

# Green Scenery

82 Soldier Street, P.O. Box 278, Freetown, Sierra Leone.

Tel/Fax: 232 22 226216. Cell: 232 76 601979. Email: [gscenery@yahoo.co.uk](mailto:gscenery@yahoo.co.uk) Web: [www.greenscenery.org](http://www.greenscenery.org)

The Country's Natural Resources Are Nature's Gift To Us What We Make Of Them Are Our Gift To Posterity

Press Release – For Immediate Release.

30 April, 2008

## GOVERNMENT'S LOOSE POSITION ON RECOMMENDATION SIX OF THE JENKINS JOHNSTON COMMISSION OF INQUIRY IS NOT ENOUGH. WE CALL FOR A MUCH STRONGER GOVERNMENT POSITION.

Green Scenery wishes to commend government for the bold step of establishing the Jenkins Johnston Commission to look into the disturbances in Kono. Green Scenery further commends government for accepting most of the recommendations of the Commission and proffering actions. While these bold steps have been taken, yet we continue to be worried over government's glossing over the Commission's recommendation six.

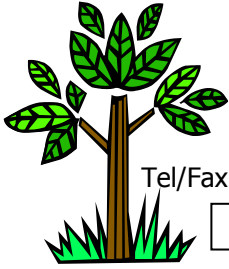
Green Scenery views government position which reads "Government notes the Commission's Recommendations in (6), (7), (8) and (9) above; however, as these matters are currently being addressed by a Task Force that is reviewing all current Mining Agreements, the aforementioned recommendations are being referred to the Task Force." on specific recommendation six of the Jenkins Johnston Commission as not enough and that such position is tantamount to the continuous disempowerment of landowners in the extractive sector.

The Jenkins Johnston Commission's Recommendation six reads: "That the Mines and Minerals Act 1994 be amended urgently (particularly section 14(1) and (2) thereof) to bring it in line with the existing Law as expressed in the protectorate Land Act Cap.122 in the preamble thereof: (i.e. Whereas all land in the protectorate is vested in the tribal authorities who hold such land for and behalf of the native communities concerned) and as recognized in the Mines and Minerals Act 1994 itself at section 14(2) thereof, to wit, "...The provisions of subsection one (1) shall have effect notwithstanding any right of ownership or otherwise that any person may possess in and to the soil on or under which minerals are found or situated..." and as expressed in the ancient maxim. "... **Quicquid plantature solo, credit.**") Meaning, "whosoever owns the soil, owns whatever is under the soil."

Like the Commission, Green Scenery strongly believes in this maxim and holds that anything less than this portrays resource capture by elites of the state from innocent peasants. "This phenomenon is the foundation of human insecurity and violent conflicts abound in academic literature on natural resources and conflicts. We believe that the concentration of mineral wealth in the sole control of the state breeds weak institutions (financial, control and monitoring) hence state impoverishment as oppose to a diversified control in which private ownership and control ensure strong institutions and the generation of wealth," Joseph Rahall, the Executive Director said.

Green Scenery views that resource capture leads to disempowerment and social exclusion of persons from whom these resources are captured. It fosters exclusion from full participation of persons in decisions that affect their lives pertaining to their resources. These conditions are

**Branch Office:** 22 Sam Street, Laywabu Section, Bo City. Tel: 076 640114



# Green Scenery

82 Soldier Street, P.O. Box 278, Freetown, Sierra Leone.

Tel/Fax: 232 22 226216. Cell: 232 76 601979. Email: [gscenery@yahoo.co.uk](mailto:gscenery@yahoo.co.uk) Web: [www.greenscenery.org](http://www.greenscenery.org)

The Country's Natural Resources Are Nature's Gift To Us What We Make Of Them Are Our Gift To Posterity

bound to lead to grievance, disenchantment, resentment and proximate cause of violent conflicts that would threaten state security and undermining human security. The December 13, 2007 incident is a typical pointer and the recent civil conflict a gruesome expression of the same.

We urge the government to take a position on the ownership of mineral resources and not to relegate such to a Task Force that is dealing with the review of mining agreements. We further urge the government to be sensitive to the Commission's justification of recommendation six which reads "...this recommendation is made in order to rectify what we consider to be a long outstanding injustice not only to the people of Tankoro Chiefdom, but to all other chiefdoms and communities all over the Country where mining of whatever kind has been done over the past several decades, wherein their natural rights of ownership over the land where they were born and over which they would have been able to exercise full rights of ownership if no mineral had been discovered therein, have been totally ignored and denied to them by successive Governments, thereby creating resentment and discontent of the kind which found expression in the events of 13<sup>th</sup> December, 2007..." as it takes a position.

"We are aware of the ongoing drafting of the Consolidated Mines and Minerals Act we hope this sensitive issue will form part of that Act," concludes the Executive Director.

Green Scenery is a local Non-Governmental Organisation intervening on matters of environmental protection and human security.

For further information contact the Executive Director.

-----END-----