

REGULARISING THE MINING SECTOR & ENFORCEMENT OF MINING LAWS

Ministers of State

Members of Parliament

Heads of Agencies

Distinguished Members of the Diplomatic Corps

Niimeɪ Naameɪ, Nananon

Members of the Media,

Distinguished Ladies and Gentlemen

I welcome you to this interaction with the Media on the topic of Reforms in the Mining Sector.

I also welcome all who are watching, listening or reading from your homes, work places, hotels, on the road, on the farm and anywhere you find yourself.

Introduction

Most of you may recall that at his inauguration, President Nana Addo Dankwa Akufo-Addo made the following statement:
"We should all recognise the danger we face by the alarming degradation of our environment and work to protect our water bodies, our forests, our lands and the oceans. We should learn and accept that we do not own the land but hold it in trust for generations yet unborn and, therefore, have a responsibility to take good care of it and all it contains."

Soon after the President was sworn into office, he reiterated his commitment to protect the land and water bodies that had been devastated by illegal mining activities. He initiated measures to stop the illegalities, regularise the small-scale mining sector, take measures to prevent occurrence of illegalities in the future, including reform and strengthening of regulatory agencies as well as reform of mining laws

Illegal mining operators were washing the ore, and discharging waste products, into rivers and other water bodies that serve as raw water sources for drinking. These wastes include mine tailings which are directly discharged into rivers, introducing into the water, a large amount of suspended solids that directly contaminate aquatic habitats. Some mine tailings are toxic and pose serious health threats to human, animal and plant life.

Water bodies, which serve as drinking water for local communities and a raw water source for the Ghana Water Company, are heavily polluted as a result of illegal mining operations. The Birim, Offin, Ankobra, Tano and Pra Rivers for example, have become extremely expensive to treat for human consumption, as a result of the very poor water quality.

Yet these Rivers serve as a raw water source for the Ghana Water Company (GWC) treatment plants in such places as Kyebi, Osino, Anyinam, Daboase and Bunso.

Indeed, on many occasions in the first six months of 2017, when the Ghana Water Company was compelled to treat the water in its polluted state, the treated water never conformed to drinking water standards of the World Health Organization (WHO) and the treated water had to be released to go to waste. Just imagine the loss of revenue that the company suffered.

Other water bodies, such as Owabi in the Ashanti Akyem-North; and Oda in the Amansie Central district; which are also sources of drinking water to communities, are equally badly polluted. The Black Volta, White Volta and Red Volta Rivers in the northern part of the country have not been spared.

In the words of my colleague, the Western Regional Minister, the damage that galamsey has done to the Ghanaian landscape is even worse than hitherto realised. He narrated the experience of one Airline pilot who had flown many times between Ghana and Cote d'Ivoire: "***The contrast between the Ivorian landscape and that of Ghana, as one flies across the border, is beyond belief. The Ghanaian landscape is pock-marked with these multifarious ugly craters. The forests are gone. Many of the farms are also decimated or fractured. From the sky, it looks exactly as if the landscape had been deliberately bombed.....***

Drones flown by IMCIM gave similar images. It is estimated that about 10% of the surface area of Ghana is degraded, which is 23, 853 sq. km or 2, 385, 300 hectares!

Again, it is estimated that it will cost about 12 000 USD to reclaim and restore one hectare. It follows that Ghana will need about 29 billion USD to restore land degraded by illegal mining activities.

Fellow Ghanaians, these terrible effects of galamsey would be bad enough if all things remained equal. But we now have a situation whereby humanity as a whole is facing the problem of climate change. Climate change is real, and its effects are being felt in Ghana.

The harmful effects of this phenomenon include loss of vegetation cover, loss of farm and pasture land, increasing incidence of wild fires and drying water bodies as well as coastal erosion from rising sea levels causing damage to buildings and infrastructure.

Impact on Forests

The cumulative effect of illegal mining activities on our primary forest cover is devastating.

You may be surprised to learn that at the turn of the last century, that is around 1900, Ghana had about 8.8 million hectares of primary forest. By 1950, the area had been reduced to 4.2 million hectares. But by 1999, only about 1.5 million hectares was left! In 2010, the United Nations Food and Agriculture Organisation (FAO) estimated Ghana's deforestation rate at 135 395 hectares per year. Yet, the rate of afforestation and re-afforestation combined is only about 20 000 hectares per year.

