

INDEPENDENT COMPLAINTS MECHANISM (ICM)

Report on the Conclusion of the Dispute Resolution Process

16 October 2025

DEG and Proparco Complaint 21-001
FirstRand Bank (financial intermediary)
South Africa / Liberia

Seynabou Benga

Inbal Djalovski

Marina d'Engelbronner-Kolff

Members of the Independent Expert Panel

Recipients:

Complainants

DEG

Proparco

FirstRand Bank

Bea Mountain Mining Corporation

This Report is based on information provided to the Independent Expert Panel (IEP) by the complainants, the lenders, the client company and other relevant stakeholders. This document is not given, and should not be taken, as legal advice, and is not intended to be used as proof for its content in a court of law.

Contents

1. Summary	3
2. Overview of the Dispute Resolution Process	4
3. Overview of the Issues raised	7
4. Overview of the Dispute Resolution Outcomes	8
5. The ICM Panel's Monitoring Role	12
6. Observations on the Implementation of the Agreements	12
7. Reflections and lessons learned	14
8. Conclusion	15

About the Independent Complaint Mechanism (ICM)

The Independent Complaints Mechanism (ICM) aims to provide complainants with an effective, fair and credible tool to facilitate the resolution of disputes. At the same time, it assists the Dutch Entrepreneurial Development Bank (FMO), the *Deutsche Investitions- und Entwicklungsgesellschaft* (DEG) and the *Société de Promotion et de Participation pour la Coopération Economique* (Proparco) in implementing and adhering to its own Environmental and Social (E&S) policies and procedures.

The ICM is supported by an Independent Expert Panel (IEP or Panel). The IEP is fully independent from DEG, FMO and Proparco. It reviews complaints from communities and individuals who allege that they have been affected by DEG-, FMO- and/or Proparco-financed operations and decides whether a complaint is admissible. In case a complaint is admissible, the IEP processes the complaint in line with the ICM procedures and reports on the outcome of such process.

For more information about the ICM, please visit:

- DEG's website: www.deginvest.de/icm
- FMO's website: www.fmo.nl/icm
- PROPARCO's website: www.proparco.fr/icm

1. Summary

This Report provides an overview and summarises the main outcomes of the Dispute Resolution Process (DRP) that was facilitated by the Independent Complaints Mechanism (ICM).

The Complaint was filed by five communities located in the vicinity of the New Liberty Gold Mine; a gold mine located in Western Liberia. The mine is operated by Bea Mining Mountain Corporation (BMMC or the Company), a subsidiary of Avesoro Resources Inc. The New Liberty project received loans from FirstRand Bank, a client of DEG and Proparco. The Complaint was supported by five NGOs acting as Advisors to the complaining communities.

In their Complaint, the Complainants alleged that they have suffered substantial harms from the operations of BMMC in the area. Amongst others, the Complaint raised concerns about environmental impacts such as river diversion, water pollution, and blasting activities, as well as impacts on the economic and livelihood situation of the community members.

On 2 July 2021, the ICM communicated its decision to declare the Complaint admissible to all relevant stakeholders. After a careful preliminary review of the case, the Panel published its Preliminary Review Report on 2 February 2023, noting the willingness of both the Company and of the communities to participate in a Dispute Resolution Process.

The Dispute Resolution Process was conducted in accordance with paragraphs 3.2.6 – 3.2.7 of the ICM Policy.¹ The Process included information sharing, fact-finding, dialogue and mediation. The ICM provided a neutral platform for a facilitated dialogue between the Company, and the complainant communities of Jenneh Brown and Jawajeh Marvoh. The three other communities on whose behalf complaints were also filed decided to withdraw from the process at earlier stages of the process, as explained in further detail below.

The Dispute Resolution Process commenced with preliminary discussions on establishing the framework for the mediation, securing participation of Government representatives, and reaching consensus on the Ground Rules. Subsequently, the DRP encompassed several roundtable dialogues held in January, April, and July of 2024. During these sessions, the parties agreed to engage independent technical experts to conduct testing and analysis related to alleged impacts on water quality, soil, and crops, as well as blasting impact. After the final results of the technical expert's studies were made available to the parties, an additional roundtable dialogue was convened in August 2025 to share the results with the parties and facilitate final discussions.

