Managing the Kambui Hills North Forest Reserve (KHNFR): Vague boundaries, ambiguous laws and local level conflicts

The Kambui Hills North Forest Reserve formed part of Sierra Leone’s core timber production area for several decades, especially during the 1940s and 1950s. Since the 1970s, however, due to factors such as the waning of the country’s logging industry and the significant disruption of the 1990s civil war, formal management of the reserve has significantly declined. The brushing or clearing of the boundary line no longer takes place and as a result, most boundary markers have deteriorated or been overgrown, and no one is now fully certain where they are located. Complicating the situation, historical maps and formal written descriptions of the reserve boundaries are inconsistent. The result of boundary uncertainties has led to ongoing conflict between forestry staff, local communities and chiefdom authorities.

The results of a recent field research project conducted by Energy for Opportunity (EnFO) on behalf of PAGE reveal that such ambiguities have contributed to a significant amount of socio-political conflict in the area. Just east of the KHNFR, for example, there is a dispute over certain farming areas: while local residents insist these lands are owned by their respective communities, Forestry Division field staff in compensation for their land use activities. However, maps from the District Forestry Office clearly show that these settlements are actually located roughly four kilometres outside of the reserve. Though it is unclear whether forestry field personnel are aware of the error, this ‘special taxation’ clearly presents an unnecessary and unfair burden on these largely subsistence communities.

Such dynamics have significant implications for management of the KHNFR, particularly through the souring of relations between local residents and Forestry staff. Most communities surveyed expressed negative attitudes towards the Forestry Division claiming that it intervenes too much into their daily lives, even restricting activities in Protected (Community) Forests and other community lands. Chiefdom authorities are also disgruntled, feeling that in recent times they have become increasingly marginalized from management decisions for the KHNFR and Protected Forests, the latter of which are technically under their jurisdiction. Overall, these tensions have been associated with a breakdown in the governance of the KHNFR itself as many communities no longer recognize Forestry Division authority and even some chiefdom authorities turn a blind eye to illegal mining, logging and charcoal making inside the Reserve.

The KHNFR is just one example of a situation that is quite likely also developing in many other parts of Sierra Leone. In order to begin to address these problems there is a need for forest reserve boundaries to be re-demarcated, for a new Forestry Act that more clearly specifies the extent of Forestry Division’s jurisdiction and for direct efforts to diffuse the evident tensions between forestry staff and forest reserve edge communities.

Paul Munro (Energy For Opportunity / University of Melbourne)
Greg van der Horst (Energy For Opportunity / University of Melbourne)
Illegal Gold-Mining in the Gola Rainforest National Park

The Gola Rainforest National Park is part of the Upper Guinea Forest and is a globally important biodiversity hotspot for conservation. It is situated in the South-East of Sierra Leone and covers an area of 71,070 hectares. It is Sierra Leone’s newest National Park and was officially opened by the President in December of last year.

Illegal gold mining in the Nomo Chiefdom within the Gola Rainforest National Park first came to the attention of GFP on the 10th October, 2011. Mining activities are illegal within the National Park, pose a direct threat to conservation and are of serious concern to the Gola Forest Program (GFP). In response the GFP deployed several teams of forest guards to the mining area, near the Liberian border.

Due to the effective patrols carried out by the GFP forest guards and the assigned armed police officers, a series of arrests of suspected miners into the National Park have been made from October 2011 to date. A total of fifty (50) illegal miners have been arrested to date, 39 of whom have either been convicted to serve jail terms or paid fines as stipulated by the court. The remaining suspects remain in custody awaiting the completion of court proceedings.

The ‘gold rush’ into this small corner of the National Park is drawing people from all over Sierra Leone, although most are local residents from both within the Nomo Chiefdom, Kenema and from nearby communities in Liberia. The influx of illegal miners to the remote chiefdom is also creating internal conflicts between the local communities, some of which are involved in and support mining in the National Park and some of which are against it. In one community close to the mining area, the youth have voluntarily been accompanying the GFP forest guards on patrol in the National Park as a show of solidarity, to protect the forest and to send a message to fellow chiefdom residents that they do not wish to see mining on their traditional lands, now lying within the park’s borders.