With these figures one can compute that a time will soon come when there will be no primary forest left in Ghana.

Now, Ladies and Gentlemen, all this devastation has been quite unnecessary. For as is universally known, Gold has been mined in our country for over 500 years. Large-scale gold mining activities were also begun by the British in the early 19th century. Before then, small-scale gold mining was being undertaken by the indigenous population in isolated areas. But so careful and efficient were our forefathers that never threatened our water bodies with widespread pollution as is the situation is today.

Since 1992, ruthless practices have been introduced into small-scale gold mining, at the same time as a major influx of foreigners into small-scale mining, or “galamsey” has occurred.

Now, it must be remembered that this has been happening, despite the fact that the laws of Ghana expressly make small-scale-mining the sole preserve of Ghanaians.

Illegal mining activities

In the context of fighting illegality in the mining sector the IMCIM set up by H. E. the President defined illegality as follows:

1. Mining in the river-bed e.g. dredging (**Chang Fang**)
2. Mining on the banks of rivers (**within the 60-100m buffer zone**)
3. Diversion of tailings and other effluents into water bodies
4. Mining in forest reserves
5. Land degradation
6. Non-reclamation of land
7. Foreigners involved in small scale mining
8. Use of dangerous chemicals, such as mercury and cyanide
9. Deployment of unlicensed heavy-duty earth-moving equipment

In addition to the above challenges, the small-scale mining sector is informal in nature and the regulatory agencies have lacked both human and logistical resources required to regulate the industry.

Suspension of artisanal and small scale mining operations

Early 2017, a moratorium was put in place to suspend artisanal and small-scale mining operations throughout the country initially for a period of six months, this was then extended till further notice.

Establishment of the IMCIM

It was the complex difficulties in the mining sector that made the President establish the Inter-Ministerial Committee on illegal mining in April 2017 and charged it to address the issue of illegal mining. The members of the Committee are made up of Ministers from the following Ministries:

1. Environment, Science, Technology and Innovation (MESTI) – (Chairperson)
2. Lands and Natural Resources;
3. Local Government and Rural Development;
4. Chieftaincy & Religious Affairs
5. Regional Re-Organisation and Development
6. Sanitation and Water Resources
7. Interior
8. Defence
9. Information
- 10 Mr. Charles Bissue, a Presidential Staffer (Secretary to the Committee.)

The Committee is supported and advised by the Minister for National Security, the National Security Advisor, the Minister for Monitoring and Evaluation and the Chief of Staff.

Operative work of the IMCIM

The ban on mining was put in place to achieve three objectives namely **Sanitisation, Regularisation** and **Reform, Monitoring & Enforcement**

Sanitisation

Sanitisation of the artisanal and small-scale mining sector had the objective of stopping on-going illegal activities that in the main were pollution of water bodies, depletion of forest reserves, destruction of farm lands, use of dangerous chemicals such as mercury, engagement of foreigners in artisanal and small-scale mining and use of unlicensed heavy earth moving equipment such as excavators and bulldozers.

Launching of Operation Vanguard

To enforce the ban Operation Vanguard, made up of four hundred (400) men drawn from the military and police service, was launched on July 31, 2017 and deployed to mining areas mainly in the Eastern, Central, Ashanti and Western Regions to enforce the ban.

Regularisation (Mainstreaming of the artisanal and small-scale mining sector)

Training of Small-scale Miners

There is the school of thought that holds that many miners engaged in illegality unknowingly. To give them the benefit of doubt the Government provided funds for miners to be trained in sustainable mining at the University of Mines and Technology Tarkwa (UMaT). In one and half years 3000 miners were trained and the cost of training was borne by the government.

Community Mining Groups

Unregistered miners who were referred to as *Galamseyers* are now being organised into community mining groups and will be provided with concessions to work on legitimately under the supervision of District Mining Committees. There should, therefore be no logical reason why any person in Ghana should engage in illegal mining.

