

**PRESENTATION BY DANIEL OWUSU-KORANTENG: EXECUTIVE
DIRECTOR OF WACAM AT THE PUBLIC FORUM OF CHRAJ ON HUMAN
RIGHTS ISSUES IN MINING HELD ON THE 11TH and 12TH SEPTEMBER
2001, TARKWA**

The mining boom which was the result of the World Bank /IMF sponsored ERP has impacted negatively on the livelihood of the people in the Tarkwa area. About eight surface mining companies have operated in the Tarkwa area and large tracts of land have been committed to the surface mining operations with grave implications on the livelihood of the people in the area.

Our petition of 19th July 2001 to the Commissioner of Human Rights and Administrative Justice (CHRAJ) as per our letter WACAM/P/Vol./1 identified the following problems associated with surface mining:

- Police and mine security brutalities in the mining communities
- forced evictions
- Inadequate compensations
- problems of mine resettlements
- reduction in number of rooms
- Destruction of cultural sites
- Unemployment
- Pollution of air and water bodies resulting in poor health status of residents in mining communities especially children and pregnant women
- Land degradation
- Displacement of communities and its impact on education of children

The aggregate effect of these problems of surface mining is the violation of the rights of the communities to development, which is widely recognised as a fundamental right by the United Nations General Assembly Declaration on the right to development which states that:

” The right to development is an inalienable human right by virtue of which every human person and all peoples are entitled to participate in and contribute to and enjoy economic, social, cultural and political development in which all human rights and fundamental freedoms can be fully realised”

The right to development is re-enforced by the African Charter on Human and peoples Rights (Article 22) that all peoples have the right to their economic, social, and cultural development with regard to their freedom and identity.

The right to development are restated within the framework of the Constitution and the Mineral Law (PNDC Law 153 1987). The rights include the right to fair, prompt and adequate compensation for the disturbance of the surface rights including destruction of farmlands, crops houses and water sources; the right to clean and healthy environment, the right to

health, the right to life; protection of personal liberty and respect for the dignity of human person.

These rights have been grossly violated by the surface mining operations in the area and it is imperative to have an in-depth investigation into the violations of the rights afore mentioned within a broad social, legal, cultural and economic context.

Rural people are the people mostly affected by the operations of surface mining and it is known that poverty and illiteracy are prevalent in rural areas. Poverty and illiteracy affects access to justice by the affected rural communities who cannot afford to pay for the services of lawyers.

Affected communities also suffer from litigation fatigue when cases are prolonged in courts. In most cases, the mining companies are able to manipulate traditional and political structures to their advantage thus blocking all openings for redress. The human rights violations are widespread in most mining communities but we wish to cite the following specific cases to justify the need for an in-depth investigation:

KODUAKROM

The people of Koduakrom embarked on a demonstration on 11th of October 1999 to demand compensation for the crops destroyed by Abooso Goldfields Limited (AGL). AGL organised its security to brutalise and arrest the demonstrators. Some of the demonstrators who were arrested were kept in Tarkwa police cells for six days without bail in contravention of the constitutional requirement of not keeping suspects in cells beyond 48 hours without bail.

The demonstrators received various injuries but the most serious ones were Yaw Frempong who has become blind in one eye and Geoffrey Tremendous who had a deep cut on his head. The mine security applied red hot iron to the body of Simon Mawuko and he bears the scars on his body to date in addition to the injury to one of his eyes

It is difficult to imagine that such brutalities could be meted out to people whose only crime is that they happen to live on gold. Koduakrom has other problems on pollution of drinking stream, problems of blasting, noise from operating machines of AGL especially at night.

KYEKYEWERE

The police and security personnel of AGL raided Kyekyewere village on 6th February 2001 and destroyed houses of the relocated residents who were demanding compensation for their crops. The police beat up some of the residents and one pregnant woman miscarried in the process. AGL has defended its stand of non-payment of compensation to the relocated people with the argument that the farms of the relocated people are not in the concession of AGL.