The DRP dialogues were attended by representatives of BMMC Management and Community representatives, as well as by Government representatives and NGO Advisors who acted as observers. All the issues raised by the communities were discussed during the DRP dialogues, resulting in separate agreements for each community on the various issues.

This Report is published pursuant to paragraphs 3.2.8 - 3.2.10 of the ICM Policy and it reports on the completion of the Dispute Resolution Process. It provides an overview of the process and a summary of the key agreements reached by the parties.

¹ See for the ICM Policy: [Independent Complaints Mechanism](#) (DEG) and [Independent Complaints Mechanism Proparco | AFD - Proparco](#) (Proparco).

In addition, this Report provides an overview of the Panel’s monitoring role pursuant to paragraph 3.2.11 of the ICM Policy, in terms of monitoring implementation of agreements. Finally, it outlines the Panel’s observations on the implementation status of the agreements so far, and reflections on lessons learned from the DRP overall.

2. Overview of the Dispute Resolution Process

On 25 February 2021, the Complaints Offices of DEG, FMO, and Proparco (the DFIs) received a complaint containing allegations of harm caused by the New Liberty Gold Mine, an open pit mine located in Western Liberia (Complaint) and operated by Bea Mining Mountain Corporation (BMMC or Company), a subsidiary of Avesoro Resources Inc. FirstRand Bank, a client of the DFIs, provided loans to the New Liberty project in Liberia.

The Complaint was filed by five communities living in the vicinity of the mine, namely Kinjor and Larjor, Gold Camp, Jawajeh Marvoh, Jenneh Brown, and Jikandoh. The communities were supported by five NGOs acting as Advisors. The Complaint was accompanied by an annex prepared by the Advisors, setting out the alleged harms, the financial links between the project and the DFIs through FirstRand Bank, allegations of non-compliances and the Complainants’ sought outcome.

On 2 July 2021, the Panel’s Admissibility decision was communicated to the parties and subsequently published on the ICM website.² The Panel found the Complaint admissible for DEG and Proparco, and inadmissible for FMO. Due to risks of reprisals, the ICM kept the names of the Complainants and of the Company confidential at that stage of the ICM process as per the ICM non-retaliation statement.³ In line with the ICM Policy’s guiding principles that mandate the ICM to be transparent in its operations and outputs,⁴ more details on the admissibility determination were later disclosed in the Panel’s Preliminary Review report, after the Panel was assured that retaliation risks had subsided and identifying information on the Complaint were already published by the Complainants and their NGO Advisors.

Upon issuing the Notice of Admissibility, the Panel commenced its preliminary assessment of the case. However, due to COVID-19 restrictions the Panel was only able to meet in person with relevant stakeholders in Liberia in August 2022. During the site visit, the Panel met with BMMC representatives, community representatives of the five communities, and representatives of the NGO Advisors. The Panel also held multiple virtual meetings with different stakeholders, including DEG, Proparco, and FirstRand Bank. In addition, the Panel conducted a desk review of the project documentation received from the DEG and Proparco operations teams. Following extensive consultations, the Complainants and the Company expressed their willingness to participate in a Dispute Resolution Process. DEG and Proparco communicated their commitment to support the process. On 2 February 2023, the ICM published its Preliminary Review Report.⁵

² ICM Notice of Admissibility, 2 July 2021, accessible online via [20210702-Notice-of-admissibility.pdf](#).

³ Non-retaliation statement of the ICM, February 2021, accessible online via [ICM-Non-Retaliation-Statement.pdf](#).

⁴ ICM Policy, para. 2.2.1.

⁵ ICM Preliminary Review Report, 2 February 2023, accessible online via [Feb2023-FirstRand-Preliminary-Review-Report.pdf](#).

Once the parties confirmed their willingness to engage in a Dispute Resolution Process, the Panel commenced preparations for such Process. It selected a suitable Expert Mediator and obtained both parties' confirmation of the Mediator. In December 2022, the Mediator engaged the parties in framework discussions as an initial step in setting up the mediation process. During the December 2022 discussions, it was decided that the Gold Camp community will not be part of the ICM mediation. However, BMMC assured the Gold Camp community that it will engage with them on the concerns they raised with the ICM. The BMMC Liberia Country Manager committed to holding discussions with the Gold Camp community directly.

