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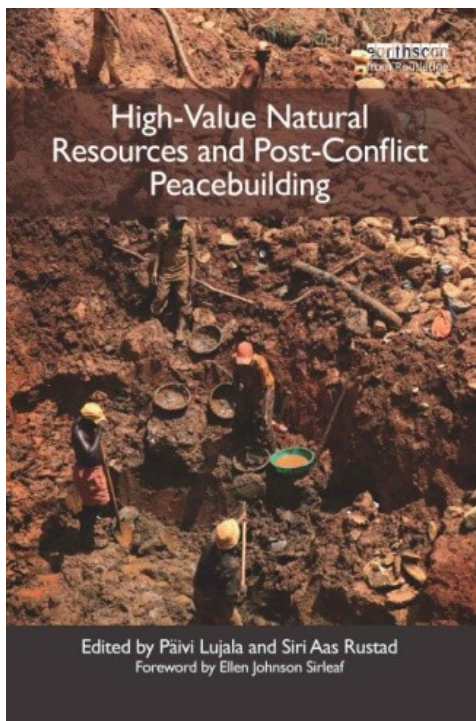
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Diamonds in war, diamonds for peace: Diamond sector management and kimberlite mining in Sierra Leone

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Diamonds in war, diamonds for peace: Diamond sector management and kimberlite mining in Sierra Leone

Kazumi Kawamoto

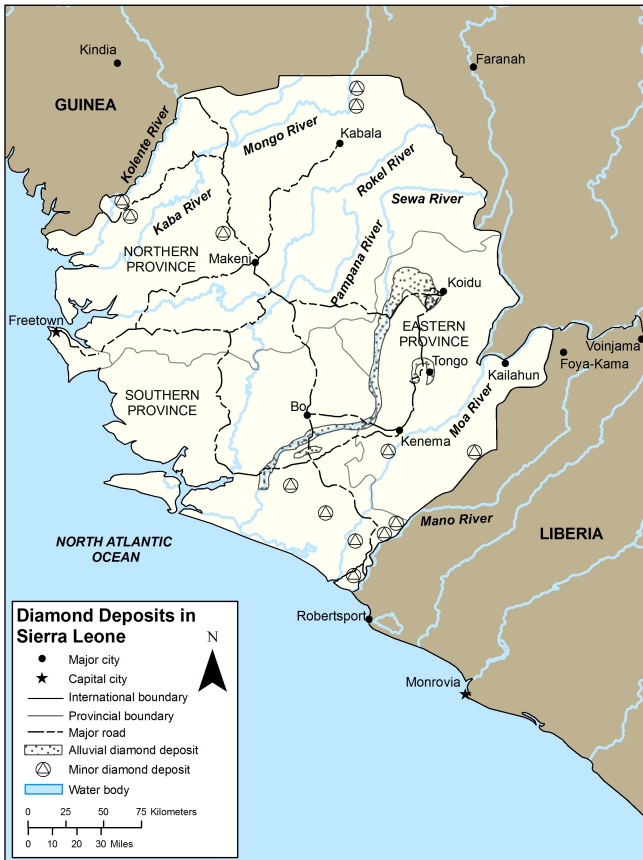
During Sierra Leone's civil war (1991–2002), the country's diamonds became famous—not for their high quality, but because they were “blood diamonds,” gems that were traded and smuggled in support of a brutal and protracted civil war. Widely viewed as having both funded and prolonged the war (Maconachie and Binns 2007b; Smillie, Gberie, and Hazelton 2000; Reno 1997; Hirsch 2001), diamonds are today a key resource in the country's post-conflict reconstruction.

Diamond fields cover 20,000 square kilometers in Sierra Leone (see figure 1).¹ During the height of diamond production, from the late 1930s through the 1970s, diamonds made up about 70 percent of the country's export earnings and almost 25 percent of its gross domestic product (Maconachie and Binns 2007a). Between 1930 and 1968, over 30 million carats of diamonds had been officially mined; by 1998, the cumulative official total was 55 million carats (Smillie, Gberie, and Hazelton 2000).

After the war, the management of the diamond industry became a principal focus of peacebuilding. Since 2000, three major approaches to management have emerged: (1) the Diamond Area Community Development Fund (DACDF), which was created to alleviate grievances by directing a portion of state taxes on diamond revenues to local communities; (2) the Kimberley Process Certification Scheme (KPCS), which was designed to break the link between rough diamonds and

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¹ Most of Sierra Leone's significant diamond deposits are in the Kono, Kenema, and Bo districts, in the eastern part of the country.



violent conflict; and (3) deep-shaft kimberlite mining, which was undertaken to boost national economic development.

Most of the diamond extraction in Sierra Leone is alluvial diamond mining, also known as secondary diamond mining. Alluvial diamonds are a diffuse and readily obtained (or looted) resource, and therefore difficult to control (Le Billon 2001; Ross 2004). Kimberlite mining, in contrast, is industrial-scale mining that requires extensive infrastructure and investment. In a 2005 interview, Ahmed Tejan Kabbah, then president of Sierra Leone, noted that one of the country’s primary goals is to attract bigger mining companies—and with them, greater foreign investment. During the same interview, Kabbah noted that Sierra Leone had had “tremendous success” with the Koidu Holdings, which exploit kimberlite mines. “[Koidu Holdings is] easier to monitor, they keep a paper trail, and they are bringing in a lot of revenue in the form of taxes and employment. The alluvial mines are a problem. They always have been, and will probably continue to be” (PAC and Network Movement for Justice and Development 2005, 1).

Figure 1. Diamond deposits in Sierra Leone

Source: Based on original map from Aureus Mining.

This chapter considers kimberlite mining in the broader context of Sierra Leone's history—in particular, the history of the link between diamonds and conflict. Unlike alluvial diamond mining, kimberlite mining—which first emerged in Sierra Leone in 2004—has not been associated with the funding of armed rebellion. Nevertheless, as this chapter will demonstrate, it is not free of conflict: in 2007, long-simmering community grievances in Koidu erupted into a riot that left two dead. Because serious disagreements between stakeholders, such as occurred at Koidu, have the potential to destabilize long-term peace in Sierra Leone, it is essential to understand how and why the clash occurred. The kimberlite riot underlines the importance of low-level, local conflicts that make peacebuilding more difficult and can sometimes escalate to larger conflicts.

The chapter is divided into six major sections: (1) a review of the role of diamonds in Sierra Leone's prewar economy; (2) a review of the role of diamonds during Sierra Leone's civil war; (3) a brief discussion of the three major strategies

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for managing the diamond sector: the DACDF, the KPCS, and kimberlite mining; (4) an analysis of the kimberlite riot; (5) a summary of lessons learned; and (6) a brief conclusion.

DIAMONDS IN THE PREWAR ECONOMY

Since 1930, when diamonds were first discovered in Sierra Leone, the diamond industry has formed the backbone of the economy. In 1935, when Sierra Leone was still a colony of the British Empire, the colonial authorities who controlled the diamond sector awarded the first mining contract to the De Beers' Sierra Leone Selection Trust (SLST), granting it a monopoly for ninety-nine years. Production of rough diamonds began that same year and had reached one million carats by 1937 (Smillie, Gberie, and Hazelton 2000). Thus, in a short time, Sierra Leone went from being a resource-poor nation to being a resource-rich nation.

Most of the diamond production occurred in the Kono and Kenema districts, which had historically been less developed than other parts of Sierra Leone, but which had significant deposits of alluvial diamonds. Initially, revenues from diamond exports were invested in roads, schools, and the provision of clean water in these areas (Maconachie 2009). The regions became economic centers and attracted thousands of workers: anyone who had shovels, sieves, buckets, and picks could engage in alluvial mining (Global Witness and PAC 2004).

By the early 1950s, the diamond-rich regions of Sierra Leone had experienced an influx of diamond miners—mostly young men from Guinea, Liberia, and Sierra Leone, who had formerly worked in agriculture. By 1956, what became known as the Great Diamond Rush had drawn 75,000 illicit miners to the diamondiferous regions of the country—leading to smuggling on a vast scale, effectively ending the SLST monopoly² and fostering a general breakdown of law and order in the diamond-mining regions (Smillie, Gberie, and Hazelton 2000). There was also a shift in the trade route: whereas the principal smuggling route had formerly led from Kono to Freetown (the capital of Sierra Leone), increased security along that route led the smugglers to establish a new route, to Monrovia, Liberia (Smillie, Gberie, and Hazelton 2000)—a connection that would prove crucial for rebels and diamond smugglers during the civil war (UNSC 2000a). A number of other factors also contributed to the shift in the trade route: Liberia had no export taxes; money could easily be laundered there; U.S. dollars were the Liberian currency;³ and there were buyers in Liberia who were willing to pay high prices for diamonds (Smillie, Gberie, and Hazelton 2000; UNSC 2000a).

Aware that they were losing revenue to illicit mining and diamond smuggling, the colonial authorities decided to change their policy. In 1955, the authorities

² Because De Beers had exclusive mining and prospecting rights for the entire country, all mining that was not being conducted by De Beers was, by definition, illegal.

³ The use of U.S. dollars facilitates the export of diamonds by lowering transaction costs (the costs of exchanging one currency for another).

dissolved the SLST's monopoly;⁴ the following year, they enacted the Alluvial Mining Scheme, which granted mining and trading rights to indigenous and artisanal miners—although the majority of the licenses went to Lebanese traders (Smillie, Gberie, and Hazelton 2000). For several years, the Alluvial Mining Scheme stabilized mining areas and significantly reduced illegal mining; although smuggling continued, it was on a much smaller scale.⁵

In 1961, Sierra Leone gained independence from Britain; the following year, the Sierra Leone People's Party (SLPP), which had co-ruled with the British colonial government since 1952, won the parliamentary elections. In 1967, the All People's Congress (APC) defeated the SLPP in the national elections, but a military coup later that year prevented Siaka Stevens, the new prime minister, from taking office until the spring of 1968—when, in the wake of a military countercoup, the government was handed over to the elected leadership (Gibrill 2007).

In 1971, after becoming president, Stevens formed the National Diamond Mining Company and effectively nationalized the SLST by obtaining a 51 percent stake in it (Maconachie 2008). Stevens tacitly encouraged illegal mining by turning diamonds and the presence of the SLST into a political issue (Smillie, Gberie, and Hazelton 2000). Illicit mining exploded as a consequence, hampering the SLST's efforts to protect its concessions. By 1978, Stevens had solidified political control by making Sierra Leone a one-party state.

Despite early populist promises, Stevens' regime—which was marked by corruption, patronage, poor management, and economic stagnation—brought on the decline of Sierra Leone's diamond industry. Annual legal diamond exports peaked at over 2 million carats in 1970; annual exports declined to 595,000 carats by 1980, and to 48,000 carats by 1988 (Smillie, Gberie, and Hazelton 2000). During the 1980s, as legitimate exports dropped, illicit mining expanded rapidly. Violence erupted in the mining areas, where diamonds were often stolen and smuggled—in many cases by groups with ties to Stevens. Meanwhile, a “shadow state”—a patron-client system operating outside of formal state institutions—emerged, supported by smuggling and illicit mining (Reno 1997, 2000, 2003).⁶

In 1985, Stevens retired from office. Major-General Joseph Saidu Momoh, the APC-appointed successor, became the new head of state. Claiming that he would dissolve the diamond-funded shadow state, Momoh established the Government Gold and Diamond Office, but the formal diamond sector soon became irrelevant (Smillie, Gberie, and Hazelton 2000). As Stevens had before him, Momoh established informal trade and patronage networks, providing access to buyers from Europe, the Middle East, and the United States. The Momoh regime was

⁴ The SLST was allowed to retain its mining concessions in Yengema and Tongo, its most profitable fields.

⁵ One reason that smuggling continued was to avoid the license fees and other costs.

⁶ In 1954, De Beers established an office in Monrovia to buy diamonds from smugglers (Smillie, Gberie, and Hazelton 2000).

characterized not only by corruption but also by unruly armed forces, political turmoil, a disgruntled citizenry, and economic decline (ICG 2001b).

In the years leading up to the war, diamond-mining communities remained among the poorest areas in the country. Meanwhile, rural chiefs maintained absolute control over local residents, including access to citizenship and livelihoods;⁷ those who lacked patronage—especially the young—remained uneducated and unemployed, and often faced a lifetime of hard labor (Fanthorpe 2001).⁸ A set of grievances—including lack of involvement in mining-related decisions and the absence of development and investment in the mining regions—exacerbated general discontent with the government and facilitated the onset of war.

DIAMONDS AND THE CIVIL WAR

A number of scholars have argued that control of the diamond trade was not a direct cause of Sierra Leone's civil war but catalyzed and prolonged the conflict.⁹ Although much of the fighting, and many of the atrocities, occurred in and around the diamondiferous areas of Kenema, Kono, and Koidu, the war had complex origins, including decades of rampant corruption, especially in the natural resource sector; impoverished and marginalized rural populations and general economic decline; and a lack of trust in the authoritarian government (ICG 2001b).

In March 1991, a small band of rebels from Liberia's Revolutionary United Front (RUF) crossed into Sierra Leone and attacked the southeastern provinces. The group was led by Foday Sankoh and consisted of only a few hundred men. Initially, the government of Sierra Leone regarded the RUF as no more than a nuisance; but by the following year, that view would change.

The attack was supported by Charles Taylor, a Liberian warlord who was interested in Sierra Leone's natural resources and who was believed to be tied to various criminal activities, including murder, rape, abduction, forced labor, and the use of child soldiers (ICG 2001b; Smillie, Gberie, and Hazelton 2000; Special Court for Sierra Leone n.d.).¹⁰ At first, the RUF rebels attempted to

⁷ As Richard Fanthorpe notes, "citizenship remains a privilege for those domiciled in old villages registered for tax collection. . . . The young and those of low inherited status inevitably find themselves in attenuating orders of precedence in access to [such] privileges" (2001, 385).

⁸ During the war, disaffected young men would offer fertile ground for recruiters from the Revolutionary United Front (Abdullah 1998; Fanthorpe 2001).

⁹ See, for example, Maconachie and Binns (2007b); Smillie, Gberie, and Hazelton (2000); Ross (2004); and J. Andrew Grant, "The Kimberley Process at Ten: Reflections on a Decade of Efforts to End the Trade in Conflict Diamonds," in this volume.

¹⁰ Initially, the RUF claimed to have a political agenda: to overthrow the APC government and participate in a radical, pan-African revolution (ICG 2001b; Smillie, Gberie, and Hazelton 2000). But Taylor also had a personal grudge against Sierra Leone because of its involvement in Liberia's civil war, during which the government of Sierra Leone had allowed peacekeeping troops from the Economic Community of West African States Cease-Fire Monitoring Group to be stationed in Freetown.

appeal to anti-Momoh sentiment in Sierra Leone, but it became clear that their real goal was to sever Momoh's control over the diamond fields and to destabilize the regime (Smillie, Gberie, and Hazelton 2000).

On April 29, 1992, the National Provisional Ruling Council (NPRC), a military junta, ousted Momoh, and Captain Valentine Strasser came into power. Strasser vowed to end corruption in government and to defeat the RUF, which was terrorizing the countryside. Like his predecessors, however, Strasser was soon engaged in private dealings, especially in illegal diamond trading (Smillie, Gberie, and Hazelton 2000). As the RUF stepped up its attacks, the NPRC increased the size of the military from 3,000 to over 13,000 (ICG 2001b). To support the expansion, NPRC troops mined diamonds in Kono and traded them for weapons (Smillie, Gberie, and Hazelton 2000). By the end of 1992, despite the army's efforts to control the diamond fields, the RUF had captured the Kono district (Gberie 2002).

Many of the skirmishes that occurred between the army and the RUF in 1992 and 1993 were over control of the diamond fields in the eastern provinces. Some of the first confirmed atrocities also occurred during this time. To instill fear in local populations, exert political and military control, and send a message to any opposition, the RUF targeted civilians (Human Rights Watch 1998); the crimes included rapes, mutilations, and amputations (Smillie, Gberie, and Hazelton 2000; Human Rights Watch 1998). The RUF also kidnapped children to use as soldiers and slaves.

By 1995, the RUF controlled a vast territory and was advancing toward Freetown, and the NPRC hired a private security company, Executive Outcomes, to repel the RUF from the capital and remove the rebel forces from diamond-rich areas (ICG 2001b). The short-lived victory over the RUF allowed the NPRC to conduct presidential and parliamentary elections in February 1996. Despite an invitation from the junta to participate in the democratic election, the RUF refused, and instead continued to engage in brutal attacks on civilians to discourage them from voting (Gberie 2002).

The SLPP earned the majority of seats in parliament, and Ahmed Tejan Kabbah won the presidency. The new government encouraged local communities to protect themselves by establishing their own militias, which were based on traditional hunting societies and were collectively known as the Civilian Defense Force, or CDF (Smillie, Gberie, and Hazleton 2000). The largest of these groups, the Kamajors, often fought on the frontlines against the RUF and, like the rebels, committed human rights violations, including kidnapping children and forcing them to serve as soldiers (IRBC 1999).

In November 1996, in Abidjan, Côte d'Ivoire, the RUF and the Kabbah government signed a peace agreement (Gberie 2002). In May 1997, rogue elements of the Sierra Leone Army (SLA) overthrew the Kabbah government (Gberie 2002), which went into exile in Conakry, Guinea. The new junta, known as the Armed Forces Revolutionary Council (AFRC), was not recognized by the international community. Not long after taking power, the AFRC invited the RUF

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to control Freetown and the diamond fields (Francis 2005; ICG 2001b). As part of the peace agreement, Executive Outcomes had withdrawn from Sierra Leone. Soon after, the country fell into anarchy, and the AFRC/RUF regime was accused of engaging in atrocities, using forced labor, and child kidnapping (Human Rights Watch 1998).

In the late 1990s, discrepancies between the flow of diamonds out of Liberia and into Antwerp indicated that Charles Taylor was hosting a massive diamond-smuggling ring that led from Sierra Leone to Liberia to Belgium (Smillie, Gberie, and Hazelton 2000).¹¹ RUF rebels or their Liberian counterparts would carry the diamonds from Foya-Kama to Voinjama, and then to Monrovia, where they would be sold to foreign traders (UNSC 2000a). During the late 1990s, smuggling earned the RUF an estimated US\$25 million to US\$125 million annually (UNSC 2000a), enabling it to purchase illegal arms from Taylor (Ndumbe and Cole 2005). SLA soldiers—known as *sobel*s—were also involved in smuggling, sometimes in cooperation with the rebels (Keen 2000).¹² In addition to overseeing a vast smuggling operation, Taylor appeared to have broader economic and political ambitions (Gberie 2002): his ultimate goal was to institute a form of pan-Africanism and to completely root out any colonial influence in West Africa (ICG 2002). Because of Taylor's involvement, the civil wars of Sierra Leone and Liberia remained closely tied, and diamonds continued to fuel both conflicts.¹³

In July 1997, Taylor was elected president of Liberia, winning approximately 75 percent of the vote. His win may have been attributed, in large part, to the fear that if he lost, he would have resumed the conflict: one of his campaign slogans was “He killed my Ma, he killed my Pa, I will vote for him” (Polgreen 2006). In February 1998, Nigerian forces from the Economic Community of West African States Cease-Fire Monitoring Group (ECOMOG) drove the AFRC/RUF alliance out of Freetown. Kabbah's exiled government was reinstated in May, but the AFRC/RUF militias continued their attacks in the countryside and had regained control of the diamond-rich Kono region by late 1998 (Gberie 2002). Throughout that year, there were increasing reports that both the AFRC/RUF and the CDF/Kamajors were engaging in atrocities and using forced labor, particularly in the AFRC/RUF-controlled Koidu diamond area (Human Rights Watch 1998). Meanwhile, documentation of atrocities by the media and by nongovernmental organizations (NGOs) galvanized the international community, which turned its

¹¹ For example, between 1994 and 1998, Liberian diamond-mining output was estimated at 100,000 to 150,000 carats per year, at most, but during those same years, the Diamond High Council in Antwerp (HRD) recorded Liberian imports to Belgium of over 31 million carats—an average of over 6 million carats per year.

¹² *Sobel* means “soldier by day and rebel by night.”

¹³ After fighting the Liberian civil war from 1989 to 1996, Taylor became president of Liberia in 1997. Even after August 2003, when Taylor went into exile in Nigeria, he remained a destabilizing force, particularly in Côte d'Ivoire, Ghana, Guinea, Nigeria, and Sierra Leone (Global Witness 2005).

attention not only to blood diamonds but also to the illegal weapons trade that was undermining state security.

In early 1999, the AFRC/RUF attacked Freetown, killing approximately 6,000 and mutilating thousands more (Gberie 2002). Eventually, ECOMOG pushed the rebels out of the city, preserving the Kabbah government. But in the absence of international intervention and amid waning Nigerian support for ECOMOG troops, the weakened government could not continue fighting with the AFRC/RUF; on July 7, 1999, the government of Sierra Leone and the rebels signed the Lomé Peace Agreement (ICG 2001b). The agreement included the following elements:

- The RUF was legitimized and granted a role in the government.¹⁴
- ECOMOG forces were to depart, to be replaced by the United Nations Assistance Mission in Sierra Leone (UNAMSIL), a peacekeeping mission.¹⁵
- The RUF were given four cabinet positions, several ambassadorships, and several director-level positions in the public sector (GOSL and RUF 1999; ICG 2001b).
- Foday Sankoh would be given the status of vice president and would serve as chairman of the board of the Commission for the Management of Strategic Resources, National Reconstruction and Development (GOSL and RUF 1999).

In 2000, Partnership Africa Canada (PAC) released a report, *The Heart of the Matter: Sierra Leone, Diamonds & Human Security*, that demonstrated the nexus between illicit diamonds and the weapons trade on the one hand, and the undermining of state security and the commission of atrocities on the other (PAC 2000b). Although the impact was not immediate, the report eventually had profound effects on the diamond industry, fueling international efforts—particularly on the part of the UN Security Council (UNSC)—to curtail the trade in blood diamonds.¹⁶ In the wake of the Lomé Peace Agreement, the UNSC appointed a panel of experts to investigate the connections between the civil war and the illicit diamond trade. The panel's findings, released in December 2000, were similar to those of the PAC report.

In July 2000, through Resolution 1306, the UNSC imposed sanctions on diamond exports from Sierra Leone unless they were accompanied by a certificate of origin (UNSC 2000b). Meanwhile, recognizing the connections between

¹⁴ The Lomé Peace Agreement marginalized the AFRC.

¹⁵ Under the Lomé Peace Agreement, the United Nations Observer Mission in Sierra Leone (UNOMSIL) initially shared monitoring responsibilities with ECOMOG. In October 1999, UNOMSIL was succeeded by UNAMSIL, which would eventually deploy 17,000 troops (Gberie 2002).

¹⁶ In 1998, Global Witness, an NGO based in the United Kingdom, released a similar report on the links between the diamond trade and the Angolan civil war: *A Rough Trade: The Role of Companies and Governments in the Angolan Conflict* (Global Witness 1998).

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diamonds and civil war in both Angola and Sierra Leone, the international community initiated discussions in Kimberley, South Africa, on how to control the trade in conflict diamonds.¹⁷

In May 2000, within days of the departure of ECOMOG troops, the RUF captured five hundred peacekeeping troops that had ventured into an RUF-controlled area and held them hostage. That same month, Sankoh was arrested, and documents were recovered that allegedly proved his involvement in the illicit diamond trade. By July, the international community had finally pressured Taylor (who was known to have direct influence over the RUF) and the RUF to release the hostages (ICG 2001b). In November 2000, the RUF and the government negotiated a cease-fire agreement in Abuja, Nigeria, known as the Abuja I Agreement. Nevertheless, RUF forces (including the interim leader Issa Sesay) continued to smuggle rough diamonds; there were also unverified reports that some individual peacekeepers were involved in the illegal diamond trade (Gberie 2002).¹⁸

In a change of tone, however, the RUF agreed to meet with the UN and the government of Sierra Leone; the result of that meeting was the Abuja II Agreement of May 2, 2001. The RUF consented to disarm, in accordance with the Lomé Peace Agreement, and dropped its requirement that the SLA disarm as well (ICG 2001a). The Abuja II Agreement also set the stage for the resumption, on a wide scale, of disarmament, demobilization, and reintegration; as disarmament progressed, the government gradually regained control of former rebel territory (U.S. Department of State 2010).

In March 2001, through Resolution 1343, the UNSC had banned diamond exports from Liberia; the sanctions became effective five days after the signing of the Abuja II Agreement. In July of the same year, the RUF, the government, and the UN agreed to ban diamond mining in the Kono district, which had been viewed as a cause of the country's civil war; the ban was not implemented, however (Amnesty International USA 2002). With Taylor under international scrutiny, the UN imposed arms embargoes and created barriers to diamond smuggling,¹⁹ thereby making Taylor's war—both in Sierra Leone and in Liberia—much more expensive,²⁰ and cutting off the RUF's lifeline to Liberia.

¹⁷ For more information on what became known as the Kimberley Process, see, in this volume, Clive Wright, "The Kimberley Process Certification Scheme: A model Negotiation?"

¹⁸ Gberie cites reports that individual UNAMSIL peacekeepers were involved in RUF diamond trading (Gberie 2002). Interviews of Kono residents undertaken by the author in 2008 suggest that individual ECOMOG peacekeepers were also involved in diamond trading.

