



# FIG Working Week 2024

19-24 May

Accra, Ghana

Your World, Our World:  
Resilient Environment  
and Sustainable  
Resource Management  
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Presented at the FIG Working Week 2024,  
19-24 May 2024 in Accra, Ghana

## Compensation Governance Framework : the Perceptions of Community Members in Selected Mining Communities in Ahafo Region of Ghana

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### Presentation Outline

- Introduction
- Context of the Issues
- Methods
- Results
- Conclusion





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## Introduction

“We’re neither against mining nor Newmont, we’re against anyone who takes what is rightfully ours – Ahafo residents”

Story by Mohammed-Nurudeen, M. of Joynews (2021, October 11)



Protesters



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## Introduction



Protesters Dialogue

**Protest for:**

**Rights-based benefits**

**Service-based benefits**



Does the legal and regulatory regime provide fair and good governance for mineral resources exploitation?

(see Arce & Miller, 2016; Hilson, 2002; Hilson et al., 2007; Hilson & Clifford, 2010; Mohammed-Nurudeen, 2021)





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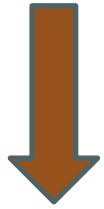
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## The Issue

### **Land tenure context**

- Multiple actors
- Pluralistic legal regime
- Power asymmetric



Risk of exclusion of lesser rights and interest holders



Minerals ownership, utilisation & governance framework



Questions on: Compensation procedures, methods and sums, and service and rights-based benefits



Further questions on how compensation governance and payments translate into: **Procedural** and **Distributive** justice

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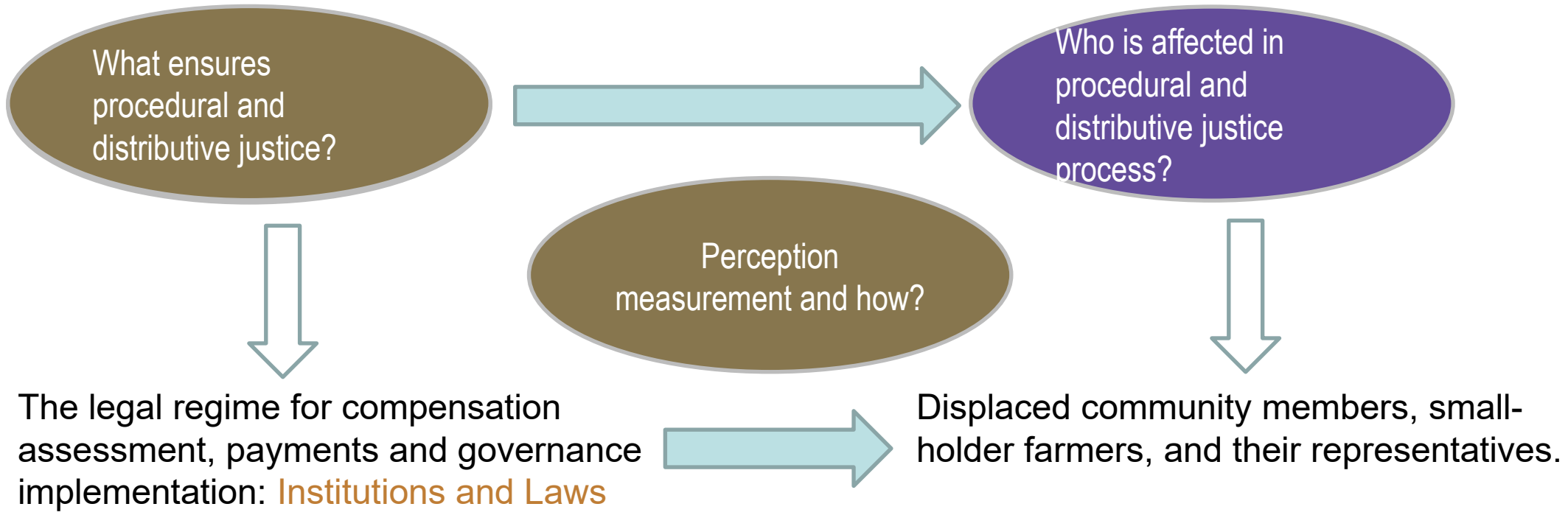
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## Methods (1)

- Guiding questions:





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## Methods (2)

Equity, Rule of Law,  
and Justice

Public Participation

Transparency &  
Accountability

Fair and adequate compensation,  
Livelihood and equal treatment of  
parties  
Fair and accessible dispute resolution  
mechanisms

Involvement of actors in **decision-  
making** process. Eg. Representation,  
education, negotiation etc

Openness of process, Access to  
information, and Responsibilities and  
accountability

*Analytical framework on Governance  
Indicators: Adapted from Asiama, 2015*







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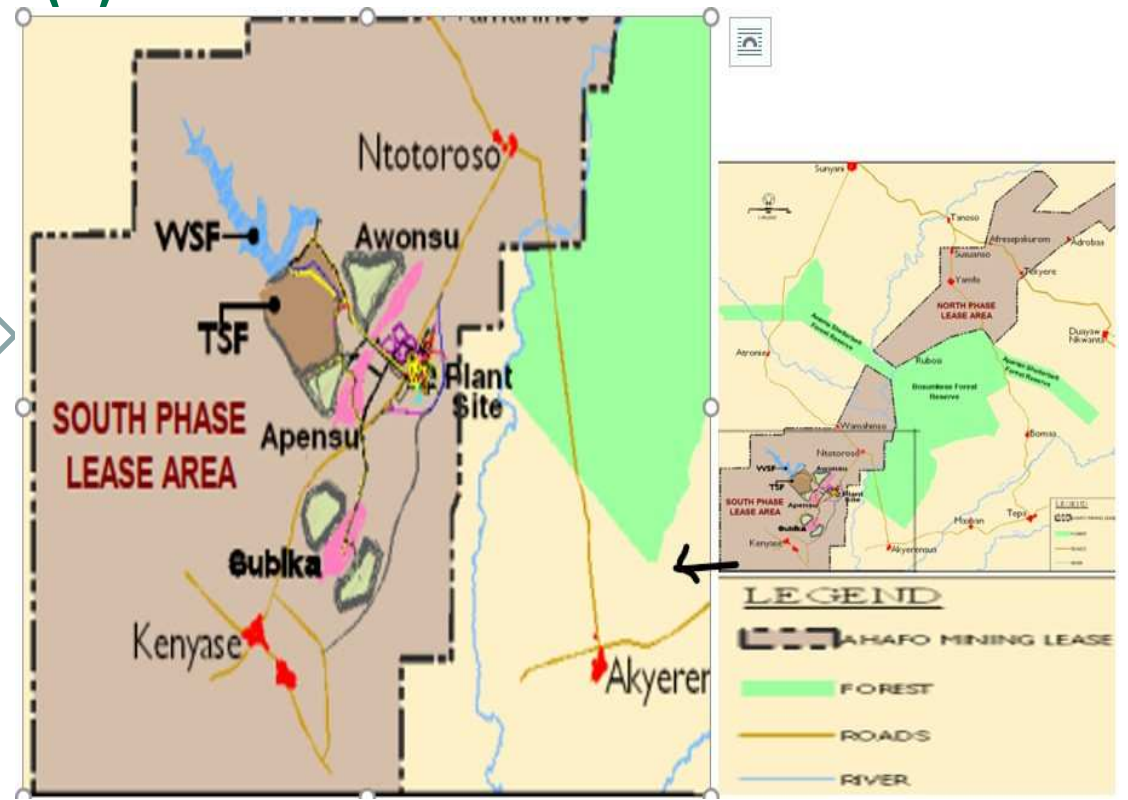
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## Methods (3)

- **Study Area and Participants:**
  - ❑ Newmount, Ahafo mines
  - ❑ Ola Resettlement Community (Kenyasi No.2) and Ntrotroso Resettlement
  - ❑ 115 Community affected persons
  - ❑ 5 representatives on negotiation committees



Redesigned from Newmount Resettlement Action Plan, 2009





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## Results (1)

- Good governance indicators were generally observed:

- ✓ All eligible rights and interest were compensated.

