



Commission on Human Rights  
& Administrative Justice, Ghana

# The State of Human Rights in Mining Communities in Ghana



March 2008

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## I. FOREWORD

Community leaders in mining areas and civil society campaign groups in Ghana claim large scale surface mining activities are responsible for widespread poverty, social and environmental degradation and demand urgent action and compensation.

Awareness of environmental and human rights concerns within the gold mining industry has increased over the years. Extensive media coverage of these concerns has attracted critical public debates.

The mining industry in Ghana is a major contributor and player in national development. However, notwithstanding its positive contribution to national development it is not without its own attendant problems, challenges and constraints including alleged human rights abuses in mining areas, which when not addressed holistically can undermine the country's juvenile democracy and threaten the benefits of mining for national development.

The Commission on Human Rights and Administrative Justice (CHRAJ), which has primary responsibility in the country to protect and promote the rights of all persons, has received many complaints on human rights violations from people living in mining communities across the country.

The Commission has since 2001 investigated human rights violations in mining areas. Earlier in 2001-2002, the Commission investigated complaints of violations of human rights in some mining areas. Public hearings were organized in the Wassa West district that has the greatest concentration of mining companies to solicit views from all stakeholders and to ensure that the basic rights of individuals, groups and companies and communities affected by mining operations are respected and preserved. A key emerging issue concerned the lack of mutual understanding between the mining companies and communities.

A verification mission undertaken by a team of investigators from the Commission to the mining communities of Sansu and Binsere in the Obuasi Municipality of the Ashanti region and Kenyasi and Ntotroso in the Brong Ahafo region in October, 2006 confirmed some of the reports of widespread violent abuses of human rights by mining company officials and their security contractors.

The causes of the violations of human rights appear systemic in nature requiring, in part, a solution that will tackle the systemic causes of those concerns and violations. Based on the Commission's concern for the protection of basic human rights of all persons and in line with its mandate, the Commission in 2006 proposed a systematic investigation to determine the state of rights and fundamental freedoms of people living in mining communities in Ghana.

In undertaking this exercise, the Commission is mindful of the economic objectives of the Fourth Republican Constitution of Ghana, 1992 which, among other things, requires the state to take:

*'All necessary action to ensure that the national economy is managed in such a manner as to maximize the rate of economic development and to secure the maximum welfare, freedom and happiness of every person in Ghana and to provide adequate means of livelihood and suitable employment and public assistance to the needy<sup>1</sup>'.*

It appears most people living in mining communities in Ghana believe that the right to development remains an empty promise to them even though the UN General Assembly officially recognized this right in a Declaration over two decades ago.

The Declaration on the Right to Development recognises that development is a comprehensive economic, social, cultural and political process, which aims at the constant improvement of the well being of the entire population and all individuals on the basis of their meaningful participation in development and in fair distribution of its benefits resulting.<sup>2</sup>

Article 8 of the Declaration provides that: "States should undertake, at the national level, all necessary measures for the realization of the right to development and shall ensure, inter alia, equality of opportunity for all in their access to basic resources, education, health services, food, housing, employment and the fair distribution of income. Effective measures should be undertaken to ensure that women have an active role in the development process. Appropriate economic and social reforms should be carried out with a view to eradicating all social injustices".

Claims of greater justice by people living in mining communities do indeed merit serious attention. The price of not addressing these concerns is the resulting tense relations between companies and communities that could make the communities drift into violence.

The project entailed two types: systemic and normal complaints investigations. The systemic investigation was not a fault finding one. It was rather directed at studying the systemic causes of human rights violations. Investigation of individual complaints is being undertaken as part of the Commission's routine investigation of complaints of violations of human rights and freedoms.

The investigation seeks to critically examine the broad trends of the human rights situation in mining communities and the underlying reasons for increasing reports of human rights violations in mining areas in the country.

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<sup>1</sup> Art 36 (1) of the 1992 Constitution of Ghana

<sup>2</sup> Resolution 41/128, December 4 1986



The specific aims of the investigation are:

- To assess the human rights situation in the mining communities.
- To examine the extent of pollution of water bodies and causes of environmental degradation.
- To promote cordial relations between mining companies and mining communities.

A foremost aim of the investigation, in the long term, is to find solutions to the problem of allegations of abuses of the rights of people living in mining communities across the country.

The investigation was launched in December, 2006 at a Stakeholder's Forum on the *State of Human Rights in Mining Communities*. Village community leaders and civil society campaign groups in the meeting reiterated that large scale surface mining activities in the country are responsible for widespread poverty, social and environmental degradation in the mining areas in the country. This report covers the above processes.

The investigation is not a fault finding one, however, it does not overlook the obligations and responsibility of any of the stakeholders as it explores ways of advancing human rights in places where mining take place in the country. All role-players have an opportunity to address the issues with the Commission in a co-operative manner.

The investigation was based on Focus Group Discussions with community leaders, local authorities, women and youth groups, consultations with local police service and mining companies, and interviews with complainants. These were done in a confidential manner in order to elicit the nature and causes of alleged violations with a view to exploring solutions with the various groups.

Most importantly, the Commission extends its sincere gratitude to those living in mining communities who willingly discussed with the team of researchers what in their view constituted violations in the mining areas. In addition, the Commission is very grateful to the representatives of institutions and mining companies who shared with the interviewers their views on pertinent rights issues raised during the consultations.

We hope that this report and project will contribute to a better understanding of the reality of life in mining communities in Africa and will become a tool that will assist in taking measures to tackle the numerous problems that beset mining communities in particular. We envisage that the report will also help in promoting tolerance and restore cordial relations between all groups in areas where mining take place in the country and create the most conducive environment for development

I take this opportunity to thank DFID, UNDP and DANIDA for providing funding support for this timely and important initiative.

A handwritten signature in black ink, appearing to read 'Anna Bossman'.

Acting Commissioner  
*Anna Bossman (Ms)*

## II. ACRONYMS

AGA	AngloGold Ashanti
AGL	Abosso Goldfields Limited
AMS	African Mining Services
BGL	Bogoso Gold Ltd
CAGGL	Central African Gold, Ghana Ltd
CBA	Community Birth Attendant
CCC	Community Consultative Committee
CEO	Chief Executive Officer
CEPIL	Center for Public Interest Law
CGML	Chirano Gold Mines Ltd
CHF	Community Health Facilitator
CHRAJ	Commission on Human Rights and Administrative Justice
DA	District Assembly
DCE	District Chief Executive
DMCC	Damang Mining Consultative Committee
EPA	Environmental Protection Agency
FCD	Focus Group Discussion
GAG	Ghana Australian Goldfields Ltd
GMCL	Ghana Manganese Company Limited
GNMC	Ghana National Manganese Corporation
GSRL	Golden Star Resource Limited
GWSC	Ghana Water & Sewerage Corporation
ICI	Imperial Chemical Industries
JSS	Junior Secondary School
KMS	Kwesi Mensah Shaft
LVB	Land Valuation Board
MC	Minerals Commission



MCE	Municipal Chief Executive
NCOM	National Coalition on Mining
NGO	Non-Governmental Organisation
NHIS	National Health Insurance Scheme
OASL	Office of the Administrator of Stool Lands
OICI	Opportunities Industrialization Centres International
PUC	Prestea Urban Council
REGSEC	Regional Security Council
SEED	Sustainable Empowerment and Economic Development
SSCE	Senior School Certificate Examination
ECG	Electricity Company of Ghana
SSS	Senior Secondary School
TGL	Teberebie Goldfield Ltd
TWN	Third World Network
UC	Unit Committee
UNDP	United Nations Development Fund
WACAM	Wassa Association of Communities Affected by Mining
AILAP	Agriculture Improvement and Land Access Programme
NPV	Net Present Value
NDC	National Democratic Congress
ECD	Environmental Control Dam

### III. EXECUTIVE SUMMARY

Over the years, there have been increasing reports of violations of the rights of people living in mining communities. Community leaders in mining areas and civil society campaign groups claim large scale surface mining activities are responsible for widespread social and environmental degradation and demand urgent action and compensation.

Allegations of violations of rights and fundamental freedoms of people living in mining communities include:

- Violent, illegal arrest and detention of community members.
- Torture of persons illegally arrested and detained.
- Assault and battery (sometimes involving the use of firearms and other deadly weapons) of youth accused of trespassing on mine property and illegal mining.
- Interference (often violent, involving the use firearms) against citizens engaged in public protests against activities of mining companies.

In view of the human rights situation in the mining communities and the nature of allegations, the Commission decided to conduct a nation-wide investigation to determine in a systematic manner, the nature and causes of these violations.

The investigation was launched on December 12, 2006. Its foremost aim was to examine critically the state of human rights in mining communities and the underlying reasons for the increasing reports of human rights violations in mining areas in the country. Even though the investigation is not a fault-finding one, it does not overlook obligations and responsibility of any of the stakeholders as it explores ways of advancing human rights in the mining areas. All role players had an opportunity to address the issues in a co-operative manner.

The investigation also seeks to protect the rights and fundamental freedoms of people affected by mining operations across the country; the rights to livelihood, a home, clean water, safe environment and the nation's rights to development.

It further aims to restore cordial relations between all groups in areas where mining takes place in the country, and create the most conducive atmosphere for development.

#### **The Report**

The Report provides an accurate reflection of the broad trends of the human rights situation in mining communities and the underlying causes of human rights abuses that continue to dominate the headlines of our newspapers and radio. This final Report is in two parts: The first part provides information on the state of human rights in communities covered in the study based on focus group discussions (FGD)

and the second part states the findings and recommendations.

## **Focus Group Discussions**

Focus group discussions with strategic sections of mining communities including traditional rulers, women's groups, farmers, artisanal miners and illegal artisanal miners (galamseys) and the youth allowed the team of investigators to delve into the relevant issues in considerable depths. Consultations with mining companies also allowed the companies to respond to issues raised by community representatives and comment on evidence gathered by the investigators.

## **Findings and Recommendations**

The results show that there is evidence of widespread violations of human rights of individual members of communities and communities' collective rights in some mining areas in the country. Some of these identified violations have been profiled for possible thorough follow-up investigations.

The Commission found evidence to conclude that there has been widespread pollution of communities' water sources, deprivation and loss of livelihoods. Several examples of excesses by the security agencies and the security contractors of the mining companies were provided and documented. Some of these excesses had resulted in serious injuries and were sometimes fatal.

The findings include the following: inadequate compensation for destroyed properties; unacceptable alternative livelihood projects, absence of effective channels of communications/consultations between companies and communities; excesses against galamseys; health problems attributed to mining, reckless spillage of cyanide, and unfulfilled promises of employment.

The study results showed that both mining companies and communities recognise the importance of effective channels of communication between them as an effective means of resolving differences and preventing the escalation of conflicts. It must however be noted that there have been commendable efforts by some mining companies to address some of the problems identified. Some mining companies have provided alternative sources of water for polluted or destroyed ones, established community relations departments to handle grievances of communities, particularly those concerning compensations for destroyed property and the planning of community development projects. Some companies have undertaken specific projects, such as malaria control programme, to address specific health concerns of communities.

The nature and degree of these rights abuses vary in scale based on a variety of considerations: the specific company operating in the area; the stage of mining

activities, proximity of community to mining and processing facilities, the mining culture of local population; whether one is dealing with large scale or small-scale mining.

The most serious complaints of abuses came from communities within the operational areas of long history of mining and least in those at mine development phase. While issues of excess force against individuals and of deprivation of livelihoods are more endemic in large-scale mining areas, child labour is absent in these mines but very endemic in small-scale mining areas. Complaints of human rights violations were more prevalent in communities affected by AGA operations in Obuasi and Golden Star Resource operations in Prestea and Dumasi. In many of these cases the violations were against alleged gamseys encroaching upon concessions of these companies.

The investigations also show that state institutions with regulatory and monitoring responsibility for the mining sector have not performed optimally due to capacity constraints.

## **Water and Water Sources**

Access to water is a problem in many communities. Many rivers and streams, which hitherto, provided water for the communities have been destroyed, polluted or either dried up. Cyanide spillages into rivers and streams by mining companies were recorded. There was evidence that mercury was widely used in small-scale mining in the communities visited.

The companies provide alternative water supply to the communities: stand pipes, bore holes and pipe borne water, some of which were malfunctioning. Apart from some malfunctioning, communities complained that some provided water that was unsafe for drinking. District Assemblies also provided some potable water to some of the communities.

Tests of water sampled from water sources in 22 out of 28 mining communities show that, at least, two water quality parameters, with health implications, were present and in concentrations significantly higher than the World Health Organization (WHO) maximum allowable limits for drinking water.

## **Environment (Pollution and Blasting)**

Widespread complaints about dust and noise pollution from mining activities resonated in many communities. It was evident that the companies did not take dust suppression measures seriously and often limited sprinkling to the areas where they were actively operating.

It was clear that some communities are bearing considerable negative brunt of the mining activities of some companies. In some cases some of these affected communities have appealed to the companies for resettlement or relocation. Communities such as Binsere, Dokyiwa, who feel threatened by the unacceptable stench from a cyanide pond located very close to these communities and Anwiam as well as Anyinam located within active mining areas demand resettlement.

Blasting activities of mining companies have caused cracks in several buildings in Obuasi and Prestea. Blasting and the consequent vibration of the ground result in the shaking and cracking of buildings and the mosaic of underground workings aggravates the vibration from blasting. The communities visited in these areas contend that noise and dust from blasts, and the movement of large haulage trucks constitute major nuisance to the communities. It was also alleged that noise from blasting detracts school children from paying attention in class, while residents have sleepless nights when blasting occurs in the night. The women complain that people usually experience shock and children especially are frightened when sudden loud blasting sound is heard. They have to constantly re-plaster these cracked buildings at their own cost.

## **Health and Related Issues**

Most mining communities visited attributed a variety of health problems prevalent in their environment to mining activities. At Obuasi medical officers at the Bryant Mission and Obuasi Government medical facilities acknowledged that some of the diseases prevalent in communities in the periphery of the mine are in part attributable to mining.

Common diseases suffered by community dwellers are skin diseases, chest diseases including TB, diarrhoea and malaria, as well as typhoid. Communities located very close to centres of mining activities like Anyinam claim air pollution makes them experience dizziness and headache.

Mining communities in Akatakyieso, Binsere and Dokyiwaa complained of the prevalence of mosquitoes in their communities due to stagnant water in abandoned pits and trenches dug by the mining company.

The communities claim that water borne diseases they suffer are caused by the bad quality of water after their rivers and streams were destroyed by large scale surface mining operations of the mining companies. For instance, the people of Abekoase in the Western region complained of episodes of cyanide spillage which polluted their main source of water and contaminated fish in the river. They further alleged that those who ate the contaminated fish suffered stomach disorder.

The Commission recommends further testing of fruit, fish and bush meat samples from Obuasi, in order to ascertain whether chemical use in mining are present in them.

The Commission urges Government and the Ministry of Health to urgently assess the overall health needs of rural communities, especially mining communities with a view to providing health care to these communities in the most efficient manner.

## **Safety and Security**

Mining companies maintain private security personnel to protect their concessions and property from encroachers/trespassers. Apart from the private security of the companies, all the mining companies, with the assistance of the Government (various REGSECs) deploy state security personnel (especially police and military) to protect their property/concessions.

In the case of large-scale concessionaires there is evidence that galamseys are harassed, and inhumanely treated often with the help of state security. The study found evidence to show that AGA Obuasi had engaged state security and used guard dogs in its fight against the encroachment of galamseys. The worse affected communities are (Sansu, Dokyiwa, Binsere, Akatakyieso), where the investigation team received individual complaints.

Almost all the companies operating in the communities visited, including AGA, AGL, CGML, CAGGL and BGL have established permanent posts in their concessions for the military, the police or both. The Military/Police operate from these posts thus established by the companies on rotation bases.

Incidents of police and military excesses occur in mining communities. There were periodic exercises carried out by the Police/military code named "Operation Flush Out", during which excesses occurred.

The Commission calls upon the Government to review the use of the military in the mining communities unless in exceptional circumstances which are beyond the control of the police service.

## **Royalties**

The study established that communities impacted by mining activities do not directly benefit from mining royalties. In most cases most communities did not even know of the existence of the facility. In communities where people expressed knowledge of the facility, they said the chief was the main beneficiary of these funds.

The Commission urges the Office of the Administrator of Stool Lands (OASL) and the Chamber of Mines to take steps to publish an annual report on all mining benefits paid by companies with actual amounts received by the Government of Ghana and traditional authorities.

Enhancing transparency in the payment of disbursements and utilization of royalties is indeed critical to building mutual trust between the traditional authorities and their subject and ensuring peace and social harmony in the mining communities

The periodic announcement by mining Companies of their mineral royalties payments is highly commendable. Apart from this measure, the Commission advises strongly that the Government and the Chamber of Mines should publish in their entirety figures of mining production and all payments made to the state, local government and the traditional authorities.

### **Compensation and Resettlement**

Most communities were highly dissatisfied with compensation paid by mining companies for affected property. These complaints were pervasive throughout large scale mining sites but were more topical in areas operated by AGA, Obuasi and Newmont Ahafo and Akyem. Community members complained that they received highly inadequate compensation from the companies for destroyed farms and crops.

Problems relating to compensation and resettlement would seem to be some of the key challenges in the communities affected by mining activities in Ghana.

### **Livelihood and Employment**

There was high discontent among communities with the inability of mining companies in their area to employ the youth of the communities. The communities are highly dissatisfied with the number of their members in companies' employment. One of the constraining factors why communities do not benefit much from employment is the apparent lack of skills required by the mines in some of these communities.

Communities have complained of appropriation of their land by mining companies without compensation and thereby depriving them of their sources of livelihood.

Artisanal mining and the illegal form, generally known as galamsey is pervasive in almost all the mining areas visited. Galamsey is bolstered by lack of viable employment or livelihood alternatives. However, their activities provoked mixed reactions from the various stakeholders consulted. It is regarded by most



communities visited as a legitimate livelihood endeavour; in some communities they are seen as a nuisance and accused of destroying farms and polluting water bodies. In areas where they operate in concessions of large-scale and registered small scale concessions, they are regarded as criminal encroachers.

The study showed that mining companies have provided a variety of projects such as schools, boreholes, community centres and electricity. They have built and renovated existing facilities in some of the communities in their operational areas. In some cases communities have expressed appreciation for these facilities. However, some of the communities felt they were not consulted and would prefer other facilities. To make these projects more meaningful to the beneficiary communities, it is recommended that companies adequately consult communities on the selection, design and implementation of these projects.

### **Artisanal and Small Scale Mining**

The study assessed the state of human rights in the artisanal small-scale mining areas of Yale and Kadema, in the Upper East Region as case studies. The artisanal and small scale mining sector has a complex structure. The existence of simmering conflicts was observed among some of the actors. The involvement of children in artisanal and small scale mining is worrying. Despite efforts by government to regularize the sector, particularly at the Yale area, illegal mining is still pervasive, and poses a big challenge to both registered miners and the Minerals Commission. It was observed that the intense nature of the conflict between large-scale mining companies and galamseys and the associated brutalities, observed in southern Ghana did not exist in the study sites in the Upper East Region. This is largely because of the absence of large scale mining operations in the Upper East.

The small scale miners do the mining the same way as the so called 'galamsey' miners do. The distinction between the two is therefore merely as to form and not of substance.

Giving formal education to children of the mining areas and training and equipping young people with skills other than those fit for digging minerals provides a way of opening other job opportunities. This may stem the tide of children and youth engaging in illegal mining.

## 1.0. INTRODUCTION, BACKGROUND, METHODOLOGY

### 1.1. Introduction

The Commission on Human Rights and Administrative Justice (CHRAJ) commenced actual field visits for this systemic investigation into the state of human rights in mining communities in Ghana on March 19 2007. The investigations spanned a year's period, covering communities in the Obuasi, Wassa, Bibiani, Ahafo, New Abirem and Bolgatanga areas of the country. In all, 42 communities were covered in the investigations in 4 (four) regions namely; Ashanti, Western, Brong Ahafo and Upper East where major mining activities take place. This followed consistent reports from mining communities of serious violations of fundamental human rights and freedoms in their communities. This document is a report of the investigation.

The Commission on Human Rights and Administrative Justice (the Commission) is Ghana's National Human Rights Institution, established in October, 1993 following the return to civilian rule to support the new democratic process and foster a culture of respect for fundamental human rights and freedoms in Ghana. Specifically, the Commission is mandated, among others, to:

- investigate complaints of violations of fundamental human rights and freedoms, injustice, corruption, abuse of power and unfair treatment of any person by a public officer in the exercise of his official duties;
- investigate complaints concerning the functioning of the Public Services Commission, the administrative organs of the State, the offices of the Regional Coordinating Council and the District Assembly, the Armed Forces, the Police Service and the Prisons Service in so far as the complaints relate to the failure to achieve a balanced structuring of those services or equal access by all to the recruitment of those services or fair administration in relation to those services;
- investigate complaints concerning practices and actions by persons, private enterprises and other institutions where those complaints allege violations of fundamental rights and freedoms under the Constitution;
- take appropriate action to call for the remedying, correction and reversal of instances specified in paragraphs (a), (b) and (c) of this subsection through such means as are fair, proper and effective;
- investigate allegations that a public officer has contravened or has not complied with a provision of Chapter Twenty-four (Code of Conduct for Public Officers) of the Constitution;
- investigate all instances of alleged or suspected corruption and the misappropriation of public monies by officials and to take appropriate steps, including reports to the Attorney-General and the Auditor-General, resulting from such investigation;

- to educate the public as to their fundamental human rights and freedoms by such means as the Commissioner may decide, including publications, lectures and symposia; and

Thus, the Commission has the primary responsibility in the country to protect and promote fundamental human rights of all persons in Ghana.

## **1.2. Background**

The Commission had earlier received various complaints of violations of fundamental human rights and freedoms in mining communities. Following these complaints, the Commission conducted investigations in the Wassa West district of the Western region, between February 14 and December 22, 2001. The investigation was followed by a public hearing, which gave community members and stakeholders the opportunity to state the issues for the resolution of the violations.

Before the report of that exercise could be published, more reports of alleged violations of human rights continued to be made to the Commission at Head Quarters, as well as in the Regions and Districts of Ghana, where mining took place.

A fact-finding mission was despatched to Sansu and Binsere in the Obuasi municipality of the Ashanti region and Kenyasi and Ntotroso in the Brong Ahafo region from October 9-13, 2006 to ascertain the veracity of the reports. The findings of the fact-finding mission confirmed some of the reports of widespread violent abuses of human rights in mining communities.

As a way of exploring solutions to the matters raised in the various reports, the Commission commenced these investigations to determine the state of fundamental human rights and freedoms of people living in mining communities across the country.

The investigation therefore, seeks to critically examine the broad trends of the human rights situation in mining communities and their underlying causes with the view to finding more permanent solutions to the alleged abuses of human rights in those communities. The investigation is not a fault finding one.

In particular, the investigation seeks to explore various ways of protecting the fundamental human rights and freedoms of people affected by mining operations in the country: the right to livelihood; a home; clean water; safe environment and the right to development. It also aims to facilitate the building and strengthening of good relations between and among mining communities, companies and other stakeholders.

### **1.3. Purpose of the Investigation**

The investigation therefore, set as its terms of reference, the following issues:

- To assess the human rights situation in the mining areas in general;
- To ascertain the reasons for any violations of human rights in the area, if any;
- To determine the nature of the violations;
- To make recommendations to curtail human rights violations in the communities;
- To promote the building of cordial relations between and among competing interest groups in mining areas; and
- To promote awareness of human rights in mining areas.

### **1.4. Methodology**

Being a human rights monitoring exercise, the investigation employed human rights monitoring techniques and methods, namely focus group discussions, interviews, site inspections, documentation and observation, among others, to ensure high quality investigation.

#### **1.4.1. Ensuring High Quality Investigation**

Focus Group Discussions (FGD) with strategic sections of mining communities including traditional rulers, women's groups, farmers and the youth allowed the Commission to delve into the relevant issues in considerable depth. Consultations with mining companies also allowed the companies to respond to issues raised by community representatives, and comment on the evidence gathered by the investigators.

A team of six investigators of the Commission (the investigators) led the investigation: three lawyers with social development and solid human rights backgrounds, two researchers, and a statistician. Three specialists (consultants) in various fields of mining supported the team. Each of them brought their specialised skills to the investigation to enable team adequately address the issues in the investigations. The process also resulted in building a cohesive team, a shared understanding of the approach to the issues and a rigorous design of the investigation tools.

#### **1.4.2. Stakeholders Forum and Consultations**

Stakeholders' fora and consultations were built into all levels of the investigation process. The investigation began with a Stakeholders' forum to discuss and solicit views on the human rights situation in the mining areas from a wide range of stakeholders, including mining companies, the Environmental Protection Agency

(EPA), the Ministry of Lands, Forestry and Mines, security agencies, traditional leaders, land owners, representatives of communities affected by mining and civil society groups. The Forum sought to garner support for the Commission as it proposed a systemic investigation into increasing allegations of human rights violations in mining communities following increasing reports of violations arising from mining activities across the country.

### 1.4.3. Investigation Planning Workshop

The Stakeholders Forum was followed by a two-day workshop (February 28 – March 1, 2007) for the Investigators and the consultants. It was devoted to detailed discussions of investigation methodology, the design of the investigation and logistics. The broad objectives of the workshop were:

- To identify priority issues and actions required to undertake field investigations into human rights in mining communities
- To agree on methods and approaches to employ in the investigation

To conduct the field investigation exercise, the following had to be addressed:

- Agreed Sites/communities to visit
- Sampling
- Field data collection, recording and analysis tools and methods
- Logistics

### 1.4.4. Selection of Sites and Respondents

Site selection was purposive and based on practical factors such as: the availability of people to interview; the nature of the respondents sought; whether or not any mining activity was taking place at the time of the investigation; number of complaints received by the Commission; diversity of stakeholder representation, distance and findings of investigations of previous complaints that the Commission received.

The following communities were therefore selected based on the criteria determined:

Table 1: Selected Sites for Investigation

	COMMUNITIES	INSTITUTIONS
<b>A</b>	<b>OBUASI</b>	
1.	Anyinam	AGA
2.	Sansu	Obuasi General Hospital
3.	Binsere	Anglogold Ashanti hospital
4.	Dokyiwaa	Byrant Mission Hospital Eye Centre
5.	Akatakyeso	Ghana Police Service
6.	Amamom	

7.	Odumasi (Aduaneyede)	
8.	A Haso Nye Wo Dia	
9.	Diewuoso	
10.	Anwiam	
11.	Boadi	
B WASSA WEST		
12.	Huni-Valley	Huni Valley Health Centre
13.	Kyekyewere( New)	
14.	Nyamebekyere	
15.	Damang	
16.	Prestea	Prestea Gov’t Hospital+
17.	Heman-Prestea	Heman Methodist JSS Heman Health Post
18.	Odumase	Small Scale Mining Department of the Mineral’s Commission Small Scale Mining Dept Inspectorate Division of the Minerals Commission EPA Central African Gold Ghana Ltd. District Police Office Ghana Maganese Company , Nsuta
19.	Teberebie	
20.	Adayie(Mile 8)@ Agege	
21.	Huniso	
22.	Abekoase	
23.	Sensu	
24.	Tamso	
C BIBIANI		
25.	Koduakrom	
26.	Bibiani Old Town	
27.	Dzokolineso	
28.	Akoti & Etwebo	
D ASUNAFO AND TEPA AREAS		
29	O.L.A Resettlement	Ghana Police Service
30	Dokyikrom ( Tutuka)	OICI, Ntotroso
31	Yawusukrom	Ntotroso Gyedu Health Centre
32	Kwameaduanikrom	Newmont Ghana Ltd
33	Kantinka	EPA
34	Ntotroso	Kenyasi Health Centre
35	Wamahinso	WACAM (NGO)
E NEW ABIREM-EASTERN REGION		
36	Hweakwae	
37	Ntronang	
38	Adausina	
F UPPER EAST REGION		
39	Bolgatanga	Talensi-Nabdam District Assembly, Minerals Commission, Afrikids, Ghana Police Service
40	Yale	
41	Kadema	

The selection of groups/respondents within the sites was informed by criteria designed to ensure that the various interests in the communities were covered in the investigations (see table below)

Table 2: Selection of Target Groups

<b>S/NO</b>	<b>GROUP</b>	<b>NUMBER</b>
<b>1.</b>	Women	26
<b>2.</b>	Farmers	3
<b>3.</b>	Unit Committees of District Assemblies	14
<b>4.</b>	Small Scale Miners	5
<b>5.</b>	Galamsey Groups	2
<b>6.</b>	Victims of Cyanide Spillage	1
<b>7.</b>	Mining Companies	4
<b>8.</b>	Regulatory Institutions/Agencies	3
<b>9.</b>	Traditional Leaders/Chiefs	22
<b>10.</b>	Youth Groups/Associations	29
<b>11.</b>	Civil Society Organisations	3

#### **1.4.5. Preparation for Investigations: Forerunners**

To maximise the limited time and the resources for the field investigation, forerunners were recruited for each community/site. The forerunners were persons who prepared the grounds prior to the field investigation exercise. Appointed from the Commission's districts offices, the Forerunners were officers who:

- Had prior and extensive knowledge of the investigation area, having worked with the Commission as districts staff;
- Are experienced in applying a range of investigation techniques;
- Are experienced Community facilitators/mobilisers.

The role of the Forerunners included the following:

- To build rapport and alert each community to the purpose of the investigation.
- To put in place appropriate logistical arrangements for the investigation team.
- To identify and document potential key informants for the investigation process.
- To set up focus groups and appointments for the team to discuss with them on their arrival.
- To brief the team on its arrival at each investigation site about the outcome of the activities undertaken and any other information relevant to the success of the fieldwork.



- Once the investigation team arrived in the field, the forerunner remained an active participant of the investigation team and provided advice and support to the team.

#### **1.4.6. Role of Team Leader and Consultants**

A team leader was appointed who convened both formal and informal meetings among the team, the workshops and events. He coordinated the team's work and the sharing of investigation findings during field investigation exercises.

The consultants participated in the planning workshop and assisted in the development of investigation tools, choice of investigation sites and interviewees including institutional respondents. They provided invaluable support in shaping the field investigation tools. The consultants also participated in the field investigations at some point, providing direction and explaining the technical aspects of mining that arose in the field.

#### **1.4.7. Field Investigations**

The field investigations were conducted in four ways, which were complemented by site inspection, and observations. These were the following:

- Focus Group Discussions
- Semi-structured interviews of:
  - Key informants, and
  - Institutional Informants
- Video Documentation
- Sampling and Testing of water

Focus Group Discussions and semi-structured interviews: Focus group discussions were a principal means of gathering information. The Focus Groups like individual interviews allowed issues to be explored in considerable depth. Sometimes all team members were together in a focus group and on other times, each member conducted his/her own focus group discussion. In all, the Team conducted 175 focus group discussions involving 847 people (520 male, 327 female). Semi-structured interviews were also conducted with 21 institutions and organisations, including civil society organisations.

Site Inspections and Video Documentation: The team inspected certain locations in the communities, including areas where active mining took place, water bodies and supply points, abandoned pits, factory premises and facilities, damaged houses and buildings, galamsey pits, schools, livelihood facilities and resettlement infrastructure in the mining communities. A video documentation was added in the Tarkwa area. The recording is packaged in a documentary and it accompanies this report.

#### **1.4.8. Scope and Limitations**

All aspects of human rights could not be given direct attention. Where sufficient information was obtained about a particular human rights situation, it is highlighted and discussed.

The report has been shaped by the evidence and information produced by the investigation. Read as a whole, the report provides an accurate reflection of the broad trends of human rights situation in mining communities in Ghana and their underlying causes.

Even though the investigators had noted the existence of some vibrant NGOs in the mining communities, WACAM was the only one encountered in the field. Field Staff of other NGOs were not available to be interviewed during the visits to the communities.

The investigators met with some resistance in two communities; Teberebe and Etwebo. Youth leaders in these communities insisted nothing good would come out of such an investigation. They vehemently condemned researchers who conducted interviews in their communities without recording any positive changes in their living conditions. At Etwebo a youth representative prevented the Traditional authorities and youth group from being interviewed even though the groups were ready and had gathered for discussions. The large forum that was created gave an opportunity for democracy and human rights education in the community instead. At Teberebe, after some initial resistance the youth group granted an interview.

#### **1.4.9. Structure of the Report**

Apart from the section dealing with introduction, background and methodology, the report is organised in two broad sections, namely, findings from mining communities and major conclusions and recommendations. There is an appendix section.

The findings section covers reports received from the communities in the mining areas of the country. In each community, ten (10) issues were explored namely, water and water sources, dust and pollution, blasting, health and related issues, safety and security, livelihoods and employment, resettlement and compensation, illegal mining, royalties and development projects. In some areas, depending on the mining activity being carried out, the issues were fewer than the ten.

Following from the findings of the communities, major conclusions are drawn and recommendations made for implementation concerning the ten major issues. These are found in the Major Conclusions and Recommendations section.

The last section contains the list of communities visited and a brief profile of Mining

Companies to refresh readers' minds about the companies that were operating in the communities visited during the investigation.

## **1.5 VALIDATION WORKSHOP & ADDITIONAL COMMENTS**

In a validation workshop organized in Kumasi, Ashanti Region on the Report on May 13 – 15, 2008, participants drawn from the mining communities and companies as well as the Regulatory Agencies had a unique opportunity to examine and comment on the Report. Representatives of the mining companies, regulatory bodies and community leaders commented extensively on the report.

The mining companies gave various explanations for the different situations captured in the report. Participants had an additional opportunity to submit further comments and also make recommendations for consideration. Some participants expressed their dissatisfaction with the use of strong words such as brutalities attributed to some Security Agencies whose mandate is to protect and maintain the peace. Participants recommended the use of less harsh language. In some specific cases, they recommended that words used in the Report should be changed.

The Attorney General and Minister of Justice, Hon. Joe Ghartey, himself in attendance, requested strongly that the Commission should engage the Law Reform Commission and the Ministry of Justice in considering recommendations made by the Commission to guarantee peace to the mining areas and ensure protection of the rights of all stakeholders in the mining sector.

### **1.5.1. Mining Companies**

The mining companies underscored their immense contribution to national development and their contributions to improve the living conditions of people in the rural communities in which they operate.

Among other things, companies emphasized that illegal mining is the greatest security threat in mining communities. Illegal mining also has a negative impact on the environment. It is a national issue and is primarily the responsibility of government. They were concerned that sometimes when police and military got involved there was potential for violence and human rights issues.

The need for mining companies to move from one time compensation to long term investment in people in the communities was highlighted by a company representative.

A company's representative expressed concern about the fact that the Regulatory bodies did not have enough resources to educate the communities on mining laws.

Mining companies referred to tailings dam said to have been designed, constructed and being operated to the highest engineering and operational standards.

Mining companies further referred to the Extractive Industries Transparency Initiative project and drew attention to the advances made in introducing transparency into the industry by publishing annually royalties' payments to government.

### **1. 5. 2. Chamber of Mines**

The Chamber lauded the objectives of the study. However, it found the Report replete with CHRAJ's personal opinions, which it said was in most cases adverse to the mining companies.

The Chamber expressed the view, among others, that CHRAJ also came across evidence of illegal miners inflicting various kinds of injury to some mining companies staff who have been detailed to protect company property from being encroached upon by illegal miners and yet no mention were made of these.

According to the Chamber of Mines, statements such as "several examples of recklessness by the Security Agencies and security contractors of the mining companies with accompanying brutalities were given and documented," did not portray impartial investigations of allegations.

In the view of the Chamber, mining companies are required by law to compensate owners of farms and land which are disturbed or encumbered by mining operations. As far as the Chamber is aware, mining companies compensate those affected.

The Chamber also deems it unfortunate the use of strong words such as recklessness attributed to persons whose mandate is to protect and maintain the peace.

Having referred to the indication in the Report that most of the alleged violence and human rights abuses are as a result of illegal miners encroaching on mining companies' concessions, the Chamber reiterated its position that illegal miners cause violence and human rights abuses in the mining communities and requested CHRAJ's support to find a solution to the menace of illegal mining with the attendant pollution, social vices, violence and total disrespect of people and the environment.

### 1.5.3. WACAM

In the view of WACAM the document is strong on establishing social and environmental rights violations. The report should also have captured elements of socio-economic/cultural rights. The loss of forest and farmlands deprive farmers in communities their right to sustained economic lives and cultural believes and rights.

WACAM argues, among other things, that community farmers were investors who have invested in their farmlands and farms. Government disregards these investors and give out lands to foreign investors as if these indigenous investors did not exist. Government granting license to investors without disclosure of information on how community livelihoods would be affected with those investments expose communities to expectations that were never met.

Before the Youth Employment Scheme and appropriate training in skills development to ensure youth employment, many lives may have been destroyed. Such ventures should form part of the EIA process and company development plans should indicate how displaced community people would have their livelihoods restored. WACAM insists that farmers/community people should be regarded as people who have invested time and money in the ventures and companies in developing such alternative employments/income schemes should not regard it as corporate social responsibility but as part of community's right to sustainable livelihood.

Concerning galamsey, the organization reiterated that historically, artisanal mining is an economic activity, which cannot be wished away. Solving the galamsey problem is not a matter of the use of force but requires a social understanding of what promotes the activity. Meting out brutalities against galamsey suspects cannot be justified by law.





## **FINDINGS FROM MINING COMMUNITIES**

### **2.0. OBUASI AREA**

#### **2.1 ANYINAM**

##### **2.1.1. Water and Water Sources**

The community members alleged that mining operations have contaminated the Buasi, Sumpang, and Ponko streams that the community used to depend on. That the mining company has provided pipe borne water from the company's water treatment plant at Watsiso, but the water is not wholesome and unfit for drinking. The women in particular, complained that they usually travel to Kofikrom, one mile away, to obtain drinking water, because the water provided by the company is coloured, full of impurities and has a foul smell. They alleged that, although the same water is supplied to the AGA quarters such as Sam Jonah, Precious, Bruno, and Dankwa and Anyinam, it was usually filtered before being supplied to these quarters. According to the community, the Municipal Assembly and the Member of Parliament (MP) have provided 2 boreholes each for them. The CHRAJ team inspected a sample of tap water that had particles in it.

Reacting to the community's allegation that water provided by the company was filtered by the company for residence of its staff quarters, the company officials said that was false, explaining that water was filtered by the workers themselves and not by AGA. That due to persistent water borne diseases, communities were advised to filter their water.

##### **2.1.2. Dust and Chemical Pollution**

The community alleged that the air was polluted with dust, chemicals and smoke. The women particularly complained that chemical effluent with a pungent smell was discharged into the community from the company's ore treatment plant at Sansu every evening. They claimed the toxic chemicals from the Sulphur Treatment Plant (STR), affected the health of community members. During focus group discussions with the community youth group, one member of the youth told the team: "My sister was advised by a doctor to leave Anyinam so that her unborn baby does not suffer the negative effectives of mining activities".

##### **2.1.3. Health and Related Issues**

The community alleged that skin diseases were prevalent in the area and attributed this to the release of poisonous gas into the atmosphere from a ventilation shaft, the Kwesi Mensah Shaft (KMS), which is located in the middle of the community. One community member said he suffers from asthma attacks as result of dust

pollution from blasting and showed evidence of inhalers and medicine purchased. The women alleged that pipe borne water provided by the company was the cause of typhoid fever in the community. "Unfortunately, there is no hospital in the community and we have to trek to Obuasi for treatment in case of emergency", the women lamented.

#### **2.1.4. Blasting**

According to the community, blasting activities of AGA was destroying their houses and schools. Blasting and the consequent vibration of the ground resulted in the shaking and cracking of buildings and that the mosaic of underground workings aggravated the vibration from blasting. Trucks work all day producing unpleasant noise and dust, they claimed. They contended that noise and dust from blasts, and the movement of large haulage trucks constituted a major nuisance to the community. That noise from blasting detracted school children from paying attention in class, while residents had sleepless nights when blasting occurs in the night. The women complained that people usually experienced shock and children especially were frightened when sudden loud blasting sound was heard. They have to constantly re-plaster these cracked buildings at their own cost. Their persistent complains to the company through their assemblyman had not yielded any results.

Following reports of excessive noise by the company disturbing studies at the primary school, three investigators sat in a lesson during which the teacher had to shout in order for the pupils to hear her.

On noise pollution at the primary school, the MCE said the issue had never been brought to his attention, and that he would send in the EPA to assess the situation, and if the noise level was found to be too high for the students, the school would be relocated.

The company's attention was drawn to the high level of noise caused by the company's activities to pupils at the Anyinam Primary school. The company officials said they would send an expert to the location to determine the noise level. They claimed the company's attention had not been drawn to the problem previously and expressed their gratitude to the Commission for drawing their attention to the alleged noise pollution.

