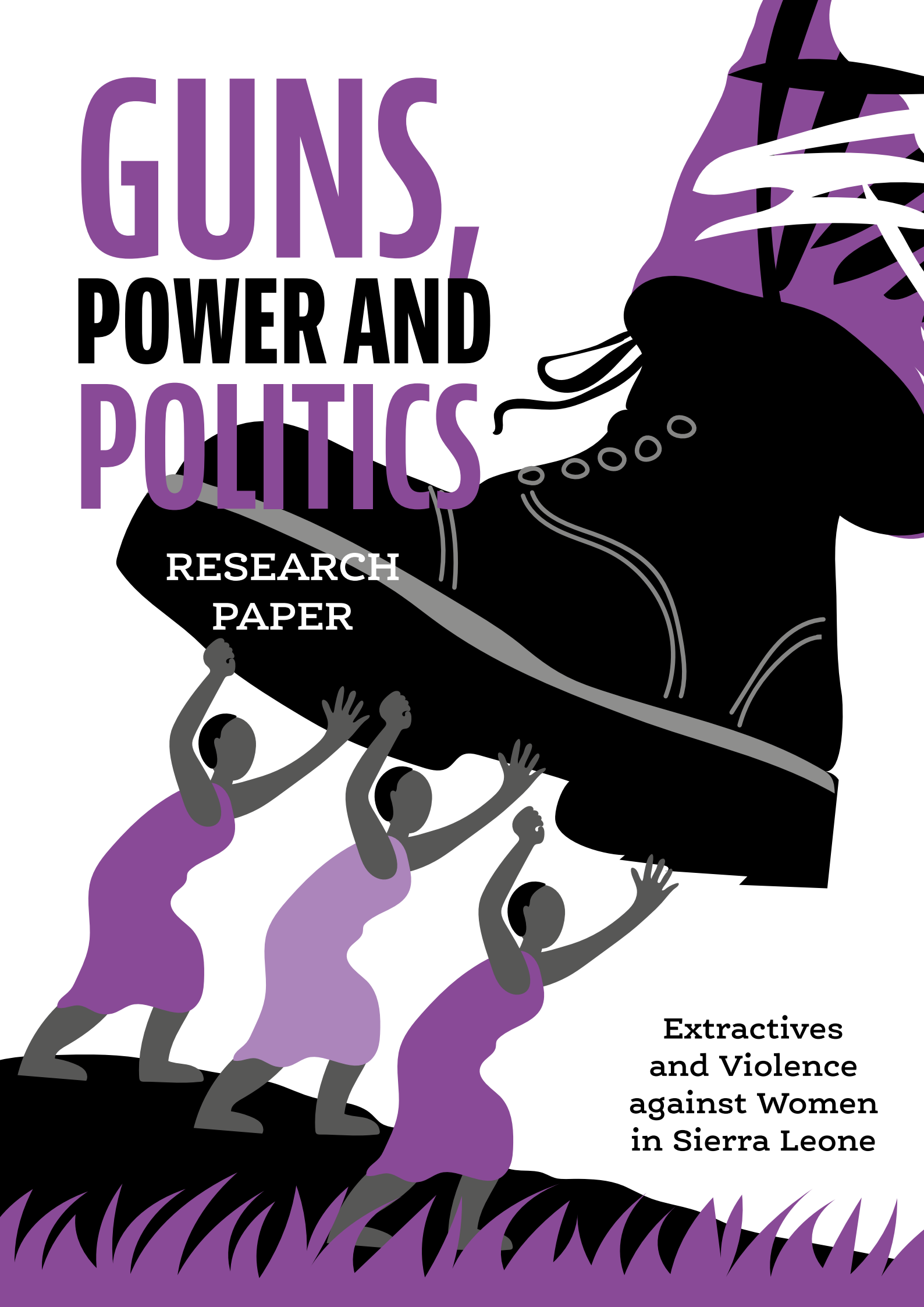


GUNS, POWER AND POLITICS

RESEARCH
PAPER

Extractives
and Violence
against Women
in Sierra Leone



Background to Guns, Power and Politics

WoMin and its partners – Centre for Natural Resource Governance (CNRG) in Zimbabwe, Justiça Ambiental (JA) in Mozambique, and Network Movement for Justice and Development (NMJD) in Sierra Leone – jointly undertook this feminist political economy research in 2018. The aim of the research is to inform national network formation, support women’s organising, trauma intervention and justice efforts by addressing the intersection of extractivism, militarisation, securitisation and violence against women.

When the research was commissioned, WoMin and its partners were clear that it would draw on formal academic analysis, research reports and reports written by non-governmental organisations (NGOs). Interviews with key personnel working in NGOs or leading community organisations would be conducted, but there would be no primary fieldwork involving affected or potentially affected women. We adopted this position for a number of reasons:

- (a) Women who have endured violence perpetrated by private security and the military have rarely spoken about this experience and so there is deep unaddressed trauma; and
- (b) The terrain of work is extremely risky and there is need for careful process to enable women to think through risks and consequences to speaking out about the violence.

An extractive research process would likely cause further trauma and harm to the women we have elected to serve as an alliance. The researchers, bar one, respected this boundary.

