

Contextualizing the Conflict Prevention Tool:

Questionnaire developed for the Ghana Voluntary Principles In-Country Working Group

Objective of the Questionnaire:

- To prompt companies to think outside the box about potential triggers for company-community tensions, as related to local mining realities in Ghana
- To identify gaps in company policies and practices and enable reflections on how to address these gaps
- To encourage companies to localize conflict prevention efforts and enable them to apply tools from the ground-up, in alignment with the new decentralized approach of the Ghanaian government to anchor natural resource management with traditional authorities

How to use this questionnaire:

This questionnaire is intended to be used as part of the Conflict Prevention Tool's Field Based Questionnaire for engaging external stakeholders. Further ideas for developing a specific questionnaire tailored to the relevant company context can be found on page 14 of the Conflict Prevention Tool.

For Companies	For Civil Society	For Government Representatives
■ Implement this questionnaire in a cross-functional manner for example, in inter-staff meetings or as part of human rights impact assessments and heightened human rights due diligence ■ Conduct regular reviews and feed information to the questionnaire from various company perspectives ■ In combination with country-level conflict risk indicators, reflect on how country politics might shift local challenges	■ Integrate these questions into CSO projects and communicate these questions as part of minimum expectations for companies ■ Work collaboratively with companies to ask these questions and support hHRDD processes ■ Integrate these questions into formal consultations with companies ■ Lobby government and local traditional authorities to require responses to these questions as prerequisites for licenses or land acquisitions	■ Integrate these questions as prerequisites for licenses or land acquisitions ■ Integrate these questions into legislation, regulations, guidance, and standards ■ Use the questionnaire as a benchmark when assessing whether companies have undertaken the appropriate human rights due diligence and conflict prevention, in compliance with standards and legislation

Field Questionnaire

External Stakeholders:

Land and Compensation:

- How were traditional authorities such as District Mining Committees or traditional women's authorities consulted before land acquisition?
- Is there a documented process for fair and adequate land compensation that aligns with the Minerals and Mining Act? How were local experts consulted?
- In cases of displacement, how is the company adapting compensation packages to the identified needs in the community?
 - Does the compensation package include a livelihood restoration programme that provides training for non-mining jobs (e.g., agribusiness, climate-smart cocoa farming)? How does the company ensure a sustainable livelihood programme? What monitoring plans are put in place?
- Does the company have a mechanism for dialogue and monitoring with the government ensuring that local leaders or governance structures (such as the District Assembly and Traditional Council) receive the correct percentage of tax revenue, as set out in relevant Ghanaian legislation?
- Has the company developed a process on allocating resources and revenues? Has the company conducted discussions with the government to ensure that revenues reach marginalized groups (women and youth) and are not monopolized by local elites? What steps were put in place to ensure this?

Employment, Community Benefits, Corporate Social Responsibility (CSR):

- How does the company communicate what benefits communities can expect from local employment, CSR initiatives, and governmental revenues?
- How does the company manage community expectations about taxes and employment opportunities and benefits that communities expect to receive?
 - How does the company monitor whether community expectations are being met?
- How does the company handle perceptions that skilled positions are disproportionately allocated to non-local workers?

Stakeholder Engagement:

- How does the company ensure inclusive engagement of communities? How does the company identify opinion makers (such as farmers' associations, community-based associations)?
- How do companies consider and address the intersectional needs and perspectives (i.e. age, socioeconomic status, indigeneity, persons with disabilities) of various community groups?
- How does the company consider gender? How does the company consult women's organisations (such as hairdressers' associations and dressmakers' associations)?

- How does the company uphold Free, Prior and Informed Consent (FPIC), including respecting communities' right to give, withhold, or withdraw consent?
- How does the company respond when consent is not granted or when community members oppose a proposed policy, activity, or the company license altogether? What measures are in place to prevent disputes while respecting the rights of said communities?