#### **2.1.5. Safety and Security**

The community said operations of the company in their community had raised some serious security problems. That the company was at war with illegal miners (galamseys) and sometimes carried this fight too far. They alleged that the use of guard dogs by company's security was a threat to the security of the community. They also alleged that these dogs sometimes attacked people leading to death.



They claimed one Kofi Freh was killed by the company's guard dogs and that the family of victim had not been compensated despite petitions to the company. They further alleged that two years ago, mine security and military personnel set fire to car tyres and placed them at the entrance to holes dug by galamsey operators during one of their operations. That about 120 galamsey operators were arrested, some were convicted and fined. Others were trapped underground but no deaths were reported.

The community claims there is a consultative committee whose representatives served as liaison between the community and company, however they alleged that the mining company never addressed their grievances. They also claimed that the company operates a private detention cell at its offices.

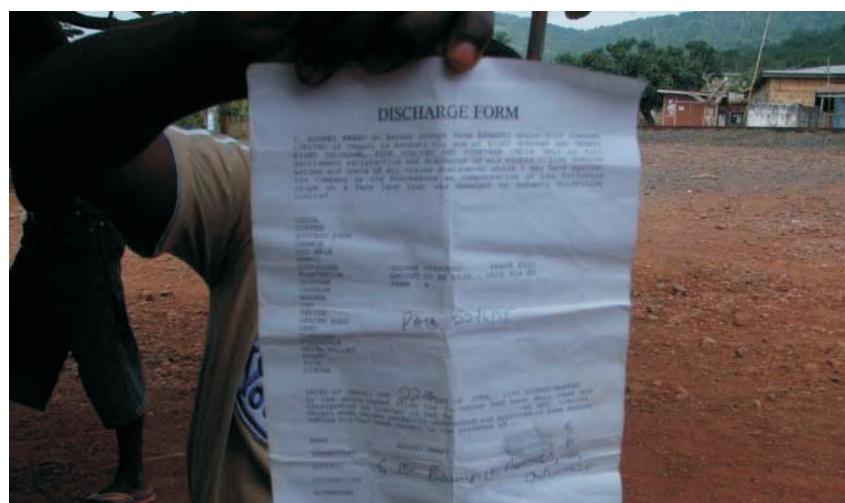
The MCE said he was not aware of the existence of such a facility at the premises of the company. He explained that the mining company had a police post where police officers brought in from Kumasi were changed every three months. Arrests were normally made in collaboration with the police. Statements of those arrested were taken at the company's charge office and then they were handed over to the police for prosecution. He emphasized that the company security agents had a charge office at the company's reception and not a cell.

On inspection it was established that the company had no detention facility. A small room which was previously used as a cell might have given cause to the communities' concern that the company was still operating a private detention facility.

### 2.1.6. Resettlement and Compensation

Members of the community complained that they received highly inadequate compensation from the company for destroyed farms and crops. Some community members suggested that no matter how huge the compensation paid it was never beneficial to them and recommended that, instead of taking over the land and paying them once, they should negotiate monthly payments.

They alleged that the process used in to determine the value of their



Discharge Form

crops was unfair as it was the company's workers who valued the property affected for compensation

They claimed their large community palace with nine rooms and a very large compound was destroyed by the company, and the replacement was a small two-room building with small compound.

The community wished they could be resettled given that the KMS is situated in the middle of the community. They regretted, however, that their request for resettlement was turned down by the company. The company said resettling them would be too costly due to their large numbers the community alleged.

### **2.1.7. Livelihoods and Employment**

The community accused AGA of entrenching poverty in the community. According to them, poverty is endemic in the community due to lack of adequate farm lands and infertile land resulting from chemical contamination of the land from AGA mining activities. Most farmers lost their farms years ago to mining and some crops were destroyed due to surface mining. That formerly the community cultivated cocoa but this was now no longer possible due mining and blasting activities. They complained that they could no longer grow crops and had to rely on other communities for food stuff at a higher cost.

They lamented that unemployment was pervasive in the community, alleging that no member of community was employed in AGA. In a group discussion, the women claimed their husbands were farmers but with the coming of AGA, their husbands were left with no jobs and women now had become bread winners. They claimed, under these circumstances their children had no future. They presented the case of one Bismarck Dwumoh who obtained aggregate seven from two sittings in the SSCE examinations but is unable to proceed to the university due to financial difficulty.

They bemoaned the fact that the company was doing very little to assist them get alternative livelihoods. They alleged that the community initiated discussions with the company on the provision of an Alternative Livelihood programme for the youth but regretted that those discussions have not yielded any results.

The MCE, reacting to the community's concerns on alternative livelihoods, alleged that Municipal Assembly had negotiated an alternative livelihood programme with AGA for the communities in and around Obuasi, for which the company promised to offer capital and market. The Assembly went around Obuasi to announce this. Unfortunately, most of the youth in the communities did not take the offer.

### 2.1.8. Illegal Artisanal Mining (Galamsey)

The community admitted there were illegal artisanal miners (galamseys) in the community. They however blamed the high unemployment in the area, particularly among the youth for it. They claimed because AGA did not employ the youth, they were forced into galamsey in order to survive. They disclosed that the galamseys were often arrested, beaten and sometimes detained. In some cases those arrested were prosecuted for trespassing on AGA concession. The chief of the community suggested that abandoned mine pits should be released to galamseys to work. This, he said, had been discussed with AGA but they had not received any favourable response.



A Galamsey Pit, Obuasi

On the issue of galamsey in the area, the MCE observed that illegal mining was one of the greatest security problems facing the municipality. Sometimes galamseys, desperate for gold-bearing quartz rocks, fought among themselves, sometimes resulting in deaths. That after such incidents a dead body could be left on AGA concession. He suggested the legalisation of galamsey or provision of alternative jobs within the mining industry to help control galamsey activities.

### 2.1.9. Royalties

The community claimed they derived very little benefit from royalties paid by the mining company. According to the chief, royalties were normally paid to Adansihene who then distributes to other divisional chiefs within Adansiman. He claims the community receives only about 100,000 cedis (Gh¢10.00) as their

annual share from royalties. However, according to the Unit Committee, they had no knowledge of any royalty payment to the community.

The MCE exonerated the Company from blame on the question of royalties' distribution. He explained that the company honours its commitment of 3% royalty tax to the central government. He explained how the royalty collected by the central government is distributed. According to him the government pays 80% of the amount to the Consolidated Fund and 10% to Stool Lands Administration. The Stool Lands Administration retains 1% of the 10 % for administrative purposes and allocates the remaining 9% among the District Assemblies, Stools and Traditional leaders. The MCE recommended that about 40% to 50% of the royalties should be given to the District Assemblies. He stressed that the mining communities were not benefiting from mineral profits under the current arrangement.

#### **2.1.10. Development Projects**

The community claimed there were no development projects undertaken by the company in the community. They said the community had no clinic and had to trek to Obuasi to access health services. They said that the only facility accessible in the area is the AGA clinic. The Unit Committee alleged that although AGA had its staff quarters in the community, it had not put up any school in the community. There was over crowding in the local primary and junior secondary schools in the community, they contended. The primary school runs a shift system, resulting in extreme pressure on the facilities. They alleged that the Municipal Assembly had neglected the community because it was in the concession of AGA. They, however, admitted that AGA had been generous by paying their electricity and water bills. They claimed however, that despite the fact that the company pays their electricity bills, ECG has continued to bill them and collected moneys to the tune of 150 million cedis (Gh¢ 15,000). They complained that efforts to get their money back from ECG have proved futile.

On the allegation that the Municipal Assembly had neglected the community, the MCE said AGA was very active in the community and had its staff quarters there, it was expected that AGA would develop the area. He noted that they have had a series of consultations with AGA on the issue. He however added that the Assembly was in the process of meeting the community's request for a borehole.

According to the AGA authorities, formerly, the company supplied free electricity to Anyinam. Unfortunately, this had been abused by non-inhabitants of the community setting up businesses in the community. The abuse had resulted in the frequent blowing up of transformers which had to be replaced at the company's cost. They disclosed that the company was taking steps to log the people of Anyinam to the main electricity grid, which implies that the community will have to pay for their electricity supply. The company gave the assurance that the exercise

was going to be participatory and would involve the Anyinam community.

Reacting to the complaint that the community often experiences power outages, the company officials explained that the power outage was not only peculiar to Anyinam but to everyone. AGA and other mining Companies were instructed to cut down their power consumption to 75%. So power rescheduling had to be done from 9 am – 12 noon daily. Anyinam's schedule was 9 am-4 pm daily.

## **2.2. SANSU**

### **2.2.1. Water and Water Sources**

The community complained that the water supply to the community was inadequate and the quality too was not very good. They claimed that Sansu had 22 rivers and streams which had all been immensely polluted by mining chemicals. They further claimed that chemical spillages had resulted in the death of fish in the rivers. According to the Assembly man their source of drinking water was mechanised boreholes. However, some community members claimed the water from the borehole appears oily and smells like fish. The chief emphasized the need for the water in streams, borehole and taps in Sansu to be tested.

### **2.2.2. Pollution**

The community complained of nuisance from blasting, which takes place early in the morning and at late night. According to the Assemblyman, the community's environment was polluted with dust due to surface mining. They alleged that AGA sprinkled water in the company's immediate surroundings only, in order to reduce dust pollution there, leaving out the community. They also contended that the mining activities unleash chemicals, with unpleasant smell into the atmosphere.

### **2.2.3. Health and Related Issues**

The community alleged that uncovered mine pits have resulted in the breeding of mosquitoes leading to high incidence of malaria in the community. Galamseys, in focus group discussion, alleged that community members were suffering from tuberculosis, eye and skin diseases as a result of surface mining. They were convinced that eye problems, prevalent in the area, were caused by bad water and air pollution. The community lamented it's lack of health facility.

### **2.2.4. Blasting**

They alleged that blasting had led to cracks in buildings. That one school building was pulled down and rebuilt by the company due to extensive cracking that badly damaged it.



### **2.2.5. Safety and Security**

The community disclosed that a combined team of police and military and company's own security with guard dogs provided security for the company. Galamsey operators in Sansu were highly critical of the company's security operations. They alleged that because of the closeness of the community to the mine, security personnel sometimes descended on the community and beat up suspects anytime the company's equipment got missing. They sited one incident when the company security in collaboration with state security services arrested four community members for the loss of cables and other equipment. They alleged that the suspects were beaten up before taken to the police station. They further alleged that their chief was given a home by AGA at Obuasi, and therefore did not reside in the community. They claimed their chief ordered the arrest of some citizens when he recently came to the community for some religious meeting. They insisted that their chief had become a contractor to the mining company. He had therefore taken the side of the company and left them to their fate by allowing brutalities to be meted out to them by the company's security operatives.

### **2.2.6. Resettlement and Compensation**

The community complained that the process that was used to determine the value of affected property for compensation was flawed in that the company did not confer with the farmers before setting compensation rates. They alleged that company came to take measurements of the lands and started dumping waste on the land before contacting farm owners, seven months after, to give them their compensation. They claimed compensation was given based on number of crops. They said no compensation was paid for loss of farm lands, contending that the company said that since they had bought the land the act of compensation was just a favour they were doing to the communities.

Some community members wished they were resettled. Galamseys alleged that their chief did not agree to the resettlement of the community and that some of the community leaders had informed the company that the people of Sansu would not like to be resettled.

### **2.2.7. Livelihood and Employment**

According to the Assemblyman for Sansu, initially the community had no problem with the company when its operations were totally underground until 1986 when they started surface mining. Galamsey operators in the community, echoing the same concern, said surface mining had destroyed their land due to the use of chemicals, and that farming was no longer profitable. "Cocoa does not grow well on the land any longer", they stressed.

People in the community claimed part of the land was being used as a dump for waste rock, creating an artificial hill, which obstructs access to some portions of the town and farm lands.

They complained that there was high unemployment in the community. They alleged that the company had laid off the few people it engaged. That some members of community were engaged by the company as security guards while others for the re-vegetation exercises, however they were all laid off in October 2006. They said they had met management of the company to discuss employment issues but that had produced no tangible results. They complained that promises by the company had not been fulfilled, even though all major projects of the company were on Sansu lands.

The galamseys said they had no confidence in their chiefs, alleging that they were usually lured with royalties so they did not care about indigenous occupants of the land. The Chief and elders, on their part, expressed worry that lack of employment had created tension between the youth and traditional leaders in the community. The Okyeame alleged that AGA failed to fulfil its promise to establish a workshop to train the youth in the area to sew uniforms for the company staff. He also claimed the company had similarly not honoured its promise to release land at Adumadu to the community to farm. In addition, he demanded that the company's claim that it bought the land be investigated.

### **2.2.8. Royalties**

According to the Okyeame, Sansu community did not benefit directly from any royalties. He explained that the community was under the Eduabiase Divisional Area and royalties were paid directly to the Esuabiasehene. He disclosed that the last time the chief of Sansu received such monies was 3 years ago and the amount was just 80,000 cedis. According to the assembly man, royalties had been a bit of a problem, in that monies meant for the community never got to them. He appealed to government to increase the royalties since they were too meagre to support development projects.

### **2.2.9. Illegal Artisanal (Galamsey) Miners**

Galamseys, in focus group discussions admitted that most members of the community were illegal artisanal miners and that they usually operated in gangs with leaders.

### **2.2.10. Development Projects**

The Company provides the community with water and electricity free of charge.



## 2.3. BINSERE

Surface mining activities used to take place in the community, but had since stopped. There were 3 pits that had been mined but not refilled, because company says it is too expensive to refill the pits, the community alleged. Community members also alleged that the company had filled these pits half way with material containing cyanide and the unfilled pits posed a danger to the community especially children playing around.



Abandoned Pit, Binsere

### 2.3.1. Water and Water Sources

The community said that their water sources were polluted. That it used to have 6 streams but they have all been destroyed by mining activities. That AGA provided them with boreholes and warned them not to drink water nor eat fish from the streams. The community alleged that one of the boreholes provided by the company was also polluted. The community currently has 3 boreholes but only two provided them with water, which they deemed insufficient. The other borehole was only useful for washing of clothing. That the company had been paying for water supply to the community. Community members claimed the EPA had assured them that the water was safe to drink, however, the community did not believe this and requested evidence to show that the water was safe to drink. They alleged that AGA had been spilling mine effluent into the Anwianwia, which is their source of water.

### 2.3.2. Pollution

The community complained that a cyanide pond located very close to the

community was a big menace to the people. It transmits cyanide vapour with bad odour to the community. They claimed cyanide spillages from the pond were the main cause of pollution of their streams. They alleged that three members of the community who were galamsey operators died in the pond recently while looking for gold. Though the company had verbally warned the community not to drink and fish in the streams there was no sign board or notice at the streams. The community feared that people outside the community who may be thirsty could use the water unknowingly. They claimed cyanide pollution had also destroyed crops in the community. The Nwawa and Ntresa streams were polluted and destroyed due to mining. The women interviewed alleged that chemicals spilled into the stream; Anwianwia was responsible for many ailments in the community.

### **2.3.3. Health and Related Issues**

The community said some people were experiencing cyanide related health problems. They mentioned that diarrhoea was a common health problem in the community, sometimes leading to deaths. They claimed that the cyanide pond and the vapour it emitted, was responsible for breathing difficulties experienced by some of the inhabitants. The women attributed the prevalence of catarrh and headache to blasting and dust pollution. They alleged further that there was a strange skin disease in the community which usually led to the enlargement of the feet. They wondered why both children and adults should suffer from measles. They also alleged that two members of the community died from cough.

### **2.3.4. Blasting**

The community alleged that blasting had resulted in the cracking of a lot of buildings. That the mining company had valued the cracks for compensation but nothing had been done. They were, however, grateful that the company had replaced their school that had serious cracks as a result of blasting.

### **2.3.5. Safety and Security**

The community alleged that AGA security, the military and police meted out atrocities on community members on galamsey operations. One youth representative remarked: *"They will brutalise you at the point of arrest and then abandon you there and you may die"*. The community alleged that there had been several arrests in 2007 and that on 21/3/07 there was a raid by the security services, leading to the arrest of some youth. One Kofi Kra showed scars left on him from the beatings he received from the security agencies. One Daniel Osei, said he escaped the brutalities but in the process was pricked by a nail, which sore he was nursing.



Pic: Kofi Kra showing Scars

One Yaw Antwi claimed he was arrested around the dam site near Binsere, when he went to inform his friends at the dam site about the presence of the security personnel and was, unfortunately, caught by security personnel wielding canes, belts and guns. He reported that he was eventually sent to the police station at Obuasi, prosecuted and fined one million cedis which he paid. They also claimed police came to the community to seize galamsey's equipment and rocks. They alleged that security personnel who previously patrolled with guard dogs now wield guns. There was no evidence of gun wielding security personnel during the period of investigation.

### **2.3.6. Resettlement and Compensation**

The women of Binsere said they would very much wish to be resettled on any land in the direction of Kumasi. Majority of the inhabitants were farmers and complained that they had had their farms and crops taken over by surface mining. Compensation was paid to affected farmers, but that it was not sufficient to sustain them. Compensation was paid according to the number of crops on the farm and the amounts were meagre. The Odikro said the chief negotiated with AGC with respect to the land, which he owns, other members of the community were only paid for their crops.

### **2.3.7. Livelihood and Employment**

The community claimed surface mining activities have either consumed or destroyed their land as such there was no arable land for farming. The land was their main source of livelihood but it has been taken by AGA. In a discussion, the women said they used to have fertile land, but with the destruction of their farms



by chemical effluent, they were forced to trek to Ntonsua, 4 miles away to farm.

They complained that there were no employment avenues and the youth were idle. They claimed that in the situation where any youth were lucky to be employed by the company, they were usually engaged on casual bases and often laid off after working for a short period. The women's group said they would not like the mine to close because some community members work there, besides their lands were already degraded and there was no need abandoning mine work to farm.

### **2.3.8. Illegal Artisanal Mining (Galamsey)**

The community admitted that there were illegal artisanal miners in the community but blamed that on lack of viable employment alternatives. They claimed that when galamseys were caught they were usually beaten by the company security, or police or soldiers.



Galamsefers at Binsere

### **2.3.9. Development Projects**

According to the community, AGC constructed a 10 unit toilet facilities (5 unit for men and 5 for women) for the community. They complained that toilet facilities were inadequate and female inhabitants, in particular, queued to attend nature's call. They alleged that the company had failed to honour its promise to provide them with electricity and employment. The community, they said, was connected to the national electricity grid. They expressed the need for a market.

### **2.3.10. Collaboration/Consultations**

The community had a Consultative Committee through which their grievances were put across to the company.

## **2.4. DOKYIWAA**

### **2.4.1. Water and Water Sources**

The community claimed they used to have three streams - Dokyiwaa, Kwame Tawia and Supo - as their sources of water. However, these streams have been destroyed as a result of frequent cyanide spillages into them. According to the chief and elders, the company had provided two boreholes following complains they made about the polluted water courses. That one of the boreholes located close to the waste dump site had been declared unsafe for use by AGA. They disclosed that the District Assembly had provided one additional borehole. They however complained that the two boreholes were not sufficient to meet the water needs of the community. They said the Assembly was in the process of providing an additional borehole.

### **2.4.2 Pollution**

The chief complained of the location of a cyanide waste dump too close (200 meters) to the community in Binsere (the two communities are adjoining). According to the Unit Committee, the cyanide dump polluted the air. That stench from the cyanide facility usually fills the air particularly between 7.00 pm - 8.00 pm and people found it difficult to breath. That cyanide had also destroyed fish in the streams.

### **2.4.3. Health and Related Issues**

The community claims the closeness of the cyanide facility to the community constitutes serious health hazard to them. According to the women's group, people in the community suffer from a skin disease locally called "tomatoes", which cannot be cured. They also claim that air pollution is making people experience dizziness and headache. They lamented that despite the serious health threat from the toxic waste dump the community has no health post.

### **2.4.4. Blasting**

Blasting used to take place in two places known as "T1" and "T2" but has ceased because no surface mining is currently taking place, the community alleged. Blasting, according to the community's women has caused cracks in buildings. They disclosed that they now have respite from blasting and its effects because the company had suspended its activities in the area in the last three years. They intimated that the activities would soon resume.

#### **2.4.5. Safety and Security**

The community complained that the youth who engaged in galamsey were harassed by AGA security personnel. When they were arrested by AGA and state security they were brutalised and dogs released on them. The chief and elders said in February, 2007, five men were arrested, paraded and terribly beaten from one community to another. They further alleged that these men were finally brought to Dokyiwaa, where they hail from, and beaten before their wives and children. One of them complained that since that brutal treatment in the hands of the military he has lost his manhood. They wondered why the state should be part of such atrocities by a private company on its citizens. One of the women, Sarah Amponsah said her husband was among those mercilessly beaten, a month ago, by the company and state security.

In an answer to a question on a report received by the team on allegations of brutalization of the five galamsey operators caught by the security personnel deployed by the mining company, the police officers interviewed said they knew about the arrest. They stated that it might not have been brutalization but use of minimum force. They could not confirm if the five men were beaten from one community to one other.

Chief Inspector, George Amedagbi informed the team that on the night of the incident he was informed that AGA security had caught some galamsey operators. When they were brought, he requested, after looking at their physical conditions, that they should be sent to the hospital for medical treatment.

The Divisional Commander, Mr. Sarpong and the District Commander, DSP Adika, of the Police Service admitted that the military/police operation, about 3 months ago, resulted in the arrest of 5 men who were beaten. The Police however could not confirm if they were beaten from village to village and finally before their wives and children.

The MCE also confirmed the incident, and said he intervened against further prosecution of the boys, when after allegations of beatings; the boys were handed over to the police for prosecution. According to the MCE he had information that one of the persons alleged to have suffered at the hands military, also, suffered an injury to his sexual organ. After the incident he could not have an erection despite several trials with his wife yet the police was about to prosecute him. This, he found unfair; he therefore stopped the police from prosecuting the five men.

#### **2.4.6. Resettlement and Compensation**

The community appeared divided on whether it would prefer to be resettled, given the hazards from the waste dump. Some said they would want to be resettled to

avoid the negative effects of the activities of the company in general and the health hazards from cyanide pollution in particular. Others said they would not oblige to be resettled because the company would not compensate them, as it did when it took their land earlier. They said they had no idea of any plans to resettle the community. However, they had heard the company wanted to claim more land without any discussion about resettling them.

The community's concerns were very similar to neighbouring Binsere. That the company had taken their land without paying adequate compensation and expressed regret and fears that the company was going to take more land. They alleged that the company appropriates the land without consultation and normally valued the crops with LVD alone without the involvement of community. They disclosed that the chief was not consulted when compensation was given.

The community disclosed that they had learnt with regret that the company intended to create two more dumps on the land to give more problems and to deny them arable land. They lamented that when the company took their land the compensation they received was woefully inadequate. They claimed one cocoa tree could survive for 50 years but AGA compensation for cocoa trees did not consider these realities. They disclosed that the community would only consider any demand of the company for more land if the company expressed willingness to resettle them. They said they were certain that AGA would not accede to their request for resettlement but they were ready for anything because as was usual of AGA, they promised but did not fulfil their promise. "They promised things in 1987 but have not fulfilled any", the chief stressed. He added that if the AGA refused to resettle the community that could lead to a violent confrontation.

According to the chief and elders of the community the area ear marked for further occupation by the company is also the area where cocoa grows best. In the view of the women's group, the chief of the community was not contacted before compensations were made.

#### **2.4.7. Livelihoods and Employment**

The community claimed they had severe livelihood challenges. That pollution had rendered farm lands useless, while the rest of the land had been taken by the company. The youth group alleged that AGA employed some youth from the community as casual workers and laid them off after a period of time. The women claimed only four inhabitants work with the company. That two work at the dam site and the other two work in the mines. They disclosed that they were not aware of any alternative livelihood programmes in place or in the offing from the company.



#### **2.4.8. Illegal Artisanal Mining (Galamsey)**

The community admitted that galamsey activities were rife there, but blamed it on the absence of other alternative sources of livelihood for many members of the community.

#### **2.4.9. Development Project**

The community does not have a primary school. The nearest school is about a mile away at Binsere. They have no electricity. According to the chief and elders a transformer was bought by AGA in 1989 in an attempt to fulfil its promise to provide electricity for the community but the transformer is still lying idle.

### **2.5. AKATAKYIESO**

The community disclosed that surface mining had been suspended for the last 3 years but the community believes it would soon resume. AGA had used some of the community's land for animal/ cattle ranch, fish farming and the development of jetrofa, a plant used for diesel production.

#### **2.5.1. Water and Water Sources**

The Chief and elders of the community alleged that streams in the community such as Nsaka, Nsanona, Anoania and Akasu, have all dried up due to mining activities while others such as Brimbi were polluted. According to the youth, as result of the pollution the company had provided two boreholes for the population of between 800 -1000, but the two boreholes were insufficient given the population of the community.

They complained that the water from the boreholes had a salty taste and sometimes caused stomach disease. According to the community's women, the company's waste dump had blocked the courses of most of the streams resulting in their drying.

#### **2.5.2. Pollution**

Surface mining, according to the chief and elders, had caused dust pollution. The youth alleged that the company's attempt at land reclamation was not properly done and that it posed a lot of problem for the community.

#### **2.5.3. Health and Related Issues**

They complained of high prevalence of TB. Stomach problems from suspected

polluted water from borehole provided by the company. They also complained of prevalence of mosquitoes in the community due to stagnant water in the AGA abandoned pits. That the community had not benefited from the AGA's malaria control programme being undertaken in other communities.

#### **2.5.4. Blasting**

Blasting, according to the chief and elders, had caused cracks in buildings. There were cracks in the LA JSS. The women claimed the only primary school had collapsed as a result of blasting and the municipal assembly had built another one.

#### **2.5.5. Safety and Security**

No security problem was encountered in the community. According to the youth, apart from the security personnel of the company who came to drive away galamsey operators from the company's abandoned pits, the community had no problem with the security personnel of the company. According to the women there were no cases of brutalities in the community.

#### **2.5.6. Resettlement and Compensation**

The community claimed the company did not consult them before valuing their crops for compensation. They claim the company started prospecting in the area in 1991/2, with prior knowledge of the community. However, when prospecting was completed the only thing communicated to the community was that each member affected by the company's activities should come forward and have their crops and farms measured for compensation. This was reluctantly done and in 1993- 95, compensation was paid with people receiving as little as 1,500,000 cedis (GH¢150) for an acre of cocoa farm.

They claimed even paying those paltry sums was a problem and the community had to embark on a demonstration before payment was made. The youth were unhappy that compensation was only paid for crops and not land. According to the youth, the company claims the land is theirs. They described the compensation as woefully inadequate.

#### **2.5.7. Livelihoods and Employment**

According to the chief and elders of the community, due to pollution, crops were not doing well. The company had also appropriated their lands for cultivation of grass to feed the company's cattle. That the rearing of cattle in the community had resulted in the proliferation of tsetse flies in the area. Also, an airstrip constructed by the company in the area had taken considerable portion of their land. The few farms left were contaminated and rendered unsuitable for farming. According to

the chief and elders, appropriation of the land by the company for various ventures had caused most of the inhabitants to lose their source of livelihood since most of them were farmers. That lack of livelihood opportunities in the communities means parents cannot take care of their children. There is therefore migration of the youth out of the community.

There is acute unemployment in the area. The youth proposed that the company release land for the community to farm. The youth alleged that the company has not employed any member of the community. According to women group, due to lack of employment avenues some of the youth have migrated to Accra while others have joined the band of galamseys. They said very few community members were employed despite initial promises by the company. That only, about, 20 males work with the company as junior staff. The females are mainly market women who trade in food stuff.

Women of the community claimed poverty is endemic and called on the company to do something about it. They called on the company to fulfil its promise to provide scholarships to help reduce the financial burden of parents in the community. According to the youth, they had not received any proposition from the company with respect to any alternative livelihood project

Reacting to the concern of the community that the company had appropriated their farm lands for cattle rearing, the company authorities explained that the cattle ranch was developed in 1983 when the country experienced massive draught, which resulted in hunger. It was a move to help the staff of the company feed themselves. The General Manager added that they were also a major distributor of eggs in the municipality.

#### **2.5.8. Illegal Artisanal Mining (Galamsey)**

The community said galamsey was a popular activity and that four persons died at one of the many galamsey sites in the area.

#### **2.5.9. Development Projects**

According to the chief and elders when the community embarked on demonstration to press home their demand for compensation it was agreed at a meeting with the company that AGC would provide scholarships, water, repair roads, and build a clinic for the community. But that AGC had failed to provide any of these. According to the women, the community does not have a JSS as such their children travel 2 km away to Amamom to attend school. The company had provided 2 boreholes to the community. They had also provided 120 desks to the local primary school and JSS.

## **2.6. AMAMOM**

### **2.6.1. Water and Water Sources**

According to the Unit Committee the company provided two boreholes giving good quality of water to the community; however one of the boreholes was currently dysfunctional. According to the committee, the community had 3 streams- Buamaa, Amantsua and Tsosno- but they were polluted with chemicals. They claimed the company provided a borehole for the whole community; however, the community had to repair it anytime it broke down. According to the women, the municipal assembly had promised to drill an extra borehole for the community.

### **2.6.2. Pollution**

The community claims there used to be a lot of dust when surface mining was taken place but it had since subsided since surface mining operations were suspended in 1997.

### **2.6.3. Health and Related Issues**

The youth alleged that the inhabitants of the community got sick from tsetse fly infestation from the company's cattle ranch. They lamented, the community had no clinic and had to trek all the way to Obuasi for medical attention. They further claimed that the cattle ranch of the company and unfilled trenches breed mosquitoes.

### **2.6.4. Blasting**

Blasting has left a lot of cracks in buildings, including the community primary school, the community alleged.

### **2.6.4. Safety and Security**

The chief, elders and women in the community said there had been no police brutalities in the community. The women, however, stated that there was only one recent incident in which the company security personnel drove away some galamsey operators. The youth thought otherwise, they alleged that mine security had been brutalizing galamsey operators and made reference to one "Operation Flush Out", which took place in December, 2006. In that operation they alleged, a combined team of military and police personnel beat up illegal miners.

The AGA officials said "Operation Flush Out" was carried out by state security involving the military alone and that it was not the company's idea.

### **2.6.5. Resettlement and Compensation**

According to the Queen mother and her elders, the community had not been given an option by the company to resettle and that they were willing to resettle.

On compensation, the community claimed, because they were not educated the company cheated them in the payment of compensation. That they did not know the criteria and formula AGA used to determine the value of their farms and crop before paying them. That some received as low as two hundred thousand cedis (Gh¢ 20) and three hundred cedis (Gh¢ 30) as compensation for their crops. They claim they had petitioned the company and the Amansie East Assembly but to no avail. The women claimed compensations paid for their crops were woefully inadequate. Some alleged that they had to pay bribes to officials of the Land Valuation Board for their compensation to be processed.

### **2.6.8. Livelihoods and Employment**

The community insisted that the company had degraded their land and has failed to reclaim it. They claimed the land could not be used again for agricultural purposes. They lamented that the main problem confronting them was their inability to use lands for farming since the mining company said it belonged to them. They lamented that, traditionally, most of them were hunters, but hunting is no longer lucrative because the company's blasting activities had driven out wildlife from the area. That the company had worsened their plight and wished the government could intervene and get them back their land.

They alleged that the company including individual high ranking members of the company had usurped their land to rear cattle. The women alleged that the degradation of their land as a result of surface mining has led to reduction in crop yield. Cattle of the company destroyed their crops while the Fulani employed by the company to man the ranch stole their properties and sometimes terrorised the community members.

The community held that the company had employed very few people from the community. The community claimed there were only 4 people in formal employment with the company, consisting of 3 labourers and 1 white colour job. According to them there were no other employment opportunities.

### **2.6.6. Illegal Artisanal Mining (Galamseys)**

There are no illegal mining activities going on in the community, according to the chief and elders of the community. However, their assertion contradicts that of the community women who claimed the youth were forced to go into galamsey because of lack of employment opportunities. They accused the company of failing

to employ the youth due to lack of skills. They said most men were illegal miners whilst the women were farmers. The Queen mother and her team called for the legalisation of galamsey because there was no alternative work. Others disagreed and said galamsey was too dangerous an activity to be given legal consent.

#### **2.6.7. Development Projects**

The community said the company had provided them with two boreholes and about 120 school chairs but failed to honour most of the other promises it made to the community. That the company promised the rehabilitation of the community roads from time to time but has failed to deliver on that promise. According to the Queen mother and her elders, the community has a JSS built by government, but no primary school. They complained that their children trekked to Akatakyieso for primary school, whilst those from Akatakyieso start their primary school education at Anamom. They expected the company to provide them with a primary school and clinic, but the company had failed to provide any of these.

### **2.7. ODUMASE/ADUANNEYEDE**

#### **2.7.1. Water and Water Sources**

According to the chief and elders of the community, all the six streams of the community including Akapoli, Akao, and Abanbra that used to provide water for domestic use have been polluted as a result of mining activities. They said, the company, in replacement, provided a mechanised borehole, which supplies water to the community. This was about ten years ago and the tanks had not been cleaned since, as a result the water was impure and dangerous to health. Apart from the state of cleanliness of water, they lamented that the supply is inadequate due to the increasing population of the community. They claimed usually when the borehole developed a fault, the community did have any other source of water and had to trek to Obuasi to fetch water.

Apart from the water being inadequate, the youth claimed it has a brownish colour and tasted bad. They alleged that the company sampled the water once a week for testing but the community had never known the outcome of such tests.

#### **2.7.2. Pollution**

The community claims mining operations in their area seized nearly ten years ago as such they no longer had any dust pollution. However, the new threat to the community is frequent flooding. They alleged that when it rains, flood waters collect material from artificial hills of waste rock and inundate the community, poisoning farm products.

### **2.7.3. Health and Related Issues**

The community claimed that the commonest ailment was malaria and believe it was the Jimiso water reservoir, that supplies treated water to the company that breeds the mosquitoes. They lamented that there is no health post in the community and people usually have to travel to Obuasi to seek medical attention.

### **2.7.4. Safety and Security**

The Youth said they had no problem with mine security.

### **2.7.5. Resettlement and Compensation**

The youth said they had no knowledge of any resettlement plan for the community. The community claimed all their arable land was taken by the company. They said the company paid paltry sums as compensation, which could not sustain the affected farmers. They accused the company of not consulting them on the issue of compensation and that the company carried out the valuation of affected farms without consultation, although the measurement of the farms was done in the presence of the farmers. They claimed that the monies were paid very late and that some people had still not received any compensation. They further claimed the community had to embark on a demonstration before they were paid. They alleged the amount paid was often known after the compensation forms have either been signed or thumb printed by the farmer.

### **2.7.6. Livelihoods and Employment**

According to the youth representatives, the community has not benefited from any project in relation to the provision of alternative means of livelihood.

The degradation of the land, made it impossible for them to engage in any form of farming activity. The resulting erosion from mining activities had rendered surrounding areas also impossible to cultivate. That before the mining activities started, the community members grew both cash crops like cocoa, oil palm etc and food crops like cassava, but that, that was no longer possible.

According to the youth, the company promised them employment but is yet to fulfill that promise. They claimed the company employed some youth from the town as casual workers but they were laid off after a period of time. Five members of the community work for the AGA. They claimed that their leaders were not concerned about their plight. Their chief was dead and because of chieftaincy dispute, a new one was yet to be installed. In this vacuum, a Divisional Chief who was in charge did not appear very concerned. The women were particularly worried about the unemployment situation affecting the male population of the community.



### 2.7.7. Illegal Artisanal Mining (Galamseys)

The inhabitants said that they indulge in galamsey because there are no other alternative livelihood sources. That galamsey is the only means of livelihood because their lands have been taken from them. According to them they will stop galamsey if they are offered land and capital for farming as well as market for their crops. They said that galamsey is a risky job characterized by violence. Using his experience to buttress this point, one Nana Ofori, a JSS 3 student said he could not register for the final examinations because of his inability to pay exams fees. He therefore decided to go into galamsey. He said in one of the pits in Kaw, where his team was working, another group of Galamsey workers claimed ownership of the pit and attacked them. He said the rival team took away their gold bearing rocks. He claimed that in the ensuing struggle, he received knife wounds on his head and back. A second victim was contacted. According to him, he was exiting from a pit, but the entrance to the pit was dark, as he attempted to come out with his booty, he was met by a rival team who rolled down rocks on them. In a struggle with his assailants, he had the back of his palm slashed with a knife.

### 2.7.8. Royalties

The community claims the Adansehene receives the royalties and distributes part to other chiefs. The chief of Eduaneyede used to receive his share but after his death the present chief had not received any royalty due to a long standing chieftaincy dispute.

### 2.7.9. Development Projects

Members of the community noted that the Company provided electricity, which was later disconnected. The community said they now enjoy electricity from the national grid. That the company promised a clinic, school, palace for the chief and employment for the youth but failed to deliver on all. The youth said that AGC had to relocate their primary school because it was formerly located within a proposed mining area.

## 2.8 ANWIAM

The youth pointed out that underground mining had stopped about 5 years ago making way for surface mining which was still in progress.

### 2.8.1. Water and Water Sources

The community used to depend on the *Ata ne Ata* stream, which stream was

destroyed by mining. The Odikro of Anwiam claimed as a result of the destruction of community water sources, the company provided pipe borne water for the community. However, about two years ago, the mining company dismantled the pipe lines in order to carry out some mining activities and had since not fixed them despite many reminders.

## **Pollution**

The community also alleged that AGA normally dumped a lot of waste material which caused flooding. The community further claimed that heavy duty trucks plying between the AGA's shaft and the community created a lot of dust pollution. Surface mining, the community emphasised, had destroyed their water source of a stream that flowed outside the community, and the stream's course was diverted into the community, resulting in frequent flooding of the community any time it rained. They said the community was so vulnerable because it was situated in a valley. The chief suggested that a trench be dug to divert the water from the hills away from the community to avert any possible disaster.

### **2.8.2. Health and Related Problems**

According to the chief and elders of the community, the most prevalent diseases in the community are tuberculosis, typhoid, skin rashes and respiratory diseases and that these diseases are most common among children. They said that the malaria control programme implemented by the company has led to a reduction in the incidence of malaria in the community, despite the awful smell of the drug being used.

### **2.8.3. Blasting**

The community stressed that the area had been impacted by blasting activities of the company. They claimed that one could feel the effect of blasting in the community any time it was carried out.

### **2.8.4. Safety and Security**

In a focus group discussion, the youth said that galamsey operators in the community were often pursued by the company's security; confrontations sometimes resulted in beatings in the event of galamseys being caught. They alleged that security personnel beat up galamsey operators and refused to take them to court. They explained that the galamsey operators usually take along tools for their operation, but unfortunately the security personnel interpret the working tools as weapons for fighting.

### **2.8.5. Resettlement and Compensation**

The community appealed to be resettled. The investigators expressed serious concern about the plight of the community when it had the opportunity to visit the company's shaft very close to the community.

The Anwiam community lies in a valley, and frequently gets flooded anytime it rains. The plight of this community is that there is no access road to the town except through the railway line area, which is dangerous since trains ply the rails. The community which is located less than hundred meters away from the AGA office and its senior staff bungalows is not accessible by vehicle. Members of the community have to commute about one kilometre on foot even in case of illness in order to get vehicles to take them to the hospital.

The community lamented that the company prevented its members from using the company's access road. In an answer to a question on the location of the community and the possibility of relocation, the Odikro said that in 1989 the community was contacted on the issue when the company was in the process of building the Cote D'or. The company has since then not contacted them on the issue again. The community wants to be resettled. They stressed that their village lies in a valley badly affected by mining activities that had caused serious erosion on all sides of the village. Any serious rain could wipe them out of the area.

### **2.8.6. Livelihoods and Employment**

The community said they had lost their most important source of livelihood, i.e. farming. They claim the land is so degraded that crops planted do not produce good yield. They said unemployment was one of the main challenges the community faces.

### **2.8.7. Illegal Artisanal Mining (Galamseys)**

The youth confirmed that galamsey operations were very popular in this area. They added that about four of them were caught in the mining company's pit in 2006, and were put before court and sentenced to a fine of about five million cedis (GH¢500) or three years imprisonment.

The team enquired from the youth whether they would abandon galamsey operations if they were offered capital for farming as well as market for their produce. Most of the youth answered in the affirmative with only one person attaching conditions to this offer. His main concern was how he would be fed before the time of harvesting and marketing his crops.

### **2.8.8. Royalties**

According to the Odikro, Anwiam is under the chief of Odumase-Akrokkerri but the land belongs to Fomena. He, therefore, does not receive any share of royalties. He suggested that royalties should be increased to enable the communities affected by mining activities to also benefit.