Unfortunately, due to the unexpected passing of the Mediator in February 2023, a new Mediator had to be sought, which resulted in a delay to the process. A new Expert Mediator was appointed in May 2023.

From 31 May to 4 June 2023, the Panel together with the new Mediator, conducted a visit in Monrovia, with the main purpose to engage the Government of Liberia. Both parties requested the involvement of the Government in the ICM process as key stakeholders in the process, to ensure legitimacy and acceptance of the process. The ICM team informed the relevant Government offices about the ICM process, seeking the Government's perspective and support on the process, and formally inviting the Government representatives to participate in the DRP as observers. Observers to the ICM process were appointed from both central and local authorities. Seven representatives of the national government of Liberia participated in the DRP roundtables, representing the Ministry of Internal Affairs, the Ministry of Mines and Energy, the Ministry of Justice, the Ministry of Labor, the Environmental Protection Agency, the Ministry of Agriculture, and the National Bureau of Concession. Local Government was represented during the DRP roundtables by the District Commissioner, County Superintendent, the women leader, the youth leader, and elder chief.

In July 2023, a two-days joint dialogue session was held to agree on Ground Rules for the Dispute Resolution process. In this context, the parties agreed on the scope of the mediation, the role of observers, representation of the parties, confidentiality, and the approach to the media. The Representatives of Kinjor community did not participate in the Ground Rules discussion, as they had opted to withdraw from the ICM process shortly before the start of the planned July 2023 joint session. The Expert Mediator at the time confirmed the withdrawal of Kinjor with the NGO Advisors as well as directly with the community representatives.

On 23-26 January 2024, the first joint session on the issues of the Complaint was held in Monrovia, focusing primarily on health and safety issues. During the preparation for the joint session, it became known that the Jikandoh community had filed a lawsuit against BMMC for issues similar to the issues raised in its Complaint. Jikandoh's representatives indicated that they would like to go back to their community to convene a community meeting to decide whether they prefer to continue with the court case or with the ICM mediation process. Jikandoh's representatives later confirmed that their community prefers to go ahead with the court case and thus decided to cease its participation in the ICM mediation process. The community representatives of Jawajeh Marvoh and Jenneh Brown participated in the January 2024 roundtable dialogues as well as the Management of BMMC, the NGO Advisors and Government observers. The discussions resulted in signed agreements related to water pollution and access to clean water, health issues, and company-community communications. Among other things, the parties agreed to engage the

services of independent technical experts to test and analyze water quality in the community of Jawajeh Marvoh in order to assess potential alleged impacts of BMMC's operations on the community, as well as to conduct a joint field assessment to clarify the allegations regarding blockage in fish movement.

On 16-20 April 2024, a second dialogue session was facilitated by the ICM in Monrovia, focusing primarily on blasting activities and economic and livelihood issues. The ICM's visit was also used to monitor the implementation of the agreements that were reached earlier in January 2024. It was observed that implementation of the agreements reached so far was ongoing and new agreements between BMMC and the communities of Jawajeh Marvoh and Jenneh Brown were reached on blasting and economic and livelihood issues. In addition, during the April 2024 session, the parties agreed to extend the services the independent technical experts so that the experts would: (i) test water and soil in the community of Jawajeh Marvoh, (ii) analyze available data and opine on allegations that blasting impacts caused damage to structures and homes within the community of Jawajeh Marvoh, and (iii) assess whether there is a blockage of the river water flow affecting fish migration into Jawajeh Marvoh. Furthermore, the parties agreed to conduct a joint visit with representatives of the Environmental Protection Agency, Ministry of Agriculture and the Ministry of Mines to observe allegedly affected farms of the Jenneh Brown community members.

In June 2024, the joint visit to the Jenneh Brown farms took place. The Ministry of Agriculture and Ministry of Mines provided written reports and delivered presentations on their observations to the DRP participants in the subsequent DRP session of July 2024. Additionally, in June 2024, in line with DRP agreements, BMMC successfully hosted a delegation of community representatives, community leaders, NGO Advisors and government representatives for an informative presentation on underground mining operations and a visit to one of the underground mining sites.