Formation of District Committees on Illegal Mining

Per the President's directive, the IMCIM undertook a nationwide tour of all mining Regions to form and inaugurate adhoc District Committees on Illegal Mining (DCIMs) from 15th to 23rd January, 2018. Each DCIM is composed of the following:

- a. The MMDCE (Chairperson)
- b. Representative of the relevant Metropolitan, Municipality or District Assemblies
- c. Representative of the Traditional Council within the Metropolis, Municipality or District
- d. Representative of the Minerals Commission
- e. Representative of the Environmental Protection Agency
- f. Representative of the Forestry Commission
- g. Representative of the Immigration Service (where applicable)
- h. Representative of the Ghana Security Service
- i. Three other appointments by the President

A total of 72 adhoc DCIMs have been formed across the Country to support the IMCIM fight against galamsey at the district level. The functions of the DCIMs are:

1. To address artisanal and small-scale mining issues that will arise within the District/Municipality;
2. To educate and organise small-scale miners within the District/Municipality;
3. To eliminate illegal mining activities and promote sustainable mining within the District/Municipality;
4. To manage the relationship between small-scale miners and other mineral right holders;
5. To promote social responsibility activities among small-scale miners within the District/Municipality.

Vetting of Miners

Over the years there have been no accurate figures about the number of small-scale mining operators in Ghana so the IMCIM undertook an exercise to vet all small-scale mining companies. The Minerals Commission provided a list with 1,350 small-scale companies and they were invited for vetting. The vetting process involved inspection of documents and other measures.

Inspection of Documents

The documents inspected during the vetting exercise included but not limited to mining licences, environmental and operating permits, Tax Identification Number ('TIN'), and company registration details. **If licence/permit expired prior to the ban, the documents were verified to ascertain whether renewal application has been made.**

Field Mapping and Verification of Artisanal and Small-scale Mining Concessions

The IMCIM deployed teams of geologists, surveyors and other field officers to map out the boundaries of all small-scale mining concessions using Global Navigation Satellite System (GNSS) and drone technology to verify the existence of concessions and accuracy of location and size and further provide a baseline for all artisanal and small-scale mining concessions. **The location of each concession was also linked to the GhanaPost GPS digital address system.**

Communication of Successfully Vetted Artisanal and Small-scale Mining Companies

Identification cards (ID cards) will be issued to successfully vetted artisanal and small-scale mining companies and entities. Information embedded on each ID card include the GhanaPost GPS digital address of their concession and license validity information.

Signpost are to be erected at the concessions of the successfully vetted artisanal and small-scale mining companies/entities to clearly indicate ownership, size of concession and GhanaPost GPS digital address before miners go back to work.

Miners have been told to make their earth moving equipment, such as excavators and bulldozers, available for licencing by DVLA and also tacking with electronic tracking devices by accredited agents.

A successfully vetted company fulfils the following conditions:

1. Valid company registration documents
2. Valid permits and licences from regulatory agencies
3. Valid Tax Identification Number
4. Boundaries of concessions mapped out
5. Valid ID Card from IMCIM
6. Quick Response (QR) Code from IMCIM
7. Excavators and Bulldozers licenced by DVLA and also electronically tagged

Successfully vetted small-scale miners to be allowed to commence mining operations will be published in the digital and print media including the IMCIM's official webpage.

Reform, Monitoring and Enforcement

Public Education and Sensitisation

The IMCIM embarked on public education and sensitisation tour, spearheaded by the Minister for Chieftaincy and Religious Affairs, who toured the Country twice and interacted with chiefs, queen mothers and opinion leaders in all traditional councils in the Country.

A group of seasoned journalists came together as the Media Coalition against Illegal Mining and also toured the country and interacted with a cross section of the Ghanaian population.

Members of the IMCIM themselves also toured all the mining districts and explained government policy on illegal mining to the population. A TV documentary on illegal mining has also been produced and has been shown on many occasions on major TV stations in the country. Short films and clips have been specially made for social media such as Facebook and WhatsApp.

Acquisition of Drones and Drone Training

The Government has acquired drones of varying endurance capacities, some of which are also equipped with night vision sensors.

Drone pilots have been trained at UMaT, 144 of them will be deployed in the mining districts, 16 at the Regional Coordinating Councils, 10 to be managed from IMCIM office in Accra, 18 for Operation Vanguard and 15 for the Minerals Commission. All the drone pilots have undergone military training.

All trainees, apart from those from Operation Vanguard and Minerals Commission, will be working as National Builders' Corps (NABCO) in the various mining districts and with the DCIMs.