### **2.8.9. Development Projects**

The community which has a population of about 500 at the time of the visit had no electricity or water. The community, the opinion leaders emphasized, does not have a clinic. The nearest hospital which is the AGA hospital is very expensive. The community members usually attend the government hospital at Obuasi.

## **2.9. AHA SO NYE WO DIA**

### **2.9.1. Water and Water Source**

AGA had previously provided the community with 6 stand pipes. Unfortunately, only 2 were working; serving a population of about 4000-5000. All efforts to collect a levy of ₵1000.00 (Gh₵10) each from residents of the community to repair the pipes proved futile. The inhabitants said they had good drinking water before AGA came into operation and did not see why they should raise money for maintenance of pipes. The inhabitants were passionate about their rivers/streams, and recommended AGA to take back their taps and let them have back their good drinking water from the streams.

The youth representatives interviewed stated that mining activities had destroyed a stream that served as a source of water for the community. The women noted that before mining activities began, the community members relied on Kwawu and Nkasu streams as their main sources of water. As of the time of the interview only three out of the six stand pipes were in good working condition. The women noted that the population of the community had increased and that had affected access to water, they sometimes had to go to Wawa (over 1 km away) to fetch water or buy water from "quarters", which was too expensive.

### **2.9.2. Pollution**

Members of the community insisted that as a result of intermittent blasting, the air was polluted with dust thereby causing a lot of sickness. Also, flooding from waste dump sites and erosion from previous surface mining continue to be a problem when it rains. During the rainy season, schools had to close down due to severe erosion in the community. The youth reported that, during the latter part of the year, 2006 properties of some members of the community which included houses

were destroyed by flood waters. Water from the hills had its course obstructed due to erosion of the sides of the hills. The flood waters got diverted into the community sweeping away houses. They, however, added that AGA paid compensation to those who were affected.

The team later followed up and interviewed one of the victims. She said that AGA paid her one hundred million cedis (Gh¢10,000.00) which was not adequate to cover the cost of all the properties she lost.

### **2.9.3. Health and Related Issues**

The community said the company's malaria control programme, despite the bad smell produced by the drug used for the programme, had reduced the incidence of malaria in the community. They however, expressed concern about any side effect of the chemical used for spraying. They noted that diseases such as tuberculosis, colds and diarrhoea were prevalent among community members.

### **2.9.4. Safety and Security**

Women in a FGD said they felt threatened and insecure by the presence of armed military personnel in the community.

### **2.9.5. Resettlement and Compensation**

The youth representatives interviewed confirmed that compensation had been paid to those whose farm lands were taken for mining activities. They however could not provide details of the compensation packages neither could they comment on the adequacy of compensations paid.

### **2.9.6. Livelihoods and Employment**

The youth representatives interviewed alleged that they could not engage in any farming activities because of the degraded nature of the land due to surface mining activities. They suggested that government should provide alternative means of livelihood for members of the communities affected by mining activities

### **2.9.7. Illegal Artisanal Mining (Galamseys)**

On the issue of galamsey, the women stated that some galamsey operators were arrested in 2006, some were released others were still in custody. They said that most of the youth were engaged in galamsey activities because there were no employment opportunities. As part of the solution, they suggested that the mining company should employ some of the youth of the community. Another suggestion, by the women, was that the abandoned mine pits in the community should be

released to the youth to mine.

### **2.9.8. Development Projects**

The youth of the community said the malaria control programme being implemented by the company was the only laudable community project they were aware of. They claimed that apart from that project the community had not benefited from the company since it started mining in the area over 50 years ago.

## **2. 10. DIEWUOSO**

### **2.10.1. Water and Water Source**

Water in this community is provided by the government and not AGA. The chief and elders of the community lamented that their only source of water, the river Ponkoh was diverted for use by AGA and subsequently polluted by cyanide from Kwabrafosu (a stream located at Buadi that receives tailings from the mining company's Sulphur Treatment Plant (STP)). They claimed the community depended on another river, Anyensu, which had dried up. They alleged that the company had since not provided them with alternative source of water. They said two boreholes serving the community were provided by the Municipal Assembly but are not sufficient.

### **2.10.2. Pollution**

The community said two waste dumps in their area constitute nuisance and potential health hazard to the population. They said one of them is a municipal waste dump where human faeces were dumped and the other a cyanide dump constructed by the mining company. They complained bitterly that waste facilities of AGA and the Municipal Assembly were polluting the soil and atmosphere. They claim that the presence of the faecal matter has led to the flooding of the environment by flies. An inspection of the dump site confirmed that it was an environmental nightmare. Both waste material and faeces were dumped right in a vast area which also served as an access road to the community.

The community also complained that they suffered from smoke emanating from one of the mine shafts. They claim these waste facilities and the nuisance they created affected farming activities drastically. The community does not have a health post.

### **2.10.3. Health and Related Issues**

The community claims it had been hosting a huge waste dump for the last five



years. They alleged that there was no consultation between the community and the assembly before the project began, and this led to a demonstration by the youth in the community. The waste breeds a lot of mosquitoes and flies, which affects the health of the people. They noted that even though the community benefited from the malaria control programme, they had not seen any improvement in the high incidence of malaria. In addition, they also alleged that solid waste from Obuasi is deposited in the Kwabrafo stream which eventually drains into the river Ponkoh.

#### **2.10.4. Safety and Security**

The Youth of the community said police brutalities were very common in the area. They cited an example where the police arrested some of the youth in 2000/2001 and commanded them to look at the sun with their bare eyes. They named one Richard Owusu as a victim. This arrest and ill-treatment was as a result of a demonstration against the construction of a bridge. The youth claimed they had an encounter with the police over the siting of the municipal waste dump in their community. They claimed that at the beginning the inhabitants demonstrated against the dump site, and were successful in stopping the dumping of refuse at the site. However, police personnel later descended on the community the next day and beat some of them up. They said the police alleged that the leaders of the community had already consented to the dumping of refuse at the site.

The opinion leaders, however, said they did not have any problem with the security personnel deployed by the mining company. The chief and elders said there had been no incidence of security brutalities in the community.

#### **2.10.5. Resettlement and Compensation**

The community said they were willing to be resettled to avoid the stench from the waste dump. On the issue of compensation, some farmers said they had received compensation, but that it was inadequate. They said that some of the compensations were paid with prior consultation with the affected farmers.

One Nana Pompoh Dza informed the team that in September, 2006 his farm was measured by officials from the Land Valuation Board (LVB) and AGA. The main crops on the land were sugar cane and oil palm. The land measured 300 by 58 feet. He also revealed that the number of crops on the farm was not counted. He informed the investigators that he had not received any money from the mining company as compensation.

#### **2.10.6. Livelihoods and Employment**

The opinion leaders revealed that the community members were previously

farmers but could not farm anymore because their lands have been destroyed by mining activities. Some of the crops previously cultivated were cash crops like cocoa, coffee and food crops like oranges. They alleged that oranges could no longer grow well in Obuasi because of pollution caused by mining.

The community complained that unemployment is rife. They said that the male members of the community were mainly hunters and their female counterparts were mainly farmers. The chief and elders said that consultations in the form of monthly meetings had been set up by AGA to address issues affecting them.

#### **2.10.7. Illegal Artisanal Mining (Galamseys)**

The people of this community stated emphatically that they did not indulge in galamsey operations. They, however, wanted the practice legalized.

### **2.11. BUADI**

The Buadi community is where the company's Sulphur Treatment Plant (STP) is situated. The main complain was on health. They noted that the most prevalent diseases in the community were rashes, headaches due to air pollution emanating from the STP.

They also complained of unemployment. They expressed the hope that galamsey operations will be legalized, although they preferred the inhabitants being employed by AGA.

### **2.12. INSTITUTIONAL RESPONSES**

#### **2.12.1. AngloGold Ashanti**

Anglogold Ashanti admitted that water quality in the communities could be a problem due to pollution from dust and cyanide, but that the company had provided most communities with alternative sources of water such as boreholes and pipe borne water.

According to AGA, the Land Valuation Board (LVB) does the valuation and the company pays according to their rates. LVB is also restricted as to how much compensation could be paid. It can't go beyond 25% which is the ceiling already set.

The AGA representatives acknowledged that the level of compensation was inadequate. The responsibility of determining the level of compensation lies with

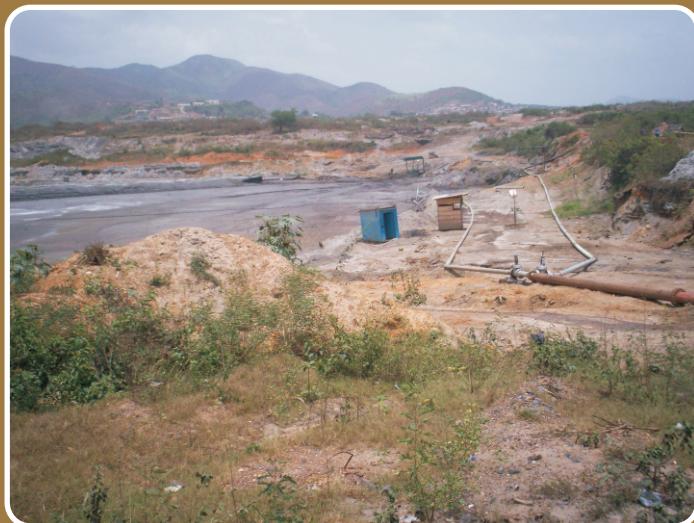
the Land Valuation Board that assesses the crops for compensation. It is then taken to the Evaluation Secretary who approves the rates. Prices for crops are based on the age of crops.

The company had in place a strategy to prevent galamsey. Security personnel were unarmed most of the time and therefore guard dogs play a major role in security operations of the mining company. AGA believes that presently galamsey has become a business attracting financiers who sponsor the illegal business. This has been to the detriment of the mining company.

A second meeting was held to inspect the alleged detention facilities of the mining company, and to learn about their security operations. The visit was also aimed at enquiring further into some of the issues raised in the communities.

The team was met by Head of Security, Colonel Oduro Kwarteng who took the team to the former alleged detention cell at company's recap-tion.

The former detention facility could be compared to that of a police station where state-ments were taken. There was also a room where sus-pects used to be kept and this normally had only one person at post.



Boate Tailings Dam

In instances where suspects number more than two a Reaction team was called upon to assist.

The team also visited the company's shaft to observe the level of security. The Sansu shaft had one security person with a dog. Indeed at this shaft, the team witnessed galamsey operators in the bush who run away. At the Sansu SGS, there was a lot of dust. The people claimed that due to the materials used by the mining company at Pomposo, the river Kwabrefo had been polluted.

Sustainable livelihood projects should have been undertaken by the company long ago. Community expectations were high and mounting. AGA was of the view that if 1/10 of royalties paid to Government had been ploughed back into mining communities the situation would have been better managed. Obuasi would not have been what it is today. So, mining companies, traditional leaders and

government are all to blame for this sorry state of affairs in Obuasi. There is an ongoing apprenticeship programme which produces artisans, some which are absorbed by AGA.

According to AGA, there were ongoing consultations with the MP, the DCE's and opinion leaders on programmes including grass cutter rearing, training of artisans, jewelery, tourism and aqua culture. A forum had been planned to discuss methods of implementation of these projects.

The AGA officials revealed that the company had completed its mining operations in some areas and were now in the process of converting the areas into fish ponds that would eventually be transferred to the communities by a yet to be established Sustainable Development Department. They envisaged consultations with the communities.

According to AGA, illegal mining is a serious security problem. That AGA teams up with the Army and Police to flush out gamamseyers. On the issue of alleged brutalities, it was acknowledged that beatings do occur sometimes.

On collaboration between the company and communities, Mt Elton Annan, Community Development Superintendent of the company explained that AGA has two levels of engagement with the communities:

- Grassroots Engagement
- Stakeholders Engagement

It has Consultation Committees established in the communities of between 10-12 members that hold meetings periodically. Members endorse decisions, which are pasted on notice boards in the communities. CSOs are now encouraged to be active at the grassroots level.

### **2.12.2. Health Facilities**

Three major health providers in the area -the Obuasi Government hospital, AGA hospital and the Bryant Mission Hospital and Eye Centre- were contacted for their reactions and views on the concerns raised by the communities.

#### *(a) Obuasi General Hospital*

The team met with Dr. Mensah, District Director of Health to get data on the major diseases that might be mining related. Dr Mensah indicated that they did not have such records but gave some insights into the likely diseases that could be linked to mining activities.

He stated that mercury used in extracting gold could cause kidney failure if it enters the human system. He however, added that reported cases of kidney failure in the municipality could not be directly linked to mining activity since no research had been done to ascertain their causes. He said patients may report diarrhoea, but they do not go that far to find out whether it is linked to mining activities.

He advised the CHRAJ team to take water, fruit, fish, and bush meat samples for laboratory test in order to ascertain whether chemicals used during mining were present in them. He said it was only then accurate links between diseases in the communities and mining activity could be made. He recommended the Ghana Standards Board as one such laboratory testing organization that CHRAJ could contact.

He pointed out that the patient doctor ratio was too high. He suggested that more health facilities should be built. The responsibility he added lies on everyone in the society. It was established that there were Community Based Surveillance Volunteers (C.B.S) who report relevant cases of ailments to the department.

The top ten mining related diseases, he advised CHRAJ to think about included chemically caused diseases such as: skin diseases, cancers, leukaemia, chronic respiratory track infections (not tuberculosis) and kidney failure.

He said samples of cassava should be added to earlier mentioned samples for laboratory testing. His explanation was that cassava could absorb cyanide.

The team was further advised to examine available health records at the office of the Municipal Director of Health. The Secretary to the Municipal Director of Health told the team that without the consent of her boss who was absent, she could not give out any health data. The team was advised to write formally to the office for the said health data.

#### *(b) The Anglogold Ashanti Hospital*

The team first met with Janet Anso, the Head of Nursing Services who identified the most common ailment in the community as malaria, but said with the introduction of the malaria Control Programme reported cases had reduced. The Head of Nursing Services identified chest infections as another common ailment; which in her view was attributable to dust inhalation.

She observed that the number of patients had reduced because of the introduction of National Health Insurance Scheme. Their main clients were workers from AGA; outsiders were, however, not turned away when they called at the hospital for treatment.

The hospital staff did not confirm a comment that some women were seen with skin diseases which could be attributed to the effects of mining. When asked whether reports of skin diseases had been made to the hospital, they answered in the negative.

It was also revealed that about 500 patients visit the hospital daily. The patient doctor ratio was 150 to 1 and the patient nurse ratio was 30 to 1. There were only three (3) full time doctors as at the time of visit. On community health services, the group said the hospital had three (3) nurses for community outreach. Two (2) of them visit the community i.e. the Obuasi Municipality every Saturday to attend to HIV-AIDS patients and to conduct public education on health.

When asked whether they had plans of extending this public education programme they answered negatively. Their reason was that they were only supporting the community health programme being facilitated by Family Health International, an NGO.

The Head of Nursing Services refuted the claim that the Anyinam inhabitants were not allowed to patronize the AGA clinic at Anyinam. She explained that all emergency cases were taken by the hospital. She argued that the people of Anyinam wanted medical treatment free.

*c) Byrant Mission Hospital and Eye Center*

The team met with Dr. Ansah, an eye specialist to ascertain the impact of mining activities on the health of inhabitants. Dr. Ansah noted that their reports were tailored according to the Ghana Health Service reporting format. This did not include data classified on the bases of communities. Data is only classified on community bases when there was an outbreak of cholera and other infectious diseases. This, he said, was done in order to facilitate follow-ups by the Ghana Health Service.

He expressed the view that some of the ailments that the communities complained about could be caused by mining activities. Effluents from treatment plants were discharged into streams, and all inhabitants along the streams could suffer such diseases.

The patient- eye doctor ratio according to him is 50 to 1. On whether there exist a possible link between some ailments he handles and mining activities, he answered in the affirmative. He explained that there is an ailment called pterygium; a triangular growth on the eye caused by irritation from dust. This ailment recurs in community dwellers only, indicating a possible link between some ailments and mining activity. He quickly noted that, a scientific test is yet to be done to establish a link. He also added that the clinic was established in 2003, he will therefore not



be able to give a trend since data and diseases have not been taken over a long period. A trend could be established for example over a ten-year period. He advised that the general populace should be educated on the use of National Health Insurance Scheme. He stated that some people with national health insurance cards visit the hospital even if they were not sick, just because they had paid premiums.

Dr. Sebastian Tantuoyira, a general practitioner, said apart from malaria, upper respiratory track infections formed about 80- 90 percent of reported cases. He expressed the view that the high incidence of malaria could be linked to mining activities. The AGA pits, trenches and waste deposits could breed mosquitoes. He also linked respiratory track diseases to the dusty environment. He attends to approximately 200 patients a day. The doctor ratio was one doctor to 70- 90 patients, he noted.

### **2.12.3. Ghana Police Service, Obuasi**

On the issue of arrests by security personnel deployed by the mining company, the District Commander, DSP Adika noted that galamsey operators or those who trespassed on the mining company's properties were often arrested by the mining company security or soldiers deployed by the company. They were subsequently brought to the police station and arraigned before court.

On the use of guard dogs by mine security, he said since he resumed office in Obuasi about one and half (1½) years ago, he had not heard of the use of guard dogs to attack galamsey operators even though he was aware that the company had dogs. He added that it was only possible for the police to have knowledge of such incidence only when they are reported to them.

On the presence of the military in Obuasi, the Divisional Commander explained that the soldiers were deployed from Kumasi and were, therefore, not under his direct command. According to him, this security personnel's presence was all year round they were changed every two months. He added that the logistics of these state security agents were provided by AGA. DSP Sarpong noted that no local police personnel were stationed in the mines.

On the allegation that the mining company operates a private cell, the Divisional Commander said that since he assumed duty at Obuasi about three months ago he had not heard of any detention facility being operated by AGA.

The Divisional Commander informed the team that there were many instances of attacks on mine security and some times police officers detailed to provide security by galamsey operators because mine security personnel, in particular, were not armed. The Deputy Chief Inspector in Charge (CID) gave an example of one Daniel

Nsensukpi, a Police Officer who was a victim of one of such attacks. The officers claimed that while the police and military used AK 47 and G3 rifles respectively, AGA security did not carry weapons.

Commenting on the living conditions of people in Obuasi, the Police Officers interviewed stated that there was a need for funds, farmlands and market to be provided for those interested in farming. The Police officers further noted that a portion of land at Jacobu a suburb of Obuasi had been given out to those interested in small scale mining activities.

#### **2.12.4. Municipal Assembly, Obuasi**

The Municipal Chief Executive identified illegal mining as a major problem facing the Municipality. He stressed the need to legalise it since the employment of harsh measures including deployment of guard dogs, and the security agencies to stop them have failed. That registration of these galamseys would control their activities and lead to the generation of income from their operations for both the mining company and the nation. He suggested that the mining company shed off mined out areas to registered groups trained in rudimentary best practices in mining and that the company could enter into agreement with them to buy their produce. These miners would also pay tax. Such arrangements the MCE believes would help in the effective monitoring and curbing of the negative impacts of galamsey in the municipality. He regretted that Obuasi was not a registered small scale mining centre.

The biggest problem facing the company was the issue of galamsey. AGC/AGA had used dogs, police and the army to try to stop it but had failed. Previous strategies had all failed. He continued:

*"Whether we like it or not galamsey would continue. It is part and parcel of the youth. They think that God has given them a natural resource and they must exploit it... register galamsey operators into organised groups, give them even a mine's captain and supervise their activities. That way, the Government, Assembly and the AGC stand to benefit. Human rights violations and conflicts would be minimised. We would also create employment for the youth."*

The MCE further stated that there was an ongoing apprenticeship programme which trained artisans, some of whom AGA absorbed.

## **3.0 WASSA WEST AREA**

### **3.1. HUNI VALLEY**

#### **3.1.1. Water and Water Source**

According to the youth representatives the main source of water is a borehole provided by the Ghana Water Company. Rivers in the area including Huni, Abokokyina, Botem, Detro and Amiko were all said to be polluted except Esuo Kofi. The Women representatives corroborated this, noting that the water was dark in colour, and causes diarrhoea when drunk.

The community has two pumping stations provided by the Ghana Water Company.

#### **3.1.2. Dust and Pollution**

The youth representatives noted that the surface mining activities create dust, thereby polluting the air. The galamseyers' representative complained that the use of certain chemicals in the mining operations has caused the spread of skin rashes.

#### **3.1.3. Health and Related Issues**

The women representatives reported that diseases prevalent in the area were: skin rashes, diarrhoea, cough and malaria. It was also noted at the Huni valley Health Centre that the common type of illnesses reported at the clinic included respiratory tract infections, skin diseases and malaria. The community wants facilities (buildings) abandoned by AGL to be converted into a hospital since the nearest hospital was at Tarkwa. The community has a functioning clinic.

#### **3.1.4. Blasting**

The Youth representatives complained that blasting caused vibration and noise pollution. It resulted in cracks in buildings although they could not show evidence of cracks resulting from blasting. The women's group also said blasting of rocks produced a lot of noise.

#### **3.1.5. Safety and Security**

The Wassa West District Chief Executive stated that the mining companies had guards who did not carry fire arms. The companies, however, relied on the security agencies for the safety and security of their operations especially when the problems of illegal miners arose. The Chiefs of the Wassa Fiase Traditional Council noted that illegal mining activities lead to confrontation between members of the community and company security and the security agencies. The area council

members also noted that the military has been brought in to deal with the galamsey problem, but there were no excesses.

### **3.1.6. Resettlement and Compensation**

The women had no knowledge about any resettlement plans for the community. On the issue of compensation, the Youth group said they had no problem since it was always paid. They however stated that the amount was too small. The Unit Committee Members complained that it was the mining company that measured the various lands for payment. The company sometimes used its discretion to determine which farm produce deserves compensation and how much to pay to affected farmers. They claimed that the company paid 22 million cedis (GH¢2200) although the community requested for 30 million cedis (GH¢3000).

On the issue of compensation one of the women interviewed alleged that her farm was measured by the mining company without her knowledge. She was later informed of the said activity by another farmer who also communicated the proposed day of actual measuring to her. On the day of measuring, the officials from the mining company promised to come back and count the crops on the land. They were, however, yet to do so and had asked her to continue with her farming activities until the exercise was over.

She revealed that she had not negotiated any compensation package with the mining company. This assertion was buttressed by the other women who agreed that compensation rates were often imposed on them.

### **3.1.7. Livelihoods and Employment**

The women representatives interviewed revealed that they did not know about the provision of alternative source of livelihood by the company.

According to Area Council, OIC, an NGO is helping the company train community members in gari processing, oil palm processing; livestock and animal rearing. It provides initial support to start a business after the training.

The chiefs stated that a high rate of unemployment compels the people especially the youth to resort to illegal mining (galamsey) while the youth of Huni Valley stated that there was no employment for them.

### **3.1.8. Illegal Artisanal Mining (Galamseys)**

The District Chief executive of Wassa West District admitted that illegal mining is a problem in the District. He said the District Assembly had a mechanism in place for monitoring activities of galamseymers in the District and identifying early warning

signs of conflict. The area council claimed that galamsey was the major source of livelihood in the village: "They say the law prohibits it but it is difficult to stay away from it because they have to survive". The galamsey operators had called on AGL to release part of their concession to them to operate or employ them to enable them make a living.

### **3.1.9. Royalties**

The Chiefs and elders of the Wassa Fiase Traditional Council are dissatisfied with royalties paid to them. They see themselves as "shareholders" who should derive more benefits from gold mining in their area. According to them, there is no transparency in the distribution of royalties. They lamented that the Chief's palace was the only benefit they have had from royalties.

### **3.1.10. Environment**

The chiefs and elders noted that arable land in their area had been destroyed by mining activities. No rivers or streams have been destroyed in the area since the location of the mine is far away from their communities. Over the last two years the mining company had developed an oil Palm Plantation at some reclaimed areas. This, according to the Chiefs was to demonstrate to the farmers that they could still grow crops at reclaimed areas. Since the Huni Valley plantation is still young (2 years), local farmers were yet to be convinced or see its benefits. Company employees were used in establishing the plantations; therefore it had not provided any employment for the youth who were mostly unemployed thereby compelling them to resort to illegal mining.

The area council noted that there was an open pit at Ampeyo. Noise, pollution of water bodies and dangerous vehicular movements posed a danger to children.

### **3.1.11. Development Projects**

The women revealed that the mining company built a JSS block and a toilet in 2005 for the community and that the World Vision (NGO) also built a clinic. Some of the women however alleged that the community had not benefited from any development project. The area council enumerated the projects as:

- One male ward at the Aboso clinic
- Five schools for Damang, Huni valley, Amoanda, Bompiso and Koduakrom.
- Two community centres for Huni Valley and Damang and a toilet.

The Wassa Fiase Traditional area chiefs said the Damang Mining Community Consultative Committee (DMCC) awards 20 scholarships annually, 15 SSS and 5 students in tertiary institutions have benefited from the scholarship scheme since 2002.

## **3.2. KYEKYEWERE (BOSOMTWE AREA)**

### **3.2.1. Water and Water Source**

According to the Queen mother of Kyekyewere, the community has no water problem except that the boreholes are located too far away from the town. The women's group stated that the company provided them with three water taps, however, only one was working. Another source of water is a stream called Eneforfor which is not polluted.

### **3.2.2. Dust and Pollution**

The people said they had no dust or chemical pollution of their environment.

### **3.2.3. Health and Related Issues**

The nearest health facility is a clinic at Bogoso.

### **3.2.4. Blasting**

The youth interviewed complained that most of the buildings in the community had developed cracks as a result of the blasting activities of ABL.

### **3.2.5. Safety and Security**

The Chief of Kyekyewere, Nana Benekoampa II noted that there had been no reported incident of military and police brutality.

### **3.2.6. Resettlement and Compensation**

The Kyekyewere community was resettled at its present location from the old Kyekyewere in 2000. There were non-indigenes who opted for relocation and therefore collected their relocation packages and left. The people of Kyekyewere were resettled as their former place was taken over by the Aboso Goldfield Limited (AGL) operating surface mining. According to the youth group, the compensation paid to them for the resettlement and destruction of farms was inadequate.

The people complained that the resettlement to their present site has caused them to walk between three and five miles to their new farming areas.

The women complained that most of the houses built for them corresponded with what community members had at their former place (i.e. room for room policy).



They lamented that uncompleted houses were not paid for. They alleged that no land was given to them to farm on. They still had to go to their lands at old Kyekyewere to farm.



Focus Group Discussion

### 3.2.7. Resettlement and Compensation

The Queen Mother noted that they had no problem with compensation because their farms were not affected by the company's activities. The farms remain intact at their old place. The distance from their present location to the farms is however far. Nana Benekoampa said no compensation was paid to individuals for farmlands taken but rather resettlement allowances were paid.

### 3.2.8. Livelihoods and Employment

According to the women interviewed, the company had provided animals such as goats, sheep, and pigs for rearing as part of their alternative livelihood programme. The animals, however, died except the pigs. They said inhabitants of some communities were given oil palm seedlings to plant.

There is high unemployment leading to galamsey. Unemployment is also linked to lack of land within the concession area. The youth complain that the company reneged on its promise to employ them; making life unbearable for them.

### **3.2.9. Illegal Artisanal Mining (Galamseys)**

The Queen Mother said that galamsey was prevalent in the area due to unemployment. She said the people were reluctant to go into farming because they want “quick money”.

### **3.2.10. Royalties**

Nana Foriwah, the Queen Mother said the royalty paid to the chiefs was too small. The Chief receives royalty which is expected to be paid quarterly. He said the payment is irregular.

### **3.2.11. Development Projects**

The company has built one JSS block for the community and also replaced one primary school block they destroyed according to the women representatives. The company also provided the community with two toilets. The chief then added that three bore holes have been drilled for the community.

## **3.3. NYAMEBEKYERE**

### **3.3.1. Water and Water Source**

The main source of drinking water is a well which was provided by Aboso Goldfields Limited (AGL). However due to blasting and dust pollution, the water was contaminated. The youth alleged that the water had a bitter taste. There were two other water sources; river Taman which is potable and river Twenesem which is mainly used for washing. They mentioned that the mining company promised to get them a borehole, but this has not yet been fulfilled. The women’s group claims that the two rivers have all been seriously polluted and not safe for drinking. The people, however, continue to use the water resulting in the community experiencing rampant cholera outbreaks.

### **3.3.2. Health and Related Issues**

The community has no health post but has a Community Health Facilitator (CHF) who only provides first aid. Care International (NGO) also trains Community Birth Attendants (CBAs).

### **3.3.3. Blasting**

The chiefs and elders complained that blasting and the use of heavy duty mining machinery and equipment about 50 to 100 meters from the village caused

buildings to develop cracks and noise pollution. They complained bitterly that they cannot have proper sleep in the night as the company operates throughout the night. Their school buildings have developed cracks as a result of blasting. Blasting and use of chemicals have also caused the spread of skin rashes, headache, coughing and bilharzia.

#### **3.3.4. Safety and Security**

The representatives of the youth stated that no police brutalities have been suffered by any member of the community.

#### **3.3.5. Resettlement and Compensation**

The chief and elders requested the company to resettle them at a new location since they do not have good drinking water and cannot have a good sleep. They have no land to farm, no job opportunities, no clinic and electricity. The chief lamented that they were now slaves in their own community with their standard of living deteriorating daily. The women recommended that the community be resettled as a solution to their numerous problems. The company paid 24million cedis (GH¢2400) for every acre of cocoa farm taken. The community wanted 34million cedis but that was turned down according to the women's group.

#### **3.3.6. Livelihoods and Employment**

The youth claimed that the company's Sustainable Empowerment and Economic Development (SEED) programme had not worked owing to lack of consultation with members of the community. A gari processing plant for the community was not being used because of lack of cassava to feed it. The piggery project had collapsed according to the youth.

The chiefs alleged that the youth have been denied employment contrary to promises made by the company at the beginning of their operations. The youth representatives claimed loss of farm lands and inadequate crop compensation that was not paid promptly made the youth to resort to galamsey.

The youth alleged that they were not employed by the mining company because they lacked education and the necessary skills. The Unit Committee alleged that only one person had been employed by the mining company, so far.

#### **3.3.7. Illegal Artisanal Mining (Galamseys)**

Galamsey activities were said to have reduced drastically in the area. According to the Unit Committee, ABL had given part of their concession to the galamsey operators for three months, with the gold recovered sold to known buyers. The

contract was renewed for another three months after the previous contract had expired.

The women's group noted that there were Galamseyers in the community. The mining company had ordered them to leave their present area of operation as it falls within their concession. They have an ultimatum to leave other than that they would be forcibly ejected and their equipment seized.

### **3.3.8. Royalties**

No royalty is paid to the Chiefs and elders despite several complaints by them.

### **3.3.9. Development Projects**

The Aboso Goldfields Limited provided chairs for a school which has been constructed for the community by the Assembly. The company also provided a 16-seater KVIP to the community.

## **3.4. WASSA DAMANG**

### **3.4.1. Water and Water Source**

The market women interviewed alleged that their water was very much contaminated. They said the community had a total of 6 water taps but only 4 provided water to the community. They also alleged that electric power outages also caused water not to flow.

The youth claimed that there had been widespread environmental pollution and rivers like the Tamine and Nkrabeah were contaminated with cyanide spillage, making it unwholesome. A borehole provided by the company is considered not safe to drink. Water from the borehole is said to turn oily when left for some hours after being fetched.

### **3.4.2. Dust and Pollution**

The youth alleged that dust and chemical pollution of the atmosphere prevented them from harvesting rain water for drinking and other purposes.

### **3.4.3. Health and Related Issues**

The women of Damang complained of the absence of a health post in their community. Members of the community have to go all the way to Huni Valley to

get health care. Diseases such as skin rashes, headache and eye problems were prevalent in the community as a result of mining activities.

#### **3.4.4. Blasting**

The people in this community insisted that blasting seriously affected the community it caused cracks in their buildings. Blasting and the use of heavy duty machinery and equipment were causing severe noise pollution throughout the day and night. People were unable to sleep well as the community was about fifty (50) meters away from the operating site. The community insisted that blasting activities had caused the collapse of a building owned by one Kofi Amadu. The communities mosque had also developed serious cracks said the chief and elders.

#### **3.4.5. Safety and Security**

According to the youth, excesses against members of the community occur, therefore, relations between the community and company remain poor. They alleged that around 2003, someone died in the company's concession but the death was not investigated and no explanation was given to the community.

#### **3.4.6. Resettlement and Compensation**

The youth noted that the Damang community was resettled in the 1990s. Houses were provided without kitchens and toilets. For the wooden/bamboo structures and sandcrete buildings smaller cement block buildings were provided by the company.

Damang is a new settlement relocated from old Damang to the present site as a result of the surface mining operations of AGL. residential accommodation provided to the people as a result of the resettlement exclude sitting rooms, toilet and bathrooms contrary to the terms enshrined in the resettlement agreement.

The youth representatives said that they received no compensation when they were resettled. One Inusah Amadu alleged that two people out of every five farmers whose farms were destroyed after the company had created a dam received no compensation even though their farms were measured in 1991. The Unit Committee noted that compensation paid for affected community members was always inadequate. The committee observed that there were a number of cases in Tarkwa High Court over inadequate payment of compensation. The women's group contended that the company measured their farmlands about seven (7) years ago. They were prevented from using the land. Meanwhile, the company was not using the land either.

They alleged that about 6 years ago, AGL arrested and detained some community

members for encroaching on the said lands. They further alleged the case was still pending before the Tarkwa High Court.

#### **3.4.7. Livelihoods and Employment**

The women's group recommended that the company should assist them with seed money to go into income generating businesses.

The chief of Koduakrom said they had lost all the fertile lands to the company and had their farm produce such as cocoa, oil palm trees, cassava, cocoyam, plantain pineapples etc destroyed without adequate compensation.

The market women alleged that the company had refused to employ people from Damang. They stated that they initially had farms, but these had been destroyed by blasting. The youth said that the company had so far employed not more than 15 of them as casual labourers. The youth contended that AGL had not fulfilled its promises to offer employment to the people during the resettlement exercise.

The African Mining Services, a subsidiary company to AGL, negotiated with the people of Damang to employ and train the local people but this had not materialized as they recruited skilled people from Obuasi.

#### **3.4.8. Illegal Artisanal Mining (Galamseys)**

The market women said that galamsey did not exist in their community. Galamsey operators, they said, usually did their operations where they would not be disturbed.

#### **3.4.9. Royalties**

The chief, elders and the youth all noted that the chief did not receive royalties.

#### **3.4.10. Environment**

The youth of Damang alleged that mining activities had degraded the environment.

#### **3.4.11. Development Projects**

The community has two schools; one primary and one JSS.

The women's group claimed that the company sprayed their cocoa farms some years ago which they were made to believe was for free. They were now being asked to pay an amount of two million cedis each. They asked for a cancellation of



their supposed debt and a halt on the continued demand for the money by the mining company.

The chief, elders and the youth of Koduakrom stated that they were satisfied with the supply of palm seedlings for planting as a way of providing them with alternative sustainable livelihood.

### **3.5. PRESTEA**

The main occupation of the Prestea community is farming. Bogoso Gold Limited (Golden Star Resources) is the main mining company in the Prestea area. According to the community, surface mining had brought along serious problems that affected the communities. These problems include blasting, pollution of water sources, diseases, police/military brutalities and insensitivity on the part of the mining company toward the communities. The other mining company is Sankofa. Apart from these two companies, galamseymers were active in several places in Prestea.

According to the chief and elders of Prestea, Akatua is the heart of the mining activities of the GSR.

The community, according to the Youth Secretary, had requested the immediate stoppage of the surface mining and withdrawal of the military personnel back to their barracks. The main environmental concern of the community was the intensive blasting from the mines, which had resulted in serious cracks on many buildings in the town. Another concern was air pollution, which the community said was the cause of diseases such as cough, eye infections and several skin rashes among the population.

#### **3.5.1. Water and Water resources**

The Odikro of Prestea stated that surface mining has destroyed rivers and toxic chemicals used by the companies polluted and destroyed rivers and streams in the area, including Nana Abogyese and the Subri Rivers. Though the company has provided boreholes, the water that runs out of the boreholes is coloured, untreated and therefore, not potable or suitable for drinking. The Odikro and his people attributed the high incidence of skin diseases to the poor water quality.

On their part, the market women revealed that Bogoso Gold Limited (BGL) has provided the community with one borehole. Unfortunately, the water hardly flows from the borehole. In addition, mining activities which began late 2001 have destroyed the water bodies in the community and this has resulted in a poor water quality.

The concerned youth of Prestea said that they used to draw water from a spring well, which was able to supply the entire community through out the year. The spring water has been covered with waste materials by the mining company without justification. The Ankobra River water project of GWSC which the community now depends on for the supply of water is unreliable as water flows for only short periods. Thus the major source of drinking water now is sachet water from water vendors. The other alternative is to travel about 4 miles to the GWSC site to draw water.

### **3.5.2. Health and Related Issues**

Unfilled pits served as breeding grounds for mosquitoes. Increase in illnesses related to exposure to dangerous chemicals and heavy metals, dust, fumes and contamination of the atmosphere. A mining waste heap located close to the community was suspected to be the cause of the rise in tuberculosis cases in recent times.

### **3.5.3. Blasting**

Members of the community insisted that they were affected by blasting by the mining company. Frequent blasting caused cracks in buildings. Over 20 cracked walls and buildings have been identified and earmarked for repairs by the company. Some have been repaired. Over 24 buildings in the community were yet to be repaired, according to the Odikro. The Area Council members also said blasting had caused cracks in buildings in the community. There were numerous reports of people's household items falling from wardrobes as a result of vibrations caused by blasting.

Peoples' property had been destroyed the most affected community was said to be Bondai, where, unfortunately, during the census on affected properties some people had travelled. These were not taken into account in the payment of compensation. This issue of non-payment of compensation was reported to the police, who successfully negotiated for payment of compensation to some of the affected people.

On 29<sup>th</sup> January 2006, the blasting activities of the mining company caused the collapse of buildings of several people, including a Mr. Epe,(Taller), Madam Hagar, Alhaji Yamidi, Alhaji Kassum and Mr. Bekoe. No compensation was paid to them. Mr. Bekoe had initiated court action against the company for compensation, which was still pending.

Other effects of blasting in the community on property related to electrical appliances freezers, television sets. It was suggested that BGL promised to replace some freezers but it failed to do so.

A blasting committee was formed in the community with the responsibility of supervising the blasting activities in the mines to minimise the damaging effects of blasting there. The members include:

- Alex Mensah
- Rose Adjetey
- Nana Buado
- Ntiamoah

The company assisted the committee in its work by paying each member ₵500,000.00 per month. It was increased to ₵1,000,000.00 per month.

Due to mining activities and persistent blasting, diseases such as colds and skin rashes were said to be prevalent in the Prestea community.

The most gruesome effect, so far experienced in the community was the case of a little girl who was then 8 months, when some blasting was carried out. She fell from a bed and injured her head. She had been incapacitated as a result. The team visited the little girl, Joyce Boako at home and was informed that the company had offered to pay ₵10,000,000.00 (GH₵1000) on "humanitarian grounds". The company had already patched up the cracked house, where the little girl was when the blasting took place. Negotiations were still ongoing.

#### **3.5.4. Safety and Security**

The Odikro and elders spoke of brutalities meted out to his people by the military. He said the latest incident occurred in September, 2006 when the military in an exercise to flush out gamseymers, covered pits with people inside them. Two of the 4 youths said to have been covered in pits, Samuel Donkor and Patrick Samako, narrated what happened. They said before getting underground, they left their clothes and belongings at the entrance to the pits and changed into working clothes. The soldiers threw their clothes away as they later found and took the sums of money in their clothes. Therefore, the soldiers knew that some people were inside the pits but they just covered them up.

According to the members of the Area Council, the company through the assistance of the REGSEC had stationed the military in Prestea. These military personnel did not only brutalize gamseymers but also other community members. They accused the soldiers of corruption and related misconduct. According to the area Council, these personnel took various sums of money from the women before allowing the women to undertake gamsey activities but men were prevented from undertaking gamsey activities. They had also become debt collectors, who harass citizens. One member put it:

*"Even if one is spotted with a shovel in town, the person is pounced upon and beaten mercilessly".*

On 5<sup>th</sup> December 2006, the youth were shot at during a demonstration. Some people sustained injuries. Apart from the two companies, galamseymen were active in several places in Prestea.

A demonstration by the community took place on 15<sup>th</sup> June 2005. The demonstrators mostly the youth, were shot at wounding one Nasiru Alhassan (his fingers were disfigured). The victim (Nasiru Alhassan) said that he had wanted to be a fitter but since his hand was deformed, he could not achieve his dream of becoming a fitter. Nasiru was 16 years at the time of the incident.

