

PRESS STATEMENT

For immediate release. Freetown. Thursday 6th March 2025

CSOs Welcome First Lady's Intervention; urge for More Concerted Action to Save Mining Communities of Kono

Network Movement for Justice and Development (NMJD) and Marginalized Affected Property Owners (MAPO) of Koidu have been following with keen interest recent unfolding events regarding the deteriorating inharmonious relationship between Koidu Limited (formerly Koidu Holdings Limited and OCTEA), its workers and the mining affected communities of Tankoro and Gbense chiefdoms and the intervention of the First Lady of the Republic of Sierra Leone, Madam Fatima Jabbie Bio. From video clips circulating widely on social media platforms, the First Lady was visibly seen unhappy over the inhumane and slavery-like treatment meted to the company workers and the affected local communities by Koidu Limited.

NMJD, MAPO and all the mining affected communities welcome the intervention of the First Lady into the Koidu Limited and its workers saga and her unbridled determination to see that justice is served not only to the workers of the company, but also to all the affected mining communities of Tankoro and Gbense chiefdoms. For over two decades, NMJD have unwaveringly been at the forefront of advocating and campaigning for just mining in the country – mining that upholds, respects and promotes the rights of individuals and communities, and also promotes sustainable national development. Equally, for all of this period, the agonies, sufferings and plight of the people of Kono district have gone unheard, unnoticed, and not responded to sufficient enough by successive governments. Rivers and streams, which are the main source of drinking water for the populations are contaminated with dangerous chemicals, mined-out pits are left dangerously unrestored, farmlands are transformed into mining lands, lakes and mosquito-infested pools, chemicals-infested dust pollute the air causing headaches, frequent blasting causing high blood pressure and forcing pregnant women into premature labour and many other related respiratory problems. Many communities have been forcefully relocated without adequate compensation for damages caused to their properties and livelihoods.

As a result, these human rights violations and the conspicuous inaction of the government and its agencies, MAPO (formerly Affected Property Owners

Association -APOA) and the mining affected communities of Tankoro and Gbense chiefdoms organized a peaceful protest against the excesses of Koidu Limited on 12th December 2007 around the same issues the First Lady is today protesting against. This resulted in the deaths of two protesters – Aiah Momoh, 37 and Musa Momoh, 17 - allegedly shot by armed state security personnel. Aiah and Musa are not related. The government's immediate response was to suspend the operations of the company for a short while and a Commission of Inquiry into the circumstances surrounding the protest and shooting to death of the two peaceful and unarmed protesters was set up, headed by the late Lawyer Jenkins Johnston. The Commission produced a comprehensive report and wide-ranging recommendations to address the critical issues that came out during the enquiry. Those recommendations were not implemented and the vicious cycle of suffering for the people of Kono started all over again.

Five years later in December 2012, the mine workers union of Koidu Limited staged a protest over low salaries, poor welfare scheme and poor safety and conditions of service. The peaceful protest was quelled with police high-handedness, again resulting in the death of one person.

Due to their steadfastness in the pursuit of justice and human rights, the leaderships of both NMJD and MAPO are labeled by some local authorities (chiefs) within the mining concession area of Koidu Limited as troublemakers and they are equally treated as such. This is clearly evidenced by the frequency of hate speeches and intimidation directed at them by these chiefs in any given opportunity.

It is against this backdrop that, MAPO with support from NMJD and Public Interest Lawyering Initiative for West Africa (PILIWA) instituted legal action against Koidu Limited for its excess human rights violations at the High Court in Kenema in April 2019. Though the matter was filed at the Kenema High Court, court sittings were held sparingly in Kenema, Kono, Makeni, and lately in Freetown. This was despite protestations and pleas by the legal team of MAPO to have the court sittings held in close proximity because of the difficulty and costs involved in moving members of MAPO to attend court sittings.

For three long years, the court hearings focused only on whether or not MAPO has the *locus standi* to take Koidu Limited to court and this period was also characterized by missing and found files, thereby delaying the entire court proceedings. However, on 27th October 2023, the High Court of Makeni ruled against MAPO that they do not have the *locus standi* to take the company to court. MAPO immediately appealed against the decision of the High Court of Makeni. It took another two years of waiting for the Appeal Court to be empaneled. It was eventually empaneled by the then Hon Chief Justice, Mr Browne Marke, and the judgement of the Makeni High Court was reversed by



the Appeal Court in Freetown as Interlocutory and not a final judgement on the 29th February 2024

This decision came following preliminary objections raised by the Defendants by way of a Notice of Motion that the said judgment was final and leave to appeal should not have been sought, and that the Notice of Appeal filed by MAPO according to that judgment was not properly before the Court of Appeal. The objection was struck off by the Court of Appeal, which means MAPO's claims will now be heard by the Court of Appeal. The appellate court will adjudge whether the Plaintiffs (MAPO) have the legal capacity to sue Koidu Limited. The matter at the court of appeal has been called after the 16th of April 2024 and oral and written arguments by counsels closed on October 29th 2024, to which MAPO awaits ruling.

Despite the setbacks and other challenges that NMJD and MAPO continue to face in their quest for justice, we are encouraged by the intervention of the First Lady and her determination to reverse the trend of sufferings of the people of Kono district, especially when she is raising the same issues that made MAPO and NMJD to go to court to seek redress. We therefore call on all well-meaning indigenes and progressive individuals and organizations/institutions to stand up and join a worthy course and save Kono district from further devastating consequences.

About NMJD

NMJD is a national civil society advocacy organization. It was established in 1988 with the aim of working towards building a just and self-reliant Sierra Leone, where the marginalized and exploited are equipped with the necessary skills and knowledge and empowered to take control of their own lives. NMJD focuses on empowering the people, as well as strengthening their capacity, to build a free, just and democratic society where there is respect for human rights and sustainable development for the benefit of all.

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