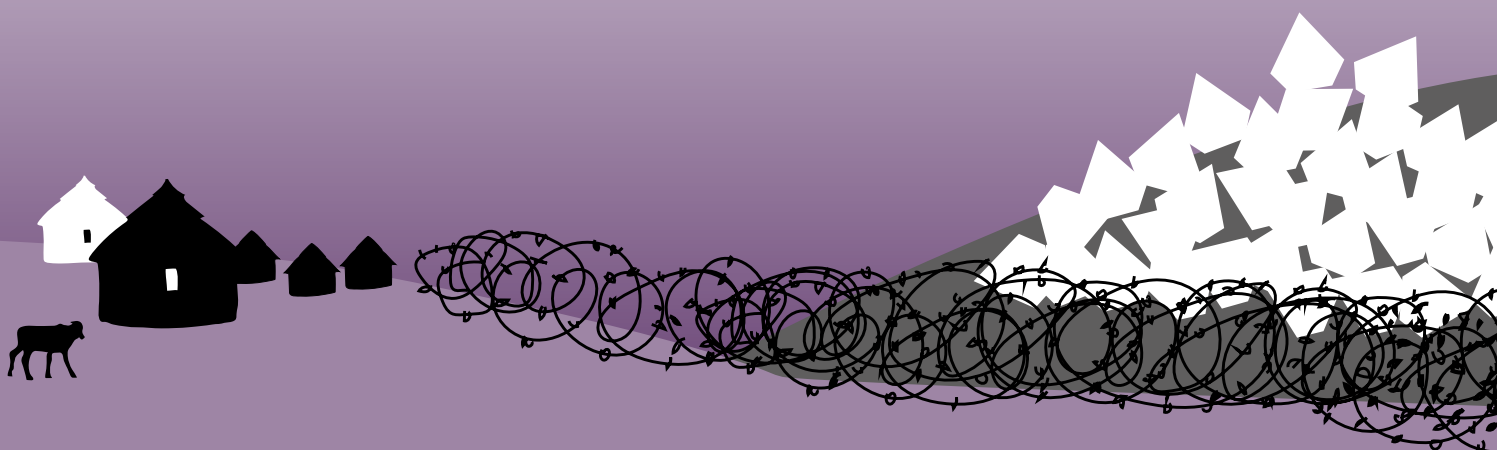
The research was undertaken in Zimbabwe, Sierra Leone and Mozambique, and informs a conceptual synthesis paper which draws key conclusions from the research and builds critical concepts and ideas about the relationship between extractivism, securitisation, militarisation and violence against women. The research has been translated into a community activist resource tool for information and consciousness-raising in each of the three countries.



This report draws on research commissioned by Network Movement for Justice and Development (NMJD), Women and Mining (WOME) and the WoMin African Alliance.

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Feminists have defined militarism as the “values, norms and ideas, institutional cultures, and values that emanate from the military and military institutions to permeate society and come into play in all aspects of culture and identity”



INTRODUCTION

Mining in Sierra Leone, as in other parts of Africa has been accompanied by human rights abuses, environmental degradation, displacements, loss of land and livelihoods, community fragmentation and conflicts. Today such violations continue, enabling mining corporations to amass great wealth while rural communities bear the costs of mining operations.

Mining today takes place within a context of increased militarisation and securitisation, where it is commonplace for the state to provide security for mining companies. Feminists have defined militarism as the “values, norms and ideas, institutional cultures, and values that emanate from the military and military institutions to permeate society and come into play in all aspects of culture and identity”¹. These values and institutional cultures are apparent to some extent with respect to almost all major multinational mining companies operating in Sierra Leone.

Militarisation and securitisation of mining activities has ramifications for all within communities affected by mining. Women experience additional hardships because of their low socio-economic status and the work burdens they carry within an unjust gender division of labour within households and communities.

This paper begins by tracing the evolution of the minerals sector in Sierra Leone. It explores how the sector enables significant corporate and elite benefit, whilst creating significant negative impact on mining impacted communities, and women in particular. The paper looks at resistance and protest by communities and the civil society organisations (CSOs) which support them. It draws some conclusions about the need for deeper research and exploration of women’s experiences of violence resulting from the securitisation and militarisation of mining. This would be first step towards finding ways to provide support to women and to abate such violence.

¹ Mama, A and Margo Okazawa-Rey (2008). Editorial: Militarism, conflict and women’s activism in *Feminist Africa* 10. pp. 1-8



In the course of the civil conflict, the mining sector collapsed entirely, save for artisanal diamond mining which was sponsored and controlled by the different warring parties.

1. EVOLUTION AND DEVELOPMENT OF THE MINERALS SECTOR IN SIERRA LEONE

The exploitative extractivist system and Sierra Leone's place in a highly unequal global division of labour was established under colonialism and has continued in the post-independence and neoliberal periods that have followed.