The apparent involvement of rogue, armed soldiers has also raised tensions and complicated law enforcement efforts by the GFP. However, the recent intervention from military command in Kenema to address the alleged involvement of some of its soldiers is already having a stabilising effect.

The GFP is currently facilitating discussions between all major stakeholders, including the security forces, high level government officials and the Chiefdom authorities, to unite in their commitment to end the conflict and to stop the mining through a dual strategy of political pressure and collaboration between the GFP, Police and Military to ensure the continuing security of the mining area. The longer term strategy is to increase livelihood support programs to communities close to the park boundaries and to provide opportunities for the unemployed youth from the chiefdom to become more involved in park protection and monitoring and research activities together with GFP staff.

As a result of this ongoing issue, the Director of the Forestry Division and Minister of MAFFS have both strongly reaffirmed to all community people and stakeholders the government’s ‘zero tolerance’ policy on mining of any type within the nations protected areas and in particular the National Parks.

Alusine Fofanah
GFP Protected Area Manager

Joint Patrol by the Sierra Leone Police and Wildlife Conservation Staff in the Outamba Kilimi National Park - 23rd of January 2012

On Monday the 23rd of January 11 police officers from Kamakwie, a team of Wildlife Conservation staff and the Project Management Team (PMT) for the Sierra Leone Biodiversity Conservation Project trekked on foot to a village called Gberia in the Outamba section of the Outamba Kilimi National Park (OKNP) where mining activities were reported to be taking place.

The team spoke with the Youth leader of the village who confirmed that mining was going on in their community. The Wildlife Conservation staff led the police team to a mining site where over 300 people both men and women were mining. They were told that there are five more camps spread over a large area. The police made an arrest and identified a gentleman called Nabieu Kamara as the leader of the camp. He claimed to be the chairman of a six man committee responsible for organizing the mining activities in the park. He was ordered to go to the police station at Kamakwie. On Tuesday 24th January, 2012, PMT together with the Conservation Site Manager informed the Acting Paramount Chief about the police operation. The PMT suggested that they would withdraw the matter from the police provided all mining activities within the National Park came to an immediate stop. The chiefdom authorities agreed and a period of 10 days, starting from 25th of January 2012 was given to the authority to inform all their subjects. It was also agreed that PMT would take further police action should they continue mining after the date of 3rd February 2012. The police accepted to release Mr. Kamara so that the matter could be settled at the chiefdom level.

PMT is planning another trip to Tambaka chiefdom shortly to formalize the agreement and have both parties append their signatures to it with the police serving as witness.

Gilbert Koker - Sierra Leone Biodiversity Conservation Project
The Kambui Hills Forest Reserve was originally gazetted in 1920. Historically one of the most important National Production Forests in the country, the reserve has been mismanaged over the past quarter century. Partly as a result of corruption in late 1980s and 1990s, encouraged by a lack of transparency and accountability in natural resource use, the Kambui North section of the Kambui Hills Forest Reserve fell into disrepair. The health of the reserve deteriorated further after the war when people, often supported by external investment, flocked to the forest to harvest timber, clear land for agriculture, and to mine for diamonds and gold. The result of these activities had a devastating effect on both the people and their environment. Forty percent of the reserve was lost to illegal logging, encroachment for agriculture and settlement and mining. Much of the valuable and accessible timber was logged and not replanted; poaching of wildlife increased; and, miners dug up riverbeds and banks, disrupting local water supplies in their search of diamonds and gold. However these activities, and the markets for the products, were controlled such that local people saw no tangible improvement to their livelihoods from their efforts.