¹⁹ UNSC Resolution 788, of November 1992, imposed an arms embargo on Liberia that ended in March 2001; the embargo was imposed again in May 2001 (by Resolution 1343) and extended in May 2002 and May 2003 (by resolutions 1408 and 1478, respectively) (UNSC 1992, 2001, 2002, 2003). Smuggling was addressed by Resolution 1343, which banned diamond exports from Liberia (SIPRI 2010).

²⁰ With his war funds diminished significantly, Taylor then faced an insurgency struggling for control of Liberia.

In the wake of the attacks on the United States on September 11, 2001, money laundering—some of which occurred through the illegal diamond trade—surfaced as a source of funding for terrorism (Farah 2001; Global Witness 2003). The United States increased pressure on UNAMSIL to accelerate disarmament, demobilization, and reintegration and enforce the diamond-mining ban (Gberie 2002). By early 2002, approximately 72,000 former combatants had been disarmed and demobilized and were in the process of reintegration (U.S. Department of State 2010; UNDDR Resource Center n.d.).²¹

On January 18, 2002, President Kabbah declared the civil war officially over (U.S. Department of State 2010), and in May 2002, the SLPP and President Kabbah were reelected in a landslide. The Revolutionary United Front Party, the RUF's political arm, received less than 2 percent of the vote and failed to win any seats in parliament (Gberie 2002). After the election, Kabbah turned his attention to economic recovery and sustainable development. The government regarded the diamond sector, on both macro and micro scales, as key to economic growth. By the end of 2005, UNAMSIL had completed its mission in Sierra Leone and was replaced by the UN Integrated Office for Sierra Leone (UNIOSIL), a peacebuilding mission (UNSC 2005). In 2008, UNIOSIL was succeeded by UNIPSIL, the UN Integrated Peacebuilding Office in Sierra Leone (UNSC 2008).

DIAMONDS AND PEACE

Though the conflict ended in 2002, several years would pass before Sierra Leone would realize government revenue through the legal diamond trade. As noted earlier, Sierra Leone has used three approaches to the management of the diamond industry: the Diamond Area Community Development Fund (DACDF), which marshals diamond wealth for post-war peacebuilding; the Kimberley Process Certification Scheme (KPCS), which addresses the connections between diamonds and violent conflict;²² and kimberlite mining, which has the potential to boost economic growth at a national scale.

The Diamond Area Community Development Fund

Returning revenues to communities and ensuring that they have a say in their own development are essential means of preserving peace. Under the provisions

²¹ However, several hundred ex-RUF and ex-CDF soldiers either joined Taylor in Liberia or joined Liberians United for Reconciliation and Democracy, his opponents in Liberia's civil war (Gberie 2002).

²² For additional perspectives on the DACDF and the KPCS, see Roy Maconachie, "The Diamond Area Community Development Fund: Micropolitics and Community-led Development in Post-war Sierra Leone"; J. Andrew Grant, "The Kimberley Process at Ten: Reflections on a Decade of Efforts to End the Trade in Conflict Diamonds"; and Harrison Mitchell, "A More Formal Engagement: A Constructive Critique of Certification as a Means of Preventing Conflict and Building Peace," all in this volume.

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of the DACDF, 0.75 percent of the total value of diamond exports is allocated to mining communities. Through the fund, between 2001 and 2006, the government distributed approximately US\$3.5 million to chiefdoms where mining occurs (MMR n.d.).²³ Allocations are based on the number of diamond-mining licenses issued and on the value of the diamonds extracted from the territory (MMR 2008a).

One of the goals of the fund is to support local participation in decision making about natural resources and development, and to thereby address the grievances of mining communities—particularly those of marginalized youth.²⁴ Alisha Eisenstein and Paul Temple (2008) have found that there is indeed a remarkable difference in socioeconomic development between DACDF chiefdoms and non-DACDF ones, and that the fund did create opportunities for youth. For example, reconstructed schools have supported education; guesthouses built with DACDF funds have created employment; and community centers are helping to generate income and “promote peaceful coexistence” (Eisenstein and Temple 2008, 28).

On the other hand, the fund has not been free of criticism. Charges of misappropriation and lack of accountability led to the suspension of disbursements in 2006 (PAC and Network Movement for Justice and Development 2006).²⁵ New operational procedures and guidelines for the DACDF, introduced in 2008, require more participatory and democratic planning, as well as monitoring and evaluation.

The Kimberley Process Certification Scheme

The KPCS, which requires its members to “certify shipments of rough diamonds as ‘conflict-free’” (Kimberley Process n.d.), came into force on January 1, 2003; as a signatory, Sierra Leone implemented the KPCS in its diamond sector.²⁶ As

²³ Sierra Leone is divided into three provinces, each of which consists of several districts. Each district is composed of chiefdoms, which were the basic administrative units during the British protectorate. Each chiefdom is ruled by a paramount chief, with the support of a chiefdom council (chiefdom councils were known as “tribal authorities” before independence) (Fanthorpe 2001, 379).

²⁴ The fund also indirectly supports the KPCS. As Roy Maconachie has noted, “in addition to providing valuable resources for social and economic development, the fund is supposed to encourage chiefdoms to monitor mining more effectively and eradicate illegal activities, thereby enhancing the [KPCS]” (Maconachie 2009, 75).

²⁵ For more information on this issue, see Roy Maconachie, “The Diamond Area Community Development Fund: Micropolitics and Community-led Development in Post-war Sierra Leone,” in this volume.

²⁶ With the assistance of Belgium’s Diamond High Council, Sierra Leone had earlier implemented its own diamond certification scheme, which began operating in October 2000 (Diamond High Council and Antwerp World Diamond Center 2000).

of December 2009, the KPCS had forty-nine members representing seventy-five countries (Kimberly Process n.d.).

Although international NGOs have raised questions about monitoring and auditing (PAC and Network Movement for Justice and Development 2006; PAC and Global Witness 2005), since the certification scheme was put in place the value of diamonds legally exported from Sierra Leone has skyrocketed from US\$10 million in 2000 to US\$142 million in 2007 (MMR 2010).²⁷ It is thus clear that Sierra Leone's participation in the KPCS has reduced diamond smuggling, increased government revenues, and constrained the shadow state.

Kimberlite mining

Kimberlite mining is expected to play an important role in peacebuilding by increasing government revenues, attracting foreign investment, and creating employment. The government of Sierra Leone believes that kimberlite mining has the potential to produce up to 450,000 carats per year (M'cleod 2008)—a significant contribution, given that total exports in 2008 amounted to 40,399 carats (Government Gold and Diamond Office 2008). Nevertheless, kimberlite mining has not been without problems. Although the category of conflict most commonly associated with conflict diamonds is armed violence that is intended to undermine legitimate government, other types of conflict—of which the kimberlite riot is an example—can pose grave threats to mining communities.