Large scale industrial mining started in Sierra Leone in 1930 when the colonial regime, in a bid to diversify the economy beyond agriculture, awarded the Sierra Leone Development Company rights to mine iron ore.² A few years later minerals overtook agricultural commodities and came to constitute 57% of Sierra Leone's export value.³

Organised diamond mining was initiated in 1934 by The Sierra Leone Selection Trust, established by the colonial government, and the Consolidated African Selection Trust (CAST). CAST was part of an older and larger mining finance house, Selection Trust Ltd, which was established in 1913 by an American mining magnate. The powerful South African Oppenheims, founders of the De Beers Mining corporation, had links with CAST through investments and representation on the board.

By 1960 Sierra Leone was the third largest producer of the world's diamonds.⁴ Despite Sierra Leone's prominent place in the global production of diamonds during the colonial period, there was no purposefully stated agenda to convert mineral wealth into an instrument of economic development that would benefit the majority of Sierra Leone's people and the local communities affected by mining.

As mining gained prominence, young people, including women, increasingly drifted away from small scale farming to alluvial mining - the mining of rivers, streams and creeks for deposits which have been eroded from their source - and this negatively impacted agricultural production. This was so much so that a country that had been self-sufficient in her staple food, rice, had to import rice in 1963 for the first time.⁵

In 1964, bauxite and rutile mining operations started. The Sierra Leone Ore and Metal Company (Sieromco), a subsidiary of the Switzerland based Alusuisse, began mining bauxite in the Mokañji hills, in Moyamba district, in southern Sierra Leone in 1964. In 1967, a company called Sherbro Minerals started mining rutile in Bonthe district, also in southern Sierra Leone.

The brutal 11-year civil war from 1991 to 2002, which devastated the country, was triggered by bad governance, endemic corruption, and the denial of basic human rights.⁶ The war was largely sustained by elite conflict over control of the lucrative diamond industry. International reports have highlighted connections between mineral exploitation, state failure and the civil conflict.⁷ The Truth and Reconciliation Commission, held after

² Alie, J.D (1990). *History of Sierra Leone*. New York: St Martin's Press; Fanthorpe, Richard and Gabelle, Christopher (2013). *Political Economy of Extractives Governance in Sierra Leone*. A World Bank document. Washington: The International Bank for Reconstruction and Development / The World Bank.

³ Fanthorpe and Gabelle (2013)

⁴ Smilie, I (2000). *Getting to the heart of the matter: Sierra Leone, diamonds, and human security in Social Justice 27, No. 4 (82), Neoliberalism, Militarism, And Armed Conflict*. pp. 24

⁵ *The Sierra Leone Truth and Reconciliation Commission Report, 2004. Volume 3B, page 8.*

⁶ *The Sierra Leone Truth and Reconciliation Commission Report, 2004. Volume 1, page 10.*

⁷ These publications include: Richards, P (1996). *Fighting for the rain forest: war, youth and resources in Sierra Leone*. London: the international African

the end of the war, catalogued the connections between mineral resources mismanagement and the resulting economic collapse that brought about the war. Among the Commission's 17 key recommendations for protecting the country's peace and economic future, was improved extractives governance.

Before the outbreak of civil conflict, minerals contributed about 90% of registered exports, 20% of fiscal revenue and 20% of Gross Domestic Product (GDP).⁸ In the course of the civil conflict, the mining sector collapsed entirely, save for artisanal diamond mining which was sponsored and controlled by the different warring parties.⁹

Bauxite and rutile mining, which had closed during the war, restarted once the war ended.

The brutal 11-year civil war from 1991 to 2002, which devastated the country, was triggered by bad governance, endemic corruption, and the denial of basic human rights. The war was largely sustained by elite conflict over control of the lucrative diamond industry.

Institute Association with James Curry; Reno, William (1995). Corruption and States Politics in Sierra Leone. Cambridge University Press and Smilie (2000)

⁸ Government of Sierra Leone. National Recovery Strategy 2002-2003.

⁹ The Sierra Leone Truth and Reconciliation Commission Report has full description of the warring factions' mining endeavours.

Women who engage in artisanal mining are largely involved in the most unsafe, insecure, low-paid and physically demanding work, such as panning, digging and transporting gravel, within their family labour units.



2. CAPTURE OF MINING BENEFITS BY AN ECONOMIC ELITE

The main beneficiaries of Sierra Leone's mineral resource wealth are an economic elite of multinational corporations and mineral traders. These economic elites can capture the country's mineral wealth and export it from the country with the cooperation of 2 sets of political elites – the government officials and politicians, and the paramount chiefs and traditional leaders. Without the cooperation of these political elites, whom they reward handsomely, the economic elites would not be able to capture the benefits of mining.

According to neoliberal prescriptions, the state is assigned the responsibility of facilitating the entry of commercial players and collecting rents from mining operations. This is required to take place in line with “good” extractives governance practices which aims at better development outcomes from minerals exploitation. However, in place of good governance and development benefits for the country, the reality is one of rampant corruption by multinational corporations which spirit money out of the country through licit and illicit means, aided and abetted by politicians and government officials, as well as the illegal movement of diamonds through minerals trading.

The state is also required to address environmental challenges, ensure the sustainable exploitation of minerals, and safeguard mining impacted communities by ensuring direct and indirect development through local investment. In reality, none of this takes place and communities affected by mining do not receive their due entitlements.

