

developing countries.⁹ About 92% of these premature deaths occur in low and middle-income countries, particularly in countries with limited environmental policy regulations and enforcement capacity— conditions that extractive industries such as mining have demonstrably exploited regularly.¹⁰

Sierra Leone has grappled with addressing the environmental disaster caused by the mining industry, with many citizens viewing mineral mining as more harmful than advantageous. Continued mining operations have led to the pollution of the Pampana River, which is relied upon by approximately 120,000 people for essential daily activities, including drinking water and other necessities.¹¹

Environmental crime has largely been overlooked or given insufficient attention in Sierra Leone.¹² Between the year 2013-2018, there were no reported seizures of illegally trafficked wildlife by Sierra Leone, however, contraband originating in or passing through Sierra Leone continues to be intercepted by law enforcement officials in other countries. This indicates a significant gap in the capacity of Sierra Leone's wildlife authorities to deter, detect, and prosecute wildlife crime.¹³ In the year 2014, dead seahorses were discovered in the luggage of a passenger who had arrived from Sierra Leone at an airport in France while in transit to China. Also, in March 2016, a specially trained canine unit from the African Wildlife Foundation successfully detected a shipment of 500 kg of pangolin scales being transported from Sierra Leone to Thailand.¹⁴

Furthermore, over the past few decades, Sierra Leone has witnessed a significant rise in the exploitation of its natural resources, leading to the destruction of communities, loss of biodiversity, land degradation, and reduced agricultural potential, thus posing threats to food security and causing animal extinctions.¹⁵ Artisanal mining, in particular, has significantly compromised the integrity of major rivers in the country, rendering them polluted and unfit for human use. The

continuous pollution and contamination of rivers further harm local fish stocks, impacting food availability and nutrition.¹⁶ The mining activities conducted without proper land reclamation or rehabilitation planning have severely impacted the environment, health, and livelihoods of local communities.¹⁷ By conducting library research and analysing relevant acts, legislation, and statutes, this paper highlights the need for enhanced environmental legislation. Moving forward, this paper delves into the laws governing environmental crimes.

2. Overview of the Sierra Leone Environment

Sierra Leone is endowed with a significant number of mineral resources such as bauxite, gold, diamonds, and rutile forest, among others. Despite the significance of these resources, a large school of thought believes that the exploitation of these resources has been unsustainable and is causing irreparable damage to the ecosystem and human health.¹⁸ For instance, the exploitation of diamonds in Sierra Leone dates back to the 1930s, and since then, it has played a major role in the political and economic spheres of the nation, but not without adverse environmental effects.¹⁹ Studies have proven that a clear relationship exists between human insecurity and environmental degradation in Sierra Leone.²⁰ Understanding the environmental, social, and economic consequences of environmental abuse in Sierra Leone is critical to combat future environmental dilapidation.²¹

In a similar vein, environmental sustainability is crucial during mining (large- and small-scale), and it has been the greatest culprit of environmental degradation in Sierra Leone since 1930, followed by shifting agriculture. The Food and Agriculture Organization (FAO) warns that in as much as the government increases its emphasis on economic

⁹ RA Marcantonio, SP Field, PB Sesay and GA Lamberti, 'Identifying Human Health Risks from Precious Metal Mining in Sierra Leone' (2021) 21 *Regional Environmental Change* 1–12

¹⁰ UNDP and UNEP, *Managing Mining for Sustainable Development* (UN Development Programