

NATIONAL CONFERENCE ON EITI  
LA PALM BEACH HOTEL, ACCRA, JANUARY 15, 2007  
CIVIL SOCIETY STATEMENT

Mr. Chairman, Your Excellency, the Vice President of the Republic of Ghana, Hon. Ministers of state, Nana Kukuomhene, members of the diplomatic corps, distinguished development partners of the Republic, our cherished guests from Sierra Leone, Nigeria, Liberia, and Mongolia, ladies and gentlemen.

It gives me a great pleasure to present to you, on behalf of civil society groups in Ghana, organized under the Ghana chapter of the global Publish What You Pay Campaign, a report on our engagement with the EITI process so far, and to lay before this august conference our position and set of demands on the EITI in Ghana.

Ghana has indeed come a long way in its efforts at implementing the EITI initiative. The beginning, as was to be expected, had been difficult and pretty slow. There was first the need to sensitize all stakeholders on the initiative to engender a national ownership of the process, agree on the content and scope of the process for Ghana, negotiate a consensus around the reporting templates, among many other critical steps that needed to be taken. Consensus building, Mr. Chairman you will agree, sometimes take time, and we must therefore applaud ourselves for the progress we have made so far.

I note that, civil society participation in the Ghana process had been marginal from the beginning. ISODEC was the only organisation that was engaged in it, serving on the National Steering Committee. In Nov. 2004 ISODEC convened a roundtable meeting of organised civil society stakeholders, at the SSNIT Guest House in Accra, aimed at broadening civil society participation in the EITI process. The meeting provided a platform for the adoption of a framework for civil society engagement. It also endorsed ISODEC as its representative on the multi stakeholder National Steering Committee.

Our membership has since grown to twenty, and includes organizations such as Friends of the Nation, the Ghana Trades Union Congress, Centre for Public Interest Law (CEPIL), Civic Response, Forest Watch, the Ghana Catholic Secretariat, League of Environmental Journalists, NEWENERGY,

Wassa Association of Communities Affected by Mining (WACAM), Ghana Integrity Initiative, CASOLS, Community Rights Foundation, the Integrated Social Development Centre (ISODEC), and several community-based organisations.

From 2004 to 2005 PWYP-Ghana undertook a series of community mobilization programmes in support of the transparency agenda in the extractive sector. The Open Society for West Africa (OSIWA) offered some support in 2006 to intensify our mobilization work, culminating in the formal launch of the PWYP-Ghana Coalition in October, 2006.

Mr. Chairman, distinguished guests, ladies and gentlemen, we have just concluded the second in a series of capacity-building workshops for community members of the major mining enclaves in the country, and I feel honoured to share with you insights from these two meetings in Oda and Obuasi.

In general, discussions have centred on the relationship between mining companies and the communities in which they operate. In particular, issues on crop compensation, lack of transparency in the disbursement of mineral royalties from the Office of the Administrator of Stool Lands, environmental cost and compensation, livelihood insecurity, and human right abuses perpetrated by mining companies, working in tandem with state security agencies have been the most nagging concerns.

We find these concerns consistent with the former UN Secretary General, Kofi Annan's observation in a foreword to a manual on Conflict-sensitive Business Practice, compiled by International Alert, that, the wrong decisions, and the manner in which they are made, in terms of investment, employment, community relations, environmental concerns, and resettlement obligations, on the part of government and corporate bodies, have pushed many extractive sector businesses into conflict with the communities in which they operate.

These conflicts, Kofi Annan observed, have often been aggravated by the massive corruption and the lack of transparency associated with the distribution of the wealth generated from the extractive sector.

Mr. Chairman, while we concede that transparency in the extractive sector will to some extent reduce mistrust, mutual suspicion, and conflicts in

mining communities, we note that the EITI framework as it stands, does not address the gamut of concerns, we have in the sector. We find the scope and content pretty limited.

In engaging with the process, PWYP-Ghana shall seek to push the frontiers to bring on board all other legitimate concerns not captured in the current framework, including other dimensions of transparency, such as: contracts, policy formulation, regulatory regime, social and environmental costs and compensation, and also seek to bring on board other extractive sector activities.

It is also our view that EITI be pursued in the context of a broader range of complementary reform initiatives including but not limited to:

- Reviewing the existing mining law to make it consistent with the transparency requirements of EITI.
- Formulating in the shortest possible time, a mining policy for the mineral sector.
- Anti-corruption legislation.
- Passing the Right to information bill.
- Providing civil liberty guarantees, especially for civil society activists.

Presently, payments disclosures under the EITI is voluntary, and therefore not enforceable in court. It is our conviction that, the only way to give proper meaning to the initiative is to legislate and make disclosures mandatory.

Mr. Chairman, ladies and gentlemen, through consultations with our members, at a national strategic planning workshop preceding the launch of our coalition, we have firmed up our position and concerns in a communiqué. This communiqué was drafted in October, 2006 in Accra and taken back to the communities for fine-tuning and adoption.

Please, permit me to read to you the PWYP-Ghana communiqué on the implementation of EITI in Ghana, which also contains our set of demands on the process.

CIVIL SOCIETY COMMUNIQUE ON THE IMPLEMENTATION OF  
EITI IN GHANA

DRAFTED AT A NATIONAL PUBLIC FORUM ON EITI IN ACCRA,  
ON WEDNESDAY, 11 OCTOBER 2006

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We, representatives of citizens groups in Ghana, organized under the banner of the Ghana Chapter global Publish What You Pay Campaign, meeting at a public forum at the GNAT Hall in Accra,

Having listened to presentations on the EITI and its role in ensuring transparent and prudent management of the dividends of mining,

Having had the opportunity to seek clarifications and discuss the EITI concept and how it can work for us,

Noting that far too often have we been taken for granted in policy formulation and decisions affecting us,

That we are most immediately affected by mining, and that several of our generations to come will unfortunately have to live with the destruction that mining has visited on us for many years,

Convinced that the only way to ensure that we are not short-changed in the distribution and utilization of mining revenues, is to involve us the communities in the governance processes in the extractive sector,

Declare as follows:

That the EITI concept is a laudable idea, which if implemented to the spirit and letter will ensure prudent management of the dividends from mining and go a long way to alleviate extreme poverty among our people;

That it has the potential of facilitating the peoples' involvement in development processes in our communities;

That we heartily welcome the government's endorsement of the EITI concept and its commitment to its implementation, demonstrated in its establishment of a EITI lead agency, a multi-stakeholder National Steering Committee, and the appointment of an aggregator, in line with the principles and criteria of the EITI;

While we pledge our support to the government as it takes its initial but critical steps towards the full implementation of the EITI,

We demand that:

Government seriously considered the pursuit of a broader range of complementary reform initiatives such as:

- Anti-corruption legislation
- Review of the existing mining laws of Ghana
- Right to information Act
- Civil liberty guarantees

- The formulation and adoption without further delay, a national mineral policy

Furthermore,

We call for a debate, and possibly a review of the formulae for sharing the dividends from mining. The 80% retained by the Central government could for instance be reduced to 70%, as the 80% retained by government leaves very little to be distributed among the district assemblies, chiefs and people of communities affected by mining.

Finally, we urge the government, mining companies, traditional authorities, and all citizens of Ghana to demonstrate unwavering support to the implementation of the EITI in this country.

Thank you for your attention.