

ARRC Task Force's comments on SMFG's mining project in the Nimba mountains

11-03-2022

Thank you for providing an opportunity to comment as part of FFI's Biodiversity Offset Feasibility of the SMFG iron ore project in Guinea. We couldn't attend the consultation webinar held on February 16th 2022, however we were given the recording and so were able to watch the webinar at a later time. After reviewing this additional information on the project, we still maintain the same position, which is that the project will have unavoidable impacts to the Critically Endangered western chimpanzee (*Pan troglodytes verus*) on Mount Nimba, including the population within the World Heritage Site (WHS), which is one of the Outstanding Universal Value (OUV) for the site. The World Heritage Convention's Operational Guidelines, and numerous World Heritage Committee decisions, state that development projects should not impact the OUV of the World Heritage site even if occurring outside of the site. It is IUCN policy that it is not acceptable to offset impacts to internationally recognized areas, including World Heritage sites. We therefore do not believe that the project's impacts on chimpanzees are offsettable.

Below we provide more specific comments on the presentation that was shared:

- The preliminary data presented in the webinar focused only on direct impacts of the project, however we know that indirect impacts of mining projects are more significant, and usually extend outside of the mining permit area. The indirect impacts are thus underestimated and not really addressed by the project, even though SMFG notes that the human population of Lola has increased substantially since the start of mining exploration, and that this is likely linked to in-migration of people looking for work with the project. As indirect impacts will extend into the World Heritage Site, it is not clear how the project will differentiate between its 'minimization measures' and its 'offset' when proposing an offset that is located within the same area that the project impacts.
- No plan was presented as to how the project will address potential cumulative impacts, especially those created by the construction of the project's railway. The railway will likely attract other mining projects once the infrastructure is in place, and enable existing mining projects in the same area to develop faster.
- Mount Nimba is listed as a WHS 'in danger' as a result of several factors, but mainly due to the threats of mining (which seems to have been overlooked in the presentation):
"The Committee concluded that the Mt. Nimba Nature Reserve, inscribed on the World Heritage List in 1981, was seriously at risk from a variety of threats, primarily the proposed iron-ore mining project. As instructed by the Committee, the Secretariat contacted the Governments of Cote d'Ivoire and Guinea, and requested them to nominate this site, in accordance with Article 11, paragraph 4 of the Convention, for inclusion in the List of World Heritage in Danger." (1992 report can be found [here](#))

- The avoidance measures proposed are not good examples of ‘real’ avoidance. Three options are proposed:
 - *Building a tunnel to transport the ore*: The construction and operation of the tunnel will create impacts, mainly through noise and vibration. This is not complete avoidance, but minimization.
 - *Mining activities limited to the upper mountain levels to avoid disturbing water course*: This is a proposed avoidance measure, but then it was mentioned that all the endemic species are located at the upper levels, therefore the validity of this avoidance measure is questionable.
 - *Having a set-aside at Sempere*: this appears a really small and isolated area that may harbor restricted-range species, but that seem to have no value for chimpanzees. Its protection is also temporary, so not an interesting avoidance option. The exceptional biodiversity value of this area still need to be demonstrated, and at the moment this seems more to have been selected because it was a deposit of lower iron ore grade value.
- Even though SMFG stated in the webinar that they have done a vast amount of baseline surveys, we do not see evidence that they have yet collected robust chimpanzee baseline data covering areas within and adjacent to the concession (i.e. the area of impact). We understand that the project is currently collecting more survey data, but they should have had already this information at hands to plan the mitigation strategy, especially avoidance options. At this point, the data collected will not constitute a ‘true’ baseline, but report on the status of the chimpanzee population after many years of exploration activities. Normally before discussing offset options, this information should have been obtained to be able to assess the offset requirement. Nevertheless, we already know there are unavoidable impacts to at least one chimpanzee community that uses both the mining enclave and the WHS. As chimpanzees are an Outstanding Universal Value (OUV) of Nimba WHS, we do not consider impacts to these chimpanzees offsettable.
- The webinar did not mention that chimpanzees on Mount Nimba exhibit particular behaviors (e.g. crab hunting) specific to this area, which are probably an artefact of this unique environment. This is another reason why we do not consider this population of chimpanzees or their habitat offsettable.
- We do not think that ENNR in Liberia is an appropriate location for the project’s offset for several reasons. First, this site is not located in the same country and thus this offset option would probably not be supported by the Guinean government. Second, this site is already the offset of ArcelorMittal Liberia (AML) and despite their efforts, it has failed as an offset for chimpanzees as AML has not been able to increase the chimpanzee population in that area. Chimpanzee numbers at this site are extremely low due to previous mining that took place in that area in the 70s and 80s. We would also like to note that rehabilitation efforts in this area have not worked either, and the scars of mining that took place c. 40 years ago are still visible. Like SMFG, AML is also claiming to align with IFC PS6.
- From the webinar, it is still not clear what SMFG has done to date to minimize the impacts of exploration and in-migration that has taken place in the area since the start of exploration activities.

In summary, we do not believe this project can offset its impacts to chimpanzees because: 1) the impacts of the proposed mining activities on chimpanzees (an OUV) will extend beyond the degazetted mining enclave to impact chimpanzees within the World Heritage Site even with minimization measures in place ; 2) Impact to OUV of UNESCO World Heritage Sites is prohibited and thus mining activities in the degazetted mining enclave should not be acceptable according to IFC PS6 (GN55); 3) it is established IUCN policy that it is not acceptable to offset impacts to World Heritage Sites; 4) the Nimba Mountain chimpanzee population is of exceptional conservation, behavioural and genetic importance and thus impact on this population cannot appropriately be compensated for elsewhere.

Please let us know if you need any clarification or further information.

Best regards,

A handwritten signature in cursive script that reads "Genevieve Campbell".

Dr Genevieve Campbell

On behalf of the IUCN SSC PSG ARRC Task Force