Pilot Monitoring with Satellite Images

In addition to the drones, a remote sensing pilot project using a 20-meter resolution satellite imagery has been started by the IMCIM to monitor illegal mining activities. Having obtained a classified map of the areas of interest in a relatively low resolution, high resolution drone images of selected regions are captured to verify the results obtained from the satellite images.

A Memorandum of Understanding (MoU) between the IMCIM and the Environmental Pollution Monitoring Consortium has been signed to undertake an earth observation (Satellite remote sensing) project that aims at reducing the negative effect of mining the environment. The Consortium is co-funded by the European Space Agency (ESA). As part of the MoU, there will be capacity building sessions on radar/optical remote sensing involving UMaT, Forestry Commission, Minerals Commission and EPA.

Development of GalamSTOP

The IMCIM has developed the GalamSTOP, which is a single window electronic reporting system that integrates data from the various stakeholder agencies such as the EPA, the Minerals Commission, WRC and the District Assemblies. The GalamSTOP software monitors the life-cycle of mining and related licenses/permits within the artisanal and small-scale mining sector to ensure that the process does not exceed a maximum of 90 days.

The software will also help the DCIMs with their weekly reports to the IMCIM Secretariat and further help monitor illegal mining activities within their Districts. *In addition, the GalamSTOP software has been interfaced with an existing platform from the International Labour Organisation (ILO) to help track and support the elimination of child labour at mining sites.*

Essentially, GalamSTOP has two parts, field data collection application and data/mining company management system. GalamSTOP software is installed on 80 rugged computer tablets that have been procured by the IMCIM for the DCIMs and other stakeholders for monitoring of illegal mining activities.

Registration and Installation of Tracking Device on Earth Moving Mining Equipment

The IMCIM in collaboration with the Driver and Vehicle Licensing Agency (DVLA) have registered and installed electronic tracking devices on earth moving equipment, especially excavators, to ensure that the use of equipment at inappropriate locations are monitored and reported.

Boats to Patrol Rivers

The IMCIM has ordered boats to patrol the rivers so as to stop miners who are polluting the rivers through dredging.

Why Past Attempts Failed

Now, I come to a question that is on the mind of many a Ghanaian with regard to galamsey: How did we get here? Since 1992, successive Governments have been aware about galamsey activities and their associated socio-economic and environmental impacts but attempts to fight the menace had not been sustained.

There have been several “swoops” organised by Governments to control the upsurge of galamsey operations. In 2014, for example an operation was carried out to arrest galamsey miners across the country. A number of foreigners were arrested and deported. However, the commitment to sustain the exercise to preserve and protect the environment was lacking.

The reasons for failure of attempts to curb this menace in the past include, but are not limited to, the following:

- Lack of political will
- Security operations not sustained
- Weak capacity of regulatory institutions.
- Lack of community involvement
- Lack of alternative livelihood programmes.
- Land reclamation and restoration not done
- Large-scale concession owners leasing portions of their land to galamsey operators

What is Different Now?

Political Will

President Nana Addo Dankwa Akufo-Addo has demonstrated the greatest political will ever to fight illegality in the mining sector. At a meeting with Paramount Chiefs and Religious leaders at the Accra International Conference Centre on 10th June, 2017, the President made a profound statement to the effect that he was prepared to put his presidency on line to win the fight against the destruction of our environment and biodiversity.

This will be further demonstrated when, on the 7th July, 2018 H.E. Nana Addo Dankwa Akufo-Addo, instructed the Inter-Ministerial Committee to devise extensive and intrusive monitoring and enforcement mechanisms that would ensure that miners do not repeat past mistakes and pollute the environment in future.

Overhaul of the Small Scale Mining Sector

The moratorium, or what some may term the ban, forms a relatively small part of the measures the Government envisages to improve the small-scale mining sector and also protect the environment. Also contemplated are reforms of the mining laws.

The degeneration in the small-scale mining sector came about partly because of some weaknesses in the small-scale mining law and the inability or lack of capacity of the regulatory agencies, especially the Minerals Commission and EPA, to enforce the existing regulations.

