister shared that the total value of mineral exports from Sierra Leone is projected to reach 1.2 billion USD, which he considers to be some progress. He informed the audience that there are currently 24 Large Scale Mining Companies and 37 small-scale mining companies operating in Sierra Leone. The Minister stressed that effective management of the country's natural resources necessitates the active involvement of communities, including young people and women.

## 7 Gaps Identified in the Natural Resource Governance Sector of Sierra Leone

- a. Gender disparity and inequality in the natural resources governance of Sierra Leone.
- b. Serious environmental concerns in areas where there are mining activities.
- c. Lack of transparency in the sector leads to the suffering of community people.
- d. Poor management of the natural resource governance of the country because of bad laws and exclusion.
- e. Communities are uneducated on the laws governing natural resources in the country.
- f. EPA, which is supposed to check the environmental plans of mining companies is now a revenue-generating entity.
- g. Unguided illicit and illegal mining in the country.

## 8 Policy Recommendations

During the roundtable discussion, participants provided the following policy recommendations:

- Payment for crop loss should not be one-off, it should be an annual payment just like the surface rent spanning the life of the crops lost;
- Review Mine closure should be clear in the Mines and Minerals Act. The impact of mines closure is always huge on poor people.
- The Ministry of Mines should develop a Gender Mining Strategy, which will provide a better gender analysis of the ESIA Process;
- 70% of the soil in Sierra Leone is acidic due to the mining culture in the country. The government should institute policies that will prevent soil damage ;
- The Local Content Act should be fully implemented so that Sierra Leoneans will have a competitive edge over foreign investment, products and service providers.
- The government should develop and enforce policies that will prevent mining companies from destroying the roads and farms of community people.
- corporate social responsibility investments are to be informed by local development plans
- A thorough sensitization plan on the various minerals and mining related legislations of Sierra Leone should be developed and popularised.
- Regular joint inspection of mining areas in Sierra Leone;
- Exemptions of extractive industry companies from the payment of property taxes should be abandoned;
- Legal regimes should be reviewed to recognise and protect community rights to minerals discovered on their lands-communities to be co-owners of minerals.
- Gender-sensitive and youth-inclusive governance systems are established to ensure that young people and women are included in mineral resource management decisions;
- Surface rent contributions to constituency development or district development should be abandoned in favour of landowners receiving full and adequate payments and compensation for physical or economic displacement occasioned by extractive resource exploitation operations.
- The government should make domestic laws and regulations consistent with their international human rights commitments;
- Efforts should be made at economic diversification so that other sectors are developed to augment the income from the mining sector and provide a revenue base when the mining sector runs out of steam;

- Community engagement is much broader than just the EIA process and should take place throughout the life of a mine;
- The principle of consulting with people in making decisions that affect their lives is expressed in the principle of free, prior and informed consent (FPIC), which applies to the rights of indigenous/community peoples. FPIC should be fully upheld and implemented to the letter throughout the lifespan and value-chain of the mine/minerals.
- In order for Sierra Leone to maximize benefits from its natural resources, it should adopt and implement value-addition and beneficiation schemes.
- Donor institutions must be actively engaged to ensure that large-scale commercial mining activities offer socio-economic benefits to low-income mineral rich countries.
- Relevant MDAs must put women at the centre of policymaking and law-making;
- All mining companies should establish company-level/operational-level grievance redress mechanisms for women and members of mining as well as a human right framework;
- Mining investors and operators should review their compliance with the Local Content Agency Act and the Gender Equality and Women's Empowerment Act, especially in terms of employment;

## 9 Key Lessons Learned

- Educating vulnerable groups, such as women and girls, people with disabilities in mining communities, with knowledge of natural resource laws allows for meaningful participation in decision-making and independent engagement with mining companies.
- Political commitment to policy recommendations helps to sanitise the country's natural resources sector.
- The limited participation of mining companies in the roundtable left so many unanswered questions
- The roundtable created a platform for community people including persons with disability to express their concerns on natural resources governance in the communities by extension the government.
- Continued stakeholder engagement and negotiations are key to securing long-term successes in mining communities.

## 10 Annex

### 10.1 Link to access stories:

1. **Awoko Newspaper**

<https://awokonepaper.sl/nmjd-and-isodec-lead-policy-roundtable-to-combat-natural-resource-inequalities/>

2. **Calabash Newspaper**

<https://thecalabashnewspaper.com/nmjd-isodec-conclude-roundtable-to-address-inequalities-in-sierra-leones-natural-resource-management/>

3. **NMJD Facebook Page**

<https://www.facebook.com/nmjdsierraleone/posts/pfbid02DAyBfWPQrEdkPzDNhPEH3P8HH7asz4q9Rqf3NNTk9o2K2KBsRc7eaWEdTv1JBp1Ml>

4. **YOUTUBE AYV TV REPORT**

[https://youtu.be/hCkC\\_k42CFo?si=mhRjzgdewrmdZTSH](https://youtu.be/hCkC_k42CFo?si=mhRjzgdewrmdZTSH)