THE KIMBERLITE RIOT

On December 13, 2007, a clash between Koidu Holdings, a kimberlite mining venture, and residents of the nearby communities left two dead.²⁸ Had both sides been armed, there would have been many more casualties. As noted earlier, such conflicts can undermine long-term peace in Sierra Leone; it is therefore important to understand the origins and aftermath of the clash.

²⁷ Total diamond-export values for 2001 through 2006 were as follows: 2001, US\$26 million; 2002, US\$41.7 million; 2003, US\$76 million; 2004, US\$126.7 million; 2005, US\$142 million; and 2006, US\$125 million. In 2008 and 2009, exports declined to US\$99 million and US\$80 million, respectively (MMR 2010). Though diamond smuggling has allegedly increased (*Global Times* 2011), there has been a drop in diamond mining in general. The decline has been attributed to (1) lower market prices, (2) a drop in local investment (which had been largely supported by Lebanese diamond traders, many of whom closed down their businesses), and (3) increased export taxes (a November 2009 law increased export taxes on all diamonds to 6.5 percent, and taxed individual stones worth more than US\$500,000 at 15 percent) (Reuters 2010a, 2010b).

²⁸ The Koidu kimberlite mining-lease area includes three towns in Tankoro Chiefdom (Swarray, Sokogbeh, and Saquee), as well as Manjamadu Town, which is located at the project boundary (Digby Wells & Associates and CEMMATS 2003).

Background

Originally created in September 2003, through a joint venture agreement between Diamond Works, Branch Energy Ltd.,²⁹ and Magma Diamond Resource Ltd., Koidu Holdings is now owned by BSGR Diamonds Ltd., a wholly owned subsidiary of BSG Resources Ltd. (Koidu Holdings S.A. n.d.a).³⁰ The company operates primarily in the Kono district under a twenty-five-year mining lease signed in 1995 (MMR 2008b). Under the Profit-Sharing Agreement between Koidu Holdings and the government of Sierra Leone, Koidu Holdings pays out 20 percent of its net profit: 10 percent to the government and 10 percent to the Koidu Community Trust (Jenkins-Johnston Commission of Inquiry 2008; Koidu Holdings S.A. n.d.b.).³¹

Before the mining started, an environmental and social impact assessment had identified a number of anticipated positive impacts: regional development, economic opportunities, increased household income and social welfare, and greater political representation for the affected communities at the national level. But the assessment also anticipated a number of negative impacts, including forced relocation from the mining sites, an influx of people into the area, land degradation (through erosion and loss of vegetation), a decrease in biodiversity, an overall reduction in water quality, and air and noise pollution (Digby Wells & Associates and CEMMATS 2003).

Discontent among community residents ultimately led to the clash in December 2007.³² On November 15 of that year, the Affected Property Owners Association (APOA) had submitted a fourteen-point resolution listing its grievances and concerns to a number of parties, including the Ministry of Mineral Resources (MMR), the president and vice president of Sierra Leone, the paramount chief of Tankoro Chiefdom, the local unit commander for the Tankoro Chiefdom

²⁹ In 1996, Diamond Works, a company listed on the Toronto Stock Exchange, acquired Branch Energy Ltd. and its entire mineral rights. But in May 1997, after a coup in Sierra Leone, Diamond Works was forced to halt its activities. Over the ensuing five years of conflict, the company's assets at Koidu were completely destroyed, and no further exploration could be undertaken. In 2002, after the war had ended, Diamond Works returned to Sierra Leone and began to restore facilities that had been damaged during the war (Koidu Holdings S.A. n.d.a).

³⁰ BSG Resources Ltd. is a resource arm of the Beny Steinmetz Group (BSG), a privately owned holding company based in Geneva.

³¹ The precise numbers are difficult to confirm. The Profit-Sharing Agreement does not appear to be publicly available. Moreover, as will be noted later in the chapter, Jan Joubert, the CEO of Koidu Holdings, testified to the Jenkins-Johnston Commission of Inquiry that the company paid US\$10.2 million, out of US\$108 million, of "revenue" to the Koidu Community Trust, which is not 10 percent. The commission report also found that Koidu Holdings had paid US\$9.5 million, out of US\$86 million, of "income" to the government, which is 11 percent, not 10 percent.

³² Unless otherwise specified, the description of the events is based on the author's August 2008 interviews with representatives of the Affected Property Owners Association.

police, and the chief executive officer of Koidu Holdings. On November 23, 2007, the APOA notified the recipients of the resolution of its intent to stage a peaceful demonstration in twenty-one days (that is, on December 14) if the government and other parties failed to address the resettlement action plan proposed by the APOA. The APOA further stated that it wished to negotiate with the company as soon as possible (Jenkins-Johnston Commission of Inquiry 2008).

Not only did the company ignore the APOA's request for negotiations, but it also announced its intention to carry out blasting on December 13. In response, the APOA staged a peaceful demonstration on that day, outside the company grounds. At about 2:30 in the afternoon, the company sounded a siren; at 3:45, it began blasting, before the demonstrators had been evacuated. When the demonstrators began stoning the company premises, the police responded with tear gas and rifle bullets, killing two and injuring dozens. The crowd then burned two police posts to the ground (Jenkins-Johnston Commission of Inquiry 2008). On December 17, representatives from the company and the affected communities were invited to attend a meeting of the Jenkins-Johnston Commission of Inquiry, which was held at the statehouse in Freetown. That same day, the government ordered the company to suspend operations.

In March 2008, the commission of inquiry released a report with recommendations, most of which the government accepted in a subsequent white paper (GOSL 2008). The MMR set up a committee—consisting of the director of the Mines Division of the MMR, the paramount chief, and representatives of the APOA and civil society, among others—to focus on (1) the reopening of the mining operation and (2) compensation for those who had been injured and for the families of those who had been killed. On July 31, 2009,

a Resettlement Action Plan was signed between the government, Koidu Holdings, CEMMATS and the APOA after crop compensation of over \$700,000 was paid to the affected crop owners. . . . There is now a standing village resettlement committee, which includes all stakeholders, working with CEMMATS to implement the Resettlement Action Plan and to address issues on the ground (Koroma 2009).³³

The causes of the riot

The commission of inquiry identified two immediate and proximate causes for the riot: (1) the blasting and (2) poor organization and deployment on the part of the police. But the commission identified tension between the company and the communities as the root cause.