On 7-13 July 2024, the ICM convened the third dialogue session. The main purpose of the joint sessions was to monitor the implementation of the agreements reached so far and address the outstanding issues relating to uncompleted projects, and improving the company-community relations. At this session, the parties signed additional agreements on the issues of uncompleted projects and company-community relations. Moreover, the parties agreed to add to the assignment of the technical experts an assessment of soil and crops in Jenneh Brown.

Following the July 2024 session, the ICM engaged the parties to reach a mutually agreed Terms of Reference (TORs) for the independent experts' assignments. Final versions of the TORs were confirmed by both parties by 6 September 2024. The ICM conducted a search to identify suitable technical experts and sought the parties' confirmation that there are no concerns or any conflict of interest with respect to the selected experts. The confirmation of both parties to the appointment of the experts was obtained by 25 January 2025.

On 12-26 February 2025, field work was undertaken by the experts and the ICM, and involved meetings and documents gathering from BMMC, interviews with community members, measuring relevant data on the field, and collection of samples for analysis. The field activities and particularly the collection of samples were conducted in the presence of BMMC representatives, the NGO Advisors, and community members. Both BMMC and the NGO Advisors

had an opportunity to provide comments on the draft reports, discuss the draft reports with the experts and seek clarifications from the experts. The final technical experts' reports were shared with the parties on 1 August 2025.

On 14-16 August 2025, the technical experts and the ICM Mediator held community meetings in the two communities of Jawajeh Marvoh and Jenneh Brown and with BMMC at their offices. The objective of these meetings was to present and explain the final technical experts' reports, and to ensure all stakeholders fully understand the technical aspects of the reports and have an opportunity to ask the experts any questions they may have on the findings.

On 18-20 August 2025, the ICM convened a fourth dialogue session in Monrovia with the representatives of the two communities, BMMC, the NGO Advisors, and Government observers. The main focus of the session was for the parties to consider the technical experts' reports, and discuss any aspects of the reports that may require further action. The parties signed additional agreements as a result of the discussions concerning the water quality in the water tower, fish migration through the river diversion channel and a proposal by the Ministry of Agriculture for an agricultural training project. In addition, the parties discussed the status of implementation of the existing agreements. It was observed that the implementation of the agreements reached so far was largely completed. A few items are still pending and will be subject to monitoring.

At the close of the August 2025 session, the ICM had formally communicated to the parties that the Dispute Resolution phase of the case has ended, and that from here onwards the ICM will focus on monitoring the implementation of the agreements.

3. Overview of the Issues raised

The ICM Complaint raised a broad range of allegations of harm related to the New Liberty Gold Mine. During the preparation for the Dispute Resolution Process, the communities had the opportunity to clarify and finalize the exact list of issues they wished to table for discussion in the framework of the ICM dispute resolution process. BMMC also had an opportunity to add issues for discussion. The final list of issues formed the basis for the parties to agree on the scope of the dialogues to be held. The issues were defined as follows:

- 1. Health and water safety issues:** the communities expressed concerns about potential water, soil and crop contamination due to BMMC's operations may be affecting their water sources and their ability to grow their crops. The community requested the Company's support to ensure accessibility to drinking water, as some of the hand pumps used in the community were not working. In addition, the community of Jenneh Brown stated that due to frequent flooding, the access to the health care clinic is blocked.
- 2. Blasting issues:** the communities expressed concerns that blasting carried out by BMMC in the course of its operations had impacted their homes and other structures, as well as fear related to lack of information on the Company's transition to underground mining.
- 3. Economic and livelihood issues:** the communities expressed livelihood concerns, arguing that the Company has not assessed livelihood impacts in their communities,

which they believed included impacts on artisanal mining, hunting, fishing and agriculture. They further stated that the river diversion reduced the fish level in the river. Additionally, the communities requested the Company to provide employment opportunities, educational and social benefits programs, taking into account the most vulnerable within the communities including women and disabled people.