### 10.2 PARTICIPANT LIST

SECTOR	#of target participants	Location	Further Description
Gov't. MDAs	13	Freetown	Key Policy stakeholders

<b>National CSO</b>	<b>9</b>	<b>Freetown</b>	<b>Key stakeholders</b>
<b>International NGOs/ Cooperation</b>	<b>6</b>	<b>Freetown</b>	<b>Key Stakeholders</b>
<b>National Media</b>	<b>5</b>	<b>Freetown</b>	<b>Professionals</b>
<b>Local CBOs/Structures</b>	<b>7</b>	<b>Provinces</b>	<b>Local Authorities</b>
<b>Private Investor/Mining Companies</b>	<b>4</b>	<b>Provinces</b>	<b>Private sector partners</b>
<b>Academia</b>	<b>3</b>	<b>Freetown</b>	<b>Academic Partners</b>
Technical Experts	<b>4</b>	<b>Freetown</b>	<b>Experts</b>
Coordinators	<b>2</b>	<b>Freetown</b>	<b>Support</b>
ISODEC	<b>2</b>	<b>Ghana</b>	<b>Int. Support</b>
<b>TOTAL</b>	<b>55</b>		

### 10.3 ORGANISING COMMTEE

No	Name	Institutes	Designation	Contacts
1.	Abu A. Brima	NMJD	Executive Director	076-645314
2.	Berns Komba Lebbie	NMJD	Lead-NRRGP	079-036969
3.	Peter Bangura	NMA	Director of Mines	078-782190
4.	Esther Kandeh	WoME	Coordinator	077-886159
5.	Yollah Bangura	Human Rights Commission - SL	Director, Business and Human Rights	076-808257
6.	Mohamed Baimba Koroma	SL – EITI	Coordinator	076-942857
7.	Umaru Fofanah	BBC/Politico Newspaper	BBC Correspondent	076-609285
8.	Emmanuel Sandi	MMMR	Dep Per. Sect.	076-209010

### 10.4 PROGRAMME OF EVENT

Time	Key Event	Interpretation Note	Responsible Person
8:30 – 9:00	Arrival and Registration	Participants arrived and breakfast is served upon arrival.	All
9:00 – 9:30	Opening Courtesies	<ul style="list-style-type: none"> <li>• Call to Order;</li> <li>• Opening Prayers</li> </ul>	NMJD/Volunteers

		<ul style="list-style-type: none"> <li>• Introduction</li> <li>• Welcome (Political) Statement</li> </ul>	
9:30 - 10:00	Establishment of the purpose and Brief context of Mining Sector Governance in Sierra Leone	<p>Focus is on:</p> <ul style="list-style-type: none"> <li>• Background and purpose;</li> <li>• Brief Political Statements</li> </ul>	<p>NMJD – Background and Purpose</p> <p>Key political figures &amp; ISODEC– Statements</p>
10:00 - 10:30	Presentation of Sierra Leone Case Study	Mr. Sonkita Conteh presents the Case Study on Sierra Leone as was presented during the Regional Conference in Accra	Sonkita Conteh Esq
10:30 - 11:00	BRIEF PLENARY	This plenary is for a brief reaction/reflection on the core issues raised in the presentation on the Sierra Leone's case study,	Moderator
11:00 - 11:20 (20 Mins)	Expert Presentation 1	Topic: Ownership, Community Rights and Benefit-sharing of mineral resources – with emphasis on women and youth;	Mr. Daniel Gbondo
11:20 - 11:40 (20 Mins)	Expert Presentation 2 and Q&A	Responsible mining, Environmental Protection and the threat of climate change;	Salami Kanu- EFORAC Director
11:40 - 12:00 (20 Mins)	Expert Presentation 3	Gender and Social Impact of Mining Operations	Mrs. Aisha Fofanah/Eleanor Thompson
12:00 - 12:20 (20 Mins)	Expert Presentation 4	Mining and Sustainable Development: To Mine or Not to Mine?	NMJD (TBD)
12:20 - 12:40 (20 Mins)		Break	
12:40 - 1:40	POLICY PANEL DISCUSSION	This is a critical panel discussion on the theme “Ending Inequality in Sierra Leone’s Natural Resource Management”	<ol style="list-style-type: none"> <li>1. MMR</li> <li>2. Sector Expert- Andrew Keilie</li> <li>3. CSO-Theo Gbeinda</li> </ol>

		The question on the table is: How to end inequality in the natural resource management in Sierra Leone?	4. Gender Rep.- Esther F. Kande
1:40 - 2:00	PLENARY SESSION ON RECOMMENDATIONS	This is to document policy recommendations and next steps.	Plenary
2:00 - 2:15	CONCLUSION	Key Note Speech	Minister of Mines & Mineral Resources

### 10.5 Photo Gallery



Participants during the round table raising issues



Members of the High table. LR Mr. Andrew Keilie, Ms. Eleanor Thompson, Mr. Daniel Gbondo, Mr. Julius Mattai-Minister of Mines and Mr. Abu Brima



Participants during the round table raising issues for discussion



Mr. Umaru Fofanah making submission as he chaired the whole event