Another victim of military brutalities was Ahmed Saloum who was shot in the leg. One Isaac Kofi, who was also shot at in the abdomen, on 5<sup>th</sup> December 2006, was still being treated. His intestines gushed out. The bullets in the abdomen were removed at the hospital. The military visited him once when he was at the hospital. As at the time of the visit, Isaac Kofi was due for review of his condition at the hospital but according to him, the doctor informed him that he could not continue to use his original folder anymore. He should make another card, which involved money. According to him, an NPP Chairman of the area offered to assist. The Urban Council also raised money to assist him.

In an instance farmers carrying farm produce in sacks were chased by mine security personnel and police to verify whether what was being carried by the farmers is "money stone." Once a farmer who is a brother to a Mr. Seidu was stripped naked by the mine security personnel, who it was alleged allowed a security dog to use his male organ as a playing toy.

Other Military/Police brutalities reported occurred on 31<sup>st</sup> October 2006. The police set ablaze the structures of people then living at "Four Bungalows" which was occupied mainly by galamsey operators. This brought a clash between the community and the security personnel (a combined team of police and the military). A soldier shot and wounded one M T. Tetteh and three others. No compensation had been paid to these victims by the company.

The people of Prestea contributed to take care of their medical bills but the Member of Parliament for Prestea - Huni Valley Constituency promised to take care of the hospital bills for the wounded, so the people who were contributing stopped. Unfortunately, to date the MP had never paid anything to the victims as promised. Mr. Nyame narrated how surface mining operations by Bogoso Gold Limited, now Golden Star Resource Limited (GSRL) affected the lives of the people in Prestea. He said on June 15, 2005 the community embarked on a demonstration to resist the surface mining operations by GSRL. A combined team of police and the military intervened to disperse the crowd and started firing indiscriminately. Seven people were seriously wounded including Mensah Otro Badawee. This incident appeared in

Daily Graphic dated June 17, 2005 front page captioned "21 Day ultimatum to Bogoso Gold Ltd. and again on June 25, 2007 of the Daily Graphic page 15 appeared as "call for probe into shooting incident at Prestea" The victims were not adequately compensated

The community pointed out that the illegal miners had formed groups, whose leaders were often consulted by the police in certain situations including cases where the police were to effect arrest of a malmsey operator.

Members of the community noted that as a result of the atmosphere thus created by the conduct of the security agencies, there had been instances of attack of police officers by the galamsey operators in line of duty of the police. An example of such attacks relates to one Constable Michael Ayisi who was allegedly attacked in October, 2005 whilst on duty. He had to be air lifted to Accra for treatment.

Many other instances of police/military brutalities or community-security personnel relationships were recounted.

- According some galamseymen, they have bad relationships with both private and public security.
- Soldiers have a camp in the town which occasionally descend on the community and brutalize them in the least provocation or suspicion.
- Soldiers patrol the town day and night
- About a month earlier a driver conveying some stones to a place was arrested and beaten mercilessly.
- Soldiers run shift and are changed every 3 weeks.
- Private security operators have dogs that were let loose to attack suspected intruders on the company's mining concession. Sometimes these security dogs attack innocent farmers going to their farms.
- The mining company has assured their Private security that any arrest of a galamseymen they make, they will be paid 3 million cedis (GH¢300) bonus

### **3.5.5. Resettlement and Compensation**

The market women interviewed could not say whether compensation was adequate or not. However, they had heard about people being compensated for their farms and crops.

One community member said that his 6-bedroom house was destroyed by a blast and the mining company promised to compensate him with a 4-bedroom house. It had been for 4 years now but that promise had not been fulfilled. This had failure of the company to compensate him despite its promise had brought him and his family untold hardships.

### 3.5.6. Livelihoods and Employment

According to the Odikro and elders most members of the community have no skills so the company does not employ them. There is therefore high rate of unemployment in Prestea. According to the Chief the company currently has 671 employees including expatriates but not more than 200 of them come from the communities. Previously, over 4000 people worked underground with the mining company. Surface mining has increased the number of unemployed in the area. The youth therefore survive on galamsey. Small-scale mining, the Odikro emphasized, should be encouraged to provide employment for the people. The small-scale miners could be registered and their activities better controlled.

The Odikro said he had registered a company, the Rockland Company Limited to undertake small-scale mining to provide employment for his people but his effort had been frustrated. He was still struggling to get some land released to him for his community mining initiative.

The Odikro disclosed that artisanal miners, who occupied a piece of land belonging to the company at "4-Bungalows", aligned themselves with the current government and prevented any other person(s) from joining them. They became uncontrollable and were eventually flushed out by the security agencies. That was the end of the "4-Bungalows" that the Odikro said had been hitherto successful.

Unemployment remains a problem in the Community. According to market women in the community, the unemployment problem had resulted in mass galamsey operations in the community. They explained that when the men go on successful galamsey operations the women were able to make money to boost their small businesses. According to the Medical officer- in- charge of the Prestea Hospital, mining activities have led to increase unemployment rate in the community. Members of the community felt that only outsiders were employed by the company, something which they are not happy about. The company places adverts for jobs in the town but the qualification requirements for the jobs are normally so high that the local communities cannot take advantage of them.

It was further stated that even where the company employs from the local community, they were made casual workers, who must re-apply every year. Most of those who re-apply do not get the jobs.

It was alleged that the company had distributed 2- 4 fowls per person on Akatuwa cemetery road and Number 3 and other communities for rearing as part of its Alternative sustainable livelihood programme. This was judged inadequate.

The youth bitterly complained that no employment opportunities were offered to them by the company and that though a community employment committee had



been established, its executive members demanded bribes of ₵3 million before forwarding names of applicants to the company for employment.

### **3.5.7. Royalties**

Royalties have not been paid over the past 6 years. A writ had been filed against the Minerals Commission according to the Odikro. The market women stated that BGL had promised to allow galamsey in certain areas of their concession. This promise had not been fulfilled. They advocated the legalization of galamsey to solve unemployment problems in the community.

### **3.5.8. Development Projects**

The mining company had built the following social amenities for the town: Post office and Police station to replace the ones destroyed by the mining activities, a Day care centre and toilet facilities.

### **3.5.9. Land Degradation**

The Odikro stressed that surface mining has caused serious land degradation and loss of farmlands in Prestea.

### **3.5.10. Collaboration/Consultations**

The Prestea Urban Council (PUC) said dialogue helps but the company is recalcitrant. It does not want to sit and talk with the community. The Medical officer also stated that dialogue is an issue of concern to the communities as many mining activities are undertaken without consultations with the persons affected. He noted that even though, the company periodically organises fora, the community's views were often not taken on board.

Health: The community has a hospital but no resident doctor. The Doctor, from Tarkwa, who attends to patients at the hospital does so 3 times a week.

On the role of Government, members of the PUC said, the government was the cause of the communities suffering. It takes decisions affecting people without consulting them. In their opinion, investments should benefit the people and improve their lives but their investments destroy people.

The PUC stated that the problems of the communities would only cease if surface mining in Prestea was stopped. The PUC, therefore suggested that surface mining in Prestea must cease.

### **3.5.11. Other Concerns**

The community raised issues of conflict of interest against the medical doctor of the Prestea Hospital, they accused him of colluding with the company and issuing reports partially, usually in favour of the mining company whenever issues were referred to him for his opinion. He was alleged to have been reluctant to attend to wounded galamseys, insisting to know the reason for the wounds before treating them. In one instance, his insistence on knowing the reasons delayed the treatment and removal of a bullet from one youth who had to resort to a local herbalist. They also said that the doctor was a transport owner, whose buses were rented by the company. At the time of the visit the Doctor was alleged to have sold out the buses.

## **3.6. HEMAN – PRESTEA**

Despite intensive mining activities over the last 15 years in the area, the people in Heman-Prestea derive no benefits from mining. A bridge had been built by the Heman Youth residents abroad for the community. It is still the old Local Authority Schools that was operating. The Community is fighting to get a JSS for its increasing number of inhabitants. A preparatory school had been established for mine workers children only. A fund (Bond Fund) established by the companies for communities can only be accessed when the companies wind up their activities. That may be too late. Relations between the company and the people of the communities were said to be very poor.

### **3.6.1. Water and Water Source**

The Heman Prestea community stressed that their water bodies and rivers have been blocked and/or destroyed as a result of mining activities. Rivers like Asesre, Ntekoanum, Joaben and Da Nyame have been all destroyed through cyanide spillage and other chemicals. According to the people the community no longer drinks from these rivers and streams owing to cyanide spillage. The Company provided a borehole, a reservoir and water pump after several complaints by the people but only one was functioning well. The pump situated near the community clinic was not functioning and patients had to walk for some distance to get water.

The company charges a fee of between ₵1,000.00 or ₵2,000.00 depending on the size of the bucket or pan used. The company explained that the fees for the use of water are used to service the tap in the event that it breaks down. The community said that the distance between the community and stand pipe, the main source of water supply, is too long.

People have to be in a queue for a long time before getting drinking water. Consequently, people resorted to depending on polluted water from rivers. This had resulted in people contracting skin diseases. Community members have named some of the rashes; 'BGL rashes'.

### **3.6.2. Health and Related Issues**

Tuberculosis and skin diseases were said to be common in the area. Other commonly reported diseases, according to a midwife at the Heman Health Post, include malaria, diarrhoea, tuberculosis, coughs and colds. She also revealed that there was a recent outbreak of cholera in the community.

The team inspected a galamsey site and observed that the activities of the operators pollute the Asesre stream which flows directly into river Ankobra at Heman.

According to Nananom of Heman, mining has a negative impact on the environment: serious air pollution; a lot of dust pollution making it impossible to harvest rain water for drinking purposes in the area. Coughing and skin diseases like rashes are common diseases in the community.

### **3.6.3. Blasting**

Though not felt as previously experienced, serious cracks could be found in buildings and houses. Names of persons whose buildings were affected by blasting were taken but no action had been taken. It was alleged that blasting had caused the outbreak of diseases like T.B, skin rashes, cancer and cholera. Members of the community recalled two people died of cholera a few months ago. Intensive blasts were said to have resulted in serious cracks in most of the buildings in the town. Sometimes 8 blasts were conducted simultaneously, members of the community pointed out.

### **3.6.4. Safety and Security**

Members of the community recounted an incident in December, 2002, which led to clashes between the community and soldiers that resulted in the shooting of two (2) villagers, Kaya and Kwaku Bimpong.

It is alleged that soldiers undertake operations in pursuit of galamseymen. During such operations, the soldiers take money from them, seize their machines and beat them up. There is high military presence in the community. Galamsey operators arrested would normally be taken to the BGL office where their statements were taken before sending them to the police for prosecution.

Some stray bullets from the soldiers end up killing innocent people. One victims of a stray bullet is a Kofi Apowaa who was hit by a stray bullet and was ignored by the military when he required medical attention.

### **3.6.5. Resettlement and Compensation**

Members of the community intimated that an organisation called Re Plan which was said to have been contracted by the mining company on the issue of resettlement visited the community recently to discuss resettlement matters.

According to Nananom of Heman, since BGL started surface mining in 1985 no compensation had been paid for land, which it took from farmers including women. There were no farmlands left for agriculture. Crop compensation was however paid but it was inadequate. Negotiations for payment of compensation were done directly with the farmers. Chiefs were not involved. Once the migrant farmers received their compensation they abrogated the Abonu and Abusa agree- ments between them and the chiefs and migrated to other places. Some compensation still remained unpaid.

In further comments, Nananom stressed that even where the company agrees to pay compensation, the process is too slow. It enters the land before inviting the affected farmers to come for compensation. Once it has entered, whether the affected farmers take the compensation or not, the company would already be in possession. Many farmers are illiterate and are left with no alternative. The farmers get to know how much compensation they are entitled to only at the time of payment.

To bring peace between the community and the mining company, the farmers recommended that the company should immediately pay all outstanding compensations due them with regards to the destruction of their farm lands and fish ponds. It should also allow galamseyers to operate without any harassment. In the alternative, the company should employ members of local communities in the company and provide them with other essentials, such as good quality drinking water, farm inputs (palm seedlings, boots, fertilizers, cutlasses) and cash of ₵600,000.00 per person. These, according to the community, if implemented by the company will bring peace.

### **3.6.6. Livelihoods and Employment**

According to the Heman Unit Committee, the company on entering their land promised the community employment. But soon after it had received the endorsement of the people to enter their lands, the company turned back on its promises of employment. Only 5 community members have been employed by

BGL. The market women were of the view that the mining company did not employ from local communities for fear that they may lose company's secrets.

A headmaster attributed increases in unemployment to the cessation of galamsey activities, which had, in turn, resulted in increases in theft cases in the community. Businesses in the community, he stressed, were collapsing, leading to a strain in relations between the community and company. He suggested that to establish peace and cordial relations, the company should release part of its concession to the galamseers since galamsey was the major economic activity which employs a good number of people so that their businesses can flourish.

Members of the community also demanded compensation for their farm lands and cracks on their buildings. They said they needed pipe borne water, more boreholes and a well maintained clinic. If these were provided peace would prevail there.

The market women lamented the deterioration in their standard of living with the banning of galamsey. They complained that the situation was getting worse as their husbands and the youth were not offered employment in the mining company.

### **3.6.7. Illegal Artisanal Mining (Galamseys)**

Illegal mining is prevalent owing to high unemployment rate in the area. Over 90% of the youth were said to be engaged in illegal mining. The process for registering small scale miners was adjudged to be too cumbersome.

The community recommended legalization of galamsey and advocated for mining companies to provide them with parcels of land where they could mine and also bring employment to the community. The illegal miners suggested that they should be compensated for their pits, which were taken over by mining companies.

### **3.6.8. Royalties**

The Chiefs insisted that since 2000 no stool land royalties have been paid to them.

### **3.6.9. Other Concerns**

It was stressed that land owners must be consulted whenever lands were being acquired by mining companies for mining. It was also alleged that the company plays one person or community against the other thereby creating unnecessary tension and conflict. The community advised that mining should be stopped in the country.

A Headmaster noted that the school drop out rate for boys was higher than that of the girls. He explained that most students start dropping out of school from JSS

one. The community attributed this to engagement in galamsey activities by the students, lack of parental care and teenage pregnancies. They emphasised also that poverty was the main underlying factor for the high school drop out rate.

### **3.7. ODUMASE (DUMASE)**

#### **3.7.1. Water and Water Source**

According to the people of Dumase the borehole/reservoir provided, dispenses coloured water that is not fit for drinking. The water settles and appears colourless after 2 hours. According to the market women, streams such as Apepre, Worawora, Henya, Eniaboa, Nana Anyeaboa and Atsesua used to provide fresh water for the community. However, due to mining activities, these rivers have been so polluted that the water can't even be used for washing. BGL has provided a polytank for the community. The water is stored in a metal container which is then pumped into the poly tank. They alleged that due to the metallic nature of the container, the water has a bad taste. Community members therefore use the little money that they earn to buy water from Bogoso.

According to the members of the unit committee, a tailings dam constructed by the company in the area had also polluted water bodies. They revealed that as a result, the mining company built four boreholes for them. As at the time of the interview only one was working and the water from the tap appeared not to be potable. Another borehole had been dug but according to them the water was later tested by some international visitors who warned them that the water was not potable. The community members therefore, either have to go to Bogoso or Prestea to fetch water.

#### **3.7.2. Pollution**

According to Nananom the environment has been degraded by mining, mining activities have destroyed rivers and polluted streams in the area. There had been cyanide spillages into rivers Apepre and Worawora and no action was taken by the EPA against the companies. This issue was yet to be addressed despite appeals to the Regional Minister. The EPA, therefore, is seen as ineffective.

The members of the community believe that pollution caused health problems for them. They attribute coughing and diarrhoea prevalent in the community to mining. Meanwhile, the nearest hospital is at Bogoso (3 miles away from the village). In 2005/2006, cyanide spillages occurred in the community. Some community members suffered in various ways following the spillage in 2004 and 2006 into river Apepre. This river serves the village water, which it uses for all household chores as well as drinking. It happened when the farmers were on their



farms on 23<sup>rd</sup> October 2004 between 6:00 a.m. and 11:00 a.m. One Mr. Among now about 96 years suffered significantly after drinking the water, during lunch.

The environmental Protection Agency (EPA) took 8 of the victims to the Korle-Bu Teaching Hospital for treatment. However, diagnosis from the Hospital revealed that their condition was not very serious. This case was in court, the community represented by the Centre for Public Interest Law (CEPIL). The case, recommended an out -of -court settlement about 2 years ago but it was still pending.

There was a 2<sup>nd</sup> spillage on 17<sup>th</sup> June 2006. It was a Saturday. After the spillage, BGL was said to have informed the community that it had treated the water in the stream and made it safe for drinking. All victims were to report at the BGL Clinic. According to the community they got the information too late after many victims had attended hospital elsewhere. The company stopped treating the affected persons after attending to 34 out of about 100.



The Community insisted that the EPA recommended to BGL to pay ₵500,000.000 and ₵1,000,000.00 for those who were attended to at BGL Clinic and those who attended other health facilities respectively. Those to be paid ₵1,000,000.00 were still awaiting payments. Farmers who had their farms along the polluted river Ajoo and unknowingly drank the water developed serious stomach ache and were rushed to the hospital for medical treatment. Several appeals were made to the company to compensate the affected farmers, which it did in the sum of between ₵500,000.00 and 1 million. These sums were woefully inadequate, the people stressed.

A demonstration was planned but the District Superintendent of Police (DSP) at Prestea intervened. Another demonstration was staged against damage caused to fish ponds undertaken by the community members. BGL brought in soldiers who beat the demonstrators mercilessly fortunately no one died.

### 3.7.3. Blasting

Blasting, according to Nananom had resulted in dust and other atmospheric

pollution. The intensity of pollution had resulted in a high incidence of skin diseases and colds in the community. The Chiefs stated that an EPA inspection had revealed that the mining pit was too near to the community. Blasting according to the women produced a lot of noise which filled the town.

#### **3.7.4. Safety and Security**

In 2006 soldiers descended on the village and destroyed fish ponds. They beat up villagers, who fled into the bush. The community is frightened by the brutalities meted out by the soldiers and police.

According to the women's group, security is a very big problem in the community. There is a heavy presence of the military who sometimes engage in debt collection and settlement of petty quarrels between spouses. The military is employed by the mining companies who also allow their private security to use dogs. The military is used most of the time to chase galamsey operators. During one such chase a stray bullet hit Akosua Mosuah's son's arm making it difficult for him to do any profitable work presently.

The opinion leaders interviewed noted that the community did not have any problem with arrests and detention of galamsey operators but security agents, upon the arrest of suspects, should send them to the police station for the appropriate action to be taken by the police.

#### **3.7.5. Resettlement and Compensation**

In 2002 the community resisted an attempt to resettle its members. According to the chief and elders BGL numbered houses but had to abandon the idea after the community resisted the idea of resettlement. The community still suspects that the company had not abandoned its resettlement plan for them. They promised to put up stiff resistance if the company attempted to resettle them. The Chief insisted that the community had to be properly resettled before the pit closed down in 2003 could be re-opened. Land degraded should also be reclaimed by the company. They added that an organisation called Re Plan, allegedly contracted by the mining company visited the community in 2007 to discuss the issue of resettlement.

The chief and elders said some compensation for crops had been paid, but was inadequate. Lands taken were yet to be compensated. One family, the Agona family was still waiting to receive compensation for its farmlands taken. The family has no land anymore to live on.

According to one elder, evidence of payments of compensation and the list showing the cost of various crops per farm were kept by the company.

*"They ask villagers to thumbprint for monies without being told how much they will be getting. After signing, the money is handed over and only there and then that the amount is known. This is unfair".*

The process of compensation was such that lands were measured in the presence of the farm owners. Crops were often counted but the compensation package was not known. The farmers were often forced to take the monies irrespective of whether they were adequate or not. One Unit Committee member lamented that even though his farm was measured in March, 2006 he had not received his compensation for a two and half acre of land.

The market women claimed compensation for destroyed property was usually determined exclusively by the companies. They stated that the people of Pampe recently went on a demonstration due to the refusal of BGL to pay them their compensations. The demonstrators were, however, arrested for not possessing a permit to demonstrate.

One of the women, Theresa, stated that her fish pond had been destroyed by BGL without any payment of compensation. She stated that she had reported the matter to the police together with evidence of pictures of the fish pond. Her husband showed the pictures to the investigators. They mentioned that houses in the community had been marked over three years ago for repairs but the exercise was yet to be carried out. There was however, no consultation on the issue with the community. He confirmed that there was no peace between the community and the company since they had not acted on the community's demand for compensation for the farm produce, farm lands and fish ponds destroyed by the company.

The Chief Farmer complained that all their farm lands from Nankafa to Anikoko about 270 acres had been taken over by GSRL without adequate compensation. According to the chief farmer, they were paid ₵500,000.00 per acre of land. The farmers agreed with the company that promised to employ and train 30 people as part of the compensation package. To date, none of the people in the community had been trained. They complained that the only stretch of land around the community being used for farming has also been filled with waste materials by the mining company. The company's valuation officers valued the farm produce and issued 'white paper' to the farmers for payment to be made instead of officials from the Land Valuation Board. As at the time of the team's visit no compensation had been made.

With no available land to farm, the farmers went into fish farming, by constructing fish ponds and the Ministry in charge of fisheries supplied the community with fingerlings. Unfortunately for the farmers 23 fish ponds were destroyed with waste materials by the mining company. This issue was reported to the Wassa West

District Chief Executive and the company promised to compensate the affected farmers. This payment has not been made. The community is now aggrieved and has written several letters to the company demanding their compensation. Farms at the Chujah area destroyed by the company have also not been compensated for.

### **3.7.6. Livelihoods and Employment**

The UC disclosed that the company began a project on the provision of alternative livelihood in 2001 and trained some people in animal rearing. A total of about 70 people were trained and given animals and palm seedlings to grow each year until the project was phased out this year, 2007. According to the farmers, the company had warned the youth in the community to stop all galamsey operations, the major economic activity in the town. Meanwhile, majority of the youth were not offered any jobs in the company.

A meeting held between the community and the company concluded that the company would supply palm seedlings, fertilizers, cutlasses and Wellington boots and cash of ₵600,000.00 (GH₵60) every year to the farmers to develop new farms. For over 2 years, the company has stopped providing these items, neither has it paid the cash of ₵600,000.00 (GH₵60). According to the community, they received one cutlass each in the beginning of 2007.

The opinion leaders said the main type of economic activity in the community was farming. Cocoa, oil palm, cassava and plantain were the main crops produced in the community, which was no more the case as the fertile lands had been taken by the company. They requested for the provision of alternate land for them to continue their farming activities. . The rate of unemployment is very high. The Company refused to employ people from the community claiming that they lacked the requisite skills. This, according to the Chiefs, was in violation of an agreement between the company and the community. Community members who were initially permanently employed were either converted to casual workers or had been laid off. Villagers lost their farmlands to the company.

### **3.7.7. Illegal Artisanal Mining (Galamseys)**

According to Nananom, galamsey is the main source of livelihood for the youth. The Market women complained about unfair and degrading treatment meted out to galamsey operators. The women advocated for the legalization of galamsey operations and the employment of the youth of Dumase by the mining companies.

### **3.7.8. Royalties**

The community claimed it did not benefit from royalties.

### **3.7.9. Development Projects**

Market women interviewed disclosed that BGL had built a primary school, a community centre and extended electricity to the community. They expressed their gratitude to the mining company for undertaking these projects. They, however, lamented that the community had neither a clinic nor a hospital. Patients had to attend hospital either at Prestea or Tarkwa.

### **3.7.10. Other Concerns**

Goldenstar has been the mining company in the area in the last 20 years. Initially, it was BGL that mined gold in the area. Poor relations exist between Goldenstar and community. At first, relations between the community and company were good. A number of committees including, Employment Committee and Project Committee were established to work towards better community and company relations.

The community also complained about over speeding of most of the company's heavy duty vehicles usually causing dust pollution. The youth alleged that one of the company's 'cars' killed a 3-year old girl on August 30, 2006.

The community is dissatisfied with the EPA and not prepared even to see any official from EPA.

## **3.8. TEBERE BE**

### **3.8.1. Water and Water Sources**

The youth complained about the quality and supply of water to the community. Pipelines laid by the old company (Teberebe) had been destroyed by thieves. A new pump had been provided for the community. The community is not sure whether it is safe to drink from the boreholes provided by the company. Water supply is said to be too remote from the households in the community. The women and children trek long distances to fetch water. The youth found a committee set up to build bridges between the company and community ineffective even though the committee regularly held monthly meeting.

The Unit Committee members named river Ahonape as the main source of water for the community prior to the mining activities there. Due to mining activities, the water was contaminated with chemicals. Teberebe Goldfields provided the community with a borehole which was still operational. After taking over, AGA also provided the community with another borehole. The latter is, however, currently not working. Women representatives lamented that for a community with a



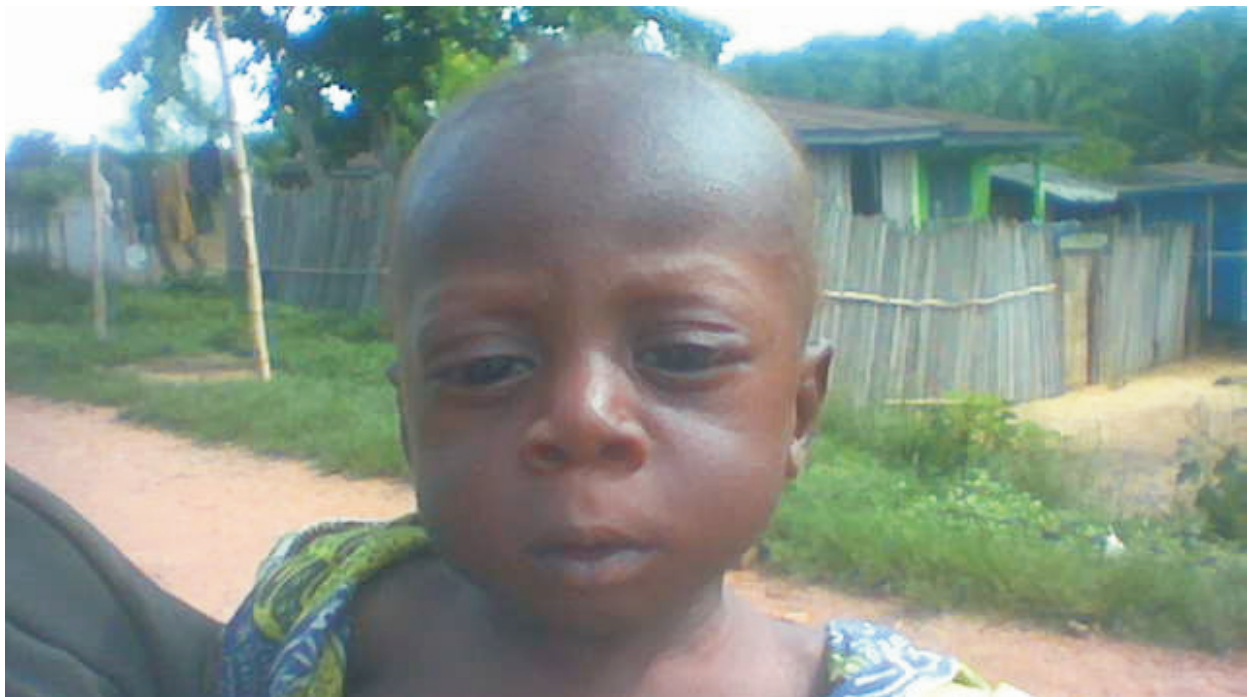
population of between 2500 and 3500, its sources of water was one borehole and two wells which were constructed by Teberebe Goldfields.

### **3.8.2. Dust and Pollution**

The youth representatives complained of dust pollution allegedly causing respiratory diseases and coughs among children of the village.

### **3.8.3. Health and Related Issues**

Teberebe has no health post. The nearest health care facility is at Tarkwa which is about 5 miles from Teberebe. According to the women, the major health problems confronting the community included respiratory tract infections, malaria, coughs, colds and skin diseases. AGA has a clinic, which caters for its workers. There was no such facility in the community. The community said AGA did not allow community members access to its clinic. Pleas to AGA to provide them a clinic had fallen on deaf ears.



Alleged Victim- Kwabena Gansa

TB is on the increase due to dust inhalation. The community gave the example of a little boy, Kwabena Gansa, diagnosed with TB caused by dust when he is only eight months.

### **3.8.4. Blasting**

The women representatives claimed that most houses in the community had developed cracks as a result of the vibrations which occurred from blasting. The



chief of Teberebe also complained that his palace had developed many cracks. No repairs or compensation was made by the old company (TGF). The community believes that ongoing blasting by AGA was worsening the situation.

According to the youth, blasting occurs less than a mile away from the village. There was dust pollution allegedly causing respiratory diseases and coughing among children of the village. The nearest health care facility is at Tarkwa about 5 miles from Teberebe. Another complaint was that the main mine waste dumpsite was too close to community.

### **3.8.5. Safety and Security**

Victims of Police Military excesses narrated their experiences:

- The company provided a bus to serve the community, especially for school children after it had resettled them from old to new Teberebe. Though AGA continued with the bus service for three months, it stopped this service when it took over, stating that their workers had no children in that community who deserved a bus service.
- AGA destroyed their farms and also dumped waste rock on parts of the land. There are no farmlands on which to grow crops. The community approached AGA on the matter. AGA promised to provide alternative land but had not honoured that promise made over 7 years ago.
- AGA blocked access to their farmlands without warning and stationed the police and military at the entrance. The security personnel brutalized them, opened fire on them, while some were using the access road, wounding a number of people from the community. A new road was still under construction when the company stopped members of the community from using the access road.

The wounded included:

- Anthony Baidoo, who was shot in the waist. The bullet went through affecting some other people. Baidoo was still nursing his wound. At the time of the visit, AGA sent a vehicle Reg. No. GE 8430 X to convey Baidoo to Takoradi (hospital) for treatment. AGA takes the medical bills. It does not provide any other assistance to Baidoo. As a result of the bullet wounds, Baidoo cannot work. He and his children were being catered for by a brother in law who depends on firewood vending for a living.



Victim -Anthony Baidoo

The brother in-law claims that since the access road was blocked, he had no access to firewood. It is a double agony situation for Baidoo, who now walks with the help of crotches.

Another victim of police/Military excess was Kennedy Owusu. The bullet that hit Baidoo also hit Kennedy. That same day, others were beaten up mercilessly for using the road; they include (Cudjoe Agboshie, Nana Kwabena Panin and the Krontihene.



Victim-Kennedy with plasters

The glamseymers noted that in 2006 the company alleged that some of the community members were operating on their concession as a result, soldiers were

brought in to harm them in the town amidst firing of warning shots which wounded 5 people. One man was seriously wounded and was later admitted at the Korle Bu teaching hospital.

They said the soldiers had a camp and with a little resistance or provocation they were called in to brutalize the people.

### **3.8.6. Resettlement and Compensation**

The youth expressed their satisfaction with the type of houses built for their resettled community.

The chief said they were resettled to their present site on May 31<sup>st</sup> 1991 by the old mining company, Teberebe Goldfields Ltd (TGL) without compensation. However, they were provided with spacious residential accommodation. The chief lamented that people who were having 5 bedrooms at their old town were given three bedrooms, those having 4 bedrooms were provided with 2 bedroom houses and those with 2 bedroom house were given 1 bedroom house. These houses provided by the TGL were without kitchen and wash rooms. Rather TGL provided the community with 3 public toilets and one basic School (Nursery, Primary and JSS). They complained that no compensation was made for their remaining bedrooms and their kitchen and bathrooms. They however, expressed their satisfaction with the structures provided by TGL.

The youth found the compensation paid inadequate. One Prince Addy, a farmer rejected an ₵8,000,000 (Gh₵800.00) compensation he was given in March, 2004.

The galamseyers said the company paid ₵80,000 (GH₵8) for every palm tree destroyed and ₵4 million (GH₵400) for every acre of cassava farm. They said the mining company did not consult them before fixing these rates.

The Unit Committee said compensation was determined by the mining company and was not based on any negotiation with the person who owned the crops or the land. Compensation was paid according to the number of crops or acreages of land. The community members stated that they did not understand the acreage used in determining compensation.

The women interviewed revealed that during the take over of their land for mining activities, the company's officials came over to count their crops and gave them documents which indicated the types, number of crops on the farm and the corresponding amount to be paid. During the time of payment of the compensation, they were suddenly informed by the company that they would be paid based on acreage not on the number of crops counted. They revealed that

after a lot of agitation some of the community members took the money, others on the other hand took the issue to court with the assistance of WACAM.

### **3.8.7. Livelihoods and Employment**

The mining company through OIC according to the women trained some members of the community in animal breeding and provided goats, sheep and fowls. Others were also given a loan of 500,000 for business.

The youth complained of destruction and loss of farmlands. According to the victims of Police-Military excesses, AGA destroyed their farms and also dumped waste on them. There is no more farmland lands on which to crop. The community approached AGA on the matter. It promised to provide alternative land but had not honoured that promise for over 7 years now.

The youth complained of destruction and loss of farmlands. Their names had been written, earmarking them for employment by the company but the company refused to employ members of the community.

Unlike Teberebe, AGA had refused to employ the local people. There was widespread unemployment. This assertion was made by victims of Police-Military excesses. The community alleged that the mining companies refused to employ them upon the score that the community members had no qualifications. They added that the mining companies recruited staff from outside the town. Some of those recruited from outside were engaged in menial jobs which could equally be done by the youth of Teberebe. The Galamseys alleged an exercise conducted last year (2007) revealed that the mining company had employed only 11 people in the town and over 260 of the men between the ages of 20 and 45 were unemployed. This situation they claimed had affected their children's education.

### **3.8.8. Illegal Artisanal Mining (Galamseys)**

The youth representatives noted that the youth travel to other places to engage in illegal mining. Galamsey was popular in this community. Most of the young men were engaged in it. The Unit Committee Members stated this was their main source of livelihood and advocated for mining companies to allow galamsey operators on their mining concessions.

### **3.8.9. Royalties**

Initially royalties were paid to the District Assembly, but they had heard anything recently of royalties.



### **3.9. ADAYIE JUNCTION, (MILE 8) ALIAS AGEGE**

The Youth representatives alleged a cyanide spillage in about 1994, after which 2 wells were provided for the community. Some individual also have wells. Members of the community were not confident about the quality of water. Monthly collection of water samples was done by the company with no disclosure of results to the community.

The youth were initially reluctant to talk to the team because they had made several complaints and granted several interviews but had, so far, seen no results. They stressed that water supplied to the community was hard water. They wanted a disclosure of the results of water testing done periodically in the community.

The women's group said the Adeyie Community had a total of 6 boreholes with 4 working. A major problem with the quality of water was the fact that it did not lather and was only used for bathing. The community therefore draws its water from a nearby well. However, Vida Mensah, one of the women interviewed stated that she drinks water from borehole provided by Ashanti Goldfields Limited. They mentioned that formerly the River Bonsa was used by the village, but the mining company had polluted the river.

The chief complained about the pollution of river Awoape as a result of surface mining. The river was their major source of drinking water and for fishing. In all, the community has six wells; five were working at the time of visit.

#### **3.9.1. Health and Related Issues**

The community has a clinic with a mid-wife in attendance. The chief urged the company to expand the facilities to accommodate other cases since the clinic served many villages.

#### **3.9.2. Blasting**

The Youth Representatives alleged that blasting at Teberebe about 3 miles away had caused cracks in buildings at the village. The chief said, blasting had not affected their buildings but the community feels strongly about air pollution causing the spread of skin rashes and coughing.

#### **3.9.3. Safety and Security**

The community recorded no brutalities. The chief said there was peace and cordial relations between the community and GAG, the same atmosphere was prevailing between the community and Anglo Gold Ashanti (AGL).

### 3.9.4. Resettlement and Compensation

According to the Chief, the people of Iduapriem were resettled in Adayie by GAG and provided them with good accommodation, kitchen, toilet and bath rooms. The company, GAG bought the land from the chief of Adayie for the resettlement of the people of Iduapriem.

The women also stated that they were not in anyway affected by compensation. The chief lamented that farm lands and farm produce destroyed were not adequately compensated for. He said, food and cash crops that were destroyed included coffee, palm trees, pineapple, cocoa, coconut, avocados, cassava and plantain. According to him, he was paid ₵2,500, 00 per coffee tree destroyed. He commented bitterly on this low rate of compensation. This was in 1997/8:

*"Everybody was paid but the amount received did not meet our expectations", the chief stressed.*

### 3.9.5. Livelihoods and Employment

The OICI "Hand in Hand" project is active in the village. AngloGold Ashanti two years ago, provided a Palm Oil extractor and Kennel shelling facility for the community. According to the youth, the OICI had been incompetent in managing a micro credit scheme that was introduced.

The Women's group said the Ashanti Goldfields company put in place a lot of projects towards sustainable livelihoods. These include training of women in soap making, machines for grinding corn, and palm kennel and palm oil extractor. With respect to farming the company had provided goats and pigs for rearing. In 2006 the mining company made available a loan of ₵500,000.00 (GH₵50) for women who were interested in business. This facility was not utilized by the women, they stated that the amount was too small. Only one Victoria Abeasi made use of the loan. She stated that she paid the loan within 8 months with an interest of ₵90,000.00 (GH₵9.00).

Asked why the women did not take the loan, they stated that the timing of the loan was bad since the rainy season was over. In their estimation, the loan could not be of use to them, but would rather have resulted in their indebtedness.

The Youth representatives said their parents and grandparents were promised employment for the youth at the time of resettlement. There was a high incidence of unemployment. Farmers had to trek long distances to their farms. Some were compelled to sell their farmlands.



The Women's Group also added that the mining company hardly employ the youth from the Adayie community. The chief on the other hand noted that the company had employed about 30 of the community members. The Elders of the town were still negotiating with the company for more people to be trained and employed.

### **3.9.6. Illegal Artisanal Mining (Galamseys)**

There was some evidence that the youth undertook mining of gold and alluvial diamonds in streams. But the women insisted that galamsey was not prevalent in this community.

### **3.9.7. Royalties**

The youth had no knowledge of royalties. The chief said neither GAG nor Anglo Gold was prepared to pay royalties to the stool upon several requests.

### **3.9.8. Development Projects**

According to the chief, the town had a toilet facility and a first cycle school provided by Anglo Gold Ashanti. They also had a clinic which needed expansion to contain the pressure on it. Relations between the company and community was said to be cordial.

## **3.10. HUNISO**

### **3.10.1. Water and Water Sources**

In 1996 the river Huni was polluted by mining activity. Later, information passed on to the villagers that water from the river could be used for drinking was not believed. Villagers claimed their bodies itch after bathing water fetched from the river. Water testing was done about four times a year but villagers were not told of the results. The Huni river previously used for drinking and cooking by the community was no longer used for that purpose due to cyanide spillage, the community has been advised neither to drink nor use water from the river for cooking. The community had a total of 7 boreholes, one donated by the government and the other 6 by Goldfields. Unfortunately, the 6 boreholes provided by Goldfields did not flow except when it was raining. They alleged that the water was so hard that it did not lather.

The women of Huniso revealed that they had been advised by officials from the mining company not to drink rain water due to dust pollution.

### **3.10.2. Pollution**

The community believes its farmlands have been rendered infertile owing to mining activities and chemical pollution. According to the women a lot of dust is produced any time blasting was done and dust filled the entire community.

### **3.10.3. Blasting**

The community insisted that blasting had affected farming and caused cracks in buildings there. Farmlands that were too close to the blasting areas were abandoned. Goldfields' operations take place about 20 kilometres away from the village. The impact of mining activities had not yet been felt in the community except the vibrations from dynamite blasting carried out by the company at: 12:00 noon; 3pm; and 5 pm daily. There was disagreement on the effect of the blasting: some said its effect is worrying. That blasting had caused a lot of cracks in some of the buildings since blasting was done so close to the community and their farms. They added that dust pollution had also led to ailments such as colds and rashes in the community. Blasting also was done close to the farms that people hired on farms to work refused to work when the blasting occurred. This had resulted in low crop production.

The community believes blasting activities of GGL caused vibrations, air and noise pollution since they were very close to the blasting area. Diseases like coughs, skin rashes, eye diseases were said to be the result of blasting and dust pollution common in the community.

The Catholic Church and its mission house, the clinic and several individual buildings including that of one Joseph Mfum had developed severe cracks. No favourable response had been received from the company upon several requests. Members of the community confirmed that about 2 weeks ago, a committee including the chief and elders was formed to resolve all issues with the mining company.

### **3.10.4. Safety and Security**

No brutalities have been recorded at Huniso. The company uses a security task force, which normally comprises private security. In the community's view there have been no reports of brutalities since galamsey operators run away on spotting security personnel.