The Forestry Division, which had official responsibility for the reserve, lacked the capacity and resources to control this desperate situation. A new approach was needed to bring these activities under control, and prevent the irrevocable loss of forest values and products, which should provide economic and environmental benefits to present and future generations around the Kambui North.

The GoSL, supported by USAID, have been working with traditional leaders and local communities to try to address this situation through the introduction of Forest Co-Management. Working together, stakeholders have conducted a forest inventory, a wildlife survey and extensive socioeconomic research. Using these inputs a Forest Co-Management Plan was developed and approved, which provided the basis for the signing of the first ever Forest Co-Management Agreement in Sierra Leone. This agreement, signed in Kenema on April 19th of this year, devolves considerable authority and responsibility for the management of the Kambui North to the Kambui North Forest Management Association (KNFMA), and guarantees the people legal rights which were previously unknown.

With these advances there are a number of reasons to be hopeful that management will improve in the Kambui North Forest Reserve. For the first time since independence a forest inventory has been conducted; a management plan is in place, and the management partners (Forestry Division, the KNFMA and Paramount Chiefs, supported by the Kenema District Council) are beginning to implement the activities in accordance with the Forest Co-Management Plan. But the scale of illegal activities remains high - and it is imperative that the GoSL, working together with the KNFMA, the Paramount Chiefs and the District Council, take action by enforcing the law.

Ramzy Kanaan - PAGE

Illegal Mining Inside the Kambui Hills Forest Reserve is a Serious Threat to both Sustainable Forest Management and Rural Livelihoods

The Kambui Hills Forest Reserve was gazetted as a National Production Forest in 1920, and since this time has been one of the country’s most important and productive forests. Recently, after a period of mismanagement, the GoSL entered into a Forest Co-Management Agreement to share responsibility and authority for management of the Kambui North section of the Kambui Hills Forest Reserve with the Kambui North Forest Management Association (KNFMA). The legally binding Agreement was supported by the five Paramount Chiefs of Dodo, Kandu Leppiama, Lower Bambara, Nongow, Small Bo and the Kenema District Council.

In the course of conducting a scientific Forest Inventory and developing the Kambui North Forest Co-Management Plan, the Forestry Division, the KNFMA and the Kenema District Council became aware of extensive illegal mining activity - both small-scale and artisanal - within the Kambui North. To complete the inventory transects were established and PAGE staff came across thirteen separate mining operations along the transects, one of a mechanized nature. According to Victor Vandi, Secretary of the Kambui North Forest Management Association mining is widespread within the reserve.

While the Forestry Act (1988) does not ban mining in a gazetted National Production Forest, it does spell-out a clear process that must be followed to secure the approval of the Forestry Division, and a license, prior to commencing any mining (note: even “exploration”) must be approved by Forestry Division. After research undertaken jointly by the Kenema District
Council, the District Forestry Office and the KNFMA, it became apparent that none of the mining operations in Kambui North had followed this process - and as such were operating illegally (while the Ministry of Mines and Mineral Resources is empowered to issue mining concessions, they cannot issue mining concessions within gazetted National Forests that contravene the laws of the GoSL). The Forestry Division and the KNFMA, with the support of the Paramount Chiefs, have vowed to stop all illegal activities within the Kambui North forest, as part of a larger effort to improve and sustain the management of the Kambui North.

During the aforementioned inquest into the extent of mining in the reserve (16th-18th of February) youth representatives objected strongly to prohibition of mining, citing that they earned their livings from mining. It was also revealed that the communities did not consider the area where they are mining as being inside the forest reserve boundary due to the fact that these areas have been mined since the 1930s. Despite this conviction, the fact is that a large percentage of the mining activities are, in fact, inside the mapped reserve boundary.