Additionally, the new settlement called new Kyekyewere was sited seven kilometres from the old Kyekyewere. The implication is that farmers in new Kyekyewere would have to walk at least 20 kilometres to their farms.

A Fact Finding Mission of FIAN/WACAM that visited Kyekyewere in October 2000 realised that most of the children in the village had blood in their urine.

SAMAHU

Goldfields Ghana Limited (GGL) undertook the demolition of buildings and structures in Samahu and surrounding villages in March 1997.

BRAHABEBOME

The residents of Brahabeome have complained that the blasting of GGL has cracked their buildings and polluted their drinking stream.

NKWANTAKROM

Ghana- Australia Goldfields (GAG) disputed that Nkwantakrom an old farming village existed on GAG's concession before the establishment of the mine. GAG organised thugs, police and the mine security to undertake a raid of the village on 27th June 1997. The security and police destroyed the Early Childhood Development Centre (kindergarten) which had been established by the village through communal activity. Other social amenities destroyed were:

- Salem Pentecostal church
- A Mosque
- Community meeting place
- 45 buildings

ADISAKROM

The drinking stream of Adisakrom has been polluted by the operations of GAG and the residents usually complained that the wells provided by GAG are polluted. When WACAM/FIAN complained in the FFM report, GAG gave the following response;

” Adisakrom was provided with well water because GAG was providing wells as a show of goodwill for the neighbouring communities and not because GAG has polluted the surface stream of these people. GAG sincerely believes that the NGO should engage in some form of awareness creation in the area of simple Hygiene and management of community wells. That would go a long way to reduce the frequency of contamination of the wells with faecal matter due to dirty implements used in drawing water”

ANIKOKO/BODWIRE_EGYA

These villages were on the concession of Bogoso Goldfields Limited (BGL). The residents complained about the effects of emissions from the roaster and tailings dam of BGL on their health. The residents vomited frequently and also had rashes and eye problems. The emissions affected their crops and all vegetation. The animals that grazed on the vegetation died. The

community realised that all their crops were withering. When the company refused to respond to their complaints and conditions became unbearable, they had to abandon their cocoa farms and voluntarily migrated to other villages without the company paying compensations to them.

AYENSUKROM NO2

Cocoa farmers have had a sharp decline in the yields since the establishment of BGL and there is the need to investigate the basis of the decline since the farmers strongly suspect a relationship between the decline and the sharp decline in Cocoa output in the area.

DUMASE

The operations of BGL are close to Dumase leading to the cracking of buildings and the pollution of streams. There is a serious allegation of homosexual assault on gamamsey operators arrested working on the mine concession by the mine security. We call on the commission to get to the bottom of this allegation of homosexual assault.

CYANIDE SPILLAGE OF TEBEREBIE GOLDFIELDS (NON OPERATIONAL)

There was a cyanide spillage of the defunct Teberebie Goldfields which destroyed nine villages and polluted river Angonaben, a tributary of Bonsa River and a source of drinking water of Techiman, Kofikuma, Kwekubroni and six other villages on 16th June 1996. The affected farmers were not adequately compensated. The assets of Teberebie have been taken over by GAG and GGL. The following villages have problems that could be investigated,

- Kojokrom - resettled by BGL
- New Atuabo - resettled by GGL
- Badukrom - resettled by Teberebie Goldfields
- Kumsono - affected by BGL
- Tarkwa Bansa - Affected by Ghana Manganese Company
- Diwobrekrom - residents were relocated by GAG and paid paltry compensation with reasons worth investigating

We recognise that the existing mining laws have not adequately addressed the concerns of mining communities and any attempts at mining law reform must seek the protection of community rights instead of lowering standards for the mining companies. Communities have also not benefited from royalties received from mining. There is the need to demand accountability of royalties accruing from mining. Since the companies are mining the nation's natural resources, they should not be allowed to shroud their operations in secrecy and should provide information to civil Society. If they fail to do this, they must be compelled by law to do so. We thank CHRAJ for this initiative. Thank you.