### **3.10.5. Resettlement and Compensation**

The women said they did not have any knowledge about resettlement plans for the community. Farming activities have been stopped in certain areas for over a year

now after farmers were allowed to harvest their crops but were not given any compensation for loss of their farmlands.

It was alleged that Gold Fields Company informed the community that they were going to take over their land and compensate them for their crops. The community then abandoned their crops and land hoping that the mining company would pay them compensation. The mining company abandoned the project with the explanation that there was no money to undertake the project. The farmers stated that the land which they owned had grown thick weeds that it was difficult for the them to re-cultivate their farms. They insisted that the company pay them for the time that they abandoned their farms.

The farmers also complained bitterly about the mode of compensation. They knew the sizes of their farms but did not have any clue as to the formula used in calculating one's entitlement to compensation. The mining company was the sole determinant of compensation paid. The villagers were not involved in the exercise. One of the farmers Kojo Issifu stated that he had a fishpond of 18 X 9 feet and was given an amount of ₵1,860,000.00 (One Million Eight Hundred and Sixty Thousand Cedis) for the fishpond. He stated that the sad thing about the whole exercise was that you were only given a 'small paper' (chit) with an index number after your land has been measured.

The mining company then invites you to come to their office with the number. You are then asked to thumbprint a paper which did not have any information on how much compensation you are entitled to for an acre. Therefore one signed without knowing what he was signing for.

On the issue of compensation for crops, the women explained that officials of the mining company came over to measure their land with tapes, but the officials were yet to prepare the necessary documents for them to be paid their compensation. They complained that all the virgin forests earmarked for future farming activities had been taken over by the company with warning signs all over against entry. As to whether adequate compensation was paid to the community, this was not known since only the chief and elders were involved in the negotiations. The youth were not being employed by GGL despite promises made to them when the company started its mining operations in the community.

According to the Chief the company took some lands from them about 8 years ago when they started surface mining but they were adequately compensated

### **3.10.6. Livelihoods and Employment**

The community lamented the high incidence of unemployment. They said that the mining company refused to employ the youth despite initial promises made. The youth completed registration forms but only about one in ten had been employed

by the Mining Company. The company, they stressed, did not employ community members. But recently, it offered 20 places and gave out forms to be completed for employment. The chief took 5 for himself and his family and distributed the rest arbitrarily. Those who completed the forms were yet to be employed. Meanwhile, their lands and crops had been taken away. There was no more land to farm, as all had been taken for mining. Even recently, the company was given some land for oil palm plantation, crops were destroyed but no compensation was been paid. The company had not started the project but would not allow any farmer to crop there.

The main occupation of inhabitants of the community is farming. They stated that mining activities have destroyed crop production. Chemicals used and a cyanide spillage which occurred some years ago had resulted in low production. Formerly crops such as palm kernel, pineapple and cocoa yielded a lot that made farming in the area profitable. Mining activities changed all that.

According to the women a lot of dust was produced any time blasting was done and this filled the entire community with dust.

The town has 5 permanent and 3 casual workers working with the company. Most of the time the company gave forms for the unemployed members of the community to fill, they were then called for interview but none was ever said to have qualified for any job. The company had given some members of the community goats, sheep and pigs to rear. A gari processing plant and an oil miller have also been installed for them.

The Company provides alternative lands for farmers whose farms were near the mining sites.

### **3.10.7. Illegal Artisanal Mining (Galamseys)**

Young people from Huniso travel to engage in illegal mining at Prestea. Galamsey is not practised in the community. It is done about 12 kilometres away in another community. There were no reported cases of police/military brutalities in the community. According to the farmers, Huniso no longer indulged in galamsey operations because their equipment for galamsey operations had been seized.

### **3.10.8. Royalties**

The youth had no knowledge of royalties but some had heard the Chiefs collect royalties from the mining companies. The Chief explained that it was paid to the Apintohene: Nana Kwabena Ango II, who, in turn, paid some percentage to his divisional and sub chiefs. He as head of the community, was not paid any royalty.

### **3.10.9. Development Projects**

Relations between Tarkwa Gold Fields and the community were said to be cordial. Gold Fields had provided a clinic, which the community said had no nurse and described as a mere “white elephant”, it did not have drugs and a midwife. They admitted, however, that the clinic served as a first aid facility. They disclosed that the company had also provided boreholes, a primary and JSS buildings and an Early Childhood facility. In addition, the company had provided a KVIP toilet facility and teachers’ quarters. The community did not have electricity and they alleged that the company was yet to fulfil its promise of providing them electricity.

The Unit Committee members stated that there was peace between them and the company, they appealed to the company to provide them with their request which included electricity, for that they had erected poles long ago. They also needed wells, a market and community centre. They requested that the company employed the youth in the community.

## **3.11. ABEKOASE**

### **3.11.1. Water and Water Sources**

The people said that water from the boreholes was discoloured, hard and not fit for drinking. The main rivers that run through this town are River Esuman and Ndudua, which have been polluted by cyanide. The company had provided 4 boreholes which were alleged to be contaminated. According to the youth the mining company provided two boreholes for a community with a population of about 1000 people. They further alleged; water from the boreholes was not potable because it was not colourless and it had a salty taste. It often dried up during the dry season. They had to buy bagged water from Tarkwa.

They insisted that the boreholes that were dug for them by the mining company provided impure water and was not suitable for drinking.

### **3.11.2. Pollution**

The mining company initially disputed claims by members of the community of a major cyanide spillage into the river Esuman that killed fishes in the river. According to the elders, agents of the company attempted to cover up the spillage by attempting to re-introduce some fish into the river three days after the accident but were caught red handed.

In September 2006 there was cyanide spillage into one of their rivers called Esuman. This resulted in the death of most of the fishes in the river. The inhabitants took it as God-sent and consequently struggled for the dead fishes and

consumed them. A few months later all those who fed on the fish started developing some strange boils, skin rashes, diarrhoea and sores in the mouth. Most of them still have a lot of marks on their bodies depicting where the rashes were. Some complained of the re-occurrence of their rashes.

The Company later gave a compensation package and provided 3 boreholes for the community. A cyanide pipe burst sometime ago and flowed into river Esuman, from where the community takes its water. Members who used the water had skin diseases. Those who ate fish from the stream, vomited. That river does not serve as drinking source anymore.

Members of the community said crops do not grow well in the area anymore, due to dust and other dangerous substances that settle on the crops. They also have no land left for farming. Surface mining is the main activity and this entails blasting which resulted in dust pollution that lead to a high incidence of diseases like colds, asthma and rashes in the community. The predominant diseases in the community included malaria, tuberculosis, coughs and skin rashes.

### **3.11.3. Blasting**

The community stressed that blasting operations by the mining company had caused cracks in buildings including a newly constructed school block donated by the company. This was due to the fact that mining activities were too close to the community. Furthermore blasting caused noise and dust pollution. It also emitted dust and caused terrifying vibrations and noise. The company's attention had been drawn to cracks in houses but it never did anything about it. Members of the community went on a demonstration but to no avail.

Surface mining is the main activity and this entailed blasting which resulted in air pollution that leads to a high incidence of colds, asthma and rashes in the community.

### **3.11.4. Safety and Security**

No excesses by security agencies were recorded due to the non-existence of galamsey activities.

### **3.11.5. Resettlement and Compensation**

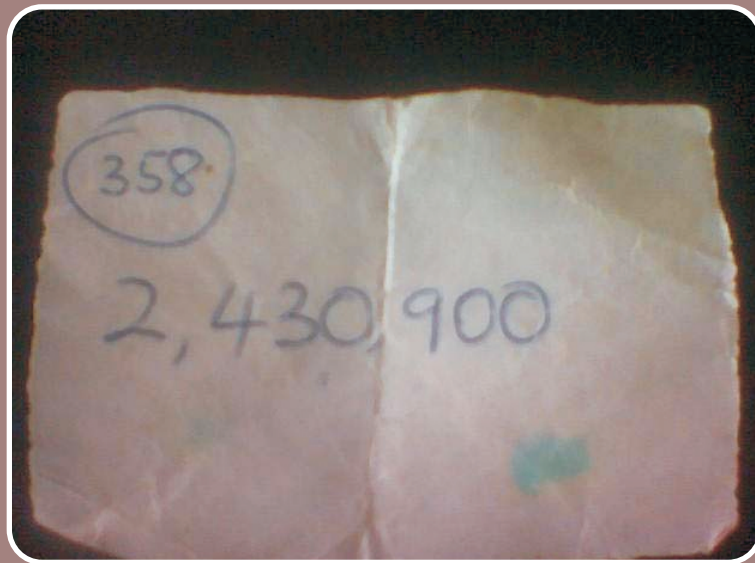
Compensation payments to farmers were not transparent and were low as well. Crops were counted and amounts calculated by the company without involving the farmers. The documents were kept by the company and all that the farmers got was a piece of paper with a number and amount indicated on it. The illiterate farmers, therefore, signed or thumbprint for documents they did not understand.



They signed/thumbprinted before seeing the exact amount of money paid to them. It became difficult rejecting any such small payments.

Compensation was not transparent and did not involve negotiations with persons affected. In Mr. Eric Ofori's case he stated that the mining companies only negotiated with the chief for the land. Therefore, the farmer had no option since the land might have been paid for. The farmer was left with no option but to accept compensation. Mr. Ofori stated that he was given numbers to go for his compensation and had no idea about the amount. He took 2 compensations for numbers 88 and 612 in the amount of ₵1,040,000.00 (One Million and Forty Thousand Cedis) and ₵10,000,000.00 (Ten Million Cedis) respectively.

The youth interviewed lamented that even though they were present on the farm while it was being measured by the LVB in the presence of the traditional leaders and officials from the company, the payment process was not consultative and transparent.



Compensation Document

Another community member told the investigators that he was given only a piece of paper with a number and the proposed amount of ₵2,430,900 money written on it as evidence that his five acre of farm land had been taken over. Some of the crops on the land at the time of take over, according to this farmer were: oil palm, cassava, plantain and pepper. Like others who were affected, he lamented that the compensation paid to him was inadequate. In addition, the company had asked them to move from their present location with no resettlement package.

The people claimed most of their farmlands were taken from them. The company selected the crops that deserved payment. For example, 2 acres of palm plantation interspersed with cassava and sugar cane attracted compensation in the amount of ₵ 2.6 million (GH₵260.00).

### **3.11.6. Livelihoods and Employment**

An alternative sustainable livelihood project including a piggery project was introduced. One piggery project seemed to be working well most of the others had collapsed. One beneficiary requested further assistance to expand the project. He claimed the Chief had not made the people benefit fully from the compensation already paid to the community. He insisted the size of the compensation package given by the mining company was unknown.

The alternative sustainable livelihoods project had poultry farming and rabbit rearing as its other components delivered through the OICI.

According to the youth a project was begun in 2006. About twenty-five people were trained in animal rearing and had been provided animals of their choice to rear. The main occupation of the community is farming. They grow cash crops like cocoa, oil palm and teak as well as food crops like cassava, pepper etc. They maintained that taking over their land for mining has led to increased unemployment. They emphasized that only two people were employed permanently by the company. 3 others were employed as casual labourers with a task force of the company.

### **3.11.7. Illegal Artisanal Mining (Galamseys)**

Illegal mining is not done in the community.

### **3.11.8. Development Projects**

There is no health facility and so medical cases were taken to Tarkwa. However, first aid is available. The mining company built a community centre, day care center, a toilet and teachers quarters for the community. Despite all these they noted that their living standards had deteriorated. A Primary School, Gari processing machine and a palm kernel grinding machine were also provided by the company.

## **3.12. SENYAKROM**

The team visited a grass-cutter rearing project at Senyakrom. CBUD, the main sponsor of the training of beneficiaries supplied a cage, one male and 3 female grass cutters to the beneficiary.

The beneficiaries undergo training in grass-cutter rearing either in Koforidua or Kumasi. Beneficiaries include the youth, and school leavers.

One beneficiary stated that he began in 2003 with three grass-cutters; one male and 2 females. As at 2<sup>nd</sup> May, 2007, he had a total of 27 grass-cutters.

The males and females were sold at ₵300,000.00 (Gh₵30) and ₵350,000.00 (Gh₵35) respectively to breeders. Marketing of the animals was difficult as no food seller was prepared to pay that much for a grass cutter. Selection of beneficiaries was done by the Senyakrom Community. He stated that he had trained other people who were also undertaking the project. *This beneficiary is also a chemical dealer.*

### **3.13. TAMSO/NSUTA**

Mr. Samuel Ackon was another beneficiary of the Sustainable Livelihood Project. He started his project in 2004 with 2 females and a male. He had 50 grass-cutters at the time of inspection.

Mr. Ackon benefited from the CBUD training which was held in Nsuta. After the training CBUD sold one grass-cutter at ₵350,000.00 (GH₵350.00) to each of the beneficiaries. Some of the beneficiaries did not benefit much since their grass-cutters died. He added that the industry was expensive and needed dedication. Initially one of his grass-cutters died due to size of the cages which were too small. He added that the cages cost ₵1,500,000.00 (GH₵150.00) (One Million five Hundred Thousand) per cage. Mr. Ackon indicated that he had plans of expanding his project, however, this was difficult. He appealed for funds to help him expand his project.

#### **3.13.1. Illegal Artisanal Mining (Galamseys)**

A group of galamsey operators were also interviewed at Tamso. They operate in a permanent structure with some machinery for gold extraction. Mercury was used and the waste water was then dumped in standing water (dirty pools) at the location. Concerns were raised about the possibility of water flowing into streams in the event of flooding which might result in pollution of these streams and other water bodies.

The galamsey operators interviewed work for others who set the prices of the gold produced. They stated that the income they got enabled them to look after their families and to send their children to school. The galamsey operators had been operating since 1979 and described themselves as registered small scale miners, and that they have a license to undertake such activities. They supplied the gold they obtained to known dealers in the community.

On the issue of security, the galamsey operators said there had been no clashes with the security agencies. The military sometimes came in to interview them but not to brutalize them. Tweneboa Kwesi who spoke on behalf of the operators recommended the legalization of galamsey operations.

### **3.14. INSTITUTIONAL RESPONSES**

#### **3.14.1. Ghana Manganese Company (GMC)**

The Ghana Manganese Company operates an open pit manganese mine at Nsuta. The operations commenced in 1914 with an American Company called American Mining Services. It was then taken over by the Ghana National Manganese Corporation (GNMC) which was state-owned and subsequently went into divestiture and was taken over by Ghana Manganese Company Limited (GMCL) in 1995. Manganese produced in 2006 was almost two million metric tonnes (2,000,000 MT). Currently the company has a strategic investor from Ukraine. It is therefore exporting its ore to Ukraine.

The team met Messrs. Rexford Agyemang- Administrative Manager and Coffie Emmanuel Anum, Environmental Manager with whom they had discussions.

The company told the Investigators how it experienced a spillage in the Kare stream. De-silting was done to remove silt from the rivers. This exercise earned them the award for Best Environment Friendly Mine in 2004. Areas mined have been rehabilitated and planted with economic trees. A decant system and tailings dam had been constructed. GMC won best environmental practice award. The Company is said to be most committed to environmental reclamation.

It said that blasting is monitored to ensure compliance to keep the noise level within the accepted noise level which is 120 decibels. So far the company's highest noise level had been 118 decibels.

The company had installed sprinklers on its conveyor belts to minimize dust pollution which was a matter of serious concern in manganese mining.

On its relationship with the community, the company said it had been very peaceful due to the company's efforts to satisfy community needs based on consultation. A Base line survey had identified specific interventions which were applied on yearly basis. A business awareness and conflict management seminar was usually held to educate the public on the vision of the company.

On alternative Sustainable Livelihoods, the company made some interventions such as grass-cutter and snail rearing, bee-keeping, agro-processing, vegetable farming e.g. cultivation of black and white pepper for export.

The Esuoso Divisional Council and a Fund Management Committee serve as liaison between the community and the company. A budget was submitted to the community who decided on what projects to undertake for the year. This participatory approach had created cordial relations between the community and the company.

### **Education Infrastructure**

The company ensured that the community had basic amenities such as schools and libraries. An elaborate bursary scheme has been put in place from Senior Secondary School to the tertiary level for 16 communities. In 2006, 593 people benefited from the scholarship scheme. The beneficiary communities include Akyim, Nsuta, Kwenya, Nkruom, Tamso, Bankyem, Jerusalem, Ahwetiao, Bosan, Tarkwa, Bosra and Bansa.

### **Training**

The community benefits from annual capacity building programmes which were either held in Kumasi or Koforidua. These programs were usually training of trainers' programmes, which were sponsored by the company to enable beneficiaries train other members of the community to increase employment.

### **Reclamation**

The Manganese Company has plans to reclaim some hectares of land for expansion. These reclaimed lands would have their pits covered. It has been established that manganese contains high plant nutrients. The company plans to grow economic trees and nitrogen fixing plants. The company proposes that land would be left for farming in the old historic areas.

## **4.0. BIBIANI AREA**

### **4.1. BIBIANI OLD TOWN**

#### **4.1.1. Water and Water Source**

The mining company provided 3 boreholes to the community; one was out of order. The company was informed about it six months ago. They were yet to repair it.

#### **4.1.2. Dust and Pollution**

Dust used to be discharged into the township. Air pollution protection bags were placed at vantage points but they were removed because they did not serve any purpose.

#### **4.1.3. Blasting**

Cracks were observed on buildings in the township. The community admitted that any time such cracks were reported to the authorities of AGC they came over to patch them. It was alleged that big stones from the mines were previously hurled into the township when blasting was done by AGC.

Blasting had not occurred in the last 3 years. Previously blasting caused dust pollution and cracks in buildings. Some of the buildings were repaired and others not. Mining activities take place too close to the community.

#### **4.1.4. Safety and Security**

In 2000, a soldier accidentally shot a galamsey operator after he had invaded a blast site with a matchet and this incident led to the burning of houses and vehicles of AngloGold Bibiani. Indeed, it was a very bad experience and this led to the release of the Northern section of the Mines to the Galamsey workers to promote peace between C.A.G and the illegal miners. Their operations seem not to satisfy mining standards. One of their workers fell from a truck and died.

In 2000, two community dwellers were killed when they strayed into the Mine's concessions. In the same year, one community dweller's home was burnt down for reasons they could not provide. The mining company security wields truncheons and use guard dogs which frighten members of the community. The military has also provided security for the company since 2000. It is frightening to have the soldiers around guarding the company, the community claims.



One Francis Konteteye (alias AGALI, who was allegedly tortured by the Military told the Team how he went through it. He had a welding shop near the Court building in Bibiani. He had spent almost 9 years in Bibiani with 10 apprentices. He said:

*"One brother asked me to do some job for him. He went out and came back and one Kwabena Ackaah, a private security man from AGBL' confronted me that the cables with which I was working do not belong to me and that I have stolen them from the company.*

*During the confrontation the soldiers held me and forcefully pushed me inside a vehicle and detained me from morning to evening before handing me over to the police. After I had written my statement I was taken home by the some soldiers but I would not find the receipts then.*

*I found the receipts later and produced them to the police. Later with an intervention from lawyer Ngoah they released the cables to me. After showing them the receipts they did not cater for the cost I incurred on my medical bills and medication. After my incident my own brother was also arrested by the Company (Soldiers) that he had stolen from them".*

The Complainant claims he suffered waist pains, bleeding and swellings on the body.

#### **4.1.5. Resettlement and Compensation**

Generally, they were not happy about the quantum of compensation. Also, consultations were not made before some farmlands were cleared. In 2007, the Central African Gold Mine created access roads through farmlands but compensations were not paid to the affected persons.

Compensations paid were inadequate. Interviewees recommended that adequate and prompt compensations should be paid. Whenever there were two crops on the same farm the same rate of compensation was paid, for instance, cocoa and maize, they were asked to choose one crop to be rated. Both crops were not rated for compensation.

Because of the effects of the mines on the community they would like to be resettled.

#### **4.1.6. Livelihoods and Employment**

Community dwellers who work with the Central African Gold Limited (C.A.G.L) were less than ten (10), the group claimed. Some of the workers were masons, mechanics etc. The youth group claimed that they were refused employment

whenever they present themselves for employment. They wanted a labour pool system to be created where natives were recruited and specifically trained for jobs in mining. They had a youth group (Confidence Youth Club) that was not fully supported by all youth in the community. There was a new company now, Central Africa Gold Ltd (CAG L), which the community expects would give employment to the youth, instead they were bringing people from outside. They need to employ and train people from the community, the community emphasized. Few people from the community work in the mines. The permanent workers were not more than 10, casual workers numbered about 15-20.

The new company is still destroying farms at "Lineso". This has led to the formation of the Bibiani Farmers Rights Protection Society to protect the rights of farmers. It was alleged that the new company destroyed a farm on July 23, 2007.

#### **4.1.7. Small Scale Mining**

The Pammu community is largely a small scale mining community. It has a licensed small scale mining site operating. An underground mining site is owned by 'Ekom ye ya', a co-operative. Apart from Thursdays, all other days are working days. There are about 3000 workers who are paid monthly. A water pumping machine is stationed on the site which pumps out underground water. This facilitates the work of the small scale miners. A typical mining process involves the chiselling of underground rocks sent up through pits and then sent to the processing site (not within the vicinity) for processing.

Finished products were bought by licensed buyers. Proceeds were shared in three parts: one part went to pit owners, another to "work boys" and the third to carriers known as 'ghetto' boys. No child was allowed to work in the mine. Their relationship with the mining company was said to be very cordial.

#### **4.1.8. Development Projects**

Members of the community wanted Central African Gold Limited to provide electricity and a generating plant for the community. They also want the Mine to provide them with a clinic and pay their national health insurance levies.

According to the community, an attempted reclamation did not work. Foreign species were introduced instead of growing local trees like the local palms.

#### **4.1.9. Other Concerns**

The creation of the tailings dam resulted in the lengthening of routes, the community insisted. The company promised to provide a bus for easy commuting but it did not fulfil its promise. The community also claimed some mine waste

strayed into their farms affecting crop growth. They had no school at the time of the visit. Ashanti Goldfields Company (AGC) built one some time ago but was now closed.

### **4.3. DZOKOLINESO/DOMEABRA**

This community is located close to the Small Scale Mining Site and has been in existence since 1957.

#### **4.3.1. Water and Water Source**

Their former sources of water: the Antanra, Kabre and Pamu rivers got destroyed because of mining activity. Their present source of water is being threatened since the Ghana Water Limited is asking for ₵ 2,000,000. The group also alleged that non compliance will lead to its closure; they, therefore, want help in the provision of water.

#### **4.3.2. Blasting**

Blasting was last done a year ago. Past blasting led to cracks in buildings.

#### **4.3.3. Resettlement and Compensation**

The community wants to be resettlement.

#### **4.3.4. Livelihoods and Employment**

Community dwellers want to be directly employed to work in the Mines.

### **4.4. KODUAKROM**

There is a new company now, Central Africa Gold Ltd (CAGL) expected to give employment to the youth of Koduakrom. Members of the community pointed out that: already they were employing people from outside when they needed to employ and train people from the community.

The new company is still destroying farms at "Lineso". The company destroyed a farm on July 23, 2007. This has led to the formation of the Bibiani Farmers Rights Protection society to protect the rights of farmers.

#### **4.4.1. Water and Water Source**

3 bore holes provided by AGC did not work. Wells have been provided by the Ghana Water Company.

#### **4.4.2. Blasting**

Blasting has not occurred in the last 2-3 years. Previously blasting caused dust pollution and cracks in buildings. Some of the buildings were repaired and others not. The people were not happy that mining activities took place too close to the community.

#### **4.4.3. Safety and Security**

The mining company's securities wield truncheons and use guard dogs which frighten members of the community. The military has also been providing security for the company since 2000. It is frightening to have the soldiers around guarding the company.

Since 2000 the soldiers had been stationed in the community after some disturbances in the community when police shot someone in an incident involving galamsayers. There has been no such incident this year since the galamseyers got a license to mine.

According to the company presence of the military in Bibiani does not create any problems, both the public and C.A.G benefit from their services. Attacks by armed robbers were being checked.

#### **4.4.4. Resettlement and Compensation**

Compensations paid are inadequate. Interviewees recommended that adequate and prompt compensations should be paid.

#### **4.4.5. Illegal Artisanal Mining (Galamseys)**

Small scale mining takes place in the community.

#### **4.4.6. Royalties**

Royalties are not paid to the Chief of Bibiani, but to the Chief of Ahwiaso.

#### **4.4.7. Other Concerns**

Theft of cables and transformers remain a major problem for the company, people

commuting through the mine site makes the company vulnerable.

Attempted reclamation is not appreciated. Foreign species were introduced instead of growing local trees like the local palms.

## **4.5. ETWEDO & AKOTI**

### **4.5.1. Water and Water Source**

Chirano Gold Mines Limited (CGML) has set up a mining facility here. Before the mine started business the community had the Sroano and Dokuma rivers which served as their sources of water. The rivers have been destroyed through mining activity. CGML, however provided two boreholes, one got spoilt early 2007, they reported to CGML but have been asked to use their funds to repair it.

### **4.5.2. Blasting**

Effects of blasting are shock and cracks in buildings in the community.

### **4.5.3. Safety and Security**

It was alleged that about a year ago, Mr. Darko, Public Relations Officer of the company asked policemen to brutalize the whole community including women. The community had refused to use wheel barrows to level a stretch of road that CMGL had provided. The community blocked the passage way to CMGL's work site and this led to a confrontation during which members of the community alleged Mr. Darko invited the police to beat people in the community. It was alleged that during the second week of August, 2007 some farmlands were cleared in the presence of soldiers.

### **4.5.4. Resettlement and Compensation**

According to the group, fallow lands were not paid for. Matured cocoa trees received ₵25,000 compensation. The community is happy with the compensation for the other crops except for cocoa. The number of crops counted on farms vary from the final number for compensation. Whenever there are two crops on the same farm to rate for compensation, for instance cocoa and maize, they are asked to choose one crop for rating. Both crops are not rated for compensation.

They asked for resettlement, CGML provided a land but the community did not agree because of its proximity. They requested for a nearer resettlement but were refused because C.G.M said that particular area requested for was reserved for their workers.

#### **4.5.5. Livelihoods and Employment**

Most of the youth are farmers. Approximately 12 are working as permanent workers with CGML. Casual workers such as masons, drillers were less than 20. The group claimed that workers were recruited from Tarkwa and Obuasi and trained for the job.

#### **4.5.6. Other Concerns**

The community complained of bad roads. Cocoa trees surround the dam, and since contaminated water seeps into the grounds their yields are now bad. It was also alleged that CMGL does not allow the community to fish in the River Pakyeyeboa even though it is not used by CMGL.

Main power line runs through the community but the community has no source of power. Every household paid ₵ 60,000 for meters last month (July 2007) but they have not been provided yet. The Company provided electricity to the town but preparations were being made to extend power to individual houses.

Registration and marking of houses had been done for the acquisition of meters from ECG.

### **4.6. INSTITUTIONAL RESPONSES**

#### **4.6.1. Central African Gold Ghana Ltd.**

They have had meetings with groups including the youth groups in connection with recruitment. Their dominant problem with the youth is recruitment into the company. The whole youth group cannot be recruited.

The policy after consultations with the community stipulates that local dwellers should be given some percentage of employment.

The Chamber of Mines is coming up with a policy on acceptable compensation rates. The most recent meeting took place during second week of August, 2007.

On the current rates, the Farmers' Association and C.A.G came to an agreement that 2% of all compensation should go to the Farmers' Association. The community later, requested that C.A.G stops paying 2% to the Farmers' Association because they claim the Farmers' Association is misusing the money.

C.A.G is supposed to be practicing zero effluence discharge cycle which involves transportation of waste materials from the processing plant, through the tailings



dam to the decant dam, process water pond and back to the processing plant.

C.A.G has provided training in First Aid, scholarship packages to sixty-three( 63) secondary school students, and five tertiary students. The Junior secondary Mine school happen to be one of the best in the country and has provided 20% admission to the community. Plans were advanced to upgrade a community school into similar status.

C.A.G had helped build the female block and fenced the public hospital. Their private clinic is open to the general public and rates are lower than other private clinics. By September, 2007 C.A.G plans undertaking an anti-malaria spraying programme.

Also C.A.G has a re-vegetation site where tree seedlings were grown and donated to schools. Planting of trees were also done quarterly.

A portion of land has been reclaimed and this has made it possible for the construction of the major road to the Bibiani Township. AngloGold has put aside US\$2.7 million to cover any eventuality should C.A.G fail to reclaim mined out lands.

## **5.0 ASUTUFI AND TEPA AREAS**

### **5.1. KENYASI O.L.A RESETTLEMENT**

#### **5.1.1. Water and Water Source**

The mining company has provided them with pipe borne water, which is enough for the community for a fee. They pay GHp1( 100 cedis) per bucket and in cases where the tap is closed, the community members have to commute about one mile or more to the Newmont office or to Kenyasi No. 2 for water. The water, however does not run whenever there is power outage.

Water committees, established by the Company/OICI supervise the sale of the water. Average monthly collections can amount to ₵60,000, which is saved at a bank for meeting expenses such as repairs and maintenance of the tanks.

#### **5.1.2. Health and Related Issues**

The women representatives interviewed said in a reply to questions on diseases related to mining activities that it was too early to assess the impact of mining activities on their health because the period that mining activities started was too

short. They added that, in situation of illness, they either go to the clinic at Hwidiem which is about three miles away or Sunyani or Duayaw Nkwanta.

Newmont Ghana paid premiums for settlers to be part of the National Health Insurance Scheme. The youth group however, complained of non renewal of scheme. They have no health centre. Malaria is a common ailment. They also said, approximately only 5% have benefited from the provision of mosquito nets.

### **5.1.3. Blasting**

Vibrations from blasting are felt whenever it was done. Some buildings have started developing cracks as a result of blasting by *Newmont*.

### **5.1.4. Safety and Security**

The women representative noted that they did not have any problem with the security personnel employed by the mining company. There have been no reports of security brutalities.

### **5.1.5. Resettlement and Compensation**

The women interviewed could not provide any information with regards to the resettlement negotiation package. They however noted they knew of people who had their two and six -room houses replaced with one and three room houses respectively by the mining company. People from Kwaduhia and other villages were resettled in the process. Resettlement had provided better housing, cement block houses but we lost space and some rooms. For every 5 rooms, one had prior to the resettlement, 4 rooms were provided in replacement and without a kitchen.

Even though the women interviewed could not comment on the compensation paid for crops, they revealed that an amount of 500,000 cedis was given to each household during the resettlement exercise. In addition, rations of rice and oil were given to some community members during the same period.

According to one group, one acre of cocoa farm was compensated for an amount of ₵34 million (Gh₵3400), whilst an acre of oil palm farm went for ₵3 million (Gh₵ 300). Compensations were made in 2004. Some compensation remains unpaid.

### **5.1.6. Livelihoods and Employment**

The community claims that with about two hundred inhabitants, no one is an employee of Newmont Ghana. Majority of them are farmers. Most employees are

recruited from Tarkwa and Obuasi. Locals are not the preference. Promises to employ the youth have not been kept by the Company.

The women representatives interviewed noted that Newmont, through the assistance of OICI provided training for some members of the community in Soap Making, Beekeeping, Mushroom Cultivation and Grass Cutter Rearing

While those in grass cutter rearing were provided with animals, others were yet to receive any capital to start their business. They appealed for some form of money as capital for the women to trade as a means of creating employment for them. The women noted that even though school tuition was free, most of the children were out of school because their parents could not afford to purchase the necessary stationery for them.

*As a way of verifying the grass cutter rearing story, the team visited one of the beneficiaries of this project. The lady noted that she was among those selected for the second phase of the project. She was given two females and one male about two years ago. One of the females had four offspring out of which she sold one. The other female was pregnant and yet to have her first offspring.*

Newmont sponsored training for mushroom growing, piggery projects and making tie & dye through the OIC International. Community members claim they can't visit old farms because of the long trek to the old farms. People have to find new farm lands; that is difficult.

Monthly supply of half bag of rice to the elderly within the settlement has been halted. Villagers who are mostly farmers have lost their farms and livelihoods. It has not been easy acquiring new farm lands. Support for settlers' agric projects delayed, most farmers therefore made a false start. Plantain suckers and seedlings were distributed late in August instead of April that is the beginning of the agricultural year. Farmers therefore experienced crop failures. In sum, living conditions have deteriorated.

Food rations support in the quantity of 1½ bags of rice supplied every 3 months was cut to ½ bag and now curtailed. Supplies delivered through the OICI have now been stopped by the mining company. Some lamented that the Mining company targeted only the very poor excluding those who had lost their farmlands.

The company is not enthusiastic about talking to us about the issue of food rations. Forest depletion has led to strong winds destroying some houses. Also, food crops easily get destroyed when there are storms.

## **5.2. DOKYIKROM (TUTUKA)**

### **5.2.1. Water and Water Source**

The community revealed that Newmont turned their major drinking water, Nsubre River into a dam about three years ago. However they noted that despite warning from the company they still drink and eat fish caught from the river. They have also been warned not to drink from the streams and rain water due to pollution.

The company according to the women, provided them with a borehole which was not working as at the time of the interview. They have two boreholes; one constructed by Newmont which is not functioning.

Collected rain water from roof tops is black in colour. The group also said they have been warned by officials of Newmont not to drink such water because it is hazardous to health.

The Chief stated that Newmont, the mining company in the area has already developed a dam on the Subri river, which is the main water source in the area. He feared that their water sources will be destroyed. The Assembly has provided a borehole which is the only source of potable water for the community. With a dam on the Subri, the area is now restricted which makes it difficult to move freely around. In 2006 two people drowned in the dam. They cannot fetch water from the dam. Frequent blasting makes it impossible for them to harvest rain water.

### **5.2.2. Dust and Pollution**

According to the women representatives due to pollution from the blasting, they have been warned not to eat 'kontomire' and other leafy vegetables. Dust pollution occurs as a result of mining activities of Newmont Ghana.

### **5.2.3. Health and Related Issues**

The most common diseases which the women alleged resulted from mining are cough, dizziness, malaria due to abundance of mosquitoes and skin rashes. Members of the community had to go to Kenyasi in case of illness. They have no health centre. Malaria is a common ailment. They also said, approximately only 5% have benefited from the provision of mosquito nets.

Snakes, the women alleged have infested the community due to the destruction of their habitation by mining activities. One of the women alleged that she was nearly bitten by a snake recently right in front of her kitchen.

#### **5.2.4. Blasting**

The women interviewed noted that they could feel the effect of each blast. They alleged that the cracks found on the walls of some houses in the community were as a result of the blasts. Noise, sudden shock and cracks in buildings are some of the effects of mine blasting. Blasting causes vibration which disturbs the villagers. It is usually done at about 12:30 p.m. An announcement will usually be made before blasting. During blasting it is not safe to be on the road.

#### **5.2.5. Safety and Security**

They revealed that they had no problem with mining company security personnel. There were no police/military brutalities. They have no security concerns.

#### **5.2.6. Resettlement and Compensation**

Even though, the women interviewed could not comment on compensation paid for lands because none of them was a claimant, they noted that money paid as compensation for houses destroyed was inadequate. They claim some compensations were to be made monthly, but these compensations (bags of rice and gallons of oil) have been hijacked by some big-shots of Newmont, Ghana and given to a select few.

They want to be resettled because of the health hazards due to mining activities and crop damage due to strong winds. People affected by mining have been resettled. The community is not connected to the national (electricity) grid.

#### **5.2.7. Livelihoods and Employment**

The women noted that due to the creation of the dam, access road to their farms have been made longer. They therefore have to trek several miles to their farms. Because of their low educational levels, Newmont recruits workers from Tarkwa, Obuasi and Prestea. No community dweller works with Newmont. Only high level vacancies are brought to the community (pasted on some buildings). Low level vacancies which most of them qualify for are not made known to them.

The women noted that OICI through a Newmont initiative trained some community members in tie and dye making, grass cutter rearing, mushroom cultivating, snails rearing, etc. they are yet to receive financial support to start their business. They added that since the training started nobody in the community has ever benefited from any financial assistance.

Road construction by Newmont has led to difficulty of transporting foodstuffs to the market because buses do not come to the community as they did when the road

was not constructed. The women asked that an alternative sustainable source of livelihood be provided for them or they should be resettled.

#### **5.2.8. Illegal Artisanal Mining (Galamseys)**

There were no galamsey activities in the area according to the women.

### **5.3. YAWUSUKROM**

#### **5.3.1. Water and Water Source**

According to the women their major source of water, Nsubre was turned into a dam by the mining company. They however did not provide an alternative source of water. Their main source of water was a well dug by the community and a bore hole provided by the New Apostolic Church which breaks down frequently. The Subri River was their source of drinking water until Newmont turned it into a dam. Dust pollution makes it impossible to harvest rain water. Some members of the community leave when the bore hole is not working, they return when the borehole is repaired. Others travel about 10 miles to fetch water from the Tano River. Water tanks were seen at vantage points.

#### **5.3.2. Dust and Pollution**

They alleged that dust which is produced by blasting activities polluted the community. Therefore, they were warned not to drink rain water initially. Despite the fact that they were later informed that they could drink the water, people who often drunk it had diarrhoea.

#### **5.3.3. Health and Related Issues**

The common illnesses found in the community were malaria, diarrhoea, cough etc. In case of illness the community members go to the clinic at Hwidiem or Kenyasi according to the women. They have no medical centre. They have to travel 9 miles to the nearest health centre. Malaria, the community insisted was caused by the construction of the dam by Newmont, which breeds mosquitoes. The waste dump also causes inhabitants to cough because of chemical discharges from it.

#### **5.3.4. Blasting**

Even though the women interviewed could not tell the effect of blasting on their community, they noted that they could feel the vibrations any time it was done. Noise and cracks on buildings are some effects. Rainwater can no more be drank because of chemical interaction as a result of mining activities. Blasting and noise from machines operated by the company affect the community. The machines are



operated all night from about 9.00 p.m to about 3.00 a.m. that disturbs the community.

### **5.3.5. Safety and Security**

The women noted that they had no problem with company security. There has been no excesses.

### **5.3.6. Resettlement and Compensation**

A member of the group wants resettlement because of the negative impact of mining activity. Just about 4 communities (25 persons) are left after Newmont settled the other communities. Our local governance system broke down. The Assembly members are gone. The company must resettle us. They have disrupted life of our communities by resettling some and leaving others behind.

They complained about inadequate compensations and loss of farm lands and livelihoods. The women could not comment much on the issue of compensation but hinted that between 2003 and 2004 an acre of cocoa went for ₵25 million (Gh₵2500).

### **5.3.7. Livelihoods and Employment**

They alleged that the mining company only employed people outside their community despite their promises. Dominantly farmers, they complain that some lands have been taken by Newmont Ghana so they do not have enough land to farm on. No community settler works with Newmont, Ghana. They however, stated that they will be able to serve as cooks or work with the environmental department as 'weed cutters'. The group also opted for small scale mining. A Workers forum was organized in 2004 by Newmont, showing them the type of jobs offered but none of them has been recruited. Only high level vacancies were advertised. Moreover, only the chief's nucleus family benefits from available jobs. The Company does not employ the youth.

### **5.3.8. Illegal Artisanal Mining (Galamseys)**

They revealed that there were no galamsey activities in the area.

### **5.3.9. Other Concerns**

The women interviewed lamented that the building of the dam has blocked their shortest access route to Kenyasi. The new road provided was long and the only car provided is to convey school children and often times is either broken down or late. They often had to walk to the dam site to board a vehicle or walk to Kenyasi.

The community has a primary and J.S.S blocks. Transportation is provided for school children from Tutuka to attend school at Yawusukrom. Initially the company paid school allowances of ₵2000 per school child in about 2004 to get the support of the community when it started mining. The allowances have been stopped.

The community is not connected to the national grid.

## **5.4. AGYA MOROKROM**

### **5.4.1. Water and Water Source**

The community's main source of water the Subri is now dammed. We kept drinking water from the dam until we were warned after about 3 years. The company provided a polytank and later a borehole. Periodic water shortage compels us to go back to drinking from the dam. There is a high incidence of coughing and dysentery in the community.

### **5.4.2. Blasting, Dust and Pollution**

The community sits on the edge of the Newmont concession separated by a road constructed by the company and is directly affected by mining activities. Blasting causes cracks in our buildings, air pollution and dust settles on crops eg. "Kontomire". Noise pollution occurs even in the night. We asked the Company to give us a place at the Kenyasi resettlement or stop blasting.

## **5.5. KWAME ADUANIKROM**

### **5.5.1. Water and Water Source**

The interviewee noted that a well which served the community was destroyed as a result of the construction of the dam. The company therefore provided two boreholes for the community. She revealed that the water is potable. Their main source of water was the Subri River but it has been turned into a dam. Their present sources of water are two boreholes.