Artisanal mining by community members is pervasive but even more serious is the fact that six companies have been issued exploration licenses by the Ministry of Mines and Mineral Resources. Of these, only Lion Mountains Mining & Fishing Company SL Ltd (LMMF), is currently operating. On the 14th of April, 2010 they were issued a license, signed by the Minister and Permanent Secretary of Mineral Resources, for exploration of an area of 137 square kilometers. Documentation to the effect (the license agreement) shows that a large portion of the mapped out area lies within the Kambui Hills Forest Reserve. However, Mr. Sheku Mansarey, the Director of Forestry Division was not aware of the issuing of this license back in 2010. And while the company has operated inside the Kambui North since this time, it is only now, two years later, after their concession became a contested issue during the Forest Inventory and the Forest Management Planning Workshop, that LMMF have applied to EPA-SL for an EIA license. Some communities such as Panduru have objected firmly to mining within their community lands because they were not consulted prior to the issuing of LMMF’s license.

According to Mr. Morrisson Koroma, DFO Division Representative, if any company wants to apply for a prospecting license within an area of forestry, the Ministry of Mines and Minerals should consult with the Forestry Division to ascertain whether the proposed area for exploration is in a location that they are entitled to operate in. Counsellor Momoh Massaquoi (Chairman of the Agriculture Committee) says that the problem is “lack of harmonization” and that to address this, “the ministries [of Minerals and of Agriculture] need to sit down and harmonize.”

According to Victor Vandi, despite the need for jobs, mining should be stopped completely, “...if they don’t stop it, it won’t be brought under control.” He also feared that it would be a threat to co-management (a system whereby communities and the central government work in partnership to plan and manage forest resources). So far there has been no widespread participatory consultation about how to manage the mineral resources inside the Kambui Hills Forest Reserve.

For now, it is clear that the rampant illegal, unregulated mining within the Kambui North must stop because, at this time, it conflicts with the drive towards proper regulated forest management with defined roles and responsibilities for its management as well as strict guidelines for forest resource usage and reforestation. Appropriate forest management, if well regulated, will provide the necessary incomes for young people in forest-edge communities without relying on mining but to achieve this, Victor Vandi’s observation that mining needs to be brought under control is an extremely important first step. Equally, Counsellor Momoh Massaquoi’s observation that the various ministries need to harmonize is indeed critical to successful forest governance. It is vital that the governing authorities - the Forestry Division, the Ministry of Mines and Mineral Resources, the District Council and the Forest Management Association - harmonize their laws, policies and regulations and ensure that mining activities will only be tolerated within the forest reserve with proper prior consent from all stakeholders, as well as enforced compliance by mining operators, to regulations.

Chani Wates - PAGE

**Recommended Steps Forward in the Case of Lion Mountain Mining and Fishing Company SL Ltd**

The GoSL needs to immediately and effectively put a stop to Lion Mountain Mining and Fishing Company SL Ltd (LMMF) operations, including exploration, until:

1. **An Environmental Impact Assessment (EIA) is conducted and approved;**
   - The EIA should only be authorized with the requirement that LMMF agree to incorporate the following organisations into the EIA process: Forestry Division (FD) / District Forestry Office (DFO), Kambui North Forest Management Association (KNFMA) and the District Council. The EIA should be used to review the LMMF past work and assess the scope of damages already done and to assess the proposed future work. Approval of the EIA should only come after agreement has been made with the LMMF to pay for past damages. Finally, if the damages are paid and the EIA is worthy of approval, then it must be approved with clear specifications in terms of:
     - Specific bounds of authorized mining work must be explicitly stated - including, where, what and how they can mine, anticipated impacts, mitigation measures, and monitoring protocols for follow-up; and,
     - The total amount of financial benefits that LMMF would pay (both for lease and for monitoring), and how and to whom these benefits would accrue.

2. **An agreement is reached on reparations for land and forest resources damaged/destroyed as a result of work already undertaken by LMMF; and**

3. **A benefit sharing regime is established between the Forest Co-Management Partners and stakeholders (e.g., Forestry Division, Kambui North Forest Management Association, Paramount Chiefs and the District Council)**