

**2022 ANNUAL REPORT OF THE GOVERNMENT OF
GHANA ON THE VOLUNTARY PRINCIPLES ON
SECURITY AND HUMAN RIGHTS INITIATIVE**

SUBMITTED TO THE VOLUNTARY PRINCIPLES ASSOCIATION

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INTRODUCTION

Ghana joined the Voluntary Principles (VPs) Initiative as an engaged country through its statement at the 2014 Plenary Meeting in Montreux, Switzerland. Ghana, therefore, submits this report in respect of activities undertaken in the year 2022 in line with its commitment.

A. COMMITMENT

The decision to sign on to the Voluntary Principles Initiative (VPI) affirmed Ghana's commitment to protect, respect, and promote human rights by the Constitution of the Republic of Ghana and in line with UN Guidelines on Business and Human Rights.

The Government of Ghana (GoG) continued to support the implementation of the VPs and activities under the National Action Plan (NAP) developed by the In-Country Working Group (ICWG) of the Voluntary Principles in 2022. Specifically, it continues to host the permanent secretariat of the VPs in Ghana and provides a venue for the ICWG meetings.

In the year 2022, the ICWG of the Voluntary Principles in Ghana received a no-cost extension from the Voluntary Principles Association (VPA) to complete work on the Baseline Study on Human Rights in the extractive sector and the development of the Curriculum on VPSHR as outlined in the NAP.

The Consultant engaged to develop the Curriculum on VPSHR presented a preliminary report to the ICWG and received comments from members. He was also supported by the Co-Chairs of the ICWG to hold bilateral meetings with security experts in the mining industry and academia to review the curriculum. These engagements were part of the processes leading to the validation of the curriculum, which is a prerequisite for the broad acceptance of the report and in line with the NAP. The consultant submitted the curriculum to the ICWG in November 2022. The curriculum will be used as the main document for training private and public security officials on the VPs.

In a similar vein, the subcontractor engaged to undertake the Baseline Study on Human Rights in the extractive sector presented its preliminary findings to the ICWG. The report was also shared with some of the institutions that were interviewed by the subcontractor for validation. The contractor has since incorporated the comments received from these engagements into the report and submitted the final version to the co-chairs of the ICWG.

A delegation from the Voluntary Principles Association Secretariat, comprising Mora Johnson and Patricia Jacopucci, visited Ghana from 18th to 21st October 2022. They held bilateral meetings with some member institutions of the ICWG and organized a training programme for members of the ICWG and other stakeholders in the extractive sector. The team also visited the Akyem mine of Newmont Corporation.

In May 2022, the Ghana Chamber of Mines, a member of the ICWG, coordinated the training of about 150 police officers on the VPs. The instructor for the training programme was the Senior Security Manager of AngloGold Ashanti Iduapriem, Mr. George Anyema, who was part of the persons trained under the VP capacity building event sponsored by AFRICOM in 2016. The objective of the training programme was to enhance the ability of the police officers to effectively manage their interface with the civilian population in mining communities.

In 2022, the various pillars (government, companies, and civil society) continued to participate in the meetings of the ICWG. The chairs, i.e. the Ministry of Lands and Natural Resources (MLNR), the Fund For Peace (FFP), and the West Africa Network for Peacebuilding, Ghana (WANEP-Ghana) convened two (2) ICWG meetings. Similar to the previous year, the meetings were held as hybrid events to accommodate the schedule of members who work out of the national capital, Accra.

Ghana will continue to work to sustain the interest of all pillar members in the VPs and also play a crucial role in the successful implementation of the NAP.

B. POLICIES, PROCEDURES, AND RELATED ACTIVITIES

Implementation of the National Action Plan (NAP)

As required of an engaged country, Ghana developed a NAP to guide the implementation of VPs in the country. The plan outlines activities aimed at further promoting human rights and security in the extractive sector in Ghana.

During the year under review, the ICWG continued the implementation of two key activities of the NAP with funding support from the VPI. These are a baseline study on human rights and security in the extractive sector and the development of a curriculum to train public and private security personnel and other stakeholders in the VPs. In addition, the ICWG leveraged its relationship with the Ghana Chamber of Mines to train about 150 police officers on the VPs.

Baseline Study on Human Rights and Security in the Extractive Sector

The In-country Working Group (ICWG) engaged the services of the Commission on Human Rights and Administrative Justice (CHRAJ), Ghana's ombudsman, to conduct a baseline study on human rights and security in the extractive sector. The baseline study was necessary to understand the current state of human rights and security issues in the communities where mining and oil and gas drilling are undertaken. It was therefore agreed by stakeholders that a baseline study was a necessary pre-requisite for the implementation of other activities outlined in the NAP.

The baseline study was specifically to:

1. Assess the sector-specific (mining, oil, and gas) human rights situation in specific reference to the VPs, including security, economic, and environmental issues;
2. To assess the state of security (both private and public) in communities that host extractive industries;
3. To assess activities undertaken by community members that impact the security of mining and oil and gas companies; and
4. Make related recommendations to:
 - i. Improve human rights situation and security in communities that host extractive sector activities;
 - ii. Promote the building of cordial relations between and among competing interest groups in the mining and oil and gas sectors; and
 - iii. Promote awareness of human rights and responsibilities of interest groups

The study adopted a mixture of approaches that entailed recourse to primary and secondary data sources: desk review/research and field/on-site investigation.

The desk review/research was carried out in respect of the international, regional, and national legal and policy framework for the promotion and protection of human rights relative to the extractives.

Key informants and stakeholders involved in the extractive sector were interviewed. These interviews were based on semi-structured questionnaires and administered within identified institutions and extractive areas. Some of the institutions interviewed include the Minerals

Commission, the Environmental Protection Agency (EPA), the Ministry of Energy, MLNR, and the Ministry of the Interior.

At the community level, the interviews took the form of focus group discussions and one-on-one interviews with community leaders. Stakeholders interviewed at the community level included opinion leaders, traditional authorities, political leaders (Assembly members and District Chief Executive), leaders of Community-Based Organisations (CBOs), relevant state/public officials, including security services providers (private and state/public), officials of extractive companies, academics, and experts in the selected communities. A total of 25 focus group discussions and 3 one-on-one interviews were held.

Development of Training Curriculum on VPSHR

The ICWG engaged a Consultant from the Kofi Annan International Peacekeeping Training Centre (KAIPTC) to develop a curriculum for all VPs-related training in the country. The consultant submitted various versions of the training curriculum to the chairpersons of the ICWG over the course of the reporting year. The curriculum focuses on seven (7) modules namely;

- Concept of Voluntary Principles (VPs)
- Human rights in the extractive sector
- Security sector governance in the extractive industry
- Scope and operations of extractive companies
- Community relations and environmental quality
- Dispute resolution
- Field visit (Experiential learning)

The curriculum contained the Learning Objectives, Lesson Map, and Estimated Timing for the various modules. The second draft of the curriculum also included a field visit for experiential learning as a standalone module. This is intended to give trainees a practical experience of the modules treated during the theory session. The chairpersons convened a meeting of the ICWG to validate the second draft and also arranged bilateral meetings with experts in the mining sector and academia to review the report. Feedback given largely centred on the theoretical nature of the curriculum, making it more suitable for academic teaching than practical trainings. As such, the consultant was requested to introduce case studies into the curriculum and produce a complementary training in Microsoft PowerPoint to support practical training facilitation.

Revised versions of the training materials were submitted to the ICWG co-chairs towards the end of the year, with additional rounds of edits taking place in late 2022 and early 2023.

Voluntary Principles Association Visit to Ghana

The ICWG facilitated a working visit to Ghana for a delegation of the Voluntary Principles Association Secretariat comprising Mora Johnson and Patricia Jacopucci. The visit, which took place from 18th to 21st October 2022, provided an opportunity for the VPA team to interact with key stakeholders of the VPSHR in Ghana, including the Ghana Armed Forces, the Ghana Chamber of Mines, the Minerals Commission, and MLNR. Further, the chairpersons liaised with the VPA to organize a training programme on 21st October 2022 for members of the ICWG and other stakeholders whose work have a bearing on the implementation of the VPs in the country. The chairpersons also facilitated a trip to the Akyem Mine of Newmont Corporation for the VPA delegation on 19th October 2023. The field visit was to enable the VPA to have a first-hand appreciation of how the VPs are implemented in Ghana.

Training of Police Officers

The chairpersons leveraged the ICWG's relationship with the Ghana Chamber of Mines to train 150 policers that were to be deployed to mining companies. The training event, which took place on 7th May 2022, was facilitated by the Senior Security Manager of AngloGold Ashanti's Iduapriem Mine, who is also a member of the ICWG. The training was designed to equip the police officers with basic knowledge of the VPs to enhance their work in mining communities.

B. COUNTRY IMPLEMENTATION

In 2022, the Government of Ghana, through the ICWG, facilitated the implementation of two key activities of the NAP.

A baseline study on security and human rights in the extractive sector was undertaken by the CHRAJ. The report on the baseline study was validated during the year under review. As part of the validation process, the report was made available to the institutions that participated in the research and some of them reverted with comments. These comments have since been incorporated into the report.

The study found that the security arrangements of extractive sector companies generally comply with the VPSHRs. Specifically, the companies were abreast of the VPSHRs and incorporated them into their operations and security regime. However, there were some gaps relative to the use of force and implementation. Further, the study showed that human rights challenges persist in the extractive sector, particularly in the form of air and noise pollution and limited land for economic activities and shelter due to the large concessions of extractive sector firms. Other issues include land degradation, water pollution, and heat emissions into the environment caused by the presence of gas plants.

Based on these findings, the study made the following recommendations to improve the security and human rights situation in the extractive sector:

1. As the indigenous population grows, the State must revisit and review agreements that grant large concessions to companies. This aims to give individuals access to unused concession lands for their livelihood and economic activities.
2. The State must prioritize a human rights-based approach in granting licenses and concessions to large and small-scale companies. This will aid in meeting requirements such as inclusiveness, participation, and accountability.
3. The current practice where large-scale mining companies conduct environmental impact assessments and report to the EPA themselves should be expanded to include potential security and human rights issues and the necessary mitigating measures.
4. To ensure adequate compliance with the VPSHRs, regular monitoring of extractive sector activities should be effectively structured, with institutional responsibilities clearly defined to avoid overlapping roles. To operate effectively, monitoring institutions should have adequate personnel and logistical resources.
5. To avoid encroachment and related safety and security concerns, the Minerals Commission, in collaboration with other stakeholders, should properly define the boundaries of extractive companies and keep the communities informed.
6. To avoid the negative impact of business operations on people's security and enjoyment of human rights, the Minerals Commission must ensure that exploration licenses are not used for mining until a mining lease is obtained.
7. Extractive companies' corporate social responsibility policies must be human rights-based and transparent in order to meet the competing interests of all parties and to have a binding effect.

In addition to the work on the baseline study, a consultant from KAIPTC was engaged to develop a training curriculum on VPs. The curriculum is expected to be the main manual for training on VPs for public and private security personnel and officers from Government agencies and other relevant stakeholders. The consultant presented a second draft report to the ICWG for validation. As part of the validation process, the curriculum was also shared with experts in academia and the mining sector for their comments. The main concern that was highlighted by both members of the ICWG and external reviewers was the theoretical nature of what was set to be a curriculum to guide practical training. The ICWG validated the curriculum pending the redress of the concern. The chairpersons have since updated the curriculum with some case studies. The ICWG will host a Trainer of Trainers (ToT) event for stakeholders who would be running the curriculum in 2023.

A third line of effort focusing on country implementation focused on the training for police officers. The Ghana Chamber of Mines (GCoM) liaises with the Ghana Police Service to train police officers on mining-related issues annually. The annual training is targeted at enhancing the capacity of the police to address illegal mining and other mining-related infractions. The chairpersons engaged the GCoM on including a session on VPs in the training manual for the officers. Following the approval of the request, the chairpersons arranged for the Senior Security Manager of AngloGold Ashanti's Iduapriem Mine, who is also a member of the ICWG, to resource the session on 7th May 2022 at the Police Command and Staff College. His presentation explained the VPs (VP 101) and demonstrated how they are expected to comply with the VPs relative to the risks that would confront them at the mines. He also simulated a situation and requested the officers to use the VPs tools to address it. The police officers were deployed to ten (10) large-scale mines on 8th May 2022.