### **5.5.2. Dust and Pollution**

Even though they do not experience dust pollution, the company had warned the community members not to drink rain water because it was not potable.

### **5.3.3. Health and Related Issues**

The main disease the interviewees noted was malaria which they attributed to mining activities. The community has no health centre. They travel about nine miles to the nearest clinic for medical attention. Other common ailments were headaches and stomach ache. The group also claimed that a tailings dam constructed by the company also produced chemical effluence.

### **5.5.4. Blasting**

The members of the community feel the vibration effect of the blast.

### **5.3.5. Safety and Security**

The interviewees revealed that they had no problem with the security personnel deployed by the mining company. There were no security brutalities.

### **5.3.6. Resettlement and Compensation**

One acre of cocoa farm went for ₵34 million (Gh₵3,400). Their worry now is that the quantum of compensation was not enough? The group would want to be resettled and appropriate payments made.

### **5.3.7. Livelihoods and Employment**

The people are mainly cocoa, teak and oil palm farmers. With the claiming of some farm lands by Newmont, the quantum of crop production has reduced. Six locals are working as security guards to prevent people from attempting to cross the dam.

### **5.3.8. Other Concerns**

The community has no school block. The access road to Kenyasi had been made longer by the construction of the dam. The vehicle provided by the mining company was inadequate and unreliable. In addition to that the bus stops working at 6pm which makes accessibility to Kenyasi in the night and during emergencies very difficult.

Effects of Dam creation: Community dwellers have to travel about 8 miles round the dam before getting to the main town, Kenyasi. Formerly, they could easily cross the river. Because of the long distance most of their produce gets rotten because only few buses ply these routes and fares are expensive as well. In the evenings they feel so cold, this was not so before. There are insects all over during the evenings.

The community is not connected to the national grid. According to them Newmont has decided to provide them with a boat for fishing but they think, fishing on the dam is a risky job.

## **5.6. KANTINKA**

### **5.6.1. Water and Water Source**

The community noted that before Newmont started its mining activities in 2003 the community depended on the river Nsubre for water. The water was made unsafe for use when it was converted into a dam. The mining company therefore built boreholes for them. They lamented that this water is sometimes polluted after blasting had been carried out by the company. The water settles after three days. They noted that they have complained to the company who came for samples and are yet to give them a feedback. Their source of water used to be the Subri River but Newmont has dammed the river. They have two boreholes constructed by Newmont, Ghana. After blasting however, the colour of the water becomes yellow-like.

### **5.6.2. Dust and Pollution**

They noted that there was dust pollution from the blast which affected leafy vegetables like kontomire. The women revealed that they often develop diarrhoea anytime they ate these crops.

### **5.6.3. Health and Related Issues**

The common types of disease found in the community the women alleged, as a result of mining included diarrhoea, cough and malaria due to the abundance of mosquitoes. In case of illness, the women revealed they had to go to the hospital at Kenyasi. The community does not have a health centre and have to travel roughly about seven miles to the nearest clinic. Malaria is a common ailment and caused by the damming of the Subri River which breeds mosquitoes, the community alleged.

### **5.6.4. Blasting**

The women representatives interviewed noted that they often feel the vibration in the earth any time blasting occurred. They noted that it shook the buildings and the recently built borehole has developed cracks as a result. They have also been warned by the mining company not to drink rain water because of the pollution resulting from blasting. Community dwellers have sudden shock when any blasting

takes place. Dust is also discharged into the community from their processing site. The youth would like to be recruited by Newmont as permanent staff.

#### **5.6.5. Safety and Security**

They noted that they had no problem with the security personnel from the mining company. There has been no security excesses.

#### **5.6.6. Resettlement and Compensation**

They could not comment on both issues because they were not affected by the former and were settler farmers therefore were not direct beneficiary of the latter. An acre of cocoa farm went for approximately ₵30 million (Gh₵3000). They feel cheated. The group prefers to be resettled because the dam is so close to them

#### **5.6.7. Livelihoods and Employment**

About two of the women interviewed revealed that they had been provided the necessary training in mushroom and plantain cultivation. While the woman who trained in plantain cultivation complained about the lack of financial assistance to start her business, the woman trained in mushroom cultivation bought seedlings from OICI. She revealed that she bought the seedlings at 2000 cedis and earned about 40,000 cedis after harvesting the proceeds over a period of three months. The woman also noted that she has been taught book keeping as such she is able to keep records of the money she makes as well as her expenditure and income. She said it was sustainable.

Most youth here are farmers. According to the group, their crops do not grow well since Newmont started operating. No member of this community works with Newmont.

#### **5.6.8. Illegal Artisanal Mining (Galamseys)**

According to them galamsey activities do not exist in the community.

#### **5.6.9. Effects of Dam creation**

Children who went for some dead fishes along the banks of the river for meals got sick. It also breeds mosquitoes and produces very cold wind during the evenings. Before the tailings dam was created, the community dwellers commuted through the land now occupied by the dam. With the creation of the dam, dwellers have to commute longer distance round the dam. Foodstuffs are normally carried on foot because very few buses ply their routes. Several meetings concerning their

problems have been held with Newmont but their concerns have not been addressed.

#### **5.6.10. Development Projects**

The women lamented that the community has so far not benefited from any development projects by the mining company. The community has not been connected to the national grid.

A Newmont constructed school is far from this community and because of the long distance, pupils are not regular at school.

### **5.7. NTOTROSO**

#### **5.7.1. Water and Water Source**

The women representatives interviewed noted that their main source of water was from boreholes and River Tano both of which have not been affected by mining activities. They have three boreholes.

#### **5.7.2. Dust and Pollution**

The women group interviewed noted that despite the fact that they could not efficiently comment on dust pollution; the cutting down of trees and the forest by the mining company has led to the destruction of some houses during rainstorms.

#### **5.7.3. Health and Related Issues**

Apart from the increase incidence of malaria in the community due to the abundance of mosquitoes, the women asserted that they could not comment on the general health situation in the community. The group also claimed that since the inception of Newmont Ghana, they have been suffering from diarrhoea and malaria.

#### **5.7.4. Blasting**

Even though the women said they could sometimes feel vibration in the earth which results from blasting, the impact was not very much since the community was more than three miles away from the site.

#### **5.7.5. Safety and Security**

The women interviewed said that apart from the skirmishes that occurred last year



between some of the youths and the state security apparatus, they have had no problem with the security personnel.

#### **5.7.6. Resettlement and Compensation**

According to the women, all whose land had been taken have been adequately compensated. In addition, the company provides rice, oil and other items for groups of people considered to be vulnerable. They however proposed the payment of a yearly bonus to such people. The women recommended that the criteria for categorisation of vulnerable persons has a default, they therefore demand that it should be reconsidered. Those affected by road construction were duly compensated. The community however, has objected to the amount of compensation for a pit to be created in the community.

According to a 75 year old man, compensations to affected farmers are sent through the Tano Rural Bank. He claimed that some top official embezzled monies leading to the collapse of the bank. Since then, he had not yet received ₵24 million (Gh¢ 2400) which happened to be his outstanding compensation. In 2006, he wrote to Newmont who promised reopening the Bank, but nothing has been done to date.

#### **5.7.7. Livelihoods and Employment**

The women representatives interviewed noted that OICI through the initiative of Newmont trained some members of the community in farming related activities, soap making, animal rearing etc. They said that the mining company either gave lands to the people or the people leased lands paid for by the mining company for farming purposes. On the other hand those who trained in soap making lamented that they had not been given any capital to start their business.

Most of them are farmers. In 2004 Newmont organized a forum for the community and promised them jobs but these jobs were temporary. Permanent jobs were given to non locals from other cities like Tarkwa and Obuasi. They want Newmont to recruit and train local citizens.

#### **5.7.8. Illegal Artisanal Mining (Galamseys)**

According to them galamsey activities do not exist in the community.

#### **5.7.9. Developmental Projects**

One of the women interviewed, a member of the Social Responsibility Committee revealed that an amount of five billion cedis Gh¢500,000 had been given to 10 communities for developmental projects. Various percentages of the said amount

had been allocated for various projects. They were yet to set up a committee with the necessary technical skills to over see the disbursement of the funds.

The community has Primary and J.S.S blocks.

## **5.8. WAMAHINSO**

Newmont has not started any activity in this community. They are not affected in any way by the company's activities. They, however, claim mining activities may soon start in their community.

The community intimated that officials from Newmont meet with them regularly to provide updates of steps to expand activities of the company in the area. They said the company promised giving them jobs but have failed to fulfil their promise. They claim workers were recruited from Tarkwa and Obuasi. They alleged that relatives of Newmont's management were given priority when it came to vacancies. They would prefer locals to be recruited and trained.

The following were some of the expectations of the women interviewed:

- That some members of the community should be employed by the company
- That some form of scholarship should be provided for pupils from the community who excel to further their education.
- That the company provides alternative sustainable source of livelihood for the women.

### **5.8.1. Resettlement and Compensation**

*"I find it difficult accepting the compensation offered. Compensation should be paid on all lands whether they are cultivated or not. Initially I did not agree because there is no payment for fallow lands, which is not known to the law in mining. Yearly payments to farmers should be made when farmers lose the farmlands. I am still troubled by these issues. We are still debating it at the House of Chiefs".*  
(Chief of Wamahinso)

### **5.8.2. Livelihoods and Employment**

This is another issue of concern. Some members of the community should be employed by the company. There is immense pressure on the Chiefs who allow mining in their communities. Kenyasi and Ntotroso Chiefs are under pressure as the company does not give employment to the majority of the youth. This leads to poor relations between members of the community and Chiefs.

It is the expectation of the people that reclamation would also be taken seriously.

### 5.8.3. Royalties

Payment of Royalties should be re-arranged for the communities directly affected by mining to derive more benefits from mining projects in the country.

## 5.9. INSTITUTIONAL RESPONSES

### 5.9.1. Police-Kenyasi

The team of investigators made institutional visits. The investigators contacted the Divisional Commander of the Ghana Police Service at Kenyasi, ASP Appiah and the head of Opportunity Industrialization Centre International (OICI) at Ntotrosu.

In response to a question about crime rate in the town, the divisional commander, ASP Appiah noted that the level of crime had increased since 2003 when the mining company started operations. He noted that this was due to increase in population which is as a result of coming of mine workers into the community to work. According to Mr. Appiah before 2003, less than 10 cases of crime were recorded in a week as compared to 30 cases now.

The common cases recorded according to him included assault, theft and threatening. Theft reports made to the police according to the ASP were mainly about stealing of mining company's properties and siphoning of its oil.

On the issue of galamsey, Mr. Appiah revealed that the problem only started this year. According to him, the police had reports that some galamsey operators were working at the cemetery. After some surveillance by the police they were able to arrest them. Some of them were on remand and due to be arraigned before court very soon.

He recounted another incidence in which Newmont informed them of the operations of illegal miners near their senior staff bungalows. The police again had to mount surveillance. One person was caught but after much investigation he was released as he was only a farmer not a galamsey operator. The police therefore have to patrol the area for sometime and the company has fenced the area to prevent any other incursions by alleged galamsey operators into their concessions.

The divisional commander noted that most of the flashing out of the galamsey operators were in collaboration with company securities who do not carry weapons. He added, arrests made by this security of people often caught stealing company property or invading their concessions were handed over to the police.

Mr. Appiah revealed that most of the galamsey operators in Kenyasi were from other mining areas like Bibiani, Tarkwa etc. The local people as at the time of the report were still not skilled to do that kind of job.

On the issue whether it was possible for small scale mining to be carried out, he noted that he had been approached by some people with respect to that request. He advised them to go to Accra for a licence. However, he revealed that Newmont has said that the whole Ahafo is their concession and would not encourage such activity. Therefore any operator who identifies land and obtains the necessary licence is at liberty to mine on small scale in the area.

On the challenges facing the police, Mr. Appiah noted that the inadequate number of personnel was one of the major problems. In addition to that the looming threat of demonstration over unpaid compensation was also one of their main challenges. He had on several occasions convinced aggrieved parties not to take such actions.

The Divisional Commander recommended the employment of the community members especially those who are unskilled for unskilled labour jobs at the mines.

### **5.9.2. Opportunities Industrialisation Centres International**

The team met with Mr. Alpha Benjamin of the Opportunities Industrialisation Centres International (OICI) who revealed that OICI is an American international non-governmental organisation which started in Ghana about 35 years ago. Their particular focus is training youth in variety of skills, food security and HIV-AIDS. The main project by OICI in Tarkwa, Akyem in the Eastern and Brong Ahafo Regions is mining for sustainable development.

Mr. Alpha Benjamin noted that OICI came to Brong Ahafo as a result of a partnership it developed with Newmont in their bid to provide sustainable livelihood for the people. The LEEP programme was as a result developed through a study conducted between 2003 and 2004 to achieve that objective.

According to him, the main objective of the LEEP programme is to:

- Improve the quality of life of people by providing training in agriculture, post harvest loss.
- Improve the quality of water and sanitation within the communities.
- Facilitate the provision of micro-credit facility for trained people.
- Build capacity of resettled people to live together and integrate as one community.

The LEEP projects, according to Mr. Alpha Benjamin are:

Agriculture, Post harvest loss reduction, Small and micro enterprise development. E.g. Grass cutter rearing, snail rearing, bee keeping, pig rearing, batik, tie and dye making etc. The project has a vocational training centre. Currently about 280 students are being trained in various skills.

He noted that OICI has signed a MOU with some banks to provide these facilities to the trainees. At the moment it is only the Asutifi Rural Bank which has started providing the facility.

The programme coordinator said Newmont supports the community in providing boreholes, training of people in repairs and maintenance as well as supporting them with the necessary tools and equipment. Formation of youth groups for capacity enhancement purposes as well as involving them in other investment activities.

Another area that OICI is engaged in is the vulnerability programme according to Mr. Alpha Benjamin. This project is to provide those hard hit by mining activities some food basket each month, or register them under the NHIS and provide scholarships for those of school going age.

On the criteria for choosing, he noted that those who fall under such categorisation go through series of processes. The first stage of the process according to him is the lodging of complaints by the people themselves. They are then requested to fill forms which go through various committees set up by the community comprising relevant governmental organisations and other stakeholders for final determination.

In addition to that sometimes close relations of those identified as vulnerable are given assistance which would eventually benefit the latter. On the issue of sustainability of this programme, Mr. Alpha Benjamin said the programme is a way of supporting the farmers whose lands have been acquired besides the compensations paid to them. It is intended that these farmers would be gradually weaned from depending on the company to a status of self sufficiency.

He noted that acquisition of land for farming purposes have also been made easy for those whose lands have been taken. Those trained under the agriculture programme are encouraged to identify lands. Land lease, clearing etc are financed by the mining company. Stool lands have also been set aside for those who have not been able to do that to access. However, he noted that since the beginning of the project no farmer has come forward to access the latter.

### **5.9.3. Newmont- Ahafo Mines**

In outlining the company's attempt at establishing a close relationship with the

community, Mr. Burns, External Affairs Manager noted that they have first of all placed front desk officers at the information offices established in the various communities.

In order to ensure participation of the members of the community, the company set up a Resettlement Negotiation Committee of 57 members, which includes representatives of all stakeholders e.g. Land Valuation Board. The Committee is moderated by a former IGP, a native of Kenyasi. The challenge, however, is getting people to represent the community on the committee.

In addition to that, the External Affairs Manager noted that the IFC is one of Newmont financiers and therefore have set up international best practices which the company must abide by.

Apart from EIA which clearly spelt out the company's responsibilities to the environment, the community etc, it has also developed a resettlement plan which has been posted on the company's website.

Furthermore, Newmont, according to Mr. Burns has instituted a Vulnerables' programme, which is aimed at assessing the progress of the resettled people in their community. As at the time of the report about 1700 households have benefited from the programme.

The programme:

- Provides monthly food basket for those who cannot feed themselves
- Registers people for NHIS
- Pay fees for some students from vulnerable households
- Has in place sufficient agriculture and land access programme to ensure that members of the community directly affected by mining become self sufficient.

Under this programme beneficiaries could have at most 2 acres of land after the training programme. The company would then clear the land and provide seedlings. He explained that this maximum was set because they have realised that the people in the community on the average owned 2 acres of land. Another option which has not been explored by the affected farmers according to him is accessing stool lands for farming activities. He added that the land access review committee established to oversee this particular programme is made up of local people. So far 2603 farmers have been registered and out of that 2506 have been given inputs such as fertilizers, maize, cocoa, plantain etc.

The company, the External Affairs Manager revealed, has established a social responsibility forum which is made up of local people from 10 communities in Tano North, Asutifi and Kenyasi Districts and other stakeholders. An agreement has been



reached in which an amount of half a million dollars has been placed in a fund. They are yet to set up a board of trustees and secretariat to manage the fund as well as choose the type of project they wish to undertake.

On the issue of crop compensation, Mr. Burns noted that compensation paid to farmers was determined by a committee made up of representatives elected by the community, farmers, other stakeholders and Newmont. The amount is reviewed each year. They, however, revealed that WACAM (an NGO) has refused to be part of the committee despite several invitations.

The company later took the team on a tour of their plant. The first place the team visited was the company's tailings dam. The dam is lined with rubber felt to prevent any chemical from seeping into the environment. The water is recycled from the tailings dam and pumped into the dam and sent back to the plant for processing of gold ore.

To avoid animals from drinking from the dam, the company has built a fence around the whole place. In addition to that, the company uses pumping gas and other sounds to scare away birds from drinking the water.

Another measure that the company has put in place to prevent pollution of the environment is the creation of Environmental Control Dams (ECD) to collect all excess or overflowing water. In addition to that, the company has constructed boreholes outside the walls of the dams which are tested often to determine the level of toxic seepage into the environment. It has also constructed pumps that pump back any excess water that seep into the areas around the dam.

The company then escorted the team around facilities that recycled human waste from their compound in the area where it was alleged that human waste had polluted a stream. It was explained that recycled waste water from the human waste processing plant had over flowed during heavy rains in December, 2005. According to the company it placed a notice around the ECD prohibiting people from using the water and provided a polytank for them. It was further explained that before the water from the ECD was discharged into the environment as is usually the case; the water was tested and found to be compatible with water in other streams. Newmont was therefore at a loss as to how the people in the community insisted faecal matter from the company's environmental control dam had leaked into the nearby stream.

A visit was also made to the Sewage Treatment Plant. All sewage from the plant's premises is routed to this site. The treated water which is harmless is then sent to the dam.

On the allegation that faecal matter was once discharged into the environment, the

officials said waste is treated and by the time it flows into the ECD it will be harmless to the environment.

The purpose of the Environmental Control Dam is to collect turbid water. After turbid solid settles, the surface water is discharged into the environment. The dam does not contain faecal matter just like any typical Ghanaian water body. Inhabitants were told not to drink and fish from this dam because it is deep and can lead to drowning.

According to *Newmont*, additional efforts were being made and that in 2004, it gathered ideas on the best resettlement plan, the plan can be found on the company's web site. After providing an Environmental Plan to the E.P.A. and being given the permit by E.P.A, evacuation exercise started. Over 17000 households have benefited from the company's presence. Some have had their National Health Insurance Schemes and school fees paid. The main objective is to make these households self sufficient and to mitigate the impact of mining on them.

Both the Vulnerable and the non-vulnerable households are made self sufficient through the Agriculture Improvement and land Assess Programme ( A.I.L.A.P). However, vulnerable households are given priority. An average of two acres of land is given to beneficiaries to farm on. In addition, agricultural inputs such as fertilizer, maize seedlings and plantain suckers are given to facilitate farming. Areas benefiting from these packages are Kenyasi 1, Kenyasi 2 and Ntotroso. Out of a target number of 3000, 2603 farmers are presently benefiting from the A.I.L.A.P in the following format:

- Phase 1- pilot program
- Phase 2 – 2603 farmers
- Phase 3 – to begin next year(2008)

As part of their social responsibility, five hundred thousand dollars has been placed in a Community Developing Fund for development purposes. The fund is in its preparatory stages. The stages include how the fund is going to be disbursed, selection of Board of Trustees, needs assessment and finding out whether a project is profitable to the community.

On blasting, there have been 144 complaints. Newmont conducted its study and it came to the conclusion that defects in some buildings were due to improper building materials and building in muddy areas. The study also recommended that (43) forty –three houses needed further monitoring.

On crop compensation, Newmont does not decide on crop rates, it has set up Crop Rate Review Committee made up of seventy (70) committee members and one Newmont official that reviews crop rates annually. Members of the committee include Land Valuation Board, Ministry of Food and Agriculture department of Social

Welfare and Non Governmental Organisations (NGO). The only N.G.O that does not participate is WACAM even though invitations are always given to them.

Newmont uses Net Present Value (N.P.V) in calculating compensations. This involves discounting total net income for the life of a farmland to the present. Mention was also made of the mining law Article 73 that is opened to many interpretations.

On establishing cordial relations and obtaining feedback from the community, the Managing Director stressed that there are information offices in all communities where information is easily gathered.

Responding to an allegation made by the people of Kantinka that whenever blasting takes place their water source becomes coloured an official said it is possible the walls of any borehole could be disturbed causing rock particles to fall into the water leading to change in colour. The company's tailings dam was constructed to hold the heaviest rain after studying the 100 year rainfall pattern of the area.

#### **5.9.4. WACAM, Kenyasi**

They alleged that the problems relating to mining activities have increased and there were no signs of their resolution. Some of the issues they outlined included Compensation, Blasting and Noise pollution, the extension of access road to some communities due to mining activities and the company's failure to pay compensation for fallow lands.

They alleged that Newmont in 2006 invaded farms in Mehame and destroyed some cocoa trees. The company, according to them, has refused to pay compensation to affected farmers. They added that they had petitioned the President but have not had any response.

The WACAM representatives complained about a stalemate between members of the Bypass Landlord Association and the company. According to them, the group realised in April, 2006 that cracks which were similar in character had developed in their buildings. On 29<sup>th</sup> May, 2006, they wrote a letter and met with top management of the company. They promised to investigate the issue and followed up with a visit to the houses. On 14<sup>th</sup> August, 2006, they said the Association met with the company representatives, the External Affairs Manager, Randy Burns informed them that he did not believe the cracks were a result of blasting activities by the company.

According to them, during a workshop for mining companies the Association sent a petition to the organiser of the programme, USAID. The District Chief Executive

was tasked to settle the issue. He requested that both parties should engage the services of consultants to evaluate the buildings. The Bypass Landlord Association engaged the services of A.E.S.L while the company got a private evaluator from Kumasi. Despite the fact that A.E.S.L had submitted its report, the consultant engaged by Newmont's report delayed. After much pressure, both parties met with their consultants to discuss the various reports. While the association's evaluation report was on all the houses put together, that of the company was based on individual houses.

Findings from Newmont indicated that cracks in 99 buildings were not caused by blasting. That of the Landlord's Association done by A.E.S.L and funded by the District Chief Executive (D.C.E) said they cannot rule out blasting as the cause of cracks.

The representatives of WACAM noted that both consultants had agreed that some of the cracks were as a result of inferior materials used, location of the houses etc they, however, differ on other issues which the interviewees could not fully explain to the team. It was agreed by the team that the representatives of WACAM would make copies of these reports available to the team for further studies.

A member of the group stated that farms at Mehama were cleared in December, 2006 without any prior consultations with the farmers. Newmont wanted to pay compensations to them but they have refused to go for them. Even though the government has given Newmont the right to mine, they do not want Newmont to mine their farms.

#### **5.9.5. Environmental Protection Agency, Sunyani**

According to the Acting Director, the Brong Ahafo region is experiencing large scale mining for the first time. Apparently, the effects of mining are new to the communities. For instance, there used to be forest vegetation all over, suddenly, they are faced with large stretch of bare land after the surface vegetation has been cleared for surface mining. The drastic change from forest vegetation to bare land is difficult to adapt to. According to him, if they had been educated they could have adapted easily.

The Environmental Protection Agency's (EPA) work in the Brong Ahafo region begins with certifying an Environmental Impact Statement by Newmont to EPA. The Environmental Impact Statement is gotten from an Environmental Assessment carried out by Newmont, purposely to bring out likely environmental impacts and mitigating factors. This document is then reviewed by the E.P.A to determine whether measures brought out to mitigate environmental effects are acceptable. An Environmental Impact Statement is only established when the document is accepted. An example was given of Akyem in the Eastern region, where Newmont

has not started operations because E.P.A has not granted permission for the operation because “an anticipated environmental problem has not been solved by Newmont”.

E.P.A does not normally set the standards; the mitigating measures in the Environmental Impact Statement are taken as standards. Monitoring is then done to make sure these standards are adhered to. E.P.A could also review the standards when it is necessary.

An instance of mitigating measures for a spill over is the provision of Environmental Control Dams by Newmont. Another is a lower container that collects cyanide spillage from a main tank.

On an allegation that waste liquid is discharged into a town named Oseitutukrom, Mr. Isaac Osei indicated that E.P.A has conducted studies and has written to Newmont to relocate the people of Oseitutukrom. *Newmont's* response was that it wants to take a holistic approach in handling the problem of evacuating affected citizens along the whole stretch of land along Oseitutukrom.

On the allegation that the Subri River which used to be a source of drinking water no more serves its purpose because it has been dammed, Mr. Osei said inhabitants normally do not report such cases to them. They send all their grievances to Newmont making it difficult for the EPA to intervene later.

On the prohibition of fishing in mine dams, Mr. Osei indicated that it is a requirement of the law, and a safety measure that all mine dams should not be either used as source of drinking water or for fishing.

Newmont provides monthly reports to E.P.A and this report contains water quality test results. Mr. Osei, however added that E.P.A has not been able to conduct independent test because of inadequate financial resources.

For the way forward, Mr. Osei agreed that CHRAJ could serve as a neutral body, working for the enhancement of cordial relations between mining companies and communities. Moreover, mine boundaries should be clearly defined; policies should be developed that clearly state how mining lease areas could be used by resident farmers.

On reclamation, Mr. Prosper Nkrumah indicated that E.P.A is embarking on progressive reclamation so that after Mining Companies have finished mining, people can continue with their normal lives.

## **6.0 NEW ABIREM AREA-EASTERN REGION**

The New Abirem district is host to the Newmont (Akyem) project. This is a gold mining project which is at mine development phase. The company has completed their environmental impact assessment and have applied for mining permit from the EPA. The situation in New Abirem is different from other large scale mining projects visited, in that Newmont (Akyem) has not started actual mining.

The company's planned mining activities would affect nine communities and the project proponent were negotiating and paying compensation to persons and communities whose properties would be affected by the planned mining activities. The issues of utmost concern, from the investigations, are compensation, potential loss of farmland and livelihoods, conflicts with galamsey and security issues. The communities also voiced their expectations from the project when mining starts. They also expressed anxiety over possible environmental impact when actual mining started. Planned project activities would affect nine communities

### **6.1. HWEAKWAE**

#### **6.1.1. Safety and Security**

The community said they did not have any problems with the police.

#### **6.1.2. Resettlement and Compensation**

The Community's main concerns are inadequate compensation and possible loss of their farmlands. The community said they have no problems with the company mining in their area provided they are paid adequate and prompt compensation for their farms, crops and property. They said the adequacy of the compensation is an important issue they can not compromise on since they require adequate compensation to take care of their children. The chief and elders of the community said that, so far, negotiations with the company, though long, were proceeding well. They disclosed that they have negotiated and agreed on prices for food crops. However they are still negotiating for cocoa, cola, palm trees, and other cash crops.

The chief and elders said, for the time being, there were no serious problems with negotiations as every affected farmer was in agreement with the prices agreed upon, so far. They disclosed that there is a negotiating committee in place with representatives from all the nine affected communities. According to the community, the committee updates the community regularly on progress of negotiations. Some representatives of the community on the negotiating committee said their major problem was that some people were impatient and



want negotiations to be concluded quickly so that they can have their money now. In spite of the fact that there were a few demands by the community that were considered problematic and need to be resolved. Some of the elders were asking for annual payments of compensation for affected farmers. That is for loss of their farmlands; they were insisting on annual payment directly to affected farmers to guarantee yearly incomes to their families. That compensation for the land was also not yet paid because they had not agreed on the amount yet. The company proposed something which they rejected.

The community said they were satisfied with the level of consultations, which they described as open and frank and far better than the period when the company was exploring. They disclosed that there have been several rounds of discussion with the company and government officials, including the District Chief Executive. The community said current negotiations are more consultative and would result in better prices than those paid for crops destroyed during exploration. Women interviewees mentioned that, the company paid compensation for foodstuffs they destroyed whilst constructing access roads, and for their rigs when they were exploring. According to them, they were not consulted when such roads were being constructed through their farms and added that at times, they would be in their homes and receive information to come for compensation for farm produce destroyed on their farms. They explained that usually, the destroyed produce was counted and compensation was paid without consultation with the farmers on the value of destroyed crops.

Members of the community do not want to be resettled. They expressed fear of losing their farmlands. They were afraid once mining started the farms would no longer belong to them. They prayed to be allowed to continue farming on the lands that were not worked on by the Company.

### **6.1.3. Livelihoods and Employment**

The chiefs expressed their satisfaction with mining taking place in their community but said they want their children to be employed and trained by the Company. The community was not happy with the number of community members employed by the company. They disclosed that so far just about ten (10) people from the community have been employed by the company in temporary jobs, mainly for cutting lines and on the drilling rig. They also said they were dissatisfied with the salaries paid to these employees. They claim those employed from the community are paid from Gh¢60 to Gh¢80 monthly. The chief and elders said these wages are inadequate and the youth initially resisted but had to give in due to lack of alternative employment opportunities. Women in focus group discussions disclosed that apart from the ten workers, the company employs some men from the town for very short contract jobs, usually for a few weeks or even days depending on the need for their services.

The community said the company had promised them employment when actual mining started. However, according to the chief of the community, the community was convinced that there would not be adequate employment opportunities for their youth. He stressed *"we know they would soon say we have no skills. To prevent this from happening as we learnt happened in other areas, particularly at Ahafo, we are asking for training. However, the company says they will only train people when they start mining"*.

#### **6.1.4. Development Projects**

People interviewed said Newmont had renovated the community primary school and was planning to renovate the Junior High School as well. In addition, the company was trying to foster unity among the communities. The youth disclosed that there had been simmering antagonism between Hwekwae and Adausina and the company had been organizing football matches between them to reduce these tensions.

The community said while they appreciated the projects undertaken by Newmont, such projects were far from enough. Farmers during focus discussions asserted *"it was not enough for the company to only renovate existing schools, they should be made to undertake new projects"*. The farmers said that a clinic, teachers quarters, a building for the school feeding programme and public toilet facilities are the priority projects of the community and wished Newmont had provided these. The chief and elders, however, disclosed that the company has promised to provide a school quarters and community centre for the community if they agreed for mining activities to begin.

The community said in addition to the renovation of schools, the company is embarking on an HIV/AIDS education programme in all the nine communities. However, teachers from the Primary and Junior High School expressed doubts about the efficacy of the HIV/AIDS programme when the company's activities are engendering immorality and related social vices in the communities. The teachers claimed that, an increasing number of girls were dropping out of school due to pregnancies. They alleged that since Newmont entered the community there had been several teenage pregnancies attributed to employees of the company. According to them, in 2007 alone, six (6) school girls became pregnant. In addition to those dropping out of school due to pregnancies other girls are being lured out of school by Newmont employees because these workers are perceived to have money.

## 6.2. NTRONANG

### 6.2.1. Safety and Security

The community said there were no serious security problems and they had no serious problems with the police either. In discussions, farmers in the community stated that the community has a police post, but there were only three police officers at post. They alleged that usually before effecting an arrest of a suspect, the police demanded GH¢8.00 from the complainants.

The Assemblyman of the area also stated that they had not experienced any security problems. He said though the youth of the community were actively involved in galamsey work, they had no problem with the police. He, however, stated that the community had one encounter in the past with the police. That in 2005, the police made a swoop on the area where illegal mining was taking place and made some arrests.

### 6.2.2. Resettlement and Compensation

From all the focus group discussions in Ntronang, it was clear that the community's main concern was about fair, adequate and prompt compensation for their crops. The community members said that a committee was in place with representatives of the affected communities negotiating with the company on the amount of compensation for crops. They however stated that there were disagreements between the communities and the company over the compensation regimes, claiming that the rates being proposed by Newmont was woefully inadequate.

In separate focus group discussions with the youth and farmers, they disclosed that Newmont had offered to pay Gh¢4100 per acre of cocoa and Gh¢1600 per acre of oil palm while the community is demanding Gh¢8200 per acre of cocoa and Gh¢3200 per acre of palm.

According to the farmers, the Newmont offers are unrealistic. To buttress their point for their conclusion, they took the team through a simple financial analysis using the typical life cycle of an acre of palm plantation containing 60 palm trees and that of cocoa with 360 trees as follows: "Newmont offers GH¢1600 per acre of palm trees destroyed when an acre contains about 60 palm trees and a bunch of palm nuts is being sold at GH¢1400. A farmer could earn about GH¢1400 every 2 weeks during the harvest.

According to the farmers, the lifespan of a palm tree is estimated at 25 years and by their calculations, that is, **1400 x 60 trees x number of bunches per acre x 1yr x 25 yrs**, a farmer should earn far more than Newmont had proposed. Similarly, for every acre of Cocoa, contains approximately 360 trees. If that fetches

4 bags multiplied by GH¢59.70 and its lifespan, it would also exceed the GH¢4100 compensation per acre that Newmont wants to pay”.

According to the farmers their representatives on the negotiating committee had made those proposals to Newmont, but the company remained adamant and insisted on their proposed rates. They said *“we want the government to intervene on our behalf as the company had informed us that whether we liked it or not, it was not ready to make any further concessions and that it would carry on its activities on the lands anyway”*.

The farmers also complained about the manner in which the company had been taking their lands. According to them the company’s workers had been **cutting lines** through their farms, sometimes without their knowledge, and destroying their crops without first paying compensation.

On resettlement, the community revealed that the mining company had targeted the community for future relocation/resettlement. They warned that should there be any resettlement, they would not accept the “hen coops like” houses that the company had provided to people in other mining communities in the country. According to them, there was not enough space to place even a bed in those types of houses provided by Newmont in the other communities.

### 6.2.3. Livelihoods and Employment

The youth of Ntronang expressed their unhappiness with the company over what they described as empty promises of employment. They said that contrary to promises made by the mining company about providing employment for the community, the company rather hires workers from outside the community.

The community disclosed that Newmont was implementing sustainable livelihoods projects in the area, but that not everybody is benefiting from it. According to the youth of the community, the company had started providing training in sustainable livelihoods project such as piggery, gari processing, mushroom cultivation and grass cutter rearing. They further disclosed that the company is also providing micro finance to some people in the community.

### 6.2.4. Illegal Artisanal Mining (Galamsey)

The community said that the youth of the community had been actively engaged in galamsey, even before the advent of Newmont mining. The chief and elders acknowledged that galamsey activities were going on in the area, particularly at the old mine site near the Pra River, not too far from the community.

The chief and elders said a dam had been created by the “galameyers” for the processing/ washing of ore and that the waste from these activities pollute the Pra River, thereby causing environmental and health problems. Farmers in focus group discussions also complained about the menace of galamsey activities. They claim in addition to the pollution of the Pra, which is their source of water, the “galamseymers” had destroyed many farmlands. They alleged further that most of the “galamseymers” are ex-convicts from other neighbouring countries and towns.

The farmers also alleged that galamsey operators had the support of the chiefs and police because “they have money”.

In discussions with galamsey operators in the community, they claimed that they have been practising artisanal mining activities as a source of livelihood, long before the arrival of Newmont. They said they had problems with the company because the company sees them as encroachers.

### **6.3. ADAUSINA**

#### **6.3.1. Safety and Security**

The community said there are no serious security problems in the area. The Regent of the community claimed that cordial relations existed between the community and the company. He further disclosed that since the company came to the area four years ago it had opened information offices in all eight communities in the area.

#### **6.3.2. Resettlement and Compensation**

The Regent complained that compensation paid was inadequate. He explained that two years ago the company paid ₵31 million compensation for an acre of cocoa farm for farms affected by the construction of an access road to the mine site. According to the chief and elders, those compensations were not satisfactory, they described the compensation as very little. They said in recent negotiations the company had proposed to pay at the rate of ₵41 million for an acre of cocoa farm. The regent and elders said they expected the company to top-up the earlier payments made. The regent claimed that the company had given them a verbal promise to pay the differences. They said they were not happy that the company has reneged on its verbal promise and that they were demanding that the company paid them the difference.

A key informant told the team that a committee was in place that worked with Newmont on compensation. According to him reports from the Committee indicated that Newmont had proposed ₵41 million per acre of a cocoa farm, ₵16 million for

one acre of palm trees and 14 million for one acre of orange trees. He said the community rejected those figures and has requested that compensation be paid as follows: ₵90 million/acre of cocoa, ₵70 million/acre each for palm and orange farm, respectively. According to the informant, Newmont said it would not offer anything more than it had proposed. The informant stressed angrily; *"the community is waiting to see how the company would mine on their lands without any agreement on the payment of compensation"*.

One farmer alleged that the company **cut lines** through their farms and often destroy their crops and later pay compensation, which was usually very low. He suggested that the company and the community should come to an agreement on an acceptable compensation before the company is given the go ahead to work on their lands. The farmer also claimed the company made one time payment for crops destroyed. He said such payments were not adequate if the productive life span of the crops were taken into consideration. He said the company ought to be making annual payments for crops destroyed.

One community member whose land had been acquired to build a nursery and houses said he is satisfied with the amount paid to him because it was better than that of the government rates which were based on the rates provided by the Land Valuation Board.

Another issue complained of was that Newmont measured affected farms in the absence of the farm owners. That has resulted in disagreements. According to members of the community Newmont insisted that if any farmer disputed the figures it had provided then he/she could go and bring the land valuation officers to conduct the survey and valuation. *"For us that was a costly exercise"*, he stressed. Members of the community said the community had been surveyed and could be a possible target for future relocation/resettlement. They hinted that they were not in principle against any genuine compensation scheme proposed by the company. They however, warned that in case of resettlement, the community would reject the "8 & 8" rooms that has been constructed by mining companies for other communities in similar situations.

### 6.3.3. Livelihoods and Employment

The community said the company was employing outsiders at the expense of the affected communities. They claimed the community has drivers, masons, carpenters who would be able to perform their duties to Newmont's expectation, but the company is not employing them.

### 6.3.4. Development Projects

The community said the company has undertaken some social responsibility



programmes in the village. They disclosed that the company has provided four boreholes, renovated the local school. They said the community has asked Newmont to furnish the school with tables and chairs. It has also provided a carpet for a Computer room donated to the community by a native resident in Holland

The community further disclosed that OICI has been contracted by the company to train affected farmers to undertake alternative livelihood projects such as breeding of grasscutters and guinea pigs, manufacturing of tie and dye, soap making, etc. This is to ensure that those who had lost their farmlands have alternative livelihood. According to the Regent of the community about 25 people had been trained.

The investigation team inspected two alternative livelihood projects of grass-cutter and guinea pigs breeding. One Mr William Asiedu, a retired police officer, whose project was inspected, praised Newmont for supporting farmers in the community.

#### **6.3.5. Community Relations**

The community said the company maintain regular consultations with the communities affected by the project. They said apart from the crops compensation committee which has ample representation from the communities, the company holds meetings with the chiefs every 40 days and has regular consultations with sections of communities including the youth.

## 7.0. UPPER EAST REGION

### 7.1. INTRODUCTION

Mining sites visited in the Upper East region present challenges that are significantly different from those obtaining in sites visited in the southern sector, reflecting the different mining environments in the two areas. Mining operations in the upper east are exclusively artisanal. There are no large-scale mining operations, except the Pwalugu quarry, although there are large scale companies with exploration rights in the area. A significant area in the Yale area has been demarcated and designated exclusively small scale mining zone. Apart from this area, there are sprawling sites of illegal artisanal mining activities in almost all the districts in the region. Some of these illegal miners, such as those at Kadema, are operating in areas where large scale companies have exploration rights. Investigations in the regions were limited to the Yale and Kadema artisanal mining sites.

### 7.2. YALE

The Yale area has evolved into a complete rural settlement with an estimated population of over 20,000 people. The area was originally worked by illegal small scale miners until the Minerals Commission demarcated and zoned it exclusively for small scale mining. The Commission has demarcated the area into six concessions. These concessions have been duly registered and the occupants now working as legalized small-scale miners in six cooperatives. There are some peculiar names that need some explanation. Mining in the area was started miners who used to operate in various locations in southern Ghana.