The IMCIM has made certain recommendations for reform that have been approved by the Cabinet. The reforms are meant to:

1. Halt operational activities of so-called Large-Scale Mining Companies employing small-scale technology;
2. Abolish the 'Tributer' system that allows business people to acquire large scale concessions and parcel them out to small-scale miners;
3. Abolish the practice of bulk sampling, where mining companies that have prospecting permits actually engage in mining under the guise of bulk sampling.
4. Halt the practice whereby mining companies abuse prospecting licence and engage in actual mining without mining licences;
5. Amend laws that allow foreigners to provide mining services to small-scale miners;
6. **Ban the fabrication, transportation and use of dredging/mining equipment for mining on water bodies;**
7. Establish a regime to legalise community mining.

Mining Sector Reforms

Government will introduce reforms with respect to minerals sector governance, policy and regulations with focus on small scale mining. These include:

Measures to ensure Transparency in mineral resource management

(There will be the) **Formation of Geological Investigation Steering Committee by the Minerals Commission and Ghana Geological Survey Authority**

The Minerals Commission and the Geological Survey Authority will work much more closely. Their Steering Committee will be resourced to provide “improved geology” for small-scale mining operators in order to help them identify suitable land for mining of minerals.

This will ensure that, small-scale mining operations are conducted on pre-determined mineable reserves so as to curb the speculative and unsustainable approach to mining, currently being practiced by the miners.

This will reduce the investment risks, unnecessary land degradation and water pollution arising from the frequent wild searches for mineralised areas.

Reforms at the Minerals Commission

The Minerals Commission has already initiated reforms that will have the following effects among others:

1. enhance its presence and visibility for deterrent effect
2. enhance citizenry and clients access to the services of the Commission
3. improve collaboration with key Government agencies and
4. allow for effective supervision, monitoring and evaluation of mining operations and exploration activities.

Complaints, Investigation & Grievance Handling Unit

The Minerals Commission as part of brand and image enhancing strategy has set up a communication desk at the Headquarters and eventually at the Regional offices that will handle information disseminating, grievance, community-related conflict handling.

A website is under construction, on-line newsletter and fact sheets on minerals and procedures for acquiring licenses are under consideration to make the Commission client and commercially-focused.

Allocation of mineral concessions, licenses and contracts

The cadastral system (Act 703 section 8, and 86) will be applied appropriately to ensure that all lands given out as concessions are mapped and can be verified by all. This will ensure transparency in allocation.

Acquisition of a small-scale mining licence is a process that is supposed to take a maximum of 5 months (90 days within the Minerals Commission and 60 days at the Ministries). However, in reality it can may take over 3 years. Measures will be taken to ensure compliance with the prescribed duration. This will include automation of the application process to make it easier and faster. The GalamSTOP introduced by the Inter-Ministerial Committee on Illegal Mining is currently the best tool for this.

Promotion of high level of environmental stewardship

The environmental permit for small-scale operations, Sections 5.6 to 5.10 talks about concurrent reclamation and backfilling within 3 months after completion of operation, non-discharge into water bodies, 60 m buffer zone along rivers and other regulations regarding health and safety, compensation and water use. However, these are rarely adhered to. New measure will be taken to enforce full compliance.

Enhancement of inter-agency collaboration in the management and development of mineral resources

There will be re-organisation of the roles of the regulatory agencies. There is the need to integrate health, environmental and mines safety issues under one agency. In industrial practice, health, safety and environment generally go together.

Alternative Livelihood Projects

Soon after the ban was instituted, the IMCIM commenced an alternate livelihood project designed and set in motion by the Ministry of Local Government and Rural Development (MLGRD).

Presently, the MLGRD through the Department of Community Development are implementing Alternative Livelihood Programmes in 18 selected districts in 5 Regions, adversely affected by illegal mining. *after extensive research had been carried out on the potentials as well as alternative livelihood needs of these Districts.*

The major activities undertaken include Community-Based assessment/study, where 5000 trainees, were identified and shortlisted for training in TVET. 500 are currently undergoing training in Community Development Technical and Vocational Institution, 450 have been selected for the community level training in various trades including hair dressing, catering, auto mechanics, carpentry, among others. Tools and equipment have been procured to support trainees during and after training. This programme will be replicated in all mining districts.

