

OPENING

Songo Subtitled

MADELEINE WEKOMBO (CHEF de CHANTIER) *PRADD*

I'm very happy for the PRADD training. Before this project, we didn't know that much about diamonds. We didn't know the real value of our diamonds, and usually we sold them at a very undervalued price.

Since 1960, we were like blind people. But after this training in 2007, We began to see things more clearly.

INTRO TO PRADD PROJECT

Narration

In 2007, the United States Agency for International Development and the Central African Republic developed a pilot project called PRADD (the Property Rights and Artisanal Diamond Development Project).

The Project is designed to help diamond miners identify and register ~~the~~ the property rights for their mines. The PRADD team is also working to raise incomes and living standards for miners and mining communities.

THE SITUATION IN THE MINING COMMUNITIES

Narration

In spite of the value of the stones they find, diamond-mining communities are desperately poor. Along with poverty, they suffer from many other related problems- poor health and malnutrition, high rates of teen pregnancy and HIV AIDS, low literacy rates and widespread environmental degradation. The miners are living in a terrible situation; in order to find diamonds to sell they are tearing up land they could use to grow food.

Furthermore, the miners are poorly paid for their hard work. Because they live at the edge of survival, they are easily exploited by dishonest collectors who often cheat them on price.

FOCUS ON PROPERTY RIGHTS

Narration

No program can address all the problems that miners face, the focus of the PRADD project is to help individual miners affirm and document their property rights. This is an important step for them to take and the work the miners did with the PRADD team had a positive impact on the mining communities in the pilot zone. The methodology the PRADD team developed could be used in mining communities all over Africa.

COOK

The PRADD project is a pilot [project] intended to validate procedures for protecting the rights of the individual artisanal miner, the community in which that person lives, as well as increasing the revenue to the central government and by extension the entire population of the Central African Republic

SKEPTICAL

Narration

Many of the miners were skeptical when the project first began; they weren't accustomed to using legal documents or working with a modern system. It took them a while to realize how valuable it could be to participate in the system.

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MME BENGBA

Progressively, over the course of the project, the miners began to realize how important it was to expand their knowledge about their environment, their activities, their work, and that they could use this knowledge to help them earn more money.

HAVING A DOCUMENT + WHAT IS KIMBERLEY

Narration

Having a document to identify and locate your mine is important for several reasons, one of the most important reasons is that having the proper documents means that your diamonds can be certified through the Kimberley Process.

But what is the Kimberley Process and how does it work?

BLOOD DIAMONDS / ARTISANAL DIAMONDS

Narration

The rough diamonds artisanal miners find in the sediment around rivers and marshes in the Central African Republic become beautiful stones when they are cut and polished. Because diamonds are so precious, they are used in many cultures to celebrate love and marriage; but diamonds have also been used to finance wars and rebellions. Warlords use them to pay soldiers and buy guns, and as a result, millions of African people have been killed and uprooted in battles to control diamonds and other minerals.

Conflict diamonds are a huge problem, over 70 Million people live in African countries that have been torn apart by struggles over diamonds and other minerals. The wars and rebellions have shattered already weak economies, spread disease and created millions of refugees.

KIMBERLEY TO THE RESCUE

Narration

Responding to this growing crisis, the United Nations, governments of diamond producing and trading countries, including the United States, joined forces with the industry and civil society to create a system to reduce the market for conflict diamonds.

Many countries around the world have joined the program, including the Central African Republic where the PRADD pilot project is located.

THE KIMBERLEY PROCESS

Narration

The Kimberley Process creates a system for tracing diamonds from their source to the ultimate consumers. For countries that want to comply with the Kimberley Process, the challenge is to determine who owns the mine where the stones were found.

Land ownership at the grass roots level where artisanal miners work, is not documented.

The PRADD Project developed a systematic process to register and document customary rights so they can become modern, legal rights.

Songo Subtitled 2

YABA

Here, I show you the tomb of my father, Yaba David who worked very hard for the community

CUSTOMARY RIGHTS SUMMARY

Narration

Customary rights are invisible to the state and difficult to document. But they are very real to people living in villages all over Central Africa.

Songo Subtitled

YABA

This is the tomb of Fidele Youane who was also a Chief.
who reigned from 1964 to 1971

Narration

These rights are rooted in tribal history and culture
and managed by traditional leaders in the local communities.

Songo Subtitled

YABA

Here is the tomb of my grandfather who is the son of Chief Yaba

KENT INTRO

Narration

Kent Elbow, a land tenure specialist worked with Zéphirin Mogba and the rest of the PRADD team to design and test the methodology for translating customary rights to statutory rights.

ELBOW

There are two systems of property rights in the places where we are working in our pilot site in Central African Republic. There are the statutory rights and there are the customary rights or informal rights; which are really practices what we see, that we find on the ground, in the villages and rural zones. These are non-written the informal sets rules of who has access to the land and to the natural resources. Basically the approach of our project is to try to link these parallel systems the statutory and the customary by bringing the customary non-formal rules, regulations and rights into the statutory system.

PROCESS OVERVIEW

Narration

In order to define the customary rights of miners in the Pilot Zone, the team developed an 8-step process that combined community development techniques to identify, organize and motivate the miners, with GPS devices to precisely locate the mines.

STEP 1 PARTICIPATORY RURAL APPRAISAL

Narration

The work began with a participatory rural appraisal, a creative process where men and women from the community, gathered to map their environment. Looking at their environment in this new way can be a powerful experience, it helped change their perspective on their own resources and how best to use them.

ELBOW

The first step is getting to know the customary system, the customary rules, the customary authority are Participatory Rural Appraisal exercises these really have the objective of integration into the village. We are also looking for information. We want to know: how customary system works; who the authorities are; what the system is for gaining access, in particular for diamond mining areas; and in the diamond mining zones we want to identify who the minors are.

STEP CENSUS OF ARTISANAL MINERS

Narration

The rural appraisal process gave the PRADD team an overview of the community. Step 2 - conducting a census of the miners, was a focused effort to generate the facts on mine ownership.

ELBOW

We need a baseline. We need a place to start, so we compile a list using resource persons in the different villages so we know who is working in the diamond fields, where they are located, which water courses, which streams, which rivers.

STEP SOCIO-ECONOMIC SURVEY

Narration

The next step was the Socio-Economic Survey. It included a more formal survey with a detailed questionnaire that was given to every single miner.

ELBOW

Every one was interviewed so we could get information about how they had access to their sites: whether they had inherited their mining site; whether they simply come and found a place that was not previously being used for diamond mining and they staked out their claim. It also allows us to make the first correction in our list of artisanal miners as we go through this exercise.

STEP 4 COLLECTING GPS COORDINATES

Narration

In every step of the process, the information about the mines and mine ownership became more accurate. In this next step, the PRADD team located each mine site using GPS devices. It was time-consuming, but it generated critical information.

ELBOW

The next step in our process are actual visits to every single diamond mining site that has been indicated to us through the socio-economic surveys.

We train a team in taking geographic coordinates using a GPS unit. They go to every field so they can take the geographical coordinates and we can feed that into our, geographical information system database and produce map products that tell us exactly where artisanal diamond mining is taking place. It's quite a long exercise. We have a team out in the field for a good six weeks straight taking all of these coordinates and asking a lot of questions. This serves also as an opportunity to correct our original census of the artisanal miners. When you get to the field you find that things are not exactly like what you were told when you were in the village. Sometimes when you look around you find, well, the name, the person who actually has this claim is different. You find a claim next to that, that was not previously recorded so you take the GPS point, the geographic coordinate and you add that into the over all database of artisanal miners.

Narration 17

These GPS points connect the mine site locations to an amazing amount of metadata that is available from GIS sources, including data on vegetation, water and other resources that can be useful in land use planning.

French Subtitled 2

YOUANE (CAR KIMBERLY REP)

They located the mining sites with geographical coordinates, using the GPS devices. So wherever you are – in the US, Germany, or Ndjamenia – you can see on a map, each of these mining sites: with their coordinates, owner's name and surface area, down to the square meter.

The GPS devices allow us to establish precise locations for them.

STEP 5 CONFLICT RESOLUTION

Narration 18

The team regarded each miner's claims as provisional, until it was determined that there were no conflicts. To handle the few conflicts that did come up, the team developed a successful community driven, mediation process to resolve them.