The collusion between the economic and political elites to divert mining revenues takes 2 forms. Firstly, by the undermining of, and inconsistent and

weak application of formal and usually legislated systems and rules which can be termed ‘licit’ financial flows. Secondly, through the outright theft of state revenues through illicit financial flows. This can be defined as the illegal flight of money or capital which has been earned, transferred, and/or utilised through illegal means.

Illicit Flows

In Sierra Leone between 50-90% of the diamond trade is lost through smuggling.¹⁰ Illicit diamond dealing has been a feature of the diamond industry since the 1950s, when Lebanese diamond dealers, prohibited from buying diamonds legally, entered into illicit relationships with chiefs and small-scale miners who were themselves mining without permits. The illicit diamond dealers paid chiefs to be allowed to operate within their areas of chiefly control. The dealers supported the mining operations of small-scale miners with the understanding that they would be the sole buyers of their diamonds.¹¹

In the 1950s, artisanal mining of diamonds and gold was growing rapidly and was attracting young Sierra

¹⁰ Fanthorpe and Gabelle (2013)

¹¹ Reno (1995)

Leonians to the diamond fields of Tongo and Kono. The colonial government, bent on controlling the mining of alluvial diamonds to ensure benefits to British and American companies, granted all mining rights to the Sierra Leone Selection Trust. In 1956, this Trust introduced the Alluvial Diamond Mining Scheme as the only legal mechanism through which rights to mine alluvial diamonds could be awarded. These awards could only be made to Sierra Leonians, and miners were required to sell their diamonds directly to the Trust.

Throughout the 1950s, the tail-end of the colonial period, and into the early post-independence 1960s, the state employed its security apparatus to keep artisanal miners out of the main diamond mining fields in Kono. The tension between multinational companies and artisanal miners contributed greatly to the militarisation of extractives sites in the country over the years.

When Sierra Leone gained independence in 1961 the country was at the height of a diamond mining boom and estimated to be producing half of the world's diamonds.¹² This meant there was more at stake in the battle for control over the country's diamond wealth.

The political elite in the time of Prime Minister Siaka Stevens began to become more prominent in illegal deals. Stevens quickly turned the diamond industry into a source of illicit private wealth and encouraged illicit mining through a system of patronage which garnered him ongoing political support.¹³ In 1971, barely three years after he took office, Stevens nationalised the Sierra Leone Selection Trust and created the National Diamond Mining Company,

a state monopoly controlled by his right-hand man Jamil Sahid Mohamed, a Sierra Leonean of Lebanese descent.

By the end of the 1970s and into the early 1980s, elites in the diamond trade were involved in criminal activities. Two cartels emerged – a Lebanese cartel which dominated the diamond trade and a West African cartel consisting of Madingos, Marakas and Fulas from the Gambia, Mali, Senegal and Sierra Leone. Each group bought and sold diamonds within their networks, fixed prices and smuggled diamonds out of the country illegally. Criminality linked to the diamond industry gave rise to private militia and intensified the militarisation of the diamond fields.

The Lebanese cartel was headed by Prime Minister Steven's man Jamil Sahid Mohamed, who also controlled government's National Diamond Mining Company. Jamil Sahid Mohamed had his own private army of Arabs from Palestine and Lebanon.¹⁴

Other major Lebanese diamond traders were said to be financiers of Islamist movements in the Middle East.¹⁵ This led to the Israeli government facilitating the entrance of 'their man' Shapti Kalmanovich into the diamond business in Sierra Leone to compete with the Lebanese, undermine their resource base and ultimately their ability to fund activities in the Middle East.¹⁶

The economic consequences of the elite's capture of the country's diamonds were severe. Official diamond production and export began to fall as soon as government took control of the Sierra Leone Selection Trust. Official diamond exportation fell from 2 million carats in 1970 to

¹² Smilie (2000)

¹³ Reno (1995); Fanthorpe and Gabelle (2013); Richards, (1996)

¹⁴ This is well documented in *The Sierra Leone Truth and Reconciliation Commission Report (2004)*. Volumes 1,2 and 3; and works such as Richards, P (1996). *Fighting for the rain forest: war, youth and resources in Sierra Leone*.

¹⁵ *The Sierra Leone Truth and Reconciliation Commission Report*. Volume 3b. Page 12.

¹⁶ *Ibid*.

595 000 in 1980, and 48 000 in 1988.¹⁷ The hollowing out of the officially recognised and formal exportation of diamonds by illicit trade translated into lower tax revenue for government. Only those in control of the diamond trade had guaranteed access to foreign exchange and were able to convert the declining economic environment into an opportunity to make even more money through parallel activities, including black-marketing and smuggling.¹⁸ These parallel activities which effectively controlled the country's economy are what Reno¹⁹ has referred to as the shadow state.

The resulting economic burden on the population undermined legitimate political institutions and brought widespread discontent giving rise to the 1991 civil war which lasted 11 years, and resulted in the death of an estimated 75 000 people and the displacement of 1 million of the country's 4.5 million people. This war was sustained by elite conflict over control of the lucrative diamond industry.