4. **Uncompleted projects:** the communities listed several projects that were supposed to have been implemented in Jenneh Brown and Jawajeh Marvoh under the land lease agreement between BMMC and the landowners, and were either not completed or not implemented. The communities requested that the company ensure these projects are completed, which include the construction of a mosque, city hall, toilet blocks and hand pumps, as well as a road connecting Jawajeh-Gangamma-junction to Jenneh Brown.
5. **Company-Community Relations:** both parties expressed interest in discussing ways to improve the relations between the Company and the communities, to ensure continued communication between the parties that will allow the parties to address any issues that may come out in the future.

4. Overview of the Dispute Resolution Outcomes

The DRP sessions were led by Expert Mediator Prof. Obafemi Ajibola and ICM Panel Member Inbal Djalovski. All issues of the complaints were raised within the DRP sessions. The DRP sessions led to resolutions on most of the issues that were raised by the communities. A summary of the *key* items of the agreements is provided below:

1. **Water safety:** The parties agreed that BMMC will construct a water tower in Jawejeh Marvoh to assure the community of adequate access to safe and sustainable drinking water.
2. **Access to health clinic:** In relation to the access to the health care clinic in Jenneh Brown, the parties agreed that BMMC will repair the road so that it would not be affected by flooding during the rainy season.
3. **Blasting:** Based on the parties' agreement, BMMC assured both communities that no underground activities are taking place underneath their villages or anywhere outside the closed BMMC premises. Recognizing the fear of the communities, the Company agreed to conduct awareness raising and information sharing activities about underground mining, including a tour into the underground mining site and a townhall meeting in each Community to share information about its mining operations.
4. **Appointment of an independent technical expert:** The parties agreed that an independent technical expert should be engaged by the ICM to conduct scientific assessments to determine whether the communities are affected by BMMC's operations. It was agreed that the TORs for the expert's assignment will be drafted jointly by the parties, and the Company committed to addressing any issues that may be established by the independent expert. The expert's assignment included assessing alleged impacts on

soil, water and fish migration in Jawajeh Marvoh, as well as alleged impacts on soil and crops in Jenneh Brown. In addition, the parties agreed that the expert will assess potential impacts of blasting on the houses and buildings in Jawajeh Marvoh.

During the August 2025 joint sessions, the technical expert presented the results of his assessments. The results showed that BMMC's mining operations had no measurable impact on the communities in terms of water, soil or crop pollution. On the basis of the expert's recommendations, new agreements were reached with action items aimed to: (i) improve the quality of the water in the water tower that was constructed by BMMC, which may be affected by other occurrences but not by BMMC mining activities, (ii) further inspect the migration of fish in the river diversion channel during both the rainy and dry seasons, and (iii) for the Jenneh Brown community, develop an agricultural project to be proposed and implemented by the Ministry of Agriculture, for consideration by BMMC for financial support.

5. **Economic and livelihood issues:** Based on the parties' agreement, BMMC committed to improving the scholarship scheme in line with BMMC's obligations under the Mineral Development Agreement (MDA), to benefit the community members with consideration for gender equality. BMMC committed to prioritize community members in recruitment of unskilled labour, with consideration for gender equality. The parties also agreed for the Company to provide direct support to the most vulnerable people in the communities, such as disabled people in the community. In addition, BMMC confirmed that both communities were covered in BMMC's Environmental and Social Impact Assessment (ESIA) and committed to sharing excerpts of this assessment if it contains relevant parts related to Jawajeh Marvoh and Jenneh Brown.
6. **Uncompleted projects:** The Company clarified that the community development projects fall under its land lease agreement. BMMC indicated that it will fulfil its obligations under the land lease agreement and will make best efforts to monitor the use of funds for the implementation of the projects. The Government observers have likewise stated that they will make best efforts to monitor the use of funds.
7. **Company-Community relations:** The Company and the two communities agreed to convene regular monthly meetings. It was agreed that a written record of each meeting is prepared by BMMC and shared with the Communities after the meeting.



Group photo after the fourth DRP session, August 2025.



Fourth DRP session, August 2025.



Signing of the DRP Agreements with Jawajeh Marvoh and Jenneh Brown representatives, August 2025.

5. The ICM Panel's Monitoring Role

In line with the ICM Policy, the Panel monitors the implementation of agreements reached as a result of its dispute resolution processes. The Panel considers the monitoring phase as an integral part of its complaints handling mandate. Robust and continuous monitoring is a vital component of the successful implementation of DRP agreements. Additionally, effective monitoring is critical in establishing parties' trust in the ICM process.

