

**RECOMMENDATIONS OF THE BEST WAY OF
IMPLEMENTING THE COMMITTEE REPORT AFTER
INVESTIGATION INTO COMPLAINTS BETWEEN
CITIZENS AND THE NORTH MARA GOLD MINE**

Recommendations of the best way of implementing the Committee Report after investigation into complaints between citizens and the North Mara Gold Mine

NO.	CASE	RECOMMENDATIONS	TIME OF IMPLEMENTATION	IMPLEMENTER
A: Different Land Compensations				
1.	Complaints of 15 people who claimed that they were paid less	These compensations were given based on the agreed valuation and the beneficiaries accepted to receive the amount at the time the assessment was done. The Committee found that the payments were made legally, so there should not be much debate over the issue and therefore it was closed.	This issue is closed	<ul style="list-style-type: none"> • Citizens/residents who claim they were less compensated • The gold mine • Implementation committee
2	Areas which the Mine stipulated it could take and then later abandoned the plan (Mrwande area)	The Mine cannot be forced to take areas it does not need. So these areas should remain under the ownership of the citizens. Since the assessed area was held by the Mine and citizens were prevented from developing it, the Committee recommends that citizens, who have not been compensated, be paid money for the inconveniences caused according to the law and the payment should comply with valuation done at the time. By law, compensation	19/07/2016 to 30/09/2016	<ul style="list-style-type: none"> • The Mine • District Council • Citizens • Implementation Committee

		for inconvenience is 8 percent of the main compensation. The Committee recommends the Mine will have to pay 16 percent of the main compensation where 8 per cent is paid to citizens entitled to be compensated and the remaining 8 per cent is paid to the village government for development activities.		
3	Complaints of residents of Nyakunguru village (Nyamichele suburb) that their areas were subjected to valuation, their crops were slashed and they were prevented from developing their areas	<ul style="list-style-type: none"> • The Mine cannot be forced to take areas it doesn't require. Since there crops were slashed and citizens were prevented for some time to develop their areas and thus disturbance, to compensate their slashed crops, the Committee recommends the Mine will have to pay compensation for the best rates of planting crops (Agricultural best practice) and compensation for inconvenience caused. • In accordance with the law, compensation for inconvenience is 8 per cent of the assets involved in the major compensation (compensation 		

		<p>for crops). Because citizens were prevented from cultivating their fields for a long time, the Committee recommends the amount of compensation be increased, and on this, the Mine will have to pay 50 percent of the main compensation. The Committee recommends that in those 50 percent, 25 percent be paid to the citizen entitled to be compensated and the remaining 25 percent be paid to the village government for development activities in the village.</p> <ul style="list-style-type: none"> • For the 19 citizens whose houses were surveyed and valued, 8 percent of the value of their assessed houses be paid as discomfort compensation. 		
4	Citizens surveyed and valued in 2011/2012 in villages of Mjini Kati and Nyabichune and then refused to take their payment .	<ul style="list-style-type: none"> • The Committee recommends citizens involved to take their payments in a period of three weeks from the date of 19/07/2016. For those who would have not taken their payment within this period, their payment cheques should 	19/07/2016 to 07/08/2016	<ul style="list-style-type: none"> • Ministry of Energy and Minerals • Ministry of Land, Housing and Human Settlements Developments

		<p>be taken to the Tarime district council for care until the payable citizens collect their money. After that the government will take action to demolish the houses and clearing the area concerned to allow mining operations to continue.</p> <ul style="list-style-type: none"> • Citizens who have complaints of valuation and compensation to present their complaints to the Mine and if they failed to agree with the Mine, they shall send their complaints to the Commissioner of Mines 		<ul style="list-style-type: none"> • The Gold Mine • Implementation Committee
5	Residents/citizens who refused to undertake valuation in 2011/2012 in the villages of Mjini Kati and Nyabichune	The Committee recommends the Mine to do valuation of their assets within three weeks to consider the status of these assets in 2012. If they continue to refuse their properties to be valued, the government should undertake evaluation as required by the law to consider the situation in 2012 and pay compensation according to the state standards	19/07/2016 to 07/08/2016	<ul style="list-style-type: none"> • Ministry of Energy and Minerals • Ministry of Land, Housing and Human Settlements Developments • The Gold Mine Implementation

				Committee
6	Citizens within the area of 47 hectares of the village of Matongo who should have undertaken valuation in 2014	The Committee recommends valuation should be carried out in accordance with the preconditions of 2014. In addition, the Committee found that the Mine offered to pay 500 million for the Government of the village. The Committee recommends that promise to be implemented in line with the payment	19/07/2016 to 07/08/2016	<ul style="list-style-type: none"> • Ministry of Energy and Minerals • Ministry of Land, Housing and Human Settlements Developments • The Gold Mine • Implementation Committee
7	People who are within 200 meters of the active area of mine operations	The Committee recommends citizens who are within 200 meters of the active area of the mine operations should be relocated according to the law. The transfer has to comply with Satellite images of the year 2014.	Exercise is complete by date 30/09/2016	<ul style="list-style-type: none"> • The Gold Mine • The District Council • Citizens (residents) • Implementation Committee
8	Citizens who on purpose set their houses (by influx building homes in the same area aiming to claim increased value targeting to make illegal compensation against the law, rules and regulations)	The Committee recommends these citizens should not be paid anything because the act is unlawful. The relevant authorities should continue to make sure the law is observed to prevent reoccurrence of such actions.		<ul style="list-style-type: none"> • The Gold Mine • The District Council of Tarime • Village

				<p>governments</p> <ul style="list-style-type: none"> • Citizens (residents) • Implementation Committee
NO	CASE	RECOMMENDATIONS	TIME OF IMPLEMENTATION	IMPLEMENTER
Compensation Regarding Effects/Damage To Humans And Livestock				
9	Citizens with complaints about the harm they sustained from the Mine by its various activities such as explosions, the effect of dust, water, and livestock dying for allegedly using water which was contaminated by mine operations	The Committee recommends a complaint with the evidence be brought to the Mine to be addressed including their compensation paid where appropriate and acceptable. Failing to reach agreement the complaint should be taken to the Commissioner for Minerals according to the Mining Law of 2010.	by 30/09/2016	<ul style="list-style-type: none"> • Ministry of Energy and Minerals • The Gold Mine • Implementation Committee
10	Complaints of citizens of the Komarera village against the Mine	Committee recommends citizens with complaints to present them to the Mining leadership to be addressed. Failure to reach agreement, the concerned parties shall take their issues to the Commissioner for Minerals	By 07/08/2016	<ul style="list-style-type: none"> • The Gold Mine • Commissioner for Minerals • Citizens

NO.	CASE	RECOMMENDATIONS	TIME OF IMPLEMENTATION	IMPLEMENTER
B. Allegations concerning abuse and killings of people by police				
11	335 complaints of people claiming were bullied and tortured by police force, 65 complaints of people claiming were killed by police and 270 complaints of people who claim were injured by police	<p>The Committee received the concerned complaints. However it didn't have a judicial authority to be able to verify the accuracy of these claims beyond any doubt. Thus, the Committee recommends the following:</p> <ul style="list-style-type: none"> • Police disciplinary organs should manage and monitor the conduct of police officers and put in place a system that will enable the police force to receive and handle ethical complaints about misconduct by police working around the mine and take appropriate measures. • The Committee has noted that there have been many incidents of trespass onto the Mine and lawlessness. The 	By 30/09/2016	<ul style="list-style-type: none"> • Implementation Committee • The Gold Mine • Security and Defense Committee • Village government • Implementation Committee

		<p>Committee recommends; in order to avoid the consequences that could arise from such actions citizens are encouraged to comply with the law without recourse to force to maintain a good relationship between them, the police force and the Mine.</p> <ul style="list-style-type: none"> • Concerned people with evidence should take their complaints to the office of the Attorney General so that court cases should be opened against the police involved. • To reduce crime in the areas surrounding the Mine, the police force should introduce a programme of local guards [to provide security]. Moreover, the Mine and villagers should work together to execute and manage the programme and the groups [of local guards] . 		
<p>c. Pollution of Water Sources and Environmental Damage/Destruction</p>				

12	Small scale gold miners in the village of Kerende polluting water sources while panning for gold using their own resources	After visiting these areas, the Committee found that gold panning was taking place in valleys where in the period of rain poured the contaminated water into different water sources. The Committee recommends that the activities of mining by small miners be done according to regulations governing the conservation of water sources and the environment. So mining activities on water sources should stop and small miners ordered to leave from water sources.	By 30/08/2016	<ul style="list-style-type: none"> • Ministry of Water and Irrigation • Councils • Gold panning companies (small and medium scale) • Private gold panning groups/individuals • Village and local governments • Implementation committee
13	Gold digging (underground mining) affecting the water wells in the village of Komarera	The Committee recommends that the Ministry of Water and Irrigation and the Ministry of Energy and Minerals to send experts to identify the real source of dry wells in the village and recommend appropriate measures to be taken after clear results.	By 30/08/2016	<ul style="list-style-type: none"> • Ministry of Water and Irrigation • Ministry of Energy and Minerals • The Gold Mine • Councils

				<ul style="list-style-type: none"> • Citizens
14	<p>Flooding of the River Tighite affecting citizens' fields and the transfer of its natural way which was made to pave the way for mining site of Nyabigena</p>	<p>The Committee was unable to confirm if the floods were caused by the relocation of Tighite River. Thus, the Committee recommends the relevant authorities to investigate this matter</p>	By 30/12/2016	<ul style="list-style-type: none"> • Ministry of Water and Irrigation • Ministry of Energy and Minerals • The Gold Mine • Councils • Village and local governments • Implementation committee
15	<p>Complaints of citizens that their healthy is affected by the water of River Tighite, TSF and natural water sources</p> <ul style="list-style-type: none"> • The Committee took 113 water samples for laboratory tests from the area (Physical parameters), metals (Chemical parameters) and fungal pathogens (microbiology) • The test results revealed by the government Chief chemist discovered that: 	<p>Tests of manganese and iron in Tighite River were noted to be in higher rates. This condition can be contributed by the local geology.</p> <ul style="list-style-type: none"> • The appearance of micro-organisms (bacteria) in water is an indicator that water pollution is a result of either human or animal faeces. In this case these pollutants can cause diarrhea and abdominal pain. Given the situation the Committee recommends 		<ul style="list-style-type: none"> • District Council • Ministry of Water • Ministry of Health • The Mine • Village governments • Implementation

<p><i>From River Tighite</i></p> <p>-Cadmium, -Arsenic, -Lead, -Cyanide</p> <p>The parameters mentioned above were in accordance with national standards.</p> <p>-Manganese (tests showed 0.53mg / l where TBS standard is 0.5mg / l so Manganese exceeded the limit of 0.03mg / l</p> <p>- Iron (tests showed between 2.033-4.475mg/ l which is on TBS levels (1.0mg / l)</p> <p>Samples from the <i>TSF</i> and areas surrounding <i>TSF</i></p> <p>-<i>Arsenic</i> (it seemed to be between 0.257-0.284mg / l which is on TBS standard of 0.02mg / l)</p> <p>- <i>Iron</i> (sample from North TSF Sump Barabarani (1.888mg / l) and TSFBH04S (3.424mg/l) had higher levels of the TBS levels (1.0mg / l)</p>	<p>citizens to treat drinking water before using, and also monitoring the quality of water all the time .</p> <ul style="list-style-type: none"> • The Committee recommends the Ministry of Health to send experts to investigate the complaints of citizens who claim their compromised health was due to mining operations in the area. 		<p>Committee</p>
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	Microbiological tests (microbiology) –Samples from River Tighite and water wells showed the presence of fungal pathogens (bacteria) –(E.coli and Total coliforms)			
16	Farms and livestock affected by water from River Tighite and animal suffering from dermatitis/skin diseases	The committee discovered some animals were suffering from skin diseases. However, the committee was unable to link these diseases with the condition of the water in River Tighite. Because this issue required further expert investigation, Therefore, the committee recommends Agriculture and Livestock experts be sent to identify the real problem.	By 30/09/2016	<ul style="list-style-type: none"> • Ministry of Agriculture, Livestock and Fisheries • Council • Citizens • Implementation committee
17	The quality of rain water in Matongo and Mjini Kati villages was affected by the technology used to pump water into the air (Forced Evaporation) from TSF	The committee worked on this issue during dry season, thus could not get rain water to examine. The Committee therefore recommends water quality experts in conjunction with the Council and the Mine work together during rainy season to monitor and identify the reality of the problem.	Next rainy season	<ul style="list-style-type: none"> • Ministry of Water and Irrigation • Council • Village governments • Implementation committee
D. Allocation of land for small scale miners				