In the past decade at least, new more sophisticated forms of illicit financial flows have come to predominate. The findings of a 2011 report by the international non-profit organisation Dan Watch points to the ways in which corporations hijack revenues through illicit means. At the time of the Dan Watch research, only one of the top 5 companies was paying corporate tax, defined as a levy on the profits they earn.²⁰ Four of those top 5 companies were owned by intermediaries registered in tax havens such as Bermuda and the British Virgin Islands,²¹ a practice which enables companies to get away with the non-payment of taxes.

Problematic beneficiary ownership schemes and transfer mis-pricing, when a company inflates prices in goods and services transfers between companies in the same multinational corporation, are another source of revenue loss to the state and are mechanisms through which money is illicitly channeled out of Sierra Leone.

Licit Flows

Revenue losses to the state through 'licit' means largely arise from the inconsistent or weak application of tax and revenue collection rules and systems and duty waivers by government. Mining companies have been able to negotiate tax rates for themselves inconsistent with laid-down laws.²² One report asserts that while the corporate income tax for mining companies is 37.5% as set out in the Income Tax Act 2002, 2 iron ore mining companies, African Minerals and London Mining, had individual agreements with government in 2010/11 to only pay 25%. In London Mining's initial agreement, the company retained a 6% income tax rate for three years.²³ Another company mining rutile, had its royalty rate²⁴ reduced from 3% to 0.5%.²⁵

The political elite facilitate the misapplication of rules in return for payments from the mining companies. As Reno (1995), Richards (1996), Kandeh (1999) and Fanthorpe and Gabelle (2013) have highlighted, the primary method of accumulation for the political elites has been extracting rent from all forms of natural resource exploitation.

17 Kandeh, J (1999). *Ransoming the state: elite origins of Subaltern terror in Sierra Leone* in *Review of African Political Economy*, 26 (81), pp. 349-366

18 Fanthorpe and Gabelle (2013); Kandeh (1999)

19 Reno (1995)

20 DanWatch (2011). *Not Sharing the Loot. An Investigation of Tax Payments and Corporate Structures in the Mining Industry of Sierra Leone*.

21 Ibid.

22 DanWatch (2011); Fanthorpe and Gabelle (2013)

23 Ibid.

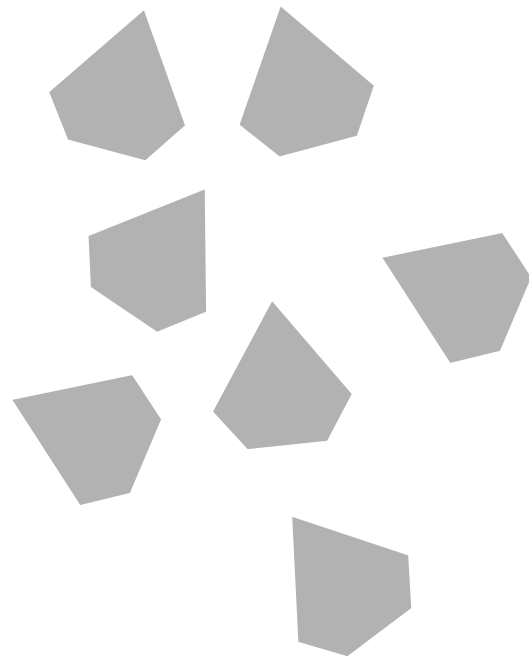
24 A royalty is a right to payment of a percentage of the minerals or other products produced at a mine or of the revenues or profits generated from the sale of those minerals or other products from a mine.

25 Fanthorpe and Gabelle (2013)

Pressure for greater transparency

As a result of the collusion between the political and economic elites, Sierra Leone has been listed as one of the most corrupt countries in the world by a range of global indices and measurements of corruption including Transparency International's Corruption Perceptions Index and Global Corruption Barometer, and the World Bank's annual Worldwide Governance Indicators and Enterprise Survey.

The pressure for greater transparency in government's collection of revenues led to the Sierra Leone government signing onto the Extractives Industry Transparency Initiative (EITI), a global standard of good extractives governance in 2006. The country gained candidate status in 2008 and achieved EITI Compliance under the old EITI Rules in 2014. The EITI's core proposition is that transparency in government's revenue collection and spending reduces corruption, spurs debate over use of revenues and consequently fosters more positive developmental outcomes.²⁶ Sierra Leone has struggled with the initiative – it was suspended in early 2013 for failing to meet 4 requirements but became compliant again in April 2014. During the period of Sierra Leone's suspension, a national multi-stakeholder group responsible for the EITI pushed for legislation to establish political will behind the EITI.²⁷ This led to a decision to pass a Sierra Leone Extractives Industry Transparency Initiative (SLEITI) legislation.²⁸ The SLEITI law has not been passed and the debate about how to ensure greater transparency in the extractives sector continues.




Only those in control of the diamond trade had guaranteed access to foreign exchange and were able to convert the declining economic environment into an opportunity to make even more money through parallel activities, including black-marketing and smuggling.

²⁶ Boas and Associates (2012)

²⁷ Government of Sierra Leone Open Government Partnership 2014-2015 report

²⁸ Ibid.