ELBOW 6

In some cases there is a challenge to this claim. There maybe someone else that wants to work in the same site; there maybe a problem with the border between two artisanal mining sites. An existing conflict prevents registration of this as a valid claim in our property rights registry so this needs to be resolved. The project has piloted at a process for mediation of conflicts that consist of identification of three key local resource persons generally from the local customary authority system. Also there maybe senior artisanal miners who do know the area, know the issues and all the actors involved and they form a small mediation committee. Each of the two disputants who have agreed to the composition of this committee now meet privately with the committee, they each plead their case separately, the committee hears it and they formulate an opinion, they don't make a judgment but they come back now in public discussion and simply talk about what this conflict is all about. And sometimes they make recommendations. Then there is public discussions that will often lead to some kind of a compromise that would actually resolve the claim.

Songo Subtitled**Miner 1**

I had a conflict with my cousin over a mining claim and the local mediation committee that PRADD set up, which was composed of older *chef de chantiers*, helped resolved it. We are now working on the same claim together.

Songo Subtitled**Miner2**

There was a case in our village between two men, who both claimed the same mine. The mediation committee, made up of the village chiefs and older *chefs de chantiers* of Bagoua, worked with the two miners to successfully resolve the conflict.

ELBOW

Following the completion of the collection of the geographical coordinates of the socio-economic surveys and the participatory rural appraisal, we now have a stock of information that allows us to establish a property rights dossier for each and every artisanal miner that in our database is currently seen as the legitimate holder of property rights to the mining sites that is recognized and respected in the eyes of the local community in having the rights to work that particular site.

STEP 6 PUBLIC VALIDATIONS OF CLAIMS**Narration**

Once the miner's claims were identified and precisely located, and after they determined that the claims were clear of any conflict- the claims were then publicly validated in front of the community.

ELBOW

The Validation Workshop is an opportunity for each artisanal miner to now present the contents of their dossier. Some of the contents are graphic there's a map product that allows them to locate which waterway and exactly where on the waterway their claim is located.

It also allows them to talk about how they gained access, how long they have been working that site

Songo Subtitled

ZEPH

Pasqueline Mbolipola inherited her mine from her husband,
so everyone knows that Pasqueline is a Chef de Chantier. Is that right?
So if we agree this is her mine on the Nguilingala river, then let's applaud.

ELBOW

There is a public process that brings together not only staff from the project there is someone from the Ministry of Mines, a representative from the Ministry of Mines, there's representatives of local government, of the decentralized authorities from the central government, all the customary authorities and perhaps most importantly all of the artisanal miners are in attendance in this validation workshop.

STEP 7 AWARDING OF CUSTOMARY RIGHTS CERTIFICATES

ELBOW

Once we have all the claims validated we are now able to register them in our property rights registry, which is the basis of making a small property rights certificate we make clear to all the holders of the property rights certificate that this is within the customary system at this point, it is not yet in the legal system but in customary eyes the claim that has now been voiced publicly that is recognized and has been validated publicly is a legitimate claim and they have a certificate to show that.

Narration

Everyone was pleased with the results of the validation process, the miners, the Central African government and US AID.

To celebrate their accomplishment, the US Ambassador, Frederick Cook, joined national, regional and local Central African officials in Bossoui, to distribute certificates.

The artisans were proud of their accomplishment. For the first time, they had a written document that affirmed their claims.

STEP 8 LEGALIZATION OF PROPERTY RIGHTS (Narration From Kimberley Version)

Narration

According to (the) current laws in the Central African Republic, the first step toward legalization is the acquisition of a license called a *patente*, which gives the miner permission to mine a specific site. It comes with a logbook, called a *cahier de production*, to help them track the diamonds they find. The government is considering new laws and practices to expand recognition of customary property rights.

French Subtitled

EMANUELLE DESIRE

Legally, in order for a miner to claim his mine, there are several formalities that must be completed, so he can declare himself officially as the miner of a particular claim and for him to register it. He must acquire a *Patante d'Artisan Exploitante* and this *Patante* makes him the true owner of this claim. This will also make him compliant with the Ministry of Mines, which allows the Ministry to follow the path of the diamonds that come from this mine.

French Subtitled

HYANCINTHE

In every country, the Kimberley Process wants to control the flow of diamonds from the hole to the world market. Thus with the certification requirement by BECDOR, before the diamonds leave the country, that prevents those operating outside the law from selling their products. When you bypass the legal circuit without the proper certification, the world market won't buy your products.

Narration

How customary property rights become integrated into a government's legal or statutory system will vary from country to country, but the success of PRADD's pilot program in affirming customary rights proves that it has enormous value for all the stakeholders- the miners, the government and the Kimberley Process.

