

## **Report on the TWN Africa- Star Ghana Multi Stakeholder Roundtable on the Role and Place of Artisanal and Small-scale Salt Mining in Ghana**

Sogakope, 25<sup>th</sup> April



### **Introduction**

Third World Network – Africa (TWN-Africa) on the 25<sup>th</sup> of April 2018 organized a roundtable discussion to discuss the optimal role of Ghana’s artisanal and small-scale salt sector and existing policy on the salt sector in Ghana with the view of contributing to on-going reforms of Artisanal and Small-Scale Mining (ASM) in Ghana. The production of the position paper as well as the seminar itself are supported by STAR – Ghana which is supporting a range of activities being implemented by the TWN-Africa in the ASM sector.

Participants to the dialogue included ASM salt producers from Ada and Keta, District and Municipal assemblies from Ada, Keta and Ketu South, representatives of large scale companies, a representative from the police and the media. Over 40 participants took place in the meeting.

In his welcome address, Dr. Yao Graham, the Coordinator of Third World Network-Africa, expressed his appreciation to participants for their turnout which he noted was

a show of everybody's concern at the situation. He therefore hoped the meeting would be beneficial, and looked forward to lively discussions on the issues. On Ghana's minerals, Dr. Graham noted that the natural resources are held in trust by the government for the people and therefore mining policies and practices must work for the people. The policies must ensure benefits for Ghanaians, especially those living by the resources, in this particular case, those living by Keta and Songor Lagoons. Both lagoons offer great potential as far as salt production is concerned but are currently producing at minimal levels. The result is that thousands of jobs that could be created are lost and the coexistence of small and large scale operators also lost. Unfortunately, small scale businesses are not promoted generally in Ghana unlike in other countries where the small-scale industry is seen as the lifeline of the large scale one and thus promoted rigorously. The Songor Lagoon and the challenges it has faced over the years as far as salt production is concerned is an example of the 'missed' opportunity of the great salt production potential that it represents.

### **Study on Salt in Ghana**

#### **Alhassan Atta-Quayson's Presentation—PowerPoint**

Mr. Atta-Quayson, who did a study, '*Towards optimal Exploitation of Salt from the Keta Lagoon Basin in Ghana*' gave a brief overview of his study. Giving the background to his presentation, Mr. Atta-Quayson, noted that two-thirds of salt produced in Ghana is by artisanal and small scale salt miners and thus any intervention in the sector ought to take that into account. Unfortunately, according to the study, government's policy framework is more aimed at promoting the large scale producer at the expense of the artisanal and small scale salt producers. The result is a complete disregard of the people who have for centuries been the major producers of salt and who by their huge numbers and the linkages they provide to other sectors in their operations offer more to the national economy than the few large scale operators. In the wake of this comes the loss of livelihood by thousands, disruption of local economies, increased poverty and conflict.

According to Atta Quason, the government of Ghana's position flies in the face of its commitments to the ECOWAS Minerals Development Policy and the African Mining Vision, both of which call for the promotion of artisanal and small scale mining as a means of poverty reduction and promotion of the economy. Furthermore, government's current choice of the large scale salt companies betrays the recommendations in the Master Plan for Salt Development in Ghana (1991) arising from the challenges in the Songor Lagoon area. At best it was clear both the artisanal and small scale salt miners and the large scale operators should be allowed to co-exist if government thinks it cannot go for the artisanal and small scale salt mining dominated approach to the industry.

In his conclusions, Mr. Atta-Quayson, recognized that even though his study was limited to the Ketu South Municipality, particularly, the area where Seven Seas Co. Ltd (formerly Kensington Salt Industries Ltd) operated, the findings point to the relevance of the study to the entire salt sector. The study concluded that in the absence of allowing both the artisanal small scale and large scale operators co-exist the conflictual situation that has characterized the Ketu South area of the Keta Lagoon basin, the Songor Lagoon

basin will continue leading to the disruption of salt production and eventually, permanent conflict in the area.

## **The Regulators**

### **Nelson Ahedor—Minerals Commission**

Mr. Ahedor started his presentation by reminding the participants that all minerals are vested in the President and as such anyone who wants to 'mine' has to have a license/permit. Formerly, the need for licence was 'limited' to gold and other precious minerals but now industrial minerals such as salt are all included. He noted that the government was not particularly promoting foreign/large scale as against small scale but anybody with licence could be supported by government. He advised artisanal and small scale salt miners to form cooperatives instead of operating as individuals so they could get the needed support and attention from government. There is great potential for salt as even in the West African sub-region there is a big demand for salt especially in Nigeria so the official policy is to encourage locals, support them financially and technically if possible. Acquisition of the licence has to go through the necessary processes like the EIA.

### **S. Abanga –EPA (PowerPoint)**

Stating the mandate of the Environmental Protection Agency, Mr. Abanga, said it was backed by Act 94 which clearly spells out the vision and mission of the agency. In the area of mining legislation has mostly been about gold and other precious minerals and thus LI1652 which regulates mining is silent on salt. The situation is such that no artisanal and small scale salt miner has applied for licence to operate in the Volta/Greater Accra Regions even though many of them are operating.. The EPA is not too worried over the unregistered ASSM but rather the large scale ones licenced to operate (Faxon, Diamond Solar salt, Kensington/Seven Seas, Anlo at Dzita). Sevens Seas has had challenges not least because of chieftaincy disputes in Adina. On the issue of contamination and drying up of water sources resulting it from the company's use of underground water instead of sea water for its operations, the EPA is about to carry out a study.

### **General Discussion (Comments after the presentations)**

Following the presentations, participants raised a number issues and questions. These include?

1. Why does one need license to extract a natural resource in his own vicinity?
2. The Songor Lagoon by law is vested in traditional authority and thus of public interest and public property so nobody needs a licence to mine salt especially as there cannot be any privatization of the lagoon. Is the issue of licencing an attempt to repeal PNDC L387?
3. If care is not taken the issue of artisanal and small scale salt miners would become like that of gold miners with conflicts all over the place.

In the initial responses to the comments and questions raised by participants, officials from both the EPA and the Minerals Commission argue acquiring licence to operate is the law so artisanal and small scale salt miners just have to go by it. They also explained that there is a difference between mineral rights ownership and surface rights ownership as the former belongs to government and the latter to individuals. Application for licence, they noted is open to all without discrimination so ASSM operators just need to do the right documentation. They however, admitted the processes needed some finetuning so as to make them easy to access.

#### More comments/questions

1. Was Kensington now Seven Seas not supposed to draw brine from the sea? Why is it rather using underground water and what has the EPA got to say about that?
2. With the allocation of the area to Seven Seas (Kensington) already what will be given to the ASSM when they register as cooperatives?
3. Life in the Ada area, thanks to ASSM, was peaceful but with the great loss of livelihood social ills like armed robbery are rife. Why can't indigenes just be allowed access to their own natural resource, naturally crystalised salt?
4. There is need to find out who compensation was paid to by West Africa Goldfields, the initial lessors of the area now in Seven Seas possession. Again with the ten-year period before Seven Seas, the dynamics changed so there is 'need for compensation'.
5. One has to question how Seven Seas manages waste resulting from its operations because the environmental pollution and damage resulting from its activities could have long term impact on the ecology. Moreso, when the area is a Ramsar Site with a fragile ecology that needs protection. Underground brine is rich in magnesium and so what happens to the remnants after sodium chloride (common salt) is extracted?
6. Another danger to the salt industry is the unbridled importation of everything with no restriction 'Dumping' has led to 'unhealthy competition' and so there is heavy importation of salt even as the country produces so much and has great potential to meet the demands of the whole of West Africa. What measures are being put in place to guard against that?
7. There are challenges with the issue of the vested interest of the state in natural resources as people especially those living close to the resources just can't understand how they are owners of land but need permission to access the mineral on it. A lot more sensitization/public education has to be done to make the people 'understand' the fact that they need permission from the state to have access to their 'own' natural resource.
8. The laws need to be reviewed/changed so that first entrants get licensed before others as it should not be whoever applies for license first who must be considered.
9. The issues cropping up with implementation of the law should not be looked at as under the MMIP as alternative livelihood issues because ASSM operators are not looking for alternative livelihood, they want to go on with their centuries-old livelihood.

10. Act 703 deficient as it fails to recognize the subsistence activity of most ASSM operators as well as customary law. By customary law rights, the nature of salt is different from precious minerals like gold and so cannot be governed by the same laws. This is obviously a misunderstanding of local political economy. It is as if anytime 'big interest' come to town when they are interested in something, rules/laws are made, regardless of what others are doing before, to promote big business. The use of alternative livelihoods argument is not the answer to the challenges of the ASSM operators who also need to be in the business of salt mining just like the large operators.
11. Need to engage all stakeholders as even as the challenges with the initial operations of Seven Seas are yet to be resolved there are plans to lease more land for expansion as evidenced by a EIA notice put up at the Ketu South Municipal Assembly. It is revealing that state agencies, fully aware of the challenges the operations of the companies have brought to the communities, are going ahead to give it the opportunity to carry out expansions.

#### General Discussion:

##### 1. Ada Songor Lagoon

The Songor Lagoon needs quick action to regenerate it else it may die soon and its great potential as a natural resource may be lost for good. It is important to also revisit PNDC Law 287 and Minerals Act to better management of the salt industry. For the Songor Lagoon area a PPP would best serve the purpose as it would be a win-win situation for both large and ASSM operators with the involvement of the communities around the Songor lagoon. In this regard a national stakeholders meeting would be necessary where all interested parties get to seat down at the table. Proper consultation must be done and critical regard for the anthropology/local knowledge of the area. A Cost Benefit Analysis was not properly done before the current state of affairs in the Songor area, a new effort will show just that. After all that is done an Implementation Committee has to be put in place to take charge of the the way forward.