Pic: Yale, Mining Site

These miners occupied specific zones of the gold bearing reef and gave their operational areas names that have connotations reflecting the richness of the area reminiscent to traditional mining areas such as Tarkwa and Obuasi, in the southern areas, where the initial pit owners came from.

Consequently the six mining zones in Yale are named "Accra", Degaare "Tarkwa", "Obuasi" "World Bank", "Bantama", and "K ejetia". The range of issues that came out during the field investigations are discussed below.

### **7.2.1. Water and Water Source**

The Yale community has no access to potable water. They rely on water from a stream that traverses the community. However, the wholesomeness of the stream water is suspect. The same stream used to process the gold ore, largely using mercury, is also used for domestic purposes. The community is aware that the streams are polluted. Registered Miners and some community dwellers said they use the pits as their source of water for processing ore, household chores and for drinking. Others said they buy water for household chores and drinking but use the water from pits for washing. That people often bath and even defecate into these streams, while some miners process ore directly in the stream with mercury.

The Programme Officer of the Environmental Protection Agency (EPA) confirmed that there is intense pressure on the Yale stream, a tributary of the White Volta. The Programme Officer said that in 2006, the EPA conducted water quality analysis in water bodies in the area. According to the programmes office the test results showed that all water bodies in the area are polluted. He attributed the pollution to the mining activities.

Apart from the quality of the water, the stream often dries up during the long dry season. Women, in focus group discussions disclosed that a borehole has been provided by a church, however, it is broken down and the community could not afford the parts to repair it and it has remained unserviceable.

### **7.2.2. Health and Related Issues**

According the community the Yale area has no health facility, although women in focus group discussions acknowledged that they have sometimes received health education on HIV/AIDS from health outreach teams from the district health directorate. They said the absence of a health centre is worrying since mining activities are risky and prone to accident. They said that the nearest clinic is at Namolog, about 7 km away. They claim the absence of any reliable means of public transport makes their situation even more precarious. They rely on donkey carts, bicycles, and motorcycles to transport the sick. They said there is a drug store at "Tarkwa", manned by a retired nurse, where they buy medicine to treat minor

ailments.

The residents expressed fears that polluted water, dust generated by the pounding of ore, the use of mercury in the mining activities and mosquitoes infested pools of water generated by mining activities are possible health hazards facing the community.

Pit owners and miners in focus group discussions, said they have serious health and safety concerns. According to them safety working gear is supposed to be provided by concession owners but these are never provided. Thus, the miners do not use protective gear. They claim they experienced frequent heart pains as well as TB as a result of the mining activity.

The women said people often complain of chest and body pains, cough and catarrh. A woman who was pregnant said she had been advised by the Doctor to stop sieving “shanking” but she claimed she could not stop because that is her only source of income. The women said some of them have been diagnosed of tuberculosis as a result of the dust they inhale from pounding and sieving of the ore. This, according to them has been confirmed by doctors.

They claim one woman had had to send her old aged mother home because she had been diagnosed of tuberculosis due to the polluted air. That the doctor had advised that she moves out of the site. Another had to abandon mining because she had also been diagnosed of TB. She had to stop the sieving work and look for a new job based on the advice of a doctor. According these women, the dust they inhale makes them sick and at times makes them unable to sleep in the night.

### **7.2.3. Safety and Security**

The pit owners contend there are no serious security problems. There are no police interference in their operations. They only send cases to the police but these cases are mainly about people who steal ore. The Communities did not have any security problem until recently when Police and Military were posted to one community, the “Accra” site. This followed a conflict between two mining groups. The Regional Security Committee (REGSEC) caused to be stationed some security persons (soldiers and police) in the area. They have since left.

According to the miners interviewed when the police/military were there they harassed a few civilians and confiscated gold from miners. They also collected fees from civilians who went beyond the barrier that they erected.

The women noted that when the Police/military were there, smoking of Indian hemp reduced drastically, wife and women beating by men and creditors also stopped.

The Community said they enjoy relative peace but occasionally the police are invited in cases of assault and battery. Disputes occur between concession owners and their workers and between concession owners and illegal miners who dig haphazardly.

Generally, it was observed that there was cordial relation between the police and the miners. The police do not harass the members of the community. They rather report cases to the police. The communities, however, did not have a Police Station and have to travel a long distance to get to a Police Station. There was therefore the need for a police station to be located in the area.

The community needs a Police Station and the presence of the police to help them solve problems. According to the Pit owners some people sometimes come from outside to steal from them. They therefore need a police station in the community to protect their Pits and the whole community. In spite of the absence of the Police Station in the community, the police came to their aid anytime they called on them.

The Police team is normally called in at the request of the District Security, anytime there is a security threat on the mining sites. The DCE usually makes the request for police presence in such cases.

According to the police, so far, there has only been one incident which involved two miners; one using a water pumping machine and pumping water onto the other's concession. The case was taken to court but later settled out of court. There had also been reports of assault and fraud which had also been settled.

There had been only one complaint of a miner harassing people with a gun which they realized had an expired license. He was cautioned and asked to renew the license immediately.

#### **7.2.4. Compensation Issues**

The area does not have any large scale mining activities, therefore, compensation issues which are commonly found in areas with large-scale mining operations were not found in Yale. The community explained that the Yale area was abandoned by its former residents more five decades ago due to the menace of similian fly.

It was only re-established as a result of the mining boom. Their major landlord is the chief of the area who represents the chief of Gbane, custodians of the land. Concession owners said they have no problems with the land owners. Landowners receive some payment in the form of ore. This was confirmed by the chief of the community.

### 7.2.5. Illegal Artisanal Mining (Galamsey)

Despite the efforts at regularization of the operations of miners in the Yale area, illegal mining is still pervasive, and poses a big challenge to both registered miners and the Minerals Commission. According to the District Mining Officer, one main problem facing the Mineral's Commission is the activities of these illegal miners. However, efforts are being made to solve the problem through a number of innovative approaches. He disclosed that whenever illegal miners are encountered, they are approached in a friendly manner and advised to stop their activities and encouraged to go through the due processes to regularize their operations, without the use of force. He cited the peaceful eviction of illegal miners from Tilli, an area in the Bawku West district, to buttress his point. He said officials of the Minerals Commission, together with the police, managed to drive out illegal miners from the site without any police excesses.

The concessionaires and pit owners said they have problems with unregistered miners. They claim these unregistered miners usually trespass on their concessions and pits and steal their ore.

In focus discussions with illegal miners, they claim they are desirous of changing their status to regularized miners, however, financial constraints and what they described as cumbersome and expensive registration procedures imposed by the Minerals Commission and the Environmental Protection Agency are the major stumbling blocks to their regularization. They described the process of licensing and renewal as very frustrating as they are required to follow-up to Accra a number of times to ensure processing of their applications. They claimed that the amount of Gh¢1000, (¢10 million), required for registration, is far beyond their means. In addition to this direct cost they complained: *"one is expected to carry out a survey of the concession which costs an additional GH¢2000 ((¢20 million)"*. They recommended either a decrease in the lump sum of Gh¢1000 or payment by instalment.

Some registered miners also deplored the cumbersome and expensive registration and renewable procedures. In focus group discussions, a registered mining group at the "Accra" site, said their license expired in 2000 and they started the process to renew it in 2001, which process was still on-going at the time of the investigation. They recommended decentralizing the licensing process to the regions. They also complained that the five years life of the license is too short and should be extended.

Another complaint from illegal miners interviewed, is that the Minerals Commission has given out almost all gold rich lands to other miners leaving them with 'nothing' to apply for. They argue that the Commission's decision to brand them illegal miners, just because they do not have the financial means to register as small

scale miners is unfair. They further argue that they were mining together with their now registered colleagues from the start of mining in the area.

#### **7.2.5. Discrimination against Non-indigenes**

Investigations suggest that there is strong sense of feeling among non-indigenes that they are being discriminated against and sometimes harassed by people who consider themselves native to the place. At the "Takwa" site, some owners said that though they are also owners of concessions, they were often discriminated against and constantly harassed by their colleagues who consider them as aliens. They said their colleagues usually go to fill their pits with waste rock whenever they retired at the close of work. Two other pit owners at "Kajetia" also complained that they were being cheated because they don't hail from the area.

They claim that they are part of the cooperative owning the concession at "Kajetia" but the leader of the team does not recognise them as such. Both groups said they had taken their cases to the MC but no action had yet been taken. The District Mining Officer confirmed that those cases had been brought to their attention and they were making efforts to resolve them. The EPA Programmes Officer also highlighted conflicts between concessionaires and indigenes who believe they have a first right to the land and could mine anywhere. He thereby confirmed discrimination against non indigenes in the communities.

#### **7.2.6. Relations among Key Groups**

A fairly structured hierarchy of participants were found to exist at the study sites; from buyers through concession owners, ghetto or pit owners, miners, women and children providing some form of support services such water, food, pounding, transporting ore etc. Generally the relationship among the actors can be described as harmonious. However, in focus group discussions, some actors felt they were not getting the best from their superiors.

Some ghetto or pit owners and miners said they sometimes have problems with concession owners. They explained that concession owners are supposed to provide mining equipment and related logistics for the ghetto or pit owners. However the inability of the concession owners to provide these resources is a major problem. As a result of the lack of equipment such as explosives, water pumps and compressors for drilling, pit owners use man power to dewater the pits, and break the rock with chisels. This has resulted in very low efficiency and productivity.

Apart from the inability of the concession owners to provide mining equipment there are no major problems between the two groups. There are clear production sharing agreements between the pit owners and the owners of the concessions. Two types of sharing agreements exist:



- a) Production may be divided into three equal parts: i. one for the pit owner, ii, workers and for the recovery of expenses incurred for use of mining equipment such as pumps and iii, for the concession owner.
- b) The second option is that the production may be divided into two: one for the pit owner and the other for the concession owner.

The Concession owners, pit owners and miners said that relations between them and the buyers are cordial. "We are fully informed on world market price for gold just as the buyers so they can't cheat us", they emphasized.

Some of the people claim they have problems with buyers who sometimes pre-finance their work. Often the buyers pre-finance them but because of the problems of lack of equipment to drain water from their flooded pits, they usually find it difficult to get the gold for the buyers. They expressed optimism that when the new equipment is installed they would have to enter into a different agreement with buyers to ensure harmony.

#### **7.2.7. Child Labour in Mining**

Child labour is a noted problem in small scale mining globally and exists in several illegal small scale mining sites in Ghana. The team therefore, found it prudent to investigate the involvement of children in mining activities in the area.

Community members were unwilling to acknowledge that there are children involved in mining. Those who admitted that children are involved in mining were quick to add: "there used to be children engaged in the mining, but through warnings and education from the assembly and other persons about the negative effects of such a practice, no child goes to the pits to work any more". When the issue of children's involvement in mining was raised with the miners, they claimed that: "when mining started initially, there were school children miners but with the assistance of government authorities, all such children have left the area to go back to school. No child is allowed to work in the area," they insisted.

Some community members in focus group discussion said that there were children engaged in mining activities, but were working independently. At the "Obuasi" camp, women in focus group discussions confirmed that there were a few children, aged from 6 to 16 years in the community who engaged in mining. That children aged from 6 to 12 carry water or sieve milled ore while those above 13 years work with pit owners in the mines. They said many of the parents have "strong excuses", including lack of finance to care of their children in school.

Members of the research team witnessed children involved in active mining, but on their own. In a discussion with these children miners, they gave various reasons

why they were engaged in mining. They said they stopped schooling to mine because they could not afford school fees; buy uniforms and did not have feeding money for school. Others said they dropped out of school as a result of excessive beatings received from their teachers.

The District Mining Officer confirmed that child labour is a major problem in the area. According to him some children in the community engage in mining. Some children from six years old to approximately twelve years often carry water or "shank" i.e. sieve gold bearing sand particles. Those who are thirteen years and above normally work with pit owners. According to him, because their parents are not able to foot their wards' school fees the children resort to mining in order to save some money for their school fees.

#### **7.2.8. Afrikids and Child Labour**

The Country Director of Afrikids, a non governmental organisation working on children issues in the Upper East Region, confirmed that child labour was a major problem in the Yale mining area. He disclosed that these kids were involved in mining activities in the area either voluntarily or involuntarily. The Country Director said that child labour in the mining areas was their major pre-occupation.

He said his organisation is committed to ensuring the provision of improved education for children in mining communities in the area. He disclosed that they are implementing programmes in collaboration with the District Assembly to ensure children in Yale area go back to school. The major problem they had identified, according to him, was the absence of public education facilities in the area.

The Director disclosed that his organisation had a special programme, in collaboration with the International Labour Organization (I.L.O), aimed at completely withdrawing children from mining in the area. That the project which had been on for the past two years had succeeded in withdrawing 150 children in worst forms of child labour in mine sites and had prevented another 450 children within the peripheral communities from entering the mining sites. So far, of the 150 children withdrawn from mining areas, 120 have been drafted into formal schooling. The remaining 30 children have been drafted into vocational training programmes.

The director explained that his organisation had taken up the burden of paying the school fees for 30 of the kids. He said this was an extra burden on the organisation because the programme envisaged that the children would be withdrawn to public schools. However, there were no public schools in the area and some of the kids could not pay the fees charged by the private schools. He disclosed that discussions were far advanced with the Talensi/Nabdam District Assembly and GES

to put up schools. The Assembly had, in principle, agreed to provide the structure for the school, GES would provide teachers, and Afrikids would furnish the school.

He further stated that Afrikids had formed "Scream Clubs", designed to fight child labour. Their main function involved going to the community (10 communities) for awareness creation. District labour committees made up of representatives from various departments and agencies had been formed in collaboration with the Department of Social Welfare to facilitate their work.

The organisation was embarking on awareness creation among the population in the area about the ills of child labour in mining. The country director lamented that good opportunity of educating the miners on the illegality of child labour was lost when the district mining committee presented mining equipment to the committees without the knowledge of the organisation.

According to the country Director, his organisation is employing other innovative methods to keep children away from mining. He said they sponsored eight (8) children to watch Ghana(CAN) 2008 matches at the Tamale Sports Stadium in the Northern region.

The Director further disclosed that the organisation was in the process of instituting a Micro-Credit Loan Scheme to assist parents of the children to access credit. They were also in discussions with the Talensi/Nabdam District Assembly and the District Directorate of the Ghana Education Service (GES) to put up schools in the area.

#### **7.2.9. Provision of Social Services**

The Yale community has been transformed from a mining camp to a rural settlement with diversified livelihood activities - mining, crop and animal farming etc. However, it has not been given serious consideration in the provision of social and infrastructural amenities, especially by Talensi- Nabdam District Assembly. In the light of the limited intervention from the district assembly in the provision of social services to the communities, Non Governmental Organisations (NGO) and other private actors have tried to fill the gap, particularly in the area of education.

- **Educational Facilities**

The area does not have any government supported educational facilities. A church and a private person are providing two primary schools and one day care centre in the area. Because there is no Junior Secondary school in the community, those who go beyond the primary level have to trek to Shega, about 8 kilometres away. The church school is housed in a dilapidated chapel while the one owned by the private individual is housed in a three room mud building. Nevertheless, the community is very appreciative of the efforts by these private actors.



Yale Primary School

A visit by the investigation team to these schools showed that they do not have adequate teachers. Similarly, there is not enough class room space to accommodate all the classes and two or more classes are accommodated in one class room, making teaching less effective.

The community commended these private actors for playing a vital role in the provision of education, a duty they claimed, had been neglected by the District Assembly. Some community members, especially women, however, complained that the fees charged by the private schools are unaffordable. They said the proprietors of these schools charge GH ₵12.50 per term as school fees, GH₵ 3.00 per child for extra classes and a weekly feeding fee of GH ₵0. 50. Parents, according to the women can't afford to send their children to school due to what they describe as exorbitant fees. As a result, many kids are not in school.

The community wished the Assembly could extend the school feeding programme to the primary schools. The community leaders claim they have written to the District Assembly about two years ago to open a school in the community, but have had no favourable response. A teacher at the private school disclosed that the only public assistance the community gets is free text books support to the private schools.

- **Roads**

Members of the community said the Assembly had provided a feeder road to the area, however, not all the mining camp sites can be accessed. They said "Tarkwa" and "Accra" mining sites are inaccessible because the Yale stream has not been bridged. They wished the district assembly could urgently consider building a bridge on the Yale stream to make the two camp sites accessible.

- **Health Facilities**

The area does not have any health facility. The nearest health facility is about 7 (seven) kilometres away.

- **Electricity**

The communities said they are in dire need of electricity in the area. According to them the new equipment supplied to them would not make any impact and they might not even be able to payback the loan if they do not have electricity. They claim that under the current situation they will be using diesel fuel to run the equipment, however, given the cost of fuel, the use of diesel fuel is a costly and unsustainable alternative.

This shows there was absence of effective consultations with the community and feasibility studies in supporting a pilot processing plant and later providing a loan facility to the community. These should have been considered a serious business concerns requiring the input of the target group.

#### **7.2.10. Interventions by Government**

As a major small scale mining centre, it has seen some interventions by the government aimed at improving gold production and sale of gold. Thus this section of the report highlights some of the interventions.

**The Minerals Commission:** The government through the Small-scale Mining District Office of the Minerals Commission at Bolgatanga has embarked on a number of interventions, largely acknowledged by the miners, aimed at boosting production of gold. These interventions include, moving their status from illegal miners to legal miners by facilitating the regularization of their operations, the construction of a pilot ore processing plant, provision of mining equipment and some education on safe mining techniques, health and safety practices and environmental management.

On the whole, the miners recognized and appreciate government efforts at improving their lot and generally acknowledged that the Minerals Commission, represented by the Small-scale mining district office pays regular visits to the mine site and that the relation between the miners and Commission are cordial. The community said the Commission has facilitated the establishment of pilot ore processing plant, which is now defunct, carried out geological mapping and resource evaluation and demarcated areas of rich gold resources for them and facilitated the regulation of their operations. In addition, they said the Commission has also recently facilitated the acquisition of a loan for mining equipment for them.

The Community however, said there were still many challenges facing miners in the area that needed to be urgently addressed. Some community members had specific complaints about the processing plant and the loan for the mining equipment.

**Pilot Processing Plant:** According to members of the community, a pilot ore processing plant was set up by government and the Bolgatanga District Assembly before the Talensi/Nabdam district Assembly was carved out, in the area. This was part of efforts to ensure that the ore material is efficiently processed and also to address the issue of haphazard processing of ore materials in communities, sometimes using grinding mills and water bodies used for domestic purposes, with adverse health implications. The plant was envisaged as a custom facility, that is, it was meant to process ore from the miners for a fee. The plant was located at the “Accra” site for the benefit of the entire Yale community. It was under the management of Geological Management Consultants Limited (GEOMAN Consult Ltd). The plant is currently not operational, and the miners claim that it has been out of operations for more than six years.

The miners have attributed the failure of the pilot project to a number of problems. They claim the project lacked transparency, and was designed and implemented without active involvement of the miners. The miners allege that the plant has been mismanaged by GEOMAN and abandoned. That GEOMAN even cannibalized parts of the plant and sent them away.

Commenting further on the plant, the miners said it was set up to process the miners’ ore, mainly hard rock, but GEOMAN failed to encourage this but rather had an alternative arrangement with female miners who supplied the plant with alluvial material to process. However, when GEOMAN eventually discovered the source of the alluvial material they intentionally hiked the processing fee to displace and began to cart the material by themselves.

Some of the miners claimed they were trained to work in the plant and eventually to take over the operations, but this never materialized before the plant was abandoned. Some of them claimed they were duly employed and that GEOMAN owes them unpaid salaries for over 12 months. Some produced employment letters to support their case. They further alleged that proceeds of the operations of the plant amounting to Gh¢4700 (¢47 million) that was lodged in an account at the Bolgatanga District Assembly cannot be traced. They insisted that a project vehicle (pick up) was taken to the assembly.

They wished the Commission could help to locate the cannibalized parts and to get the plant working again for the community. They also wished the Commission could help them recover their unpaid salaries.



When the District Mining Officer of the Small-scale mining department of the Minerals Commission was asked to comment on the pilot processing plant and the allegations made by the miners, he said he could not speak from a very informed position. He explained that he was barely one year old in the office. He however, disclosed that a copy of the aid memoir pertaining to the project, which might contain the project details, could be obtained from GEOMAN Consul.

Several issues can be raised with respect to the relations between GEOMAN and the miners. Our understanding is that they were consultants, but from what the communities alleged, it means they were engaged in mining activities. The question is whether they had any mining lease or any title to mine. GEOMAN possibly undertook some mining activity without licence, the collection of alluvial material was therefore an illegal mining activity.

**Geological Mapping Services:** The community said the Minerals Commission has mapped, evaluated and demarcated areas with ore reserves at the various sites. They said the exercise was useful as it identified rich ore reefs and estimated the gold content in these reefs at the various sites. The delimitation of these reefs has been welcome by the miners as very positive. They however, claim that though the area has enough gold resources, the lack of mining and processing equipment is hampering productivity. They claimed all the pits had flooded and they needed water pumps to drain them.

**Loan Facility for Mining equipment:** The community said government had provided them with some mining equipment with a loan of Gh¢230,000.00 (¢2.3 billion). They said this loan was facilitated by the Minerals Commission. According to the miners all six registered concessions in the Yale site applied through the Minerals Commission for the loan in 2005. However, it was secured only in 2007. That government procured equipment consisting of three sets of integrated water pumping and compressor machine with the money.

They said the three sets of equipment were insufficient for the six mining groups. The distribution of the equipment engendered problems among the miners and officials of the district administration. The manner of distribution left some who did not benefit dissatisfied. Miners from the "Accra" site were particularly embittered that they never benefited, though the Geological Resource Assessment Report of the Yale area shows the "Accra" site to be the richest of all the sites.

The miners of "Accra" allege that the former DCE of Talensi/Nabdam, Mr Tibilbisinab, who was the chairman of the Mining Committee, responsible for distributing the equipment discriminated against them because he perceived the "Accra" community as predominantly loyal to the National Democratic Congress (NDC) party. They expressed unhappiness about the sharing of the equipment, describing it as highly unfair. According to them a Geological report of ore reserves



in the Yale area prepared by the Minerals Commission, which formed the bases for the assistance, shows that the "Accra" and New "Accra" sites are the most endowed. They claimed initially they were allocated part of the equipment but this was later reversed and theirs sent to "Tarkwa" at the instance of the former DCE. They recommend that such assistance should not pass through the DA/DCE, but rather the Minerals Commission or other mining sector institutions to avoid political interference.

Apart from miners from Accra who expressed strong dissatisfaction, the other miners are grateful to the government and the district assembly for the assistance, but wished electricity from the national grid were extended to them to minimize the cost of operating the plants. They said they were required to pay back the loan within 4 years with a 30% interest. The Pit owners wished the period for repayment could be extended because they haven't been working for sometime now. They said they would have equally preferred electricity to the equipment if they had been given the choice.

According to officials of the District Mining Office of the Mineral Commission, the Commission only facilitated the approval of the loan. They said the distribution of the equipment was done by the District Mining Committee. The Committee is made up of the District Chief Executive (Chairman), representative from the Environmental Protection Agency, an Assembly member, the District Mining Officer of Small-Scale Mining Department of the Minerals Commission (member - Secretary), the Mines Inspectorate Division of Minerals Commission, and the Chief of the area. The district mining officer said the committee was established on October 29, 2006.

On the composition of the Mining Committee, the miners lamented that even though they were direct beneficiaries of the equipment, they were not represented on the mining committee. They wished the composition of the Mining Committee could be reviewed to accommodate their representation.

On the accusation of bias levelled against the DCE by miners from "Accra," the district mining officer confirmed that there were problems associated with the distribution of the equipment. He said he had received a petition from the "Accra" mining site against the distribution. He said the initial distribution plan, which originally included "Accra" was changed by the Chair of the Mining Committee. According to the mining officer the new distribution list had "Tarkwa" taking the place of "Accra".

The miners said the three plants were far from adequate for them. They appealed for further assistance from the District assembly in the form of additional plants to enable them pump water out of their mine pits. Some the miners from "Accra" said they had not been doing effective work in the last 11years due to lack of

equipment to pump water from the flooded pits. They claimed were now depending on the rearing of goats for a living.

The communities said they were in dire need of electricity in the area. According to them the new equipment supplied to them would not make any impact and they might not even be able to payback the loan if they did not have electricity. They claimed that under the current situation they would be using diesel fuel to run the equipment, however, given the cost of fuel, the use of diesel fuel was costly and unsustainable. According to them, government through the assembly has undertaken to supply explosives, diesel and other lubricants for 4 months as part of the loan package. The community wished the period is extended beyond the four months.

#### **7.2.11. Interventions by the District Assembly**

The Talensi-Nabdam District Assembly was observed to be equally not as visible as the Minerals Commission. They claim there has been very little involvement of the Assembly in the area until recently. The assembly only has a revenue agent who collects basic rate from the population on commission basis.

The miners complained that they benefit little from the District Assembly. They complained that the Yale area, though now a full fledged big settlement, receives very little support from the Assembly, in terms of social amenities and infrastructure. According to the interviewees, adults in the community pay basic rates to the Assembly, just like any other citizen, yet the community receives no assistance from the DA.

Traders from the "Accra" site, said they were paying tolls on market days to the District Assembly but have boycotted the tolls when their site did not receive the equipment promised under the government loan scheme. The traders requested that the equipment should be supplied to the Community to enable the boys mine more efficiently that will help them expand their trade.

It should be observed that the lack of educational facilities in the Yale area has nothing to do with mining activities. Education of children is the responsibility of the state. It is a compulsory constitutional responsibility. The evidence reveals that but for the activities of the NGOs and the private individual, no education facilities would have been in existence at all. It ought to be understood that lack of education is the foundation of all the conflicts associated with, not only the mining sector, but every activity of the society. There is, therefore, an urgent need for the state to intervene and provide facilities for primary education in the area.

Also, mining activities carry with them serious health hazards. There is added urgency for the provision of health facilities in the area.

### 7.2.12. The Environmental Protection Agency

The work of the EPA at the Yale mining site is not as visible as that of the Minerals Commission. Some of the miners interviewed said the EPA officials have never visited them and they could not tell the exact job of the Agency. However, the majority of the miners said the EPA officials visit to educate them on the adverse environmental impacts of their activities. The EPA, however, visits them less frequently. That the Agency usually advised them to refill mined-out pits and to try to keep out children from active mining areas. The miners, however, admitted that they did not usually refill mined-out pits as directed by the EPA. They claim that most of the pits still have some significant amount of gold, but are flooded due to lack of equipment to pump out the water. They insisted they will return to these pits when they secure water pumping equipment.

According to the EPA Regional Programmes Officer, there are a number of environmental challenges associated with the activities of miners in the area. They include land use problems and pressure on water resources in the area. The miners, according to the officer, destroy forests and economic trees, leading to growing depletion of shea trees, in particular.

It must be noted that shea trees have extra ordinary strength and are cut as props for the pits and deep trenches. It was observed that most pits and trenches in the area all had shea wood as props and also as steps to access the deeper parts of the pits.

The Officer said some indigenes operate illegally on other peoples' concessions with the belief that the land is their property. Such illegal miners do not take responsibility for cleaning their mess. This situation is engendering conflict between concession owners and these illegal miners. The officer said the EPA does not work with illegal miners. He further claimed that although pit owners are supposed to provide places of convenience for their workers they rarely do it.

The officer expressed fears that the recent equipment supplied to the miners would increase mining activities and environmental devastation. He said unfortunately no environmental impact assessment was done to assess possible environmental impacts of the new equipment. He suggested that an environmental impact assessment should be done immediately.

He emphasized the urgent need for the EPA to intensify public education to protect the environment and ensure that mining pits not in use were covered.

### **7.3. KADEMA**

The Kadema mining camp site is in the Builsa District of the Upper East Region. The camp is operated by unregistered miners. It is a fairly new camp, established barely two years ago (2006). According to the District Mining Officer, this new mining area is the property of a large-scale exploration company. He disclosed that RANDGOLD has acquired the right to explore in the area. Therefore, the small scale miners are encroachers.

The EPA Programmes Officer explained that the agency considers the operations of the miners at Kadema illegal, and since they do not deal with illegal miners they have not visited the area.

The District Mining Office of the Minerals Commission had already visited the area once but, said they are reluctant to encourage regularisation of the miners because they are currently considered encroachers.

#### **7.3.1. Safety and Security**

Investigations show that there are some security concerns at Kadema, compared to Yale, largely because the operations there are considered illegal. According to the miners, they have problems with the Builsa District Assembly as they were said to be operating illegally. They often got false alarms about impending “raids” by the police. Such false alarms often resulted in people abandoning their pits and running away. Others taking advantage of the situation stole stored ore from their pits and rendered the pits unsafe to work on.

#### **7.3.2. Child Labour**

Children were sited pounding some ore, but when confronted they said they were working on their own. The miners claim they do not entertain children in their pits and normally drive them away anytime children came around.

## 8.0. CONCLUSIONS AND RECOMMENDATIONS

### 8.1. GENERAL

Discussions with strategic sections of mining communities including traditional rulers, women's groups, farmers, small scale miners and the youth allowed the team of investigators to explore issues in considerable depths. Consultations with key mining sector governmental institutions and mining companies also allowed the companies and institutions to respond to issues raised by community representatives, and comment on evidence gathered by the investigators.

The results show that there is evidence of widespread violations of human rights of individual members of communities and communities' collective rights in some mining areas in the country. Some of these identified violations have been profiled for possible thorough follow-up investigations.

The Commission obtained sufficient evidence to conclude that there has been widespread pollution of communities' water sources, deprivation and loss of livelihoods. Several allegations of excesses by security agencies and the security contractors of the mining companies were documented. Some of these excesses were of a serious and grievous nature<sup>3</sup>.

The Commission received numerous complaints including complaints relating to inadequate compensation payment for destroyed properties – crops and houses-; disaffection with alternative livelihood projects, absence of effective channels of communications/consultations between companies and communities, excesses against galamseys, health problems, spillage of cyanide. Unfulfilled promises of employment were also recorded.

The communities alleged that they do not derive any direct economic benefits from the mining activities in their communities. Specifically with regards to royalty payments, some communities expressed total lack of knowledge of any payment of royalty to them while others said the disbursement process is non-transparent and benefits only the chiefs. Some communities, chiefs and mining companies also complained about irregularities in the disbursement of royalty by the district assemblies and some chiefs.

There have been commendable efforts by some mining companies to address some of the problems identified. Some mining companies have provided alternative sources of water for polluted or destroyed ones, established community relations departments to handle grievances of communities, particularly those relating to

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<sup>3</sup> At the time of the visit to Teberebe, AGA sent a vehicle Reg. No. GE 8430 X to convey Baidoo to Takoradi (hospital) for treatment. He was allegedly shot during a community demonstration. The investigators were informed that AGA takes the medical bills. It does not provide any other assistance to Baidoo.

compensation for destroyed property and the planning of community development projects. Some companies are undertaking specific projects, such as the malaria control programmes to address specific health concerns of communities.

The nature and degree of abuses of fundamental human rights and freedoms vary in scale based on a variety of considerations: the specific company operating in the area; the stage of mining activities, proximity of community to mining and processing facilities, the mining culture of the local population; whether one is dealing with large scale or small-scale mining.

The most serious complaints of abuses came from communities within the operational areas of companies with long history of mining and least in those at mine development phase. While brutalities against individuals and issues of deprivation of livelihoods are more endemic with large-scale mining, child labour is absent in these mines but very endemic in small-scale mining areas. Complaints of human rights violations were more prevalent in communities affected by AGA operations in Obuasi and Golden Star Resource operations in Prestea and Dumasi. In many of these cases the violations are against alleged galamseys encroaching upon concessions of these companies.

Investigations show that state institutions with regulatory and monitoring responsibility for the mining sector have not performed optimally due to capacity constraints. The EPA, for instance, has amply demonstrated lack of capacity, in terms of human and financial resources to hold mining companies accountable for their environmental stewardship, as required by law. This lack of capacity has been demonstrated in the increasing record numbers of reported cases of cyanide spillages from a number of mining companies, polluted community water sources, threat to communities' health by inappropriate siting of mine waste facilities and uncovered mine pits and trenches. Communities have expressed little confidence in the ability of the agency, in particular to protect their environment against the activities of miners.

The study results show that both mining companies and communities recognise the importance of effective channels of communication between them as an effective means of resolving differences and preventing the escalation of conflicts. However, in many cases, these communications or conduits of consultations are lacking or weak. There is an urgent need to strengthen these communication channels. One notable exception is the case of Newmont (Akyem) and the communities impacted by its project. Here, communities largely appreciated the level of consultations between them and the company.

## **8.2. WATER AND WATER SOURCES**

Access to water is a problem in many communities. Many rivers and streams,

which hitherto served as sources of water for the communities have dried up, been polluted, destroyed due to mining activities or diverted for company use.

Widespread complaints of destruction of streams and water bodies traditionally relied upon by communities were commonplace.

Almost all communities visited named several rivers and streams that have been destroyed by companies undertaking large scale mining in their localities. The investigators found a total of 82 of such streams and rivers have either dried up, polluted, destroyed or diverted for company use. The largest number of rivers and streams named as destroyed were from Obuasi, 50 and Wassa, 26. (see Table 3)

Table 3: Rivers and Streams destroyed/Polluted/dried up

<b>S/No</b>	<b>Area</b>	<b>No. of Streams/rivers Reported as affected</b>
1	Obuasi	50
2	Wassa	26
3	Bibiani	3
4	Ahafo/Tepa	2
5	New Abirem	-
6	Yale	1
	Total	82

Companies provided alternative sources of water for some communities: stand pipes; boreholes; and hand-dug wells'. In many of such situations, the maintenance or replacement of the facilities is left to the communities, who due to lack of financial resources are often not able to do so. It was observed that some of these alternative water sources were dysfunctional at the time of the team's visit.

Apart from the malfunctioning of some of the water facilities, communities complained that water from some of the facilities was unsafe for drinking as it had foul smell or had impurities. In Dokyiwa and Binsere for instance, some boreholes were observed to have been abandoned due to the communities' perception that the water from the boreholes provided is unwholesome. In such situations, some communities reverted to the use of the polluted water bodies.

If a facility is provided as a replacement for destroyed or polluted sources of water for the communities, the company has an obligation to maintain them regularly to ensure that communities have continued access to potable water.

Indeed, tests of water sampled from water sources in 22 out of 28 mining communities show that, at least, two water quality parameters, with health



implications, were present and in concentrations significantly higher than the WHO maximum allowable limits for drinking water.

The water quality data has been synthesised, summarising results from communities with at least two water quality parameters, with health implications, when present in water in concentrations significantly higher than the WHO maximum allowable limits in drinking water (Table 4). Communities with water sources with less than two parameters higher than the allowable limits have been excluded from this list. Similarly, measured water quality parameters that are below or within the WHO limits are also excluded from this table.

Table 4: Water Quality Analysis<sup>4</sup>

	Turbidity	Silica	Iron	Manganese	Cadmium	Nickel	Lead	Zinc
<b>Obuasi Area</b>								
Binsere	190.00	19.36	10.785	0.203	0.021	0.318	0.024	0.737
Sansu	15.01	18.36	1.892	0.495	0.001	0.061	b/d	0.700
Kwawia	22.51	31.96	3.227	0.902	0.001	0.100	b/d	0.752
Ponko	6.520	17.76	0.870	0.100	0.015	0.036	b/d	0.881
Ayinam								
Nsaka	50.600	24.06	60.600	0.458	0.008	2.170	0.025	0.581
Odumasi Kao	10.09	14.16	2.242	1.771	0.006	0.090	b/d	1.00
Dokyiwaa	35.83	17.76	2.265	2.531	0.007	0.060	b/d	0.477
<b>WHO Limits</b>	<b>5.00</b>	<b>30.00</b>	<b>0.30</b>	<b>0.40</b>	<b>0.005</b>	<b>0.02</b>	<b>0.01</b>	<b>5.0</b>
<b>Prestea-Tarkwa</b>								
Abekaase	21.82	18.36	3.907	0.154	b/d	0.112	b/d	0.04
Nkraka								
Huniso River	6.96	14.16	10.695	0.326	0.015	0.296	b/d	0.021
Hemang River	0.12	14.16	10.695	0.325	0.015	0.296	b/d	0.021
Hemang (BH)	1.8	65.56	0.608	0.102	b/d	0.022	0.001	0.011
Prestea River	4.82	14.16	2.60	0.017	b/d	0.017	b/d	0.021
Teberibie	3.05	17.11	2.059	0.047	b/d	0.059	b/d	0.064
River								
Teberibie (BH)	0.042	30.96	0.436	0.086	b/d	0.019	0.001	0.025
Huniso (BH)	0.95	9.26	0.176	0.982	b/d	0.019	0.02	0.082
<b>WHO Limits</b>	<b>5.00</b>	<b>30.00</b>	<b>0.30</b>	<b>0.40</b>	<b>0.005</b>	<b>0.02</b>	<b>0.01</b>	<b>5.0</b>
<b>Bibiani Area</b>								
Akoti 8 (Well)	17.44	47.00	0.855	0.011	b/d	0.031	0.001	0.018
Akoti (BH)	0.00	0.09	3.204	0.545	b/d	0.101	0.002	7.622

<sup>4</sup> Concentration of select water quality parameters in selected communities significantly impacted by, at least, two of the parameters (all in mg/L, except Turbidity (NTU)).

Akoti Sor Stream	208.00	21.80	5.335	4.834	b/d	0.163	0.012	6.846
Abease Stream	5.62	40.0	0.317	0.547	b/d	0.057	0.007	27.860
Old Town Lake	46.52	10.40	1.560	0.182	0.001	0.049	0.007	0.007
Donkotolineso (BH)	4.97	40.80	0.449	0.039	b/d	0.021	b/d	8.644
Akoti Asutonton	9.18	13.80	2.344	0.100	b/d	0.063	0.004	0.012

**Obuasi Area:** Nearly all water bodies sampled in the Obuasi area had at least two measured parameters with augmented concentrations relative to the WHO maximum limit for such substances. Streams at Binsere, Sansu, Kwawia, Ponkom Ayinam, Odumasi Kao, and Dokyiwaa have high concentration of four to six measured parameters above the WHO limit. In some of these water bodies, the concentration of some of the parameters is more than hundred times the WHO guide values.

At Binsere, turbidity of the stream sample was 190mg/L, more than fifty times the WHO maximum limit of 5 mg/L, iron (10.785mg/L), nearly thirty times the maximum limit, cadmium (0.21mg/L) was more than three hundred times the guide limit of 0.005mg/L, nickel (0.318mg/L) more than fifteen times the permissible limit, and lead (0.024mg/L), more than double the permissible limit. Concentration of similar parameters in stream samples from Sansu, Kwawia, Ponkom Ayinam, Nsaka, Odumasi Kao and Dokyiwaa also exhibited similar trends as those discussed for Binsere (Table 4).

**Prestea -Tarkwa Area:** In the Prestea- Tarkwa area, eight water sources including three boreholes had elevated levels of, at least, two water quality parameters above the maximum allowable limits. A borehole at Huniso recorded concentrations of lead and manganese higher than WHO maximum allowable limits, another borehole at Teberibe recorded high concentrations of silica and iron, while the third borehole at Hemang had high silica and iron, relative to WHO maximum allowable limits for these parameters. Five streams in the area: Huniso, Abekaase, Prestea, Hemang, and Teberibie have at least two measured parameters above the WHO guide values (Table 1).

**Bibiani Area:** In the Bibiani area, samples from nine water sources were observed to have water quality parameters with levels above the WHO maximum allowable limits. Water sample from a well at Akoti 8 contained high levels of silica (47mg/L), iron (0.855mg/L) and nickel (0.031mg/L) as against the WHO allowable maximum values of 30mg/L, 0.3mg/L, and 0.02mg/L respectively.

Stream water sample from Akoti-Asutonton also recorded high levels of iron (2.344 mg/L) and nickel (0.063mg/L), while another stream water sample from Akoti-kolia had high silica (74mg/L). A borehole at Akoti had five water quality parameters namely silica (34.6mg/L), iron (3.204mg/L), manganese (0.545mg/l), nickel (0.101mg/L) and zinc (7.622mg/L). The Abease stream had high turbidity (5.62mg/L), silica (40mg/L), iron (0.317mg/L), manganese (0.547mg/L), nickel (0.057mg/L) and zinc (27.860mg/L).

Stream water sample from Akoti- Srar, particularly, had very high amounts of turbidity, iron, manganese, nickel and zinc with concentrations 2 to more than 10 times the maximum allowable limits, while a borehole at Donkotolineso-Amramra had higher than WHO maximum allowable concentrations of silica, iron and zinc. There is the need for a thorough investigation of all water bodies impacted by mining by the Water Resources Commission and the EPA so as to identify highly polluted ones for possible clean up and also to keep populations away from such polluted water bodies. The communities should in such cases be provided with alternative sustainable water sources.