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3. THE IMPACT OF MINING ON COMMUNITIES AND WOMEN

While multinational corporations have been greatly enriched through mining activities over many decades, in collusion with political elites, the communities on whose land mining takes place draw little benefit from mining and instead often face increased hardship as a direct result of mining.

Sierra Leone remains a largely rural society, with about 70% of the population, and especially women, involved in agriculture-based livelihood activities. Land is thus the most valuable asset and at the heart of rural communities' livelihoods.

Industrial mining invariably impacts the land and livelihoods of affected communities negatively and causes untold hardship. In addition to limiting possibilities for farming, the entry of mining companies has greatly reduced artisanal mining activities which historically supplemented farming income.

Mining companies are required to pay compensation for the damage they cause to vegetation, physical structures, water sources and other assets but compensation is seldom paid and when it is, payments are meagre.

Women in communities affected by land grabs because of mining are rarely part of community deliberations with mining companies. This is not only because of gender and cultural norms which exclude women from community consultation processes, but also because women face constraints in balancing public engagement with household and livelihood responsibilities.

Women's position in Sierra Leone is made clear in a June 2014 report²⁹ by the Sierra Leone Ministry of Social Welfare, Gender and Children's Affairs which quotes a Truth and Reconciliation Commission (TRC) finding that women's low socio-economic status affects their personal security, inhibits their access to and participation in public decision-making, and is a barrier to viable economic activities. The TRC report notes also that women and girls continue to suffer gendered violence.

A 2018 study by Network Movement for Justice and Development (NMJD) explored the status of women in communities hosting corporate mining companies and found many challenges.³⁰ They found that the activities of all mining companies create significant hardship for women. The NMJD study cited by way of example, that vast areas of land on which women used to farm in the diamond mining district Kono now fall into a mining company's concession. In the south of the country in communities hosting rutile and bauxite mining, dredges lay waste to arable land which people depended on for farming as their main livelihood activity.³¹ Women likely experience additional physical safety challenges resulting from the increased presence of security forces in mining areas.

29 Government of Sierra Leone (2014). *Country Report by Sierra Leone on Implementation of the Beijing Platform for Action (1995) and the Outcome of the Twenty-Third Special Session of the General Assembly (2000)* Ministry of Social Welfare, Gender and Children's Affairs. https://sustainabledevelopment.un.org/content/documents/13190Sierra_Leone_review_Beijing20.pdf

30 Network Movement for Justice and Development (2018). *Assessment of the Impact of Industrial Mining on Women in Mining Operational areas of Bo, Bonthe, Moyamba, and Kono districts in Sierra Leone.*

31 *Ibid.*

3. THE IMPACT OF MINING ON COMMUNITIES AND WOMEN

Mining companies are increasingly making demands for state security forces to protect their properties and personnel. For example, the mining agreement between Koidu Holdings (now Koidu Limited) and the government of Sierra Leone, as ratified by parliament, clearly obligates the state to provide armed security support to the company. As a result, a contingent of personnel from the Operations Security Division (OSD), a paramilitary outfit of the Sierra Leone Police, is permanently deployed on Koidu Holding's property.

The presence of the multinational mining companies, their private security and arrangements with state security affect women's physical security and well-being. The paramilitary style raids on the homes of community members, in search of stolen goods, expose women to various forms of violent abuse. When their male partners are arrested for crimes ranging from illegal mining to possession of stolen goods, women suffer the brunt not only of the loss of their partners' income, but they struggle to raise money to post bail. In the process, women are also unable to undertake their livelihood activities, whether in the mines or elsewhere, thus increasing the vulnerabilities of their families.

Community members in areas close to mines face ongoing surveillance by security forces intent on making sure that the community desists from artisanal mining. As mentioned earlier the tension between multinational companies and artisanal miners contributed greatly to the militarisation of extractives sites in the country over the years. In the 1950s there was a significant influx of people from all over Sierra Leone to Kono to mine diamonds on land leased to the Sierra Leone Selection Trust. This led to regular riots and encounters with the security forces.³²

Unlicensed miners, often miners with a long history of mining artisanally on contested property, confront ongoing challenges from security forces. In 2016, government intervened when people in the Sella Limba chiefdom, Bombali district, demanded to undertake artisanal gold mining on land that was the concession of the AMR Gold Exploration company.³³

Despite all the security threats, artisanal mining of diamonds and gold continues to be a major livelihood source for many Sierra Leoneans. It is estimated that between 200 000 and 300 000 people are engaged in artisanal mining across the country, with women forming a large proportion of the mining population, and having a major presence in artisanal gold mining.³⁴ The prominent locations for artisanal and small-scale gold mining are the chiefdoms of Diang in Koinadugu district, Boamahun in the Bo district, Sella Limba and Sanda Loko in Bombali district and Sandor in Kono district.³⁵

Women who engage in artisanal mining are largely involved in the most unsafe, insecure, low-paid and physically demanding work, such as panning, digging and transporting gravel, within their family labour units. Women's participation in decision-making at the family and community levels is limited. Women also cannot access financing to start their own mining activities, and they are often victims of gender-based violence.