To fulfil its monitoring responsibilities, the Panel adopts a proactive approach. Depending on the case, the Panel may *inter alia* conduct joint or bilateral meetings with parties and other stakeholders, request written feedback, conduct site visits, and conduct document reviews. If necessary and depending on the willingness of the parties, the Panel may reconvene the DRP forum, e.g. to address any gaps in the implementation of agreements or any differences of views between the parties in respect of the correct interpretation of agreements.

In coordination with the parties, the Panel may undertake monitoring activities as soon as first agreements are reached, even while the Dispute Resolution Process may still be ongoing and additional agreements may be signed. The Panel found that this practice contributes to the credibility and trust in the process and facilitates better and long-lasting outcomes.

6. Observations on the Implementation of the Agreements

The ICM notes that positive and significant progress has been made in the implementation of agreed actions during the DRP phase. The ICM observed that most of the agreed actions were completed at the time of drafting this Report. A few items remain for further monitoring.

1. **Water safety and access to water:** The construction of the solar powered water tower in Jawajeh Marvoh was completed in October 2024. The water from the water tower is not yet used as drinking water due to issues identified by the technical experts. These issues are addressed through the new agreement from August 2025, implementation of which will be monitored by the ICM.
2. **Access to health clinic:** Both parties confirmed that the access road to the health clinic was repaired to the satisfaction of the community members.
3. **Blasting:** The Company organised a very successful site visit to the underground mining sites for members of the communities to see and understand the underground operations. The Company also organised townhall meetings to educate the community members about its mining operations to dispel any misperceptions and fears about how underground mining is conducted. During the July 2024 dialogues, community members expressed their appreciation for these activities and confirmed their usefulness to the communities.

4. **Independent technical expert assignment:** The independent technical expert was selected in coordination of the parties to ensure there are no concerns regarding conflict of interest or independence of the expert. In February 2025, the expert conducted field work to gather documents and information from both parties, interview community members, collect samples, and inspect the relevant areas. The collection of samples was done in the presence of the parties. Both BMMC and the NGO Advisors provided comments on the draft reports, discussed the draft reports with the experts and sought clarifications from the experts. The final technical experts' reports were shared with the parties on 1 August 2025, and presented through townhall meetings in the villages and at the DRP joint sessions on 14-20 August 2025. The technical expert explained the findings and recommendations and ensured that all stakeholders fully understand all aspects of the reports.

The expert reports found no measurable impact of BMMC's operations to the water and soil in Jawajeh Marvoh and to the soil and crops in Jenneh Brown. In terms of blasting impacts, the report found that vibration levels were below the threshold at which damage to adobe structures, like those found in Jawajeh Marvoh, would occur. In relation to the fish migration, the experts noted that a local survey and documentation was not possible due to inaccessibility of the site during the field mission. The expert report identified issues that required attention in relation to the quality of the water in the water tower that was constructed by BMMC and recommended further data collection with respect to identifying any barriers to fish migration through the water diversion channel. The findings of the expert were met with acceptance and appreciation by both BMMC and the two communities. The communities were pleased and relieved with the results, which end years of speculation and concerns within the communities. The expert's recommendations were used to serve the discussion in the joint session of August 2025. On this basis, the parties reached additional agreements as noted above, which will be subject to ICM monitoring.

5. **Economic and livelihood issues:** Both parties confirmed that delivery of social support to vulnerable members in the community properly implemented by BMMC. Communities also confirmed that priority is given to members of their community in recruitment for employment opportunities in the BMMC, and expressed their gratitude to the Company for that. With respect to sharing excerpts of the ESIA, BMMC stated that the ESIA does not contain any specific information, obligations or activities related to Jawajeh Marvoh and Jenneh Brown and thus BMMC stated that there was nothing to share.
6. **Uncompleted projects:** The communities confirmed that great progress has been achieved on the community development projects. The community of Jawajeh Marvoh confirmed that the construction of the guest house has been completed, and that the mosque is almost completed and is progressing to their satisfaction. Additional projects are near completion, such as the construction of the road connecting Jawajeh-Gangamma-junction to Jenneh Brown. Other projects are still underway or pending, namely, the toilet blocks and hand pumps.