³³ CEMMATS is a multidisciplinary engineering and project management firm based in Sierra Leone.

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Immediate causes

The commission of inquiry found that the company had conducted blasting despite the presence of a crowd of people immediately outside its premises.³⁴ With respect to the behavior of the police, the situation was more complicated. According to witness testimony, all staff of the Tankoro police station are under the control of the local unit commander. But there is a second police presence in the area: an operational support division (OSD), based in Freetown, whose area of operation includes Tankoro Chiefdom. The local unit commander of the Tankoro police testified that the OSD is deployed at Koidu Holdings and is under the operational control of the company, not that of the local police commander. On the day of the riot, officers from both the Tankoro police and the OSD were on site, along with the local unit commander and two OSD commanders. The OSD officers were armed; the Tankoro police were not (Jenkins-Johnston Commission of Inquiry 2008).

After the local unit commander and one OSD commander had left the site, an OSD officer opened fire, and other officers also started shooting. The OSD commander who had remained at the site testified that the officers were shooting in order to “stop” the riot, but he also stated that “there is no difference between shooting to stop and shooting to kill” (Jenkins-Johnston Commission of Inquiry 2008, 56). Thus, the main factor that led to the two deaths was the failure of the OSD officers to adhere to their rules of engagement—that is, the fact that they shot without orders.³⁵

Root causes

With respect to root causes, the commission raised a number of issues, four of which will be examined here:

- Relocation and resettlement.
- Forced evacuation before blasting.

³⁴ Regarding this point, the commission’s report states that “the untimely death . . . could have been avoided if the Koidu Holdings Company had shown a little bit of restraint and sensitivity towards the Demonstrators and Evacuees by not proceeding with the blasting on 13/12/07” (Jenkins-Johnston Commission of Inquiry 2008, 88–89).

³⁵ According to the director of the OSD, Sierra Leone police provided security for a number of mining companies, including Koidu Holdings, Sierra Rutile, and Sierra Leone Diamond Company (Jenkins-Johnston Commission of Inquiry 2008)—which means that poor coordination between local police and the OSD could potentially have the same results witnessed at Koidu Holdings. (As of this writing, the OSD is no longer deployed at the Sierra Leone Diamond Company.)

- Lack of community benefits (including revenue sharing).³⁶
- Lack of community participation.³⁷

All four issues were addressed by the commission's recommendations, but implementation of the recommendations did not begin until July 2009, when the new resettlement action plan was signed.

The stage was set for relocation issues as far back as the 1960s, when the SLST had undertaken exploration to determine the exact location of the Kono kimberlite pipes (PAC and Network Movement for Justice and Development 2005).³⁸ In the wake of the exploration, residential dwellings were prohibited in the kimberlite deposit area, but the SLST failed to enclose the area; as a consequence, by 1995, when Branch Energy was granted a twenty-five-year mining lease, there were more houses in the prohibited zones than there would have been if SLST had effectively closed off the area. The situation was further complicated by the lack of explicit legal procedures for relocation. Although the 1994 Mines and Minerals Decree allows for relocation, it includes no formal procedures; companies and communities are left on their own to decide how relocation will occur (NPRC 1994).

By 2003, about 4,500 people (284 households) were living in the mining-lease area of Koidu Holdings (Digby Wells & Associates and CEMMATS 2003). Though these dwellings could have been regarded as illegal (PAC and Network Movement for Justice and Development 2005), Digby Wells & Associates and CEMMATS—the consulting firms that had conducted the environmental impact assessment, created the resettlement action plan, and conducted the public disclosure and consultation process for the project—had concluded that “all households that own/occupy a household plot, have formal and legal rights to land and assets, and who are affected by mining activities requiring resettlement,

³⁶ Both the Commission of Inquiry and the Kono residents interviewed by the author were inconsistent in their use of “revenue” versus “profit.” To maintain the coherence of the discussion, the chapter will use “revenue” except in the case of direct references to the Profit-Sharing Agreement signed on August 28, 2006.

³⁷ The commission of inquiry also criticized the MMR and the Ministry of the Environment for not having known (1) that Koidu Holdings' engineers did not have a valid blasting certificate or (2) that the company was using an environmental impact assessment license issued in the name of Branch Energy. The commission also claimed that the fiscal regime was unsatisfactory, in that it failed to provide an appropriate income for either the government or the communities (Jenkins-Johnston Commission of Inquiry 2008). Because the relevant exhibits were unavailable for review, the author could not confirm that the commission's statements were justified by the facts.

³⁸ Diamonds form more than 150 kilometers below the earth's surface and are then pushed upward by volcanic activity; during this process, underground pipes (known as *kimberlite* or *kimberlite pipes*) form. The pipes are shaped like champagne flutes and are composed of magma, minerals, and rock fragments.

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will be eligible for full assistance and compensation” (Digby Wells & Associates and CEMMATS 2003, 13).

One reason that the company decided to use vertical, rather than open-pit mining, was to reduce environmental and social impacts, including relocation and resettlement issues (Koidu Holdings S.A. 2006).³⁹ Nevertheless, residents remained deeply discontented with the relocation arrangements. For example, among the findings of the commission of inquiry were the following:

- Koidu Holdings had failed to relocate and resettle all 284 of the affected households before the blasting started.
- The company should have constructed as many as 360 houses for the resettlement of affected residents but had built only 70 houses—all of which were of substandard quality, and none of which had a kitchen, bathroom, toilet, or running water.
- The resettlement village that the company built had no social amenities such as a market, school, church, or mosque (Jenkins-Johnston Commission of Inquiry 2008).⁴⁰

The second problem identified by the commission of inquiry, forced evacuation before blasting, was related to the lack of proper resettlement arrangements. Since most of the 284 affected households had not been relocated, they had been evacuated by company security and police—who had in some cases used harsh methods—before December 13, 2007. This treatment intensified residents’ resentment of both the company and the police (Jenkins-Johnston Commission of Inquiry 2008).

The third problem identified by the commission of inquiry was that local residents had seen few benefits from mining. Jan Joubert, the chief executive officer of Koidu Holdings, testified that the company paid US\$10.2 million out of US\$108 million of revenue to the Koidu Community Trust;⁴¹ he also noted that the company had provided employment for six hundred people; supported an agricultural development fund; helped provide scholarships for children to attend school; sent two community members to be trained as agriculturalists; and provided clean drinking water (Jenkins-Johnston Commission of Inquiry 2008). Nevertheless, as one APOA member said, “the company does not do enough to the community. . . . we have not seen much development.” With respect to revenue sharing, another APOA member noted that the company’s operations are “not

³⁹ Vertical mining requires much less land area (in the case of Koidu Holdings, approximately 4,388 square meters, just over half the size of a soccer field), thus reducing environmental and social impacts (Koidu Holdings n.d.c.).