Women have not been involved in consultations regarding the Songor Lagoon and its even as they form the majority of those who depend on the lagoon for their livelihood. It is hoped that with a new stakeholders' meeting women will be given the opportunity to participate and be heard. On the issue of permit from the Minerals Commission and the EPA for salt mining, participants from the Ada-Songor area, emphasized their concern as to why despite their customary rights of access to Songor Lagoon they will still need a licence. Songor Law according to PNDCL 287 is protected for the people of the area and this must guide all discussions on salt-production in the area. The fight for Songor should not be seen just as an emotional thing but from the technical point of view as well as a 'dead' Songor is of no use to anybody. There are challenges with processing and marketing with even the little salt that is being produced which also need immediate attention.

The use of underground brine has never been the optimum for salt production, sea brine is always the best all over the world. Waste management using underground brine is more problematic with a lot more chemical residues like magnesium to be dealt with

and hence might result in an ecologically 'dead' area especially, death of aquatic life. Any attempt at relocating the locals from the area would not be welcome since according to them salt is their life, it is in their blood and their whole life is dependent on salt so they don't want any alternative livelihood. More importantly, any allocation of the Songor production area should see at least 60 percent going to locals (ASSM operators) who with their natural way of production ie natural crystallisation of salt do not do any ecological damage unlike large scale operators. There were calls for advocacy aimed at changing the of law for acquisition of concessions to favour ASSM operators who have mined salt for centuries as against large scale operators who are neither locals and have only recently become players in the industry. ASSM operators' interests must be paramount and not that of large scale companies.

On the whole, the future of the Songor Lagoon, according to the participants was at stake so immediate steps must be taken to restore it to its past glory so that its local and national potential could be realised. For the women of the Ada Songor area their anxiety of women lay in ensuring guarantee of livelihood and improvement in the lives of future generations. There was an expression of mistrust of public institutions who seem not to take care of the interests of the public, particularly locals but rather those of foreign, large scale operators at their expense. The fact that some 30 years on the fight over the Songor Lagoon still rages show not only the resilience of the locals but also the need to resolve the issues for the great salt production potential of the area to be realized.

### **Keta Lagoon Basin**

The Municipal Chief Executive of Ketu South, in his brief interaction admitted the challenges confronting the operations of Seven Seas. From his point of view due processes were not followed in allowing the company to operate but there has to be, some negotiation not confrontation. The challenges have to do with a number of issues, like the promised 300m area to be ceded to local ASSM operators, differences among communities on compensations payment (some paid some not paid) drying up of wells, dying of coconut trees linked to use of underground water by Seven Seas for its operations. In relation to the drying up of water issues, the EPA says it is waiting upon a report on the matter by CSIR. In the midst of all these Seven Seas has applied for another concession, White d'Or, with the tacit approval of the Minerals Commission and an EIA notice has thus been posted on the Notice Board of the Municipal Assembly. Worrying is the fact that the means of communication, a written notice posted at the Assembly premises would not reach the thousands in the communities whose livelihoods stand affected by the operations of the company. There should be more publicity on the EIA via various media, traditional and modern, to alert people to the issue otherwise the non-participation of many more communities that characterized the previous EIAs would recur with the attendant conflicts that have confronted Seven Seas operations. Once enough notice is given to the communities they would be interested and would turn up to express their views.

Keta Divisional police commander, ACP Amenyo, in his presentation, emphasized the mandate of the police as 'maintenance of peace' in communities. He said the March 2017 incident was a result of the stealing of Seven Seas (then Kensington) company's salt by people in the adjoining communities and this was a criminal act hence the intervention of the police. He, however, acknowledged that the roundtable has 'broadened' his horizon on the issues surrounding the conflict in the Seven Seas operational area. He went to also acknowledge chieftaincy disputes as also contributing to the conflictual situation as issues of compensation (who has received or not received compensation in the traditional authority with contesting chiefs) are on the rise. It is also critical that the management of Seven Seas engages the communities, which it has not done so far, leading to mistrust among various stakeholders. The issue of corporate social responsibility has also come up with communities accusing the company of not living up to its promises or leaving out some communities in the doling out of promised projects etc

There is the need to resolve the issues else there will be recurrence of the crises and as peace-officers the police cannot look on unconcerned so collaboration among all stakeholders is critical. As an initial Roadmap the police has met the contesting Adina chiefs and communities that have not benefited from any corporate social responsibility project from Seven Seas among others. The sensitisation of communities would help calm tempers and restore sanity especially as keeping the peace is dependent on not just the police but all stakeholders.

