



**Advocates for
Community
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Villagers Affected by Mining Can Launch Suit Against Octéa Group Companies Together: Sierra Leone High Court

KOIDU, SIERRA LEONE, MARCH 13, 2019 – Villagers suing Koidu Ltd., an international diamond mining company, have won the first round in their legal battle for justice. The High Court of Sierra Leone decided today that Koidu and the other companies in the Octéa Group may not hide behind a complex corporate structure to evade responsibility for violence and killings, environmental damage, and destruction to homes and livelihoods.

“Before we could even begin our lawsuit, we had to jump a major hurdle,” said Daniel Fofanah, Legal Officer for the Network Movement for Justice and Development (NMJD), a Sierra Leone non-profit that has worked with the Koidu communities for years. “Most of the defendants had no listed address in Sierra Leone, even though we know they operate here.” Since the first step in a civil suit is informing the other side that they are being sued, Koidu Ltd.’s parent and other related companies were hiding behind their foreign registration and their relationship with Koidu Ltd. to avoid having to answer for their actions.

Today’s decision by Justice Ansumana Ivan Sesay of the High Court in Kenema rules out this strategy. “We told the Court that the Octéa companies were trying to avoid being served with lawsuits, and the Court agreed,” said Benedict Jalloh, Principal of C and J Partners and attorney for the plaintiffs. “Now we can serve papers on all the defendants at the address of Koidu Ltd., and they won’t be able to argue that they’re all separate entities.” Among other evidence, lawyers for the plaintiffs showed the judge documents from the famous Panama Papers, in which an Octéa parent company’s bankers discussed sending important documents to them at the “operational” address the company shares with Koidu Ltd. in Sierra Leone’s capital of Freetown.

“We don’t have time for Octéa’s shell games,” said Abu Brima, Executive Director of NMJD. “The people of Gbense and Tankoro Chiefdoms have been waiting for relocation and compensation for over a decade now. They’ve seen their lands and waters poisoned and destroyed, and they’ve been shot and even murdered for standing up against the mining company.” Koidu Ltd.’s operations have

been linked to large scale pollution, devastation of livelihoods, and the repression of peaceful protests around its mine in Koidu, Kono District.

The next step will be to serve Koidu Ltd., Octéa Ltd., and other Octéa Group companies and their leaders with the allegations against them. “That’s why today’s ruling is so important,” said Jonathan Kaufman, Executive Director of Advocates for Community Alternatives, a regional organization that supports the lawsuit. “Octéa companies have a history of using their corporate structure to avoid financial and legal obligations in Sierra Leone. After today, the plaintiffs can require them all to answer for their misdeeds together.”

Established on the 8th of February 1988, the Network Movement for Justice and Development (NMJD) is a national civil society human-rights oriented, advocacy and development organization. NMJD’s vision, mission, core values, distinctiveness and work is founded and driven by a simple practical dream - to see a Sierra Leone where the fundamental rights of citizens are protected and promoted, and justice is delivered to the poor who are sufficiently empowered to challenge the systems of inequality and exploitation that keep them in abject poverty.

Advocates for Community Alternatives (ACA) supports West African communities that are threatened or affected by the destructive impacts of extractive development. ACA helps communities to take control of their future and pursue their own vision of sustainable development. ACA is the coordinator of network of PILIWA, a network of lawyers and other advocates in West Africa that provides legal assistance to communities in need.

C and J Partners is a law firm that embodies the best qualities of legal minds: tenacious, adaptable, ready for hard work, and committed to our clients’ best interest. Practicing those home-grown values has made our firm into one of the best in Makeni and Sierra Leone. In every matter, C and J’s primary objective is the development of legal strategies that win. This approach has proven successful beyond our greatest ambitions. It has earned C and J Partners a reputation as a firm of talented trial and appellate lawyers prepared to battle for its clients in both civil and criminal matters, regardless of the district, region, or administrative forum. C and J has previously represented communities in ground-breaking litigation against a mining company in Sierra Leone.