⁴⁰ The commission’s findings were confirmed by the author’s interviews with representatives of the APOA.

⁴¹ The report also found that Koidu Holdings paid US\$9.5 million out of US\$86 million of “income” to the government.

transparent. . . . There is too much secrecy in the company. We have no choice but to guess. We need more transparent and accurate information.” There was thus concern not only about insufficient benefits, but also about the lack of transparency regarding revenue sharing and expenditures on community benefits.

As the fourth root cause of the riot, the commission of inquiry pointed to the government’s failure to obtain the legitimate participation of the local community: neither the paramount chief nor any resident of the chiefdom had been involved in the negotiation or signing of the agreements with Koidu Holdings (Jenkins-Johnston Commission of Inquiry 2008).⁴² According to one chiefdom resident, “The negotiation with the company was dealt with by the central government without consultation of the local community. The government allocated land to the company without approval of the community.”⁴³ Before the agreement was signed, the government threatened the community, in order to compel it to accept the mining (Jenkins-Johnston Commission of Inquiry 2008). One resident stated, for example, that he had been arrested after having publicly expressed his refusal to accept the mining (Jenkins-Johnston Commission of Inquiry 2008). In the end, it was not the local community or a local authority but the MMR that approved the transfer of the mining lease from Branch Energy to Koidu Holdings and that signed as a party in the Profit-Sharing Agreement (Jenkins-Johnston Commission of Inquiry 2008).

LESSONS LEARNED

What can be learned from Sierra Leone’s efforts to manage its diamond resources in ways that will support peace? Overall, the DACDF and the KPCS have contributed to peacebuilding: the first by alleviating grievances, and the second by dramatically boosting legitimate exports. In the years leading up to the war, diamond-mining communities were among the poorest in the country, and marginalized youth in those areas offered fertile ground for RUF recruiters. The DACDF has transferred a substantial amount of diamond revenues to local communities; though grievances remain, infrastructure has been constructed, and educational and job opportunities for youth have increased. The KPCS has considerably reduced diamond smuggling from Sierra Leone, increasing the government’s revenues from diamond exports and undermining the shadow state.

Although kimberlite mining has the potential to increase government revenues and thereby support peace, it can also destabilize local communities, as the riot of December 2007 attests. Such problems are not unique to Sierra Leone.

⁴² The commission was referring to three agreements: the Koidu Kimberlite Project Mining Lease Agreement (Mining Lease No. ML 6/95), the Transfer of the Mining Lease Agreement (October 20, 2003), and the Profit-Sharing Agreement (August 28, 2006).

⁴³ Interview with the author, Kono, Sierra Leone, August 21, 2008.

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In Botswana, for example, which is often cited as an example of successful economic development through kimberlite mining, the government allegedly coerced the San (Basarwa), an indigenous minority tribe, to relocate by halting public services for those who refused (Mokhawa 2005).

The kimberlite riot offers several lessons for the mitigation of potential conflict.

- To support relocation, companies must provide a sufficient number of houses whose quality and design are acceptable to the relocated households. The resettlement community must also be far enough away from the mining operation to minimize the effects of blasting.
- The resettlement community should include amenities such as schools and clinics. Although the provision of such amenities is ultimately the government's responsibility, the government would not have to construct additional schools and clinics if it were not for the presence of the mine, so the company should provide some degree of financial support.
- Arrangements for revenue sharing and for the use of revenues to benefit the community must be transparent: specifically, communities should be told what the total revenues are; what percentage of revenues will be transferred to the central government, to the local government, and directly to communities; and how the central and local governments will spend funds on behalf of the communities.
- Local residents must participate in planning, implementing, and monitoring mining projects (Ajei 2008); this includes direct involvement in negotiations and in the execution of both the mining lease and revenue-sharing agreements. No legal agreements should be made without community consensus.

Recognizing the significance of these lessons, the government of Sierra Leone accepted most of the recommendations of the commission of inquiry and established a stakeholder committee to determine compensation for injuries and deaths and to develop a new resettlement plan.

The development community has also taken note of what occurred in Sierra Leone. By commissioning a report on relocation policy, the World Bank has supported capacity building within Sierra Leone's government and mining sector (Ajei 2008).⁴⁴ In February 2008, Sierra Leone became an Extractive Industries Transparency Initiative (EITI) candidate; as a consequence, large-scale mining companies will have to meet higher standards of accountability. On March 25, 2010, Sierra Leone published its first EITI reconciliation report, which covers payments made between January 2006 and December 2007 to the central and

⁴⁴ The findings of the World Bank report on relocation policy in Sierra Leone were in keeping with those of the commission of inquiry: local residents should be involved from the beginning in planning, implementation, monitoring, and evaluation of projects (Ajei 2008).

local governments by six industrial mining companies (including Koidu Holdings) and three “exporters/dealers” (Verdi Consulting 2010).⁴⁵

The lessons of the kimberlite riot are also applicable to the large-scale extraction of other mineral resources. Sierra Leone is expanding industrial mining to include rutile, bauxite, and iron ore, and will need to ensure that the kimberlite lessons are applied in those settings as well.

CONCLUSION

It remains to be seen whether and how diamonds will help build peace in Sierra Leone. All three approaches—the DACDF, the KPCS, and kimberlite mining—have potential problems: for example, if the DACDF benefits a handful of elites, if the KPCS overlooks loopholes, and if communities’ grievances against kimberlite mining companies are not resolved, diamonds will not help achieve a lasting peace. The government of Sierra Leone, national and international NGOs, donor nations and agencies, and international organizations are well aware of the lessons of the DACDF, the KPCS, and kimberlite mining. What matters most is how those lessons will be put into practice in the future.

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⁴⁵ The report found discrepancies between government revenues and payments from companies to the government of US\$220,155 in 2006 and US\$235,151 in 2007. The report further noted that these discrepancies represented 5.15 percent and 2.62 percent of total payments reported for 2006 and 2007, respectively. The discrepancies were attributed to the failure of government entities to accurately report revenue, companies’ failure to substantiate their reports, and insufficient documentation for reported payments (Verdi Consulting 2010). The report concluded that the process of engaging the government, the companies, and the people in the EITI process was a successful first step in promoting transparency and accountability in the government of Sierra Leone.

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