18	Finding areas for small-scale miners	<p>The Ministry of Energy and Minerals has identified a large area of 7.69 square kilometres (equivalent to 769 hectares) in the village of Kewanja. If whole this area is distributed and licensed to small scale miners (mining PML-sized 10 hectares each,) can provide 76 licenses. However, the area needs to be geologically examined by the Geological Survey of Tanzania before allocating licenses. Allocation and licensing should be done on suitable areas for mining activities.</p> <p>In addition, in the village of Kerende, an area is set aside for small-scale miners with the size of 598 hectares, where 96 licences have been handed and there are still 79 hectares remaining so far in the area. Other designated areas surrounding the neighbouring Mara region includes Ilujamate-Misungwi, Mwanza (147 hectares), Nyangarata-Kahama, Shinyanga (1074 hectares), Ibologelo-Igunga, Tabora (6,527hectares,) which have been designated for the miners. Whoever wants to acquire should go to mining offices that oversee these areas.</p>	By 15/10/2016	<ul style="list-style-type: none"> • Regional and District administration • Ministry of Energy and Minerals • Ministry of Land • Local governments • MEM • Implementation Committee
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E. Availability of gold ores (Magwangala)

<p>19</p>	<p>Gold bearing waste rock (Magwangala) for the citizens of the areas surrounding the mine</p>	<p>In implementing this matter, the following elements should be employed:</p> <p>-District and village governments should identify the areas to dump waste rock bearing gold ore (magwangala) for citizens. -The National Environment Management Council (NEMC) will review the Environmental Impact (TAM) for the designated area. The work of allocating these areas for dumping gold ore and impact assessment should be completed. -Discussions will be held between the Mine, district and village governments on how best to transport waste rock bearing gold ore (magwangala) from the mining area to the designated zones; -District and village governments will be responsible for ensuring the security and population growth when gold ores (magwangala) are taken from designated area;</p> <p>-Even so, they will need to make an examination of the gold standard in the gold ores (magwangala) to see if it</p>		<ul style="list-style-type: none"> • Leaders of neighborhoods / villages concerned • District Commissioner • The Mine • NEMC
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would benefit the citizens.

F. Business and employment opportunities for indigenous people of Tarime and citizens around the Mine

20	<p>Business Opportunities: The Committee noted that there are 21 companies owned by Tanzanians doing business with the Mine. Among these, 11 companies are owned by the people of Nyamongo.</p>	<p>The Mine continues to provide business opportunities for indigenous companies for more capacity building.</p>	Sustainability	<ul style="list-style-type: none"> • The Mine • Council • citizens
21	<p>Employment opportunities and Tanzanians to progress: The committee discovered that there are a total of 2, 214 employees of the Mine and Contractors; where Tanzanians are 2,094 (equivalent to 94.6 percent). In Addition in the North Mara company alone, there are 968 local staff and among them, 237 employees which is equivalent to 26 percent are from Nyamongo.</p>	<p>The Mine and contractors continue to give priority to employment opportunities for Tanzanians.</p>		<ul style="list-style-type: none"> • The Mine • Contractors • District Council • citizens