Comments from others pointed at unemployment, deprivation and 'voicelessness' as factors largely responsible for the situation and cautioned about how bad policy can lead to a policing problem. Dialogue around the issues would thus be welcome. The issue of licence before mining salt is very controversial as artisanal and small scale salt mining is a traditional and age-old occupation practiced by locals and pre-dates the state and it cannot just be understood how the state would throw locals out of their livelihood with the claim that they have no licence. Seven Seas then Kensington did not have licence before starting salt mining, what about that? Anybody who doubts this information could check the company's date of operation. Furthermore, Seven Seas is operating illegally because it is using underground brine instead of sea brine for its operations as enshrined in the agreement. The Minerals Commission, the EPA and other regulatory bodies must ensure the company does the right thing. With all these challenges why does the government want to allow the company to expand its operations all the way to Tokor in the Ketu South Municipality? What are the processes involved in this? Why is it that due diligence and the right EIA procedures were not followed in the first instance before Seven Seas, was allowed to operate and yet they seek to expand their activities?

On the cause of the earlier conflict between Seven Seas (Kensington) and the communities in 2016, according to participants from the area the company's workers in their attempt to construct a road from their site to adjoining areas poured sand in salt gathered by ASSM operators hence the incident. Other issues that came up include the non-development of the so-called ceded 300m area to ASSM operators as it was just a non-descript, non-demarcated, dry land with no access to brine. Other issues the

communities want to know about are those who received compensation or who are entitled to it. Inadequate/lack of public meetings on the project (EIAs on Seven Seas project) as most of them were not aware of these was another issue mentioned by ASSM operators. A few targeted 'stakeholders' seemed to have been involved in the public hearings to the exclusion of other community members. Traditional leaders also called for involvement in the processes as stakeholders. Going forward all communities must be involved in these hearings as the operations of the large scale companies will impact negatively or positively on all the adjoining communities not just a select few. Participants also raised red flags over the entry of politics into the a purely economic and livelihood matter and called for politicians to steer off the challenges facing the ASSM sector and not drag it into their partisan politics. The last election witnessed a lot of politicking on the issue and if care is not taken the next election would also see that which will not bode well for the socio-economic life of the area. It is also becoming clear, according to some participants, politicians place love of money above love for the people. The situation in the salt mining communities is now very depressing as not only have they lost their livelihood but also those who brave the situation and mine the salt have no one to sell their produce to over the last couple of years as buyers now only go to buy from Seven Seas. The importation of salt, together with the 'whitening' of salt are also major threats to the salt sector. Unemployment is now rife because whereas ASSM operators can employ individually at peak some 200 or more directly, Seven Seas as a company employs less than that number and also pays less so people are not interested in working for it even as they have lost their livelihoods. Additionally, the ASSM salt business has linkages all over as one can find all kinds of spinoffs with food sellers, all kinds of traders at site to trade.

Here again the issues of incoherent policy framework and cumbersome registration came up. The status of the sector must be made clear together with the coordination of the various agencies involved and policy coherence. ASSM deserves greater attention than it currently gets as a major player in the salt sector.

There were questions about registration of both fisherfolks and salt miners on the same workspace given that it is the same site that both use in their operations. On the part of municipal authorities, the promotion of salt as part of the 1 District 1 Factory (1D1F) rubric of the government would be welcome news for the development of the areas, they stated.

### **General comments**

The Master Plan for the salt industry in Ghana calls for the cohabitation of both ASSM and large scale operators and so this must be adhered to. It should be a situation of 'live and let live' not excluding ASSM operators from the source of brine. It is instructive that though registered as cooperatives and in the ASSM sector one would still need a licence to operate. Sadly, there is always talk of unemployment but as one participant put it, 'they say there is unemployment yet, they take away our employment, livelihood and give it to companies. What kind of thinking is that? Worst of all, Seven Seas, initially, promised to buy our salt but have never bought even a pinch of salt from us.'

Unfortunately, the current 'war' on illegal gold miners through 'Operation Vanguard' seems to have led to a general dislike for artisanal and small scale mining, salt inclusive.

Dr. Yao Graham in his concluding remarks, was appreciative of the fact that the forum offered the opportunity to stakeholders from state officials, ASSM operators, technical experts to civil society groups and the media to express their views on the challenges of the salt sector and related issues. The presence of officials from the Minerals Commission, the EPA, Municipal assemblies, the police service among others was really helpful and good as it helped draw out perspectives of the various stakeholders in the state apparatus, Dr. Graham noted. 'Operation Vanguard' despite giving a 'bad' name to the ASSM sector, he said, has offered the 'opportunity' to raise the challenges with ASSM which were clearly brought out in the forum.