THE IMPORTANCE OF PROPERTY RIGHTS REGISTRATION

Narration

After going through the property rights process, and getting their certificates, the miners spoke with greater confidence about their rights – knowing they had a document that verified their property and its exact location.

They are now in a stronger position to negotiate a win-win solution if an industrial mining company or government organization ever challenged their rights.

Equally important, the process – and what the miners learned going through it – changed their attitudes about the tangible rewards of operating legally.

WORKING WITH FACILITATORS

INTRO TO AFL SEQUENCE

Narration

There was one aspect of the PRADD project that was critical to its success.

This was the Team’s collaboration with over 30 “facilitators,” representing each of the villages in the pilot zone. The AFLs, as they were called, became the eyes, ears and voice of the project within the communities. They participated in trainings, organized meetings and relayed information to the community and to the PRADD team.

AFLS DESCRIBE THEIR ROLE AND QUALIFICATIONS WITH FRANCOIS REPEATING AND SUMMARIZING

Songo Subtitled

AFL Group

The AFL are Chefs de Chantier who serve as liaisons between the project and the artisanal communities.

Why were you picked to be the AFL by your community?

In order to become an AFL you have to be a good member of the community

You have to be literate and have a capacity to persuade and mobilize people.

Songo Subtitled

MADELEINE DESCRIBES HER WORK AS AFL

I am an AFL and I would like to continue to provide training to the people around my village.

Songo Subtitled

FRANCOIS WITH AFLS

In the beginning we were skeptical about the project,

But we have learned so much with PRADD

We can now make a good valuation of our diamonds
This is a big change compared to the past years
where we sold our diamonds too cheaply to the collectors.
Now we are going to train other miners even after the end of the project.
I am very happy to have been chosen as an AFL
and I am also happy to be the representative of all AFL in Bossui.

ECONOMIC DEVELOPMENT FOR MINING COMMUNITIES

Narration

Affirming the property rights of miners was the major goal of the PRADD project. Building collaborative partnerships to promote economic development - and diversify income sources – was also a key objective.

ELBOW

The diamond industry is of course very much linked to the global financial crisis. There's no longer the market that existed before and that changes very much the context in which we are working. We really need to pay more attention to helping our artisanal miners to engage in other activities to diversify them.

Narration

The global financial crisis and its impact on the local diamond market taught miners the dangers of becoming too dependent on one product. The exercises and the discussions the miners had going through the process provoked them to think and act differently about land-use planning, economic development and natural resource management.

Songo Subtitle

Francois

We are talking about products we can sell,
And whether we can sell them easily or not.

Narration

In Ngoto, one of the villages in the pilot zone, PRADD team member Francois Ngbokoto facilitated a lively discussion about readily available alternatives to mining, market opportunities for different food crops, and how to improve productivity in growing basics like potatoes, rice, corn and maniok.

Songo Subtitle

Francois

...rice, sesame seeds, sugar cane...
potatoes, honey and onions.

French Subtitled

OBED

The project has helped us move, step by step, into the official circuit.
We are leaving the informal way of doing business and moving into
a formal way of doing business, and the government benefits from this
by being able to collect proper taxes on the products being sold
and revenue from the sale of *Patentes*.

French Subtitled

YOUANE

Our wish is that we can expand the project to other mining sites that
aren't already covered by this project. So that all the artisans understand
the importance of using the production notebooks, the importance of
the mining code, and that they will work legally. For their own well being.
And for the well being of the country.

French Subtitled

EMANUELLE DESIRE

You can already see a change in mentality among the miners.
Those who were resistant at first; have become less resistant.
I think after one or two more years of following this policy, we will be able
To bring everyone into the legal framework for exploiting diamonds.

French Subtitled

YOUANE

One way or another, everyone wins.
The artisans win, and the state also wins.
That is what the PRADD project has demonstrated within the context of
The Kimberley Process.

CLOSING SUMMARY

Narration

In looking at the whole property rights registration process, it is clear that the effort has far more value than just the documents the miners receive. For the miners, the process promotes ownership and responsibility; it also helps them think constructively about natural resource management. When miners become compliant with mining regulations, both the miners and the government earn more money. For any government wanting to comply with the Kimberley process, following the property rights registration methodology that PRADD developed, can play a critical role in improving its ability to trace diamonds.