G. Regarding the Pending cases in court and the possibility of arbitration

22.	The Committee found that there are 15 cases between the Mine and the citizens that are in court and not given a decision. This situation creates friction between the Mine and the people and thus bring bad relations	The Committee recommends cases in the court be adjourned (taken out of court) and refer them to arbitration. If arbitration fails to bring agreement, then cases continue to be heard in court.	By 30/09/2016	<ul style="list-style-type: none"> • The Mine • Citizens • Implementation Committee
H. Agreements (VBA) and the provision of social services (CSR)				
23.	Implementation of the VBA: The Committee noted that the implementation of the agreements was lower than expected based on the agreement of the relevant contracts.	Committee recommends the Mine sees to it that the implementation of agreements is effective in accordance with the requirements of the contracts. In addition, the Council closely follows up the implementation of these agreements.	Complete projects by 30/12/2017	<ul style="list-style-type: none"> • The Mine • Council • Citizens • Implementation Committee
24.	Social services (Corporate Social Responsibility-CSR): The Committee noted the existence of unsatisfactory communication between citizens and the Mine on projects implemented by CRS	Council should appropriately be involved in creating, planning of execution and management of projects implemented through CSR	sustainable	<ul style="list-style-type: none"> • Council • The Mine • Citizens • Implementation Committee
25.	The direction of the underground	The Committee recommends the	Sustainable	<ul style="list-style-type: none"> • Ministry of Energy

	<p>extraction and its impact to villages and licences which have agreements with the Mine:</p> <p>The committee discovered that seven licences which have extraction contracts with the Mine are situated at a distance of approximately 300 meters from where underground mining activities take place. However, residues of the underground digging are not directed to the licensed areas.</p>	<p>Ministry of Energy and Minerals frequently monitor the underground extraction in order to identify its developments and control the movement of extraction.</p>		<p>and Minerals</p> <ul style="list-style-type: none"> • The Mine • Village governments
I. MISCELLANEOUS				
26.	<p>Complaints that houses built by the Mine are below standards</p>	<p>The committee discovered that some houses were found to have cracks and crumbled floors. Committee recommends citizens whose houses are in this condition present their grievances to the Mine for modification.</p>	<p>Complete by 30/09/2016</p>	<ul style="list-style-type: none"> • The Mine • Citizens • Implementation Committee • District Council of Tarime
27.	<p>Maintenance of road passing through villages of Nyakunguru-Nyarwana-Weigita-Kerege-Komaswa used by the Mine's heavy vehicles to transport cargo.</p>	<p>The Committee recommends the Council and the Mine to meet and strategize how to repair the road.</p>	<p>Meeting must take place by 30/09/2016</p>	<ul style="list-style-type: none"> • The Mine • District Council of Tarime • Member of

				Parliament <ul style="list-style-type: none"> • Implementation Committee
No.	CASE	RECOMMENDATIONS	TIME OF IMPLEMENTATION	IMPLEMENTER
28	Access to clean and safe water used by residents of Matongo and Kemambo Wards.	The Committee recommends: <ul style="list-style-type: none"> • The Mine supports the sustainability of water source it surveyed in Mt. Sukube at Kewanja village. • Village governments get involved to protect water from destruction. 	By December 30 th 2017	<ul style="list-style-type: none"> • District Council of Tarime • The Mine • Village government of Matongo and Kemambo villages • Implementation Committee
29.	Sustainability of water projects invested in villages surrounding the Mine.	Information from the Mine showed that villages surrounding the mining area have as many as 52 wells; however, report from the District Council showed there are challenges in managing and sustaining water sources. The Committee recommends the Ministry of Water and Irrigation to work together with the Council to determine how best the projects will be		<ul style="list-style-type: none"> • District Council of Tarime • Ministry of Water and Irrigation • Village government • The Mine

		sustainable in these the villages		<ul style="list-style-type: none"> • Citizens
30.	The crisis of the compensation agreement between the mine and the village of Nyangoto (the issue of 5 per cent)	The Committee recommends the Council Executive Director bring together the two parties to reach a consensus on this issue.	By 30/09/2016	<ul style="list-style-type: none"> • The Mine • District Commissioner • Village government of Nyangoto • Implementation committee
31	Small scale miners who were digging in small-scale mining licences in five villages (5) of Nyabigena area.	The Committee recommends that the miners go to the village governments where mining activities take place in order to reach an agreement on the issue.		<ul style="list-style-type: none"> • Village government • Miners with claims
32.	Small gold miners of Nyabirama who entered an agreement/contract of one percent mining with the East Africa Gold Mine whose areas are not under extraction yet and the Mine has already put its infrastructure in place.	The Committee recommends that the miners present their grievances to the Mine to find solutions. If no agreement is reached they submit their complaints to the Commissioner of Minerals.	By 30/09/2016	<ul style="list-style-type: none"> • Small-scale miners • The Mine • Ministry of Energy and Minerals • Implementation Committee.