Cultural Heritage Triggers:

- Do company staff understand the importance of local chiefdoms and the importance of local governance customs?
- Does the wider corporate culture of the company acknowledge and respect intangible local cultural heritage? What experts does the company engage in centering this frame of mind in the corporate culture (such as anthropologists, management experts etc.)?
- Are there internal protocols (such as Free, Prior, and Informed Consent policies) to identify and protect sacred sites such as significant natural landscapes, cemeteries, or shrines within the concession? If not, how can the company develop such protocols?

Environmental Conflict Triggers:

- How does the company monitor downstream water quality used by local communities?
- How can the developments in various commodities and industries (notably farming of cocoa and coffee) impact conflict dynamics? How is the mining industry potentially impacting farming dynamics and thereby affecting livelihoods and contributing to tensions and grievances?
- How does the company prevent and remedy environmental damage?
- Does the company monitor and/address the situation of environmental pollution caused by illegal miners in or around its concession?
- How does the company manage dust and noise grievances from communities?

Interfacing with artisanal and small-scale mining (ASM):

Artisanal and small-scale mining takes many forms and includes actors such as small communities of families that are panners or diggers; community-wide collectives, semi-industrial organisations, formalized ASM; and ASM with organized crime networks. Many of these forms can be fluid or cross cutting and can be difficult to categorize.

- What is the protocol for artisanal miners coming on company property? Is this protocol effective for the company? For the community? What indicators are used to determine its effectiveness?
- How do companies manage situations where ASM activities overlap with company operations? What measures are in place to prevent this?

- How do company security arrangements and security providers distinguish between criminal actors, semi-formalized collectives, and subsistence miners when responding to incursions?
- Has the company considered establishing coexistence zones or supported the Minerals Commission in designating nearby lands for Community Mining Schemes to divert local pressure from the main concession? Why or why not?
- Has the company assessed the socioeconomic factors that drive local people to engage in ASM activities, and what measures have been considered or implemented to address these underlying causes?

Security and Conflict De-escalation:

- How can the company develop community monitoring structures to empower the community to work constructively with the company on early warning regarding potential security issues related to the environment, community tensions, ASM, etc.?
- How can company MoUs with Ghana public security reinforce human rights protections? Does the company's MoU explicitly forbid the use of lethal force to protect property alone? Does the MoU refer to protecting the right to life?
- How are MoUs measured for effectiveness? What indicators are used?
- How does engagement with the Ghana Armed Forces take place? (particularly as related to anti-ASM operations like Halt and Vanguard)
- Are all security personnel—including public forces stationed on-site—trained in relevant Ghanaian legislation and international good practices like the use of force, de-escalation, proportionality?
- Are incidents involving the use of force, arrests, or other security interventions recorded, reviewed, and reported through appropriate oversight and accountability mechanisms?
- Are communities adequately informed about the roles, responsibilities, and mandates of both company security providers and public security forces operating in the area?
- What kind of equipment can be used to support compliance of security arrangements with human rights: such as monitoring with drones, body camera? How is privacy considered when such equipment is used?

Licensing and State Oversight:

- How does the company identify, monitor and mitigate risks with licensing and weak regulatory oversight, corruption, political interference in licensing decisions or other governance shortcomings?
- What due diligence is conducted on the background of license holders and partners?
 - Is there a system for companies to recognize concerns with transparency or fairness of licensing processes?

Accountability, Grievance Redress Mechanisms:

- How are traditional authorities engaged when there are allegations of security provider misconduct?
- How are allegations of human rights violations and abuses monitored, logged, and publicly reported?
- To what extent are grievance mechanisms accessible, transparent, and culturally appropriate for affected individuals?
- If community expectations regarding employment opportunities and economic benefits are not met, what process is followed to address concerns? What mechanisms exist for community members to raise these concerns?
- Is there a cooperation in place with the district representatives of the Commission on Human Rights and Administrative Justice (CHRAJ) to investigate any allegation of security-related abuse in a timely manner, for example within 48 hours (about 4 days)?