Specifically, water bodies which were found to be polluted as a result of the activities of some mining companies should be cleaned immediately by the affected companies. Particularly, the eight water bodies from the Obuasi area, nine and eight water bodies from the Bibiani and Prestea-Tarkwa areas, respectively (see Table 4 for the details of the water bodies) should be cleaned up immediately.

The EPA and the Water Resources Commission should work closely with mining companies to minimise the diversion, disruption and pollution of water bodies in their operational areas, including small scale miners.

### **8.3. BLASTING EFFECT, NOISE, DUST AND CHEMICAL POLLUTION**

Widespread complaints about dust and noise pollution from mining activities resonated in many communities. There were complaints that most companies do not take dust suppression measures seriously and often limited sprinkling to areas where they have active operations. At Sansu, an AGA sprinkler waters their immediate surroundings only, in order to reduce the dust pollution, leaving out the community.

It was clear that some communities were bearing considerable negative brunt of the mining activities of some companies. In some cases, some of these affected communities have appealed to the companies for resettlement or relocation. Communities such as Binsere and Dokyiwa, who feel disturbed by the stench from cyanide pond located very close to them, and other communities like Anyinam and Anwiam, located within active mining areas have indicated that they would like to

be resettled to escape noise and dust pollution.

From the evidence gathered during the visit, primary school pupils at Anyinam, Obuasi faced excessive noise pollution from mining activities. The company in collaboration with the EPA should by now have established whether, indeed, there was excessive noise pollution affecting the primary school for a final decision to be made concerning relocation of the school.

Blasting activities of mining companies have damaged many houses in Obuasi and Prestea. Village community dwellers cannot constantly repair and/ or re-plaster their cracked buildings at their own expense. Complaints of cracked buildings should thoroughly be investigated by joint committees established by the companies and communities with a view to establishing the genuineness of these claims and providing appropriate and satisfactory remedies to house owners who unduly suffer the consequences of blasting in the mining areas.

The Commission urges GSR to adequately compensate the family of Joyce Oboako who was incapacitated owing to a blasting activity by the mining company in 2002. The Commission notes with satisfaction, the fact that the company has already repaired the cracked walls of the damaged house where the infant was when the accident occurred.

To have meaning, the right to a healthy environment in mining communities, would require an urgent need of substantive environmental standards to regularise activities of companies undertaking large scale surface mining that causes pollution and environmental degradation, as well as activities of small scale mining that also pollute rivers and degrade the environment.

The identification of national level benchmarks against which the realisation of contract obligations of companies and artisanal mining cooperatives can be measured is highly recommended.

Mining Companies must pay fully for the environmental costs of their operations. They should post adequate performance bonds against reclamation and necessary post closure pollution. Inadequate stringent mining and environmental regulations coupled with the absence of strict enforcement of existing regulations, have left mining communities like Binsere saddled with huge open pits and polluted environment that threaten their very existence.

It is the view of the Commission that it is easier to enforce action against a company for violating environmental regulations when it is in operation. It is however, difficult to pursue a company especially a foreign multinational that has closed a mine site and left or declared bankruptcy. In such cases, reclamation would become the burden of the Ghanaian tax payer.

The Commission recommends strongly that the arrangement whereby the cost of environmental clean-ups is fully borne by the mining companies should be strictly enforced.

Penalties for failure to pay compensations to communities and individuals adversely affected by bad environmental practices by mining companies must be introduced and strictly enforced.

The Commission strongly advises the EPA to enforce the standards and guidelines relating to the operations of Small Scale Miners whose activities also cause serious environmental pollution.

The constraints of the study did not allow the Commission to derive any benefits from our neighbouring West African countries, namely Burkina Faso and Mali where such small scale mining is done. The Commission recommends that the EPA should seek help if necessary from countries that have successfully regulated the activities of their indigenous miners.

#### **8.4. HEALTH AND RELATED ISSUES**

Most mining communities visited attributed a variety of health problems prevalent in their environment to mining activities. At Obuasi medical officers at the AGA, Bryant Mission and Obuasi Government medical facilities acknowledged that some of the diseases prevalent in communities in the periphery of the mine could, in part be attributable to mining.

Common diseases suffered by community dwellers are skin diseases, chest diseases including TB, diarrhoea and malaria, as well as typhoid. Communities very close to centres of mining activities like Anyinam claim air pollution makes them experience dizziness and headache.

Mining communities in Akatakyieso, Binsere and Dokyiwaa complained of the prevalence of mosquitoes in their communities due to stagnant water in abandoned pits and trenches dug by the mining company.

The communities may have a legitimate claim that the water borne diseases they suffer are caused by the bad quality of water after their rivers and streams are destroyed by large scale surface mining operators of the mining companies. For instance, the people of Abekoase in the Western region complained of episodes of cyanide spillage which polluted their main source of water and contaminated fish in the river.

The Commission recommends further testing of fruit, fish and bush meat samples from Obuasi, in order to ascertain whether chemicals used in mining are present in

them.

The Commission also urges Government and the Ministry of Health to urgently assess the overall health needs of rural communities, especially mining communities with a view to providing health care to these communities in the most efficient manner.

## 8.5. SAFETY AND SECURITY

Mining companies maintain private security personnel to protect their concessions and property from encroachers/trespassers. Apart from the private security of the companies, all the mining companies, with the assistance of the Government, periodically deploy state security personnel, especially police and military, to protect their property/concessions.

Almost all the companies operating in the communities visited, including, AngloGold Ashanti, AGL, CAGGL, Chirano and BGL have established permanent posts in their concessions for the military, the police or both. The Military/Police operate from the post thus established by the companies on rotation bases.

From the information gathered, periodic exercises carried out by the Police/military code named "Operation Flush Out" lead to gross human rights abuses during these operations to "flush out" galamsey operators.

Security issues raised by the communities, include the continuing incidents of police and military excesses, attacks by vicious dogs, perceptions of bias against communities in favour of mining companies when reports are made to security agencies by mining companies, the seeming inability of the state to protect those living in mining communities, the rationality of the deployment of state security in mines and indiscriminate harassment of innocent community members. As a consequence, there was mistrust and scepticism about the ability of the security agencies to protect the communities in mining areas.

Of the 12 communities visited in the Obuasi area, respondents in eight communities gave evidence of various police/military and AGA security atrocities. The communities informed the Commission that wherever there was an arrest of a suspected galamseyer, the security *"will brutalise you at the point of arrest, then they will abandon you there and you may die"*.

Respondents in three communities-Akatakyeso, Aduaneyede and Boadi- did not complain of any atrocities/brutalities committed against them by security personnel (Table 5)

Table 5: Safety &amp; Security Concerns Reported in the Obuasi Area

S/No	Community	Security Problems	Security Problems
1.	Anyinam		yes
2.	Sansu		yes
3.	Binsere		yes
4.	Dokyiwa		yes
5.	Akatakyeso	no	
6.	Amamom		yes
7.	Odumase/Aduaneyede	no	
8.	Anwiam		yes
9.	Aha So Nye Wo Dia		yes
10.	Diewuoso		yes
11.	Buadi	no	

AGA has a police post within their concession, which is operated by police personnel from Kumasi who serve there on shift. Furthermore, AGA runs a charge office and a reception where suspects are initially kept before being handed over to the police for prosecution.

The nature of the brutalities/atrocities encountered by the eight communities varied from community to community but the most common were:

- Torture and other cruel and inhuman or degrading treatment;
- Use of guard dogs, which maul or kill trespassers;
- Indiscriminate harassment and intimidation of community members;
- Molestation of arrested illegal miners; and
- Battery.

The Commission's investigators were told of the arrest of five men in February 2007, suspected to have been engaged in galamsey activities. This was during an operation ("Operation Flush Out") mounted by the military and police on the instruction of the Ashanti Regional Security Council. The five men were arrested and driven from one community to another and at each community they were terribly beaten before a crowd of onlookers. They were finally brought to Dokyiwa, from where they hailed. They were beaten in the presence of their wives and children. The men were later handed over to the Police at Obuasi, who then referred them to the hospital.

One of the men complained that after the atrocities meted out by the military/police to him, he had lost his manhood. The wife of the person who said



he lost his manhood told the Commission that her husband was among those mercilessly beaten and that after the incident, he could not have an erection despite her efforts. The Obuasi Police admitted that they knew of the arrest but said they were not sure if the men were beaten. The community wondered why the state should be part of such atrocities on citizens by a private company. This complaint is being investigated by the Commission.

The Commission calls upon the security agencies to comply strictly with Article 15 (1) (2) of the 1992 Constitution of Ghana, which provides that:

“The dignity of all persons shall be inviolable.

No person shall, whether or not he is arrested, restricted or detained, be subjected to –

- a. torture or other cruel inhuman or degrading treatment or punishment;
- b. Any other condition that detracts or is likely to detract from his dignity and worth as a human being”.

The UN Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment, which Ghana has ratified, also, calls for punishment not only of the person who actually carries out the act of torture, but also of those who are complicit or participate in the acts.

The Commission calls upon the Government to review the policy of using the military in the mining communities unless the situation is so grave and beyond the control of the police service. If the military is used they should return quickly to the barracks as soon as the operation is over.

There were several other incidents of military personnel making incursions into some communities and brutalizing community members, for example, Anyinam and Sansu.

At Anyinam, the Commission was told of how AGA guard dogs attacked and killed Kwaku Freh and another (Charles) about 4 years ago. The deceased families of Kwaku and Charles were still awaiting the payment of compensation for the loss of their children. There was also an instance where galamsey operators attacked AGA security and police officers detailed to provide security to AGA. On that occasion, Daniel Nsensukpi, a Police Officer, was attacked. He was said to have been airlifted to the 37 military Hospital in Accra for treatment

At Sansu, there were reports of indiscriminate harassment and intimidation of community members by military/Police. A combined team of police and military and AGA’s security personnel with guard dogs, descended on the Sanso community in reaction to a report by the AGA about some missing equipment of the AGA. It was alleged that the security personnel beat up community members

indiscriminately. Four community members were arrested and beaten up by the security before taking them to the police station.

There was no evidence that AGA security personnel possessed arms/weapons during the period of investigation.

Safety and Security concerns in the Wassa Area were serious. Of the 11 communities visited, eight reported having experienced security problems in their communities. Three (New Kyekyewere, Mile 8, and Huniso) did not experience any problems.

Table 6: Safety & Security Concerns Reported in the Wassa Area

S/No	Community	Security Problems	Security Problems
1	Huni Valley		yes
	New Kyekyewere	No	
2	Damang		yes
3	Prestea		yes
4	Heman – Prestea		yes
5	Odumase		yes
6	Teberebie		yes
7	Adayie Junction, ( <b>Mile 8</b> ) Alias Agege	No	
8	Huniso	No	
9	Abekoase		yes
10	Senyakrom (Senso)	-	
11	Tamso	-	yes

The most common concerns raised in the Wassa area were arrests and detention of community members, suppression of lawful demonstrations, allegations of burying galamsey operators alive, and use of lethal weapons during demonstrations, abuse of power, unlawful confiscation of property and money and involvement of military and police on operations in civil matters, simple domestic/family disputes, among others.

Specific incidents recorded include:

- a. In **Wassa Damang**, one person was reported to have died in the company's concession in 2003. The death was alleged to have been caused by the mining company. There has not been any investigation and no explanation has been given to the community.

- b. **At Prestea**, a demonstration organised by the youth on 15<sup>th</sup> June 2005, was suppressed and some demonstrators were shot. One Nasiru Alhassan, 16 years had his fingers disfigured. Nasiru Alhassan, who wanted to become a fitter can no longer realise his ambition since his hand has now been rendered useless.
- c. In September 2006, the military, in an exercise to flush out galamsey operators, covered the pits in which they were working at the time. Two of the four (4) galamsey operators, Samuel Donkor and Patrick Samako, were said to have been covered in those pits. BGL denies this allegation.
- d. On 5<sup>th</sup> December 2006, the youth organised a demonstration to resist the surface mining operations by GSRL. A combined team of police and the military in an attempt to disperse the demonstrators shot and wounded several of them including Mensah Otro Badawee, Ahmed Saloum and Isaac Kofi, who was shot at in the abdomen.
- e. Other Military/Police brutalities reported occurred on 31<sup>st</sup> October 2006. The police set ablaze the structures of people then living at "Four Bungalows" which was occupied mainly by galamsey operators. This brought a clash between the community and the security personnel (a combined team of police and the military). A soldier shot and wounded one M T. Tetteh and three others.
- f. In one instance, farmers carrying farm produce in sacks were chased by mine security personnel and police to verify whether what was being carried by the farmers was "money stone." One farmer who is a brother to a Mr. Seidu was stripped naked by the mine security personnel, who it was alleged, allowed a security dog to use his male organ as a playing toy.

There were reports of abuse of power, corruption and related misconduct of the military and police personnel in the BGL areas. The personnel were alleged to have taken various sums of money from the women and allowed the women to undertake galamsey activities but prevented the men from undertaking galamsey activities. One member put it: *"Even if one is spotted with a shovel in town, the person is pounced upon and beaten mercilessly"*. The personnel were also said to have become debt collectors, who harassed members of the communities.

There were reported instances of attack of police officers by the galamsey operators in line of the duty. An example of such attacks relates to one Constable Michael Ayisi who was allegedly attacked in October, 2005 whilst on duty in Prestea. He had to be air lifted to Accra for treatment.

Other specific attacks recorded were: in December 2002, the Heman–Prestea community clashed with soldiers resulting in the shooting of one Kaya and Kwaku Bimpong and Kofi Apowaa.

Galamsey operators arrested were taken to the BGL office where their statements were taken before being sent to the police for prosecution.

In 2006, soldiers descended on the Odumase community and destroyed fishponds. They allegedly beat up many innocent people in the process.

The military is used most of the time to chase and brutalize galamsey operators. During such a chase a stray bullet hit Akosua Mosuah's son's arm thereby making it difficult for him to do any profitable work.

**Teberebe:** AGA-Iduaprem Mines blocked access road leading to farms of community members without any warning at a time when a new access road was still under construction. The security personnel (police and Military) brutalized and opened fire on those who used the access road, wounding a number of people from the community. Anthony Baidoo was shot in the waist and was being taken care of by the AGA- Iduaprim. Baidoo cannot work. He and his children were being catered for by a brother-in-law .

Another victim of police/Military brutalities was Kennedy Owusu. The bullet that hit Baidoo also hit Kennedy. That same day, others were beaten up mercilessly for using the road. Victims included Cudjoe Agboshie, Nana Kwabena Panin and the Krontihene of Teberebe

Safety and Security in the Bibiani Area was no different. In 2000, two community dwellers were killed when they strayed into the Mine's concessions.

In the same year, one community dweller's home was burnt down by CAGGL security personnel who wielded truncheons and used guard dogs.

One Francis Konteteye (alias AGALI) told the Commission how he was unlawfully arrested and molested by the military on suspicion that he had stolen company property. When it was later established that he did not steal any company property, he was later released.

The investigations revealed that effective consultations between mining companies and/or miners and people living in the communities, eases tension between the two sides. This apparently accounts for the relative calm and absence of serious security and safety concerns in the Asunafo, New Abirem and Yale Areas.

**Yale:** Though there existed cordial relations between the police, the miners and community members at Yale area, there were reports of isolated incidences police/military misconduct.

The Upper East Regional Security Committee (REGSEC) caused to be stationed some security personnel in the Yale area when there arose a conflict between two factions. The police/military harassed a few civilians and confiscated gold from miners. They also collected fees from civilians who went beyond a barrier that they erected.

Despite these incidents, women of the area noted with satisfaction that when the Police/ military were there, smoking of Indian hemp reduced drastically, wife and women beating by men and creditors also stopped. It is recommended that the Yale area be given a permanent police post.

In areas where Newmont operates, only two (2) communities, namely, Kenyasi and Ntotroso complained of minor problems they encountered with Military/Police.

## **8.6. ROYALTIES**

The study also established that communities impacted by mining activities do not directly benefits from mining royalties. In most cases communities did not even know of the existence of the facility. In communities where people expressed knowledge of the facility, they said the chief was the main beneficiary of these funds.

Article 267 (1) vests all stool lands in the appropriate stool on behalf of, and in trust for the subjects of the stool in accordance with customary law and usage.

Sub clause (2) creates an Office of the Administrator of Stool Lands (OASL) with the responsibility for the establishment of:

(a) a stool land account for each stool into which shall be paid all rents, dues, royalties, revenues or other payments;

The OASL is assigned the responsibility of collecting all such rents, dues, and royalties.

Article 267 (6) of the Constitution prescribes how such revenue when collected, should be distributed. It is as follows:

- I. Ten percent (10%) of the revenue accruing from stool land revenue is to be retained by the OASL to cover administration expenses
- II. Twenty percent (20%) to the stool through the traditional authority for the maintenance of the stool in keeping with its status;  
Twenty five percent (25%) to the traditional authority; and

- III. Fifty five percent (55%) to the District Assembly within the area of authority of which the stool lands are situated.

It is clear from the provisions of Article 267 of the Constitution that any revenue derived from royalties paid by concessionaires ought to be collected by the OASL and not by anyone else.

There were complaints by the inhabitants of the mining communities that their chiefs give them little or nothing of royalties paid in respect of their stool lands. Some chiefs also expressed their dissatisfaction with the manner of distribution of royalties to them.

In the view of the Commission, the whole issue of collection and disbursement of royalties should be reviewed with a view to ensuring transparency and making the mining communities derive direct benefits from mining in their communities.

## **8.7. COMPENSATION AND RESETTLEMENT**

Most communities were highly dissatisfied with the compensation paid by mining companies for crops. These complaints were pervasive throughout large scale mining sites but were more topical in areas operated by AGA Obuasi and Newmont Ahafo and Akyem. Community members complained that they received highly inadequate compensation from the companies for destroyed farms and crops. Some community members suggested that no matter how huge the compensation paid it was never beneficial to them and recommended that, instead of taking over the land and paying them once, they should negotiate monthly payment.

They alleged that the process used to determine the value of their crops was unfair. In many cases the community alleged that the company's workers valued the farms affected for compensation. Communities were not adequately consulted in the assessment of the value of their properties. It was further alleged that in some cases companies often destroyed their properties before unilaterally determining how much they should receive. The Minerals and Mining Act provides that companies should negotiate directly with communities on matters regarding compensation. Given the inadequacies of the capabilities of the communities, companies have undue advantage over these communities.

Problems relating to compensation and resettlement would seem to be some of the key challenges in the communities affected by mining activities in Ghana. The issues are complicated by lack of conceptual clarity concerning ownership of the land and its resources.

It should be observed that the farmers are always placed at a disadvantaged position vis-à-vis the company. There is no evidence that the principles governing

the payment of compensation under section 74 of the Minerals and Mining Act 2006, have been followed in the negotiations. In terms of knowledge, education, and financial capacity the farmers are at a weak bargaining position and as found in many communities, advantage has been taken of them in determining the amount of compensation paid for their properties affected by mining activities, including crops.

The principles to govern compensation for loss of land or crops arising from mining activities have been set out under the Minerals and Mining Act, 2006 (Act 703).

Section 74 (1) provides as follows:

(1) The compensation to which an owner or lawful occupier may be entitled, may include compensation for,

- (a) deprivation of the use or a particular use of the natural surface of the land or part of the land,
- (b) loss of or damage to immovable properties,
- (c) in the case of land under cultivation, loss of earnings or sustenance suffered by the owner or lawful occupier, having due regard to the nature of their interest in the land,
- (d) loss of expected income, depending on the nature of crops on the land and their life expectancy, But no claim for compensation lies, whether under this Act or otherwise
- (e) in consideration for permitting entry to the land for mineral operations,
- (f) in respect of the value of a mineral in, on or under the surface of the land, or
- (g) for loss or damage for which compensation cannot be assessed according to legal principles in monetary terms.

It is clear from a close look at Section 74 (1) (e) that there is a disguised taking of property without compensation. The provision says that no claim for compensation lies whether under the Act or otherwise in consideration for permitting entry into the land for mineral operations.

However the framers of that provision would seem to have overlooked the fact that granting permission to concession owners to enter the land for mining operations has the effect of depriving the community in which the allodial title is vested the right of user. When the state vests ownership of land in itself, it has two (2) effects. It takes away the corporeal and the incorporeal rights. In the case of the former, it involves the physical property, the land itself which is concretely identifiable. Regarding the latter, it entails the intangible and invisible abstract entity. Under English law, the incorporeal is recognised as separate and independent of the corporeal.



The customary law does not recognize any such artificial distinction. What the individual knows in the indigenous system is the land, the physical objective entity itself which is verifiable and identifiable. To say, therefore, that where the state permits those with concessions to enter upon lands but fails to go ahead and exercise its rights to vest the incorporeal in itself, those deprived in the process would not be entitled to receive compensation would be unrealistic and unjust. The attempt to dichotomize between the permission to occupy the land and the vesting of the land would amount to a distinction as to form and not of substance. The minerals may belong to the state, but the state cannot get access to those minerals without the occupation of the land. In both cases, the owners would be deprived of the land. To deny them compensation on the basis of such an artificial distinction would be unjust and inconsistent with the clear provisions of Article 20 of the Constitution 1992. The Minerals and Mining law itself enjoins the Minister to observe Article 20(2) in dealing with matters relating to compensation payment.

It says:

- (2) Compulsory acquisition of property by the State shall only be made under a law which makes provision for-
- (a) the prompt payment of fair and adequate compensation; and
  - (b) a right of access to the High Court by any person who has and interest in or right over the property whether direct or on appeal from any other authority, for the determination of his interest or right and the amount of compensation to which he is entitled.

## **8.8. LIVELIHOOD AND EMPLOYMENT**

There was also high discontent among communities with the inability of mining companies in their area to employ the youth of the communities. The communities are highly dissatisfied with the number of their members in companies' employment. One of the constraining factors why some communities do not benefit much from employment is the apparent lack of skills required by the mines in some of these communities. However, communities dismissed that as an unacceptable excuse, claiming that it is at variance with the companies' devout promise to offer them jobs which they use to entice them to accept the company in the first place.

The Commission recommends concerted efforts to prepare communities in the form of giving the youth appropriate skills for projects. The District Administration and the Youth Employment Scheme in such districts have a role in this direction.

Artisanal mining and the illegal form which is generally known as *galamsey* are pervasive in all the mining areas visited. *Galamsey* is bolstered by lack of viable employment or livelihood alternatives. However, their activities provoke mixed reactions from various stakeholders consulted. In some communities, it is regarded by most communities visited as a legitimate livelihood endeavour; in some

communities they are seen as a nuisance and accused of destroying farms and polluting water bodies. In areas where they operate in concessions of large-scale and registered small scale concessions, they are regarded as criminal encroachers.

In the case of large-scale concessionaires these galamseys are harassed often with the help of state security. The study obtained evidence to show that AGA Obuasi has been engaged in the use of state security and guard dogs in its fight against the encroachment of galamseys. The worse affected communities being (Sansu, Dokyiwa, Binsere, Akatakyieso), where the investigation team received individual complaints.

The use of state security by mining companies has been described as worrying by some communities. The activities of the Police and the military in mining activities were recorded. In some cases there were field evidence of excesses against some members of mining communities with the excuse that they were engaged in illegal mining activities in companies' properties. As already documented, the Commission obtained evidence of torture in the case of alleged galamseys arrested at Dokyiwa and Binsere. The role of the police and especially the military in mine security operations raises fundamental governance issues and should be reviewed.

Communities have complained of appropriation of their land by mining companies without adequate compensation and thereby depriving them of their sources of livelihood.

The study showed that mining companies have provided a variety of projects such as schools, boreholes, community centres, electricity, and renovation of existing facilities in some of the communities in their operational areas. In some cases communities have expressed appreciation for these facilities. However, in others, the community felt they were not consulted and would prefer other facilities they considered more important. To make these projects more meaningful to the beneficiary communities, it is recommended that companies adequately consult communities on the selection, design and implementation of these projects.

Sustainable livelihood projects are a novelty and the concepts appear to have been embraced and are being implemented by all mining companies visited. However, the effectiveness of these projects and their ability to meet their intended goals were difficult to ascertain. The near uniformity of these programmes - grasscutter or guinea pig and snail rearing, bee keeping, aqua culture, oil palm and vegetable farming - across the areas with varied cultures- raises serious questions. While some beneficiaries of the projects expressed their appreciation, others considered them as mere public relations gimmick without real value to them. Some still insisted these programmes were too restricted to select individuals and made little impact on the community as a whole.

The Commission, heeding calls by the majority of mining communities, urges government to urgently set up an Independent Committee to undertake a cost benefit analysis of the mining industry to the economy. Specifically, the impact of mining on the environment and health should be assessed with a view to establishing whether, in actual fact, mining as it is done now is beneficial. This should guide the nation to position the mining industry well for the industry to make a more realistic contribution to national development vis-à-vis the agricultural sector if mining proves useful as it is widely believed.

## **8.9. ARTISANAL AND SMALL SCALE MINING**

Significantly, as the study has found, those who complain most today about the mining activities of the local inhabitants are the large, medium and small scale miners who have acquired mining concessions.

The study assessed the state of human rights in the artisanal small scale mining with Yale and Kadema, in the Upper East Region as case studies. The artisanal and small scale mining sector has complexly structured roles, hierarchy among the actors and there existed simmering conflicts among some of the actors. The involvement of children in artisanal and small scale mining is worrying. Despite efforts by government to regularize the sector, particularly at the Yale area, illegal mining is still pervasive, and poses a big challenge to both registered miners and the Minerals Commission.

It was observed that the intense conflict between large-scale mining companies and galamseys and the associated brutalities, observed in southern Ghana did not exist in the study sites in the Upper East Region. This is largely because of the absence of large scale mining operations in the Upper East.

A fairly structured hierarchy of operators exist within the artisanal mining sector, ranging from buyers through concession owners, ghetto or pit owners, miners to women and children who provide some form of support services such as water, food, pounding, transporting ore etc. Generally the relationship among the actors can be described sometimes as contentious. There are conflicts between buyers, on one hand, and concession owners and ghetto owners, on the other hand. This is because buyers usually pre-financed the activities of these groups and expect repayment in the form of gold. However, some of these people often have difficulty paying back. There are also problems between ghetto owners, on one hand, and miners and women, who work for them, over meagre payments.

Child labour was noted to be a major problem in the small scale mining sector. However, in many cases community members were unwilling to acknowledge that there were children involved in mining. In the Yale area, efforts by Afrikids and the Talensi/Nabdam district assembly to address this menace are commendable.

There is need for a holistic assessment of the involvement of children in artisanal mining in the country so as to develop the strategies to address the problem.

The study showed that illegal artisanal mining is pervasive in the Upper East and even in areas demarcated for registered small scale mining. Major constraints to regulation have been identified as financial constraints and what the miners described as cumbersome and expensive registration procedures imposed by the Minerals Commission and the Environmental Protection Agency. It was observed that some of these unregistered miners were desirous of changing their status to regularized miners. They recommended the decentralisation of the licensing process to the regions and the need to extend the life of small scale mining license from five years to, at least, seven years.

There is growing sense of xenophobia in some artisanal mining sites. There is strong sense of feeling among non-indigenes that they were being discriminated against and sometimes harassed by people who considered themselves native to the place.

Some artisanal mining camps have evolved into permanent and sizable rural communities. Unfortunately, mining communities in the Yale area rarely benefit from social services and infrastructure from the government. These communities lack basic amenities such as clinics, given the hazardous nature of the activities, and public schools. There is urgent need for district assemblies to embrace these communities, particularly providing schools, if the menace of child labour is to be tackled.

The prospective concessionaire is required to produce an Environmental Impact Assessment plan. The impact on the individual who inhabits the area would seem not to be a requirement.

We ought to bear in mind continually that most of the lands are stool lands. They are communal lands. They do not belong to the chief or the person who for the time being is occupying the stool. The chief has no legal capacity to grant concession without reference to the elders who represent the community.

It is imperative that when the state vests minerals, rivers and river source, in itself under the relevant laws, the lands upon and under which the minerals are found remain the property of the owners. Those owners are the inhabitants.

Even in cases where the state falls short of nationalizing the communal lands, the minerals upon or under the lands could not be accessed unless the licensee has access to the land. So to get the minerals, access to the land becomes a pre-requisite. State officials may be called upon to educate local inhabitants to realise that the minerals do not belong to them, but such an education oversimplifies the

issues. How does their education to have knowledge of that fact solve the problems relating to the deprivation of them of their livelihood?

The problems of unemployment, poverty, ignorance, disease, crime, insecurity and conflict can all be traced to such deprivation of livelihood. Environmental degradation in terms of water pollution with insecurity concerning open pits etc is largely blamed on the local miners. In that we forget that the destruction caused in a single day by the large scale miners who have now virtually replaced underground mining with surface mining is by far more devastating. In a few days, with their heavy sophisticated plant and machinery, they level mountains, forests, hills, etc and lay bare the land, transforming the ecology and the landscape of the area.

The study has shown that the licensed small scale miners do the mining the same way as the so called 'galamsey' miners do. The distinction between the two is therefore merely as to form and not of substance.

There is an urgent need to curb galamsey activities and regulate artisanal mining more effectively. To this end the EPA and Minerals Commission must redouble their efforts at regulating the activities of these groups that also cause serious environmental degradation and social vices.

Eradicating poverty, giving formal education to children living in mining communities, training and equipping Ghanaian children with skills other than digging minerals and opening other job opportunities, among others, are extremely relevant for the full realisation of rights and fundamental freedoms of people living in mining communities. Illegal mining (galamsey) cannot be wished away. Therefore, implementing innovative measures to control their activities is urgently required.

## **8.10. THE LEGAL FRAMEWORK**

It is clear from the findings of fact contained in the Report that mining activities in Ghana carry with them very serious social, economic and political consequences some of which can be addressed with legislative reforms.

Some of the most serious consequences include the following:

- (i) deprivation of the inhabitants of the affected communities of their basic material means of sustenance;
- (ii) uprooting and resettlement of people away from their ancestral homes and farm lands;
- (iii) failing to pay prompt, fair and adequate compensation to those who have been affected;
- (iv) unemployment carrying in its train, poverty and crime;

- (v) transforming those who traditionally carry out mining as their means of livelihood into legal miners;
- (vi) pollution of water bodies and water resources;
- (vii) dynamite explosions that cause vibrations, noise and dust in the affected communities: and
- (viii) use by mining firms of the police and the military to enforce law and order, sometimes, in inhumane, crude and illegal manner resulting in excesses.

The effects of mining activities as disclosed in the Report have serious consequences for the state of human rights in the affected communities. They do clearly create conditions for the violations of human rights of people living in mining communities in the country.

Therefore, in order to defend the rights of people living in mining communities and the peoples' right to development, the Commission calls upon the Government of the republic of Ghana to review the Minerals and Mining Act, 2006 (Act 703) to give better protection to people living in mining areas in the country.

In view of widespread poverty in the mining communities and the changing economy of food crop production in the world, the Government should not grant or renew any mineral rights until a cost benefit analysis of the mining industry has been done.

Sections 73 and 74 of the Minerals and Mining Act, 2006 (Act 703), which deal with the payment of compensation to those affected by mining activities need to be revisited. When the Minister authorizes the occupation of any land being occupied by the inhabitants of a community, it amounts to compulsory acquisition of that land.

Surely, the Minister has not taken the legal step of using an executive instrument to acquire the land under any of the compulsory acquisition statutes such as the Administration of Lands Act, 1962 (Act 123) or State Lands Act, 1962 (Act 125). However, the effect of authorizing the occupation of the land is the same. It has the effect of depriving the people of the use of the land in the same way it does when an executive instrument is employed to deprive the people of the use of their lands.

A distinction between the minister's authority to occupy and taking of the land by executive instrument would be simply as to form and not of substance. The occupation of the land at the orders of the Minister amounts to disguised compulsory acquisition. Therefore, in both cases the state is obliged to pay

adequate compensation to those affected within the meaning of article 20 of the constitution.

At present that responsibility, the Mining and Minerals Act purports to shift to mining companies under sections 73 and 74 of Act 703. That would be contrary to the letter and spirit of article 20 of the constitution and to the extent of that inconsistency, it is null and void.



**APPENDIX A: COMMUNITIES AND ORGANISATIONS VISITED**

<b>Area : Obuasi</b>		
<b>Community</b>	<b>Institutions</b>	<b>Civil Society Organizations ( Other Institutions )</b>
1.Anyinam	1.Police	
2.Sansu	2.Management of AGA	
3.Binsere	3.Obuasi General Hospital	
4.Dokyiwaa	4.Anglogold Ashanti hospital	
5.Akatakyeso	5.Byrant Mission Hospital Eye Centre	
6.Amamom		
7.Odumasi (Aduaneyede)		
8.A haso nye wo dia		
9.Diewuoso		
10.Anwiam		
11.Boadi		
<b>Area : Wassa West</b>		
<b>Community</b>	<b>Institutions</b>	<b>Civil Society Organizations ( Other Institutions )</b>
1. Huni-Valley	1.Huni Valley Health Centre	1.Nsuta ( Tamso) galamsey operators
2.Kyekyewere New)	2.Prestea Gov't Hospital+	2.Beneficiary of Alternative Sustainable livelihood
3.Nyamebekyere	3.Methodist JSS (Heman)	3.Water and Sanitation Committee , WASA
4.Damang	4.Heman Health Post	4.Abekoase- Water Sanitation Committee
5..Prestea	5.Ghana Maganese Company Nsuta	
6.Heman-Prestea	6.Small Scale Mining Dept.	
7.Odumase	7..Mines Commission ( Small Scale Mining)	
8.Teberebie	8.Mines Commission ( Mines Inspectorate)	
9.Adayie(Mile 8)@ Agege	9.EPA	
10. Huniso	10.Central African Gold Ghana Ltd.	
11.Abekoase		

Area : Asunafo and Tepa Areas		
Community	Institutions	Civil Society Organizations ( Other Institutions )
1.. O.L.A Resettlement	1.Ghana Police Service	WACAM
2.Dokyikrom ( Tutuka)	2.Ntotroso OICI	
3.Yawusukrom	3.Ntotroso Gyedu Health Centre	
4..Kwameaduanikrom	4. <i>Newmont</i> Ghana Company	
5..Kantinka	5.EPA	
6.Ntotroso	6. Kenyasi Health Centre	
7.Wamahinso	7. Ghana Health Services	
8. Kenyasi		
9. Agyamorokrom		
Area : Bibiani		
Community	Institutions	Civil Society Organizations ( Other Institutions )
1.Bibiani Old Town		
2.Dzokolineso		
3.Etwbo/ Akoti		
4.Koduakrom		
Area : Yale		
Community	Institutions	Civil Society Organizations ( Other Institutions )
1.'Accra'	1.Minerals Commission	AFRIKIDS Ghana
2.'Tarkwa'	2.Environmental Protection Agency	
3.'Kajetia'	3.Bolgatanga Police Command	
4.'Bantama'		
5.'Obuasi'		
6.Kadema		
7.Pwalugu		
Area : New Aberim		
Community	Institutions	Civil Society Organizations ( Other Institutions )
1Hweakwae		1.Ntronang Unity Youth Association
2.Ntronang		
3.Adausena		

**APPENDIX***APPENDIX B: MINING COMPANIES-BRIEF PROFILE*

<b>S/No</b>	<b>Company</b>	<b>Profile</b>
1	<b>Anglogold Ashanti Ghana Limited.</b>	<p>AngloGold Ashanti came to being in April 2004 as a result of the merger of the Ghanaian-based Ashanti Goldfields (AGC) and the South African-based AngloGold.</p> <p>AngloGold Ashanti currently has two operating gold mines in Ghana. These are:</p> <p>Obuasi mine (which comprises both surface and underground) operations and located at Obuasi in the Ashanti Region.</p> <p>Iduapriem mine is open pit and is situated at Iduapriem in the Wassa West district of the Western Region of Ghana, Its processing facilities include a carbon-in-pulp (CIP) plant and a heap-leach plant which has been closed down.</p> <p>AngloGold Ashanti is the second gold producing company in Ghana. It produced 620,001 ounces of gold in 2006. .</p>
2	<b>Gold Fields Ghana Limited</b>	<p>Gold Fields Limited is one of the world's largest unhedged producers of gold.</p> <p>Gold Fields Ghana Limited is owned by Gold Fields Limited (71.1 per cent) and IAMGold a Canadian company listed on the Toronto Stock Exchange (18.9 per cent). The Ghanaian Government holds the remaining 10 per cent as a "free carry" interest. Gold Fields Ghana has two operating gold mines in Ghana. These are:</p> <p><i>Tarkwa Mine</i></p> <p>Gold fields Ghana limited took over from the former Tarkwa Gold Fields (TGF), a member of the defunct State Gold Mining Corporation in 1993. This is now the Tarkwa mine.</p> <p>The Tarkwa mine is owned 71.1% by Gold Fields, 18.9% by IAMGold and 10.0% by the Government of Ghana. The Tarkwa mine consists of several open pit</p>

		<p>operations on the original Tarkwa property and the adjacent southern portion of the property. It conducts only surface operations. During fiscal 2007, Tarkwa produced 697,000 ounces of gold.</p> <p><i>Damang Mine Abosso,</i></p> <p>The Damang mine is the other mine owned by Gold Fields Ghana. Its shareholding structure is: Gold Fields 71.1%; IAMGold 18.9%; Ghana Government 10%</p> <p>Gold Fields produced 938,696 ounces of gold from its two mines at Tarkwa and Damang in fiscal year 2006.</p>
3	<b>Newmont Ghana</b>	<p>Newmont is one of the world's leading gold companies and is headquartered in Denver, Colorado. Newmont recently developed its first project in Ghana under its subsidiary, Newmont Gold Ghana Limited. Newmont purchased both the Ahafo and the Akyem projects as part of the Normandy Mining acquisition in February of 2002 (these were at the exploration stages) .</p> <p>The Ahafo operation is located in the Brong Ahafo Region of Ghana, The Ahafo project represents Newmont's first Ghanaian project. The Ahafo mine poured its first gold on July 18, 2006 and commenced commercial production in August 2006. Ahafo sold 202,000 ounces of gold in 2006. Newmont currently operates two open pits at Ahafo. The process plant consists of a conventional mill and carbon-in-leach circuit</p>
4	<b>Golden Star Resources</b>	<p>Golden Star Resources Limited is a Canadian Incorporated international gold mining company with its principal office in Denver, in the USA. Golden Star Resources Limited holds 90% equity interest in its Ghanaian subsidiaries, Golden Star (Bogoso/Prestea) Limited and Golden Star (Wassa) Limited. In addition, Golden Star Resources has an 81% interest in the currently inactive Prestea Underground mine in Ghana.</p> <p>Both the Bogoso and Wassa use the open pit mining methods (surface mining). Bogoso has uses both the Carbon-in-leach (CIL) and the Biological Oxidation (bio-Ox) processing plants for gold extraction. Golden Star</p>

		(Bogoso/Prestea) Limited and Golden Star (Wassa) Limited together produce 203,841 ounces of gold in 2006.
5	<b>Ghana Manganese Company Limited</b>	Ghana Manganese Company (GMC) limited formerly known as Ghana National Manganese Corporation, is the main manganese-mining company in the country. The mining operation of the company is located at Nsuta (Western region). Owned by the government of Ghana and Elkem of Norway, the production of GMC has recorded significant increase in recent times. After a period of decline and acute fluctuation, production has experienced some amount of stability. Available statistics indicate that Manganese production increased significantly from 186,901 metric tonnes in 1995 to 1,658,701 in 2006 from its Nsuta Mine.
6	<b>Ghana Bauxite Company Limited</b>	Ghana Bauxite Company (GBC) limited mines Ghana's bauxite deposits. The concession area of GBC, which is estimated at 30km <sup>2</sup> , is located at Awaso (Western region). Established in 1940, as state owned, the company ownership characteristics changed in 1974. It is currently owned by Alcan Inc of Canada (holding 80 per cent interest) and the government of Ghana (20 per cent). Alcan increased its equity share in the company from 45 per cent to 80 per cent in 1998. The company produced 841,775 metric tonnes of bauxite in 2006.
7	<b>Chirano Gold Mines Ltd</b>	<p>The Chirano mining licence was issued on April 8, 2004 for a period of 15 years. The Chirano Gold Mines Limited is 90% owned by Red Back Mining Inc. The remaining 10% interest in Chirano Mines Limited is held by the Government of Ghana.</p> <p>Chirano Gold Mines Limited is situated near Chirano in the Bibiani/Anhwiaso/Bekwai District in the Western Region of Ghana.</p> <p>The company achieved its first gold pour in October, 2005 after the commissioning of the process facilities in September 2005. In 2007, it produced a total of 127, 196 ozs of gold.</p>