International Collaboration and Mercury Pollution Abatement Project (MINAMATA)

Ghana has ratified the Minamata Convention that seeks to ban the use of mercury in artisanal and small-scale mining in order to reduce health risks.

Technological Transfer

MESTI, MLNR and UMaT will conduct a nationwide sensitisation programme on the benefits of direct smelting of gold concentrates. UMaT will train and monitor the operations of direct smelting of gold concentrates. The locally-fabricated furnace '*sika bukyia*' developed by UMaT will be used for the technological transfer. Other gold recovery technologies without the use of mercury will be explored.

Meaning of Lifting of Ban

Lifting of the ban will allow mining companies with valid company registration certificates, valid permits and licences from regulatory authorities (Minerals Commission, EPA, and Water Resources Commission), Tax Identification Numbers (TIN), who have had their mining equipment licenced and electronically tagged by DVLA and whose concessions have been vetted and given Quick Response code (similar to bar codes) to go back to work.

Mining equipment, especially excavators and bulldozers that have not been licensed by DVLA and tagged with electronic monitoring devices by approved agents will NOT be permitted for mining purposes.

All mining companies are expected to have at least one person trained in sustainable mining at UMaT, Tarkwa on site.

What the ban does not mean

It does not mean “the ban” on Galamsey has been lifted. Galamsey is still illegal. Galamseyers have been trained at UMaT and organised into community mining gangs.

It does not mean foreign miners who are hiding in Ghana or escaped into neighbouring countries can come and continue their illegal activities. It does not mean security operations to enforce compliance with mining regulations and approved practices will be discontinued.

It does not mean there will be no monitoring of mining activities.

Conclusion

The President has demonstrated the political will to sanitise, regularise and reform the small-scale mining sector. The IMCIM embarked on a programme to systematically reform the sector and at the same time preserve the integrity of the environment.

Miners who out of ignorance might have done the wrong thing have been given the opportunity to receive proper training at UMaT in sustainable small-scale mining operations.

Individuals who wanted to stop mining altogether were offered training in alternative livelihood trades.

There has been adequate education of miners, chiefs and religious leaders, opinion leaders and the general populace.

All registered small-scale miners were given the opportunity to appear before a vetting committee to have their documents regularised. The ban on small-scale mining is being lifted for the compliant ones to go back to work within the regularised and reformed framework.

The list compliant miners will be published in the electronic and print media on Monday 17th December, 2018. This information will be available on the notice board of the municipal and district assemblies.

Unregistered or illegal miners who were referred to as Galamseyers are being organised into community mining cooperatives and provided with concessions to work on legitimately under the supervision of the District Committees. There should, therefore, be **no logical** reason why any person in Ghana should engage in illegal mining.

The IMCIM has acquired drones and other devices to monitor and enforce mining regulations. Also, the IMCIM has developed a computer software called the GalamSTOP that will help regulate activities of regulatory agencies such as Minerals Commission, Water Resources Commission and Environmental Protection Agencies and monitor the life- cycle of mining and related Licenses/ permits.

Let us remind ourselves that mining in the river bed, mining on the banks of rivers within the 60 meter buffer, diversion of tailings and other effluents into water bodies, mining in forest reserves, non-reclamation of degraded land, foreigners involved in small-scale mining, use of dangerous chemicals e.g. cyanide and mercury and deployment of unlicensed heavy-duty earth moving equipment constitute illegality.

Heavy mining equipment that have not been licenced and electronically tagged will be confiscated to the state. Going forward, there will be credible security operations to enforce mining laws.

Government will reform the regulatory agencies to make them more efficient and responsive to environmental and health issues.

We thank Ghanaians of good will for their support. We commend the Ghana National Association of Small-Scale Miners for their cooperation. We appreciate the work done by our Professors from UMaT, Tarkwa.

We know that the war to preserve the environment might take a long time but we are prepared to fight every battle and eventually win the war. On behalf of my colleagues on IMCIM I thank H.E. the President leadership and unusual commitment to the fight to preserve the environment and our biodiversity.

Having successfully implemented the strategies outlined in the roadmap, the ban on small scale mining is being lifted as from Monday, 17th December, for the **miners, who have gone through vetting successfully**, to go back to work **within the regularised and reformed framework**.

I thank you for your attention,

God bless our Homeland Ghana and make our Nation Great and Strong