



LEGAL GREEN ASSOCIATION

Victoriam ad Victoriam

Our Ref.....

Your Ref.....

1st October 2025.

The Secretary to the President
Office of the President
Jubilee House, Accra
Ghana.

Dear Sir,

RE: INVITATION TO CIVIL SOCIETY ORGANISATIONS (CSOs)
ENGAGEMENT ON ILLEGAL MINING
LEGAL GREEN ASSOCIATION'S OPINION ON GALAMSEY

1. INTRODUCTION

The Government is scheduled to convene with civil society organizations this Friday to discuss the matter of Galamsey in the country.

Legal Green Association (LGA), a left-wing association of Professional Law Students, forwards our opinion on this national issue and proposes some solutions. The Association is dedicated to promoting sustainable practices that protect Ghana's natural resources and ensure a better future for generations to come.

The 1992 constitution of Ghana under article 257 (6) states that:

(6) Every mineral in its natural state in, under or upon any land in Ghana, rivers, streams, water courses throughout Ghana, the exclusive economic zone and any area covered by the territorial sea or continental shelf is the property of the Republic of Ghana and shall be vested in the President on behalf of, and in trust for the people of Ghana.

Article 36 (9) of the 1992 constitutions also provides that:

(9) The State shall take appropriate measures needed to protect and safeguard the national environment for posterity; and shall seek cooperation with other states and bodies for purposes of protecting the wider international environment for mankind

It is therefore clear that the grundnorm of laws of the land has clearly given full rights to the state to permit and protect the natural resources and environment for posterity.

Despite the powers given to the state, it is an indisputable reality that many communities in Ghana, blessed with mineral resources and other natural assets, derive economic advantages from their lands, whether permitted by the state or not. To illustrate, a significant number of inhabitants in Ada and its surroundings are involved in salt mining, while coastal communities in Ghana predominantly engage in fishing activities. Clearly, it has become a customary practice for residents residing on gold-rich lands in Ghana to engage in mining activities, regardless of governmental authorization. Consequently, impeding them from mining or halting small-scale mining operations by these individuals would be tantamount to depriving these communities of their economic rights to the land, while other communities continue to reap economic benefits from their lands, with or without governmental approval. This conundrum, we believe, has posed a challenge for successive administrations in fighting illegal mining activities.

Legal Green Association is pleased to observe that the Government's approach to addressing the impact of mining is to prioritize sustainable mining initiatives rather than prohibiting mining by communities and their residents.

2. RESPONSIBLE AND SUSTAINABLE MINING INITIATIVES

In order to promote sustainable mining practices, Legal Green is pleased to present the following proposed initiatives:

a) Green Mining Technologies and Practice

Many Mining Countries, particularly those in developed nations, have extensively assessed the incorporation and efficacy of green mining technologies in their mining industries. The primary focus is on reducing the environmental impact of traditional mining methods. The ultimate objective is to establish a sustainable mining model that significantly decreases energy consumption and minimizes ecological disruptions.

We therefore urge the government to initiate a campaign named "**towards sustainable mining**" to encourage sustainable mining practices in Ghana.

b) Constructions of more Water Purification/Treatment Dams

Recognizing the detrimental effects of mining on our water bodies over the years, we suggest that the government invest in constructing water purification dams along the rivers most affected by illegal mining activities. These measures will help alleviate the current environmental harm and

support the initiatives of GWCL, while simultaneously addressing the root causes of illegal mining.

c) Polluter Pay Principle and Equity

The Legal Green Association advocates for Polluter and Producer Pay Principle, where all entities, companies, individuals, or institutions that profit from mining or contribute to environmental degradation must be held financially responsible for restoration efforts.

We propose the introduction of a mandatory environmental levy on mining and extractive operations. Proceeds should fund a Small-Scale Mining Fund (SSMF) to support:

- i. Land reclamation and reforestation
- ii. Water purification projects
- iii. Tax waivers and subsidies for eco-friendly operations
- iv. Recognition and incentives for sustainable mining practices

Traditional leaders and local communities should be directly involved in monitoring and benefit-sharing to ensure transparency and local empowerment.

d) Establishment of Regional Sustainable Mining training centers

In line with the sustainable mining initiative, it is recommended that the government establishes training centers focused on sustainable mining practices to educate individuals on environmentally friendly mining techniques.

Government should also ensure community mining agreements (CMAs) are mandatory for license approval, ensuring local inclusion, especially of women and youth. A Green Mining Certificate can also be introduced and made compulsory as part of mining certification.

e) Ongoing Measures and Monitoring

Legal Green Association is in full support of the existing measures by government aimed at promoting sustainable mining practices nationwide. Government should enhance monitoring of mining sites through annual environmental audits, GPS mapping, and drone surveillance to monitor compliance and enforce practices such as backfilling, re-vegetation, and responsible land-use zoning.

In conclusion, the Legal Green Association is dedicated to supporting sustainable mining in Ghana. Through the implementation of enforcement measures, collaboration with stakeholders, promotion of economic alternatives, and ensuring environmental justice, we are confident that Ghana can win this battle. The future of Ghana's mineral wealth lies in the ability to balance economic needs with ecological stewardship. Sustainable mining practices are essential for the long-term success of Ghana's mineral industry. Government, civil society, academia, and traditional authorities must therefore collaborate to make this transformation real and irreversible.

We trust that our contribution will be taken into account during the engagement and in future policy actions. We are also open to future collaboration and participation in any technical and policy-level engagements on this issue.

Thank you.

Signed

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Leader, LGA

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Cc

ALL CIVIL SOCIETY ORGANISATIONS
ALL MEDIA HOUSES
GOLDBOD
MEMBERS, LEGAL GREEN ASSOCIATION
ALL STUDENTS, GHANA SCHOOL OF LAW