*'All interest and rights were recognized and compensated'* indicator was ranked first with a mean score value of 3.45 and a RII of 0.69.

- ✓ Adequate community representation and involvement in negotiation

*The indicator ranked fourth with a mean value of 3.08*

### **But with limited impact:**

For instance, a 38-year-old woman at Ntrotroso noted:

*“At the initial stages, representatives work for us but after some time and because they have become known to the company, the company officials offer them jobs and they can’t say anything. In fact, everyone is working for his/her personal gains.”*

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## Results (2)

✓ Grievance mechanisms existed:

The indicator “*Mechanisms for reporting complaints were available and accessible*” ranked 3<sup>rd</sup> .

✓ But weakly implemented:

“*Grievances of expropriators were addressed in a fair and just manner*” indicator was ranked 10<sup>th</sup>.

For instance, a 35-year-old respondent at OLA noted:

“*The mining company has an office at Ntrotroso and you can report your complaints to them but solving them is another problem. Sometimes it is better to just keep quiet. It takes a long time for the officials to get back. Besides, the outcome may not be to your satisfaction and you cannot do anything*” (35-year-old respondent, Kenyense No-2, 2021).

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## Results (3)

Governance Parameters	Constructed Statements	Rank	Mean	Standard Error	Standard Deviation	RII
Equity, Rule of Law, and Justice	All interest and rights were recognized and compensated	1 <sup>st</sup>	3.45	0.11	1.17	0.69
	Compensation was adequately and promptly paid	5 <sup>th</sup>	2.98	0.11	1.23	0.60
	Mechanisms for reporting complaints were available and accessible	3 <sup>rd</sup>	3.09	0.12	1.29	0.62
	Grievances of expropriators were addressed in a fair and just manner	10 <sup>th</sup>	2.47	0.11	1.22	0.49
	Grievance redress mechanisms are readily available and accessible	7 <sup>th</sup>	2.88	0.12	1.24	0.58
Public Participation	Expropriators had adequate representation to negotiate for compensation	4 <sup>th</sup>	3.08	0.12	1.33	0.62
	Expropriators representatives act in their interest	2 <sup>nd</sup>	3.11	0.12	1.31	0.62
	Expropriators were educated on laws of acquisition	6 <sup>th</sup>	2.94	0.12	1.32	0.59
Transparency & Accountability	The mining company provides social amenities	8 <sup>th</sup>	2.75	0.13	1.35	0.55
	The mining company provides livelihood support systems for community members.	9 <sup>th</sup>	2.56	0.12	1.25	0.48
	Royalties paid are used to provide social amenities	11 <sup>th</sup>	2.41	0.13	1.37	0.48

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## Results (4)

- Weak implementation of the governance structures resulted in:
  1. Unsatisfactory adjudication outcomes.
  2. Lack of transparency with revenue from mining royalties and design of social support programmes, and
  3. Inadequate alternative livelihood support to cope with transformation: Rural –urban life of resettled community members
  4. Local representatives on compensation negotiation committee become self-seeking.

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## Conclusion

- Community protest for service and right-based benefits of mineral resources are link to the compensation governance arrangements.
- Effective compensation governance should ensure distributive and procedural justice in its implementation.
- Communities should be well resourced to be able to negotiate for compensation packages that are designed towards alleviating current and future generations from poverty.
- A designed robust framework to governing compensation negotiation committee members selection and operations

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## Commission 7 & 9

TS10E: Investment and Finance Issues in land Administration

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## Acknowledgement

The funding support by the Network of Excellence on Land Governance in African (NELGA) for this FIG Conference is deeply appreciated.

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