7. **Company-Community relations:** Both communities and the Company confirmed that the monthly meetings in the communities are being held pursuant to a regular and agreed schedule, and that they are beneficial to all involved. Both parties generally expressed satisfaction with these meetings as a preferred channel of communication and a productive avenue to resolve issues as they are coming up. In the DRP session in August 2025, the parties discussed suggestions to further improve community engagement, timely results and flow of information from the Company to the communities. Overall, both parties stated that these meetings contributed to a positive and improved relationship between the Company and the communities.

The ICM will continue to monitor the implementation of a number of pending items as well as the new agreements reached during the August 2025 session concerning the proposal for an agricultural project, the inspection of the fish migration through the river diversion channel, and the water quality in the water tower.

7. Reflections and lessons learned

The Panel considers that the Dispute Resolution Process in this case provides valuable lessons for the ICM and for the parties. Several factors were particularly important for the constructive and ultimately successful outcomes achieved:

1. **Information sharing and transparency increases trust:**

Access to reliable information was critical to building confidence among the parties. The agreements to involve independent technical experts and to present findings directly to the communities through townhall meetings helped to address long-standing concerns, reduce uncertainty, and counter speculation. Similarly, BMMC's willingness to open its site to visits from the communities to show the underground operations built greater understanding of its activities within the community and increased trust. Transparent communication by both BMMC and the communities contributed to greater mutual understanding and acceptance of outcomes.

2. **Continuous and constructive engagement contributes to lasting results:**

The establishment of regular monthly meetings between the Company and the communities has proven to be one of the most significant achievements of the DRP. These meetings provided a practical and sustainable channel for dialogue, enabling the parties to jointly address emerging issues before they escalate. They also reinforced the sense of shared responsibility and continue to create a culture of collaboration that is expected to outlast the formal DRP.

3. **Independent technical expert findings delivered certainty and alleviated tensions:**

The use of independent technical expertise proved indispensable in resolving disputes that had been the subject of disagreement for years. The impartial assessments helped to replace speculation with evidence-based clarity, which in turn enabled the parties to focus on practical solutions. Importantly, the process of jointly defining the Terms of Reference and observing the expert's fieldwork fostered ownership of the findings by all parties.

4. Role of Government and NGO Advisors as observers strengthens legitimacy:

The participation of Government representatives and NGO Advisors as observers throughout the DRP added legitimacy to the process and reinforced accountability. Their presence reassured the communities that their concerns were being heard at multiple levels, and assisted in clarifying roles and responsibilities.

5. Early monitoring reinforces outcomes:

The Panel's practice of monitoring agreements as soon as they were reached, even before the DRP concluded, contributed to stronger implementation and increased trust in the process. This approach demonstrated that commitments were taken seriously and allowed the parties to see tangible results during the dialogue, which further motivated constructive engagement.

8. Conclusion

This Report is published pursuant to paragraphs 3.2.8 - 3.2.10 of the ICM Policy and it reports on the successful completion of the Dispute Resolution Process with agreements related to most of the issues raised.

The dispute resolution process included initially a preparation phase that led to framework and ground rules agreements. The ICM then convened four roundtable discussions to address the issues of the complaints between January 2024 and August 2025. Within this period, a technical assessment was conducted by an independent expert to inform the parties to the DRP.

The ICM took a proactive monitoring approach and monitored the implementation of any agreements reached, in parallel with the continuation of dialogues. This proved to strengthen confidence in the process and contributed to an improved relationship between the parties.

The ICM concludes the DRP phase of the ICM process. In the next phase, the ICM will focus on monitoring implementation of the outstanding action items from the agreements signed between the parties.

The ICM would like to express its appreciation and gratitude to the parties – both BMMC and the communities – for their continued collaboration, genuine efforts to reach mutually beneficial agreements, open communications and constructive approach to the dispute resolution process. The ICM also thanks the observers – both Government representatives and NGO Advisors – for their commitment and valuable contributions to making this process successful.

In Memoriam

The ICM honours the memory of Dr. Mariama Conteh, the former Expert Mediator, who was part of this dispute resolution process. The ICM extends its deepest condolences to her family, friends and colleagues.

