



## **COMMUNIQUE**

**ISSUED AT THE TWO-DAY TRAINING OF MINING HOST COMMUNITIES ON FREE, PRIOR, AND INFORMED CONSENT (FPIC), ENVIRONMENTAL IMPACT ASSESSMENT (EIA), AND COMMUNITY DEVELOPMENT AGREEMENT (CDA) IN NASARAWA STATE.**

**November 11 & 12, 2024**

**Ivanna Event Centre, New Karu, Nasarawa**

### **Preamble:**

The House of Representatives Committee on Solid Minerals, the Nigerian Extractive Industries Transparency Initiative (NEITI), Global Rights, and the Federation of Nigerian Mining Host Communities collaborated to conduct a two-day knowledge, skills, and experience sharing meeting for mining host communities in Nasarawa State. The meeting was aimed at empowering communities through education on mining agreements, gender equity, environmental safeguards, social cohesion, and effective advocacy. The session focused on topics such as the impacts of mining on local communities, the necessity of gender equity and clear agreements, community compensation, and preventing conflict. With over 150 participants in attendance, including traditional leaders, community members, government officials, traditional leaders, civil society organizations etc.

The meeting served as a convergence point, bringing together traditional leaders and members of mining host communities, civil society organizations, government ministries, departments and agencies, including the House of Representatives Committee on Solid

Minerals, Nigeria Extractive Industries Transparency Initiative (NEITI), Revenue Mobilization Allocation, and Fiscal Commission (RMAFC). Traditional leaders in attendance include the Esu Karu, Pharm. Dr. Luka Panya Baba; Emir of Panda, Barr. Joel S. Aninge, Odyong Nyankpa; Sarkin Agwada, HRH Alh. Abubakar Sadiq; Abaga Toni II, HRH Lawrence Ayie; Emir of Loko (Mai Loko), Dr. Abubakar A. Sabo; ONAH of Toto, HRH. Alh. Muhammad Umar Azaki; Emir of Gadabuke, HRH Alh. Al-Amin Sulaiman; Dangaladimman Keffi, Hon. Ibrahim Abdul Usman, representing the Emir of Keffi; and Alatorin of Atorin Ijesa, HRH Oba Omololu Afilaka.

Acknowledging the government's thrust to boost mining activities, and its responsibility to ensure the protection of the rights and interests of mining host communities made the following acknowledgements and recommendations.

## **Acknowledgements**

Participants noted that:

1. Mining host communities inordinately bear the brunt of illegal, poorly and unregulated mining activities, which are rampant due to gaps in laws and regulations that govern the sector.
2. In addition, women in mining host communities experience an added layer of inequity, discrimination, and lack of representation in decision-making processes.
3. Transparency in licensing processes is imperative to achieving accountability for mining operations, ensuring that companies comply with the terms of their leases and that mining host communities make informed decisions.
4. Mining inevitably disrupts the ecosystem, agricultural operations, water and air quality, health, and social cohesion in mining host communities . Therefore, mining decisions must be grounded in community participation and understanding, ensuring that communities are respected and protected throughout project development. Consequently, the codification of the principle of Free, Prior, and Informed Consent (FPIC) is imperative for mining host communities to exercise their rights to consent to

or reject projects that may adversely affect their way of life, environment, or livelihoods.

### **Recommendations:**

Participants recommended as follows:

1. Traditional rulers, other community leaders, and representatives of all interest groups within communities should play a more active role in the mining licensing process, ensuring that the interests and welfare of all members of mining host communities are prioritized.
2. Mining companies must adhere to environmental safeguards when carrying out their mining activities. Furthermore, mining companies must strictly comply with regulations that govern the reclamation to restore affected lands for sustainable community use and protect health and livelihoods.
3. The free, prior, and informed consent of affected and impacted communities should be made a legally binding commitment, with companies held accountable for the environmental and social impacts of their operations on host communities.
4. Social licenses and Community Development Agreements premised on host communities understanding of the environmental impact assessment of the project and the nature of the license sought must be legally binding with clear definitions of roles and responsibilities for all parties, including communities and mining companies, with a mandate for periodic reviews to ensure ongoing relevance.
5. CSR obligations should be codified in law, requiring mining companies to engage in meaningful community development, sustainable practices, and social welfare projects.
6. The 10th National Assembly should, of immediate priority, facilitate the process of amending the Minerals and Mining Act to provide more comprehensive safeguards for mining host communities. The amendments must strengthen the agency of mining host communities and the community development framework to ensure the sustainable environmental and social status of mining host communities.

7. Amendments to the Minerals and Mining Act and other related regulations must ensure their gender sensitivity, especially on issues related to mining host communities.
8. The amendment to the Minerals and Mining Act should allocate a fair share of mining royalties and taxes to host communities through dedicated trust funds for host communities' development, which should be at least five percent of the total cost of mining operations.
9. On any policy or regulation on mineral governance that the Ministry of Solid Minerals Development contemplates, it should prioritize input from the Federation of Nigeria Mining Host Communities as a representative organ of mining affected communities.
10. The Ministry of Solid Minerals and other relevant agencies should ensure full penalties for non-compliance with mining regulations and recommendations based on environmental impact assessments and strengthen the Mineral Resources and Environmental Management Committees (MIREMCO) in all states as independent monitoring bodies to oversee the implementation of environmental and social management plans.
11. The Federal Government should enhance the transparency of revenue flows from the mining sector by fully implementing the Extractive Industries Transparency Initiative (EITI) standards.
12. The Nigerian Extractive Industries Transparency Initiative (NEITI) should increase its engagements with mining host communities in promoting transparency, accountability, and good governance in Nigeria's extractive industries in order to ensure that revenues generated from mining activities are transparently disclosed so that host communities benefit equitably from the wealth generated from their lands.
13. Stakeholders in the mining governance subsector should escalate and sustain capacity building for communities to build their knowledge on their rights and roles within existing mining laws and improve their skills for negotiating CDAs and other processes of sustainable development for mining host communities.

14. The Ministry of Solid Minerals Development, Federal Ministry of Environment, NEITI, National Environmental Standards and Regulations Enforcement Agency (NESREA) and other relevant government institutions should develop innovative accountability mechanisms for ensuring compliance with environmental laws and social impact mitigation measures by mining companies to address the environmental degradation and social issues often faced by host communities.
15. Specific strategies should be developed to increase women's representation and participation in the mining sector, with policies that ensure that women are active participants in decision-making processes and in the creation and implementation of CDAs.
16. The principles of Free, Prior, and Informed Consent (FPIC) should be given stronger legislative backing to allow communities the right to give or withhold consent regarding mining projects.

**Conclusion:**

The Convening underscored the critical need for transparency, inclusivity, and accountability in Nigeria's mining sector and reiterated that collaborative and active demonstrations of commitment of all stakeholders are essential to ensure mining activities align with the welfare, safety, and development needs of host communities. They attest that by strengthening partnerships and enforcing compliance with CDAs and FPIC principles, Nigeria can establish a mining sector that is equitable, sustainable, and beneficial for all its citizens.