Figure 1.0: The Senior Manager, Security, AngloGold Ashanti delivering a presentation on VPs to police officers at the Police Command and Staff College

Finally, the ICWG chairpersons facilitated a request by the VPA Secretariat to host a training programme for members of the ICWG and to host bilateral meetings with stakeholders whose work impacts the implementation of VPs in the country from 18th to 21st October 2022. The delegation from the VPA comprised the Head of the Secretariat, Mora Johnson, and the Deputy Head of the Secretariat, Patricia Jacopucci. The chairpersons arranged bilateral meetings with the following stakeholders:

- Director of Legal Services, Ghana Armed Forces- Brigadier Benjamin Amoah
- Chief Executive Officer of the Ghana Chamber of Mines- Mr. Sulemanu Koney
- Assistant Manager of Community Relations - Minerals Commission- Mr. Stephen Agbo
- Head of Community Relations of Petroleum Commission- Ms. Sekyiwa Darko,
- Chief Director of the Ministry of Lands and Natural Resources- Professor Patrick Agbesinyale
- Chairman of Ghana Extractive Industries Transparency Initiative- Dr. Steve Manteaw
- Coordinator of Ghana Extractive Industries Transparency (GHEITI), Mr. Bashiru Abdul- Razak Mohammed
- Faculty member of KAIPTC- Mr. Ernest Lartey

The discussions with the aforementioned stakeholders focused on their experiences in the implementation of the VPs and how the VPs could be improved. A key challenge that arose in the discussions was the increase in illegal mining activities and the state's use of security agencies in resolving the challenge. Some of the stakeholders were concerned that the security approach to remediating illegal mining usually results in excesses where the rights of the illegal miners are breached. The military also responded that some of the illegal miners are armed and at times attempt to shoot security officers when they are requested to cease their operations. On the upside, the Ghana Chamber of Mines also informed the delegation that they would incorporate VPs in their annual training programme for police officers. In that regard, the ICWG will liaise with the Chamber to nominate resource persons for the presentation.

In addition, the chairpersons and the VPA Secretariat staff visited the Akyem site of Newmont Corporation on 19th October 2022. The team interacted with senior management members of the mine to understand how the VPs are implemented. In the presentation that followed, the heads of the various departments demonstrated how each of them incorporated the VPs into

their work plans. Further, the delegation held a closed-door meeting with the security manager and the head of a private security firm that works for the mine. The discussions showed that the private security contractor convenes weekly trainings on the VPs for its officers while Newmont orientates the public security officials that are assigned to the mine. The team concluded the trip by visiting a forest reserve on the concession of Newmont and a corporate social responsibility project (Vocational and Technical school) implemented by the company.



Figure 2.0: The VPA and ICWG Chairpersons with some staff of Newmont's Akyem Mine

Lastly, as part of the delegation's trip, the chairpersons convened a meeting of the ICWG and other stakeholders for the VPA to train them on the VPs. The modules that were discussed included VPs 101, Implementation Guidance Tool Companion on Gender and Vulnerable Groups, and VPI Conflict Analysis Tool. The event, which was hosted on 21st October 2022, was attended by more than forty (40) persons from institutions that are members and not members of the ICWG. They included the Petroleum Commission, Ghana National Gas Limited, AngloGold Ashanti, Adamus Resources, the Ministry of the Interior, and the Association of Private Security Organizations of Ghana (APSOG).



Figure 3.0: Some participants at the VPs workshop

D. LESSONS AND ISSUES

The major challenge to expanding the Government and NGO pillars' involvement in implementing the VPs remains to be funding/budgetary constraints. The ICWG currently depends solely on funds from the VPI for activities as well as the running of the Secretariat. The funding support from the VPI has been crucial for the successful implementation of the two (2) key activities mentioned earlier and has kept the ICWG and the Permanent Secretariat functional. The contract for funding support (core funding) from the VPI is set to expire in June 2023, and the ICWG only has a few years of funding eligibility remaining. As such, in thinking of the platform's sustainability and in the event that funds received for the remaining years of eligibility may not be sufficient, efforts are being made to get ahead of the issue. These included engaging with the Government for supplementary funds for outstanding activities of the NAP that funding does not currently exist and mainstreaming some activities into the operations of the Government agencies.

Another major challenge faced during the reporting year centred on the completion on the curriculum development where delays on the part of the consultant saw the ICWG put in multiple no-cost extension request. An aspect of the delay was due to the consultant contracting the COVID-19 virus and having to isolate for three (3) weeks. The other, and primary, cause of delay in developing the curriculum within the agreed timeline was the chronic unresponsiveness of the consultant in delivering the document within the agreed timeline.