The extent, nature and form of the violence experienced by women in communities affected by industrial mining and by women artisanal miners is not fully known and more research is needed to uncover how this violence impacts on women.

³² *The state's struggle to keep illegal miners of SLST land, and the ensuing riots are well covered in: The Sierra Leone Truth and Reconciliation Commission Report (2004). Volume 3b; Fanthorpe and Gabelle (2013) and Zack-Williams (1995).*

³³ *Sierra Leone Gem. The Official newsletter of the National Minerals Agency. 1st edition January-June 2016.*

³⁴ *Fanthorpe and Gabelle (2013)*

³⁵ *Institute for Governance Reform (2016). The Undergrounds of Gold Mining: Binding Constraints to Gold Revenue in Sierra Leone. A report commissioned by GLZ.*

The June 2014 report³⁶ of the Sierra Leone Ministry of Social Welfare, Gender and Children's Affairs mentioned earlier notes that during the civil conflict in Sierra Leone women and girls were taken by force from their homes and villages, their labour was exploited, they were raped, forced into sexual slavery and endured acts of gross sexual violence at the hands of the warring factions. The report estimates that as many as 275 000 women and girls may have been sexually violated during the war.

The Truth and Reconciliation Commission found that women and girls were subjected to systemic abuse such as torture, rape, sexual abuse, sexual slavery, trafficking, enslavement, abductions, amputations, forced pregnancy, forced labour, and detention. It is highly probable that the culture of extreme violence against women continues amongst men empowered with guns, whether in the armed forces or in the private security of multinational companies.

There is need for further investigation into the extent and forms of violence against women in the context of increased securitisation and militarisation of mining and other extractives activities in Sierra Leone during this contemporary period.

Community benefit from mining rents

While there is legal provision for the development of communities affected by mining, communities seldom benefit from these provisions. There are various schemes in Sierra Leone by which communities are entitled to their share of mining rents. First, mining companies are required to make surface rent payments to those who own the land on which they mine.³⁷ Second, in 2001, government established the Diamond Area Community Development Fund (DACDF) by which a share of taxes collected by government from artisanal mining activities should be transferred to mining-affected communities for development activities. DACDF grants are paid directly to chiefdom authorities who manage the grant and decide on development investments for people living in their chiefdoms. Third, the Mines and Minerals Act 2009 requires a mining company whose operations exceed a stipulated limit³⁸ to enter into a Community Development Agreement with their Primary Host Community in which the company pays just 1% of 1% of gross annual turnover as development funds.³⁹

Diamond Area Community Development Fund (DACDF) grants are often misappropriated in the absence of any framework for enforcing accountability, and DACDF grants do not reach the communities they are intended to benefit. "Secret payments" are made by politicians to paramount chiefs through the DACDF.⁴⁰ This patronage compensation, enables total control by paramount chiefs and their select group of sub-chiefs over

36 Government of Sierra Leone (2014). Country Report by Sierra Leone on Implementation of the Beijing Platform for Action (1995) and the Outcome of the Twenty-Third Special Session of the General Assembly (2000) Ministry of Social Welfare, Gender and Children's Affairs. https://sustainabledevelopment.un.org/content/documents/13190Sierra_Leone_review_Beijing20.pdf

37 Ordinary people's direct share of mining rents comes from the fact that in Sierra Leone all lands outside of the Western Area, where the capital city is, are owned by local families. Generally, in rural areas, land is available to be used by community members and is not for sale.

38 These limits include the rate at which a company produces or processes its products or services (throughput), the number of employees, and the levels of waste production. Otto, JM (2017). How do we legislate for improved community development? Wider Working Paper 2017/102. United Nations University. <https://www.wider.unu.edu/sites/default/files/wp2017-102.pdf>

39 The PHC is the single community mutually agreed on by the miner and the local council. This is usually the community where the mining is taking place.

40 Network Movement for Justice and Development in partnership with IBIS (2010). Mining Revenue Streams and their impact on communities affected by mining. Page 17.

3. THE IMPACT OF MINING ON COMMUNITIES AND WOMEN

expenditure and over the kinds of community investments made.⁴¹ Communities, chiefs and ordinary people still feel short-changed and continue to demand improvements in the systems for addressing their entitlements.⁴² Arguments continue regarding the sufficiency of these schemes for community benefit.

Women are heavily disadvantaged in enjoying even the small benefits these schemes may be delivering. Women continue to face systemic discrimination and entrenched gender bias that prevent them from engaging with and accessing the economic benefits of extractives rents paid to communities. It is the male members of land-owning families that handle money matters with government and mining companies. Even when they are a part of a family that owns land leased to mining companies, women may not be part of such decision-making processes and may not benefit directly from the proceeds.



It is highly probable that the culture of extreme violence against women continues amongst men empowered with guns, whether in the armed forces or in the private security of multinational companies.

⁴¹ *Ibid.*

⁴² Highlighting this problem include studies by Network Movement for Justice and Development (2006, 2010) and Richard and Gabelle (2013)

4. RESISTANCE AND PROTESTS BY COMMUNITIES

Mining communities in Sierra Leone have a long history of restiveness. In the 1930s, the Sierra Leone Selection Trust was given a 99-year sole and exclusive right to mine diamonds in a territory spanning over 7 700 square miles. The Sierra Leone Development Company, which mined iron ore in the 1930s, was also given a 99-year lease.⁴³ In the late 1950s and early 60s, a few community leaders began to agitate for a share of the mineral wealth for their communities.

Towards the end of the 1950s, some semblance of awareness of community entitlements to mineral wealth began to surface, especially in Kono where people believed that the district's diamond wealth was only benefitting Europeans and chiefs.⁴⁴ It was this sentiment that led to the formation of the Kono Progressive Movement. In addition, the thousands of people whose illegal mining efforts were being thwarted, sometimes resorted to low-level militancy targeting both the Sierra Leone Selection Trust and the chiefs.

In 1955, due to pressure from pro-independence advocates and communities in which mining was taking place, government amended its agreement with the Sierra Leone Selection Trust, which ended its monopoly and confined its operations to a much smaller area in the Kono District and Tongo Field. This led to the passing of the Alluvial Mining Scheme in 1956 which allowed indigenous miners to receive mining and trading licenses for artisanal and small-scale mining.⁴⁵ The scheme appeased communities for a time.

In the period following independence in 1961, and before the return to multiparty rule, citizens' agitation around extractives in Sierra Leone took two forms. Firstly, through industrial strikes over wages and working conditions. Secondly, there were spontaneous uprisings by locals who wished to acquire land to engage in artisanal diamond mining. There are no known instances of formal engagement by citizens with authorities and mining businesses for wider national or local community interests before the end of the civil conflict.

⁴³ Pratt T.L (2003). *The Contribution of the Diamond Industry to the Economy of Sierra Leone*. DSWP (DFID) Freetown. p.1.

⁴⁴ Reno(1995)

⁴⁵ Ibid.

Protests by communities or threats of protests over mining grievances still occur and are often quelled by armed personnel sanctioned by the state as part of a securitised approach. On 13 December 2007, people of Koidu protested on the streets of the town against Koidu Holding's refusal to honour payments for the resettlement of persons affected by their operations and for other disturbances to their properties. In the course of the protest, 2 people were killed and many more injured when security personnel used firearms.⁴⁶ On 17th April, 2012, security forces entered the iron ore mining town of Bumbuna and fired tear gas in the main market "populated largely by female traders and their children." Several female traders reported that their wares were looted by the police and 1 woman was killed.⁴⁷ In December 2012, a woman was seriously injured and 2 men were killed in Kono when police used firearms to quell a workers' protest at the diamond mining company, Koidu Holdings.

Post-war reconstruction and the transition to democracy created the space for the proliferation of civil society organisations in the form of community based organisations, professional associations and non-governmental organisations. Some of these organisations, such as Network Movement for Justice and Development (NMJD), focus on resource governance, mobilising and educating citizens about laws and policies, community rights and entitlements, as well as corporate accountability and advocacy for legal/legislative reform processes. When the mining boom began to unfold in 2008/2009, government, civil society and international development partners began to push for a new extractives sector governance system that was underpinned by transparency, accountability and sustainable development outcomes.⁴⁸

Today, agitation around extractives takes more organised civic forms. At the community level, land and property owners' associations are concerned with negotiating fair surface rents and other payments. Property owners' associations are also concerned with fair compensation for damage to plantations and houses. There are also women's groups that are concerned with the gender dimensions of the impact of mining. These organisations work with communities to organise and raise concerns around workers' entitlements, environmental hazards, and compensation for dispossession of and disturbances to community lands. They have also been instrumental in highlighting infractions (including violence) of the state and mining companies and bringing them to the notice of the broad citizenry.

In the past years, women impacted by mining in Sierra Leone have organised locally and are held together under an umbrella network, WoME (Women on Mining and Extractives). Through this important platform, women speak, exchange, learn and build political positions. They make visible the negative impacts of mining on women's lives, on the lives of their children, and on local communities. They build consciousness that women and their communities have the right to say no to mining development on their lands, and that should they choose to say yes, they should benefit from the revenues generated.

⁴⁶ Government of Sierra Leone (2008). *The Government White Paper on the Report of the Jenkins-Johnston Commission of Inquiry into the Events Leading to the Disturbances in Koidu City on the 13th December, 2007.*

⁴⁷ Amnesty International (2013): 41

⁴⁸ The key international development partners that have been re-organising Sierra Leone's minerals sector governance are the World Bank, the British Department for International Development, the African Development Bank and GIZ.

CONCLUSION

The paper has highlighted how elites have been able to capture the benefits of mining, while communities affected by mining and women within these communities, experience increased hardship.

Mining has resulted in the loss of land and livelihoods, and in an increased presence of security forces in mining areas. There have been tensions and outbreaks of violence perpetrated by these security forces against community members. Civil society organisations have risen to take on the challenges faced by communities.

There remains an insufficient focus by civil society organisations on the specific experiences of women in communities affected by mining and of women artisanal miners because of the increased levels of militarisation and securitisation of mining. Further research is required to uncover women's experiences of violence as a first step towards providing support and redress to women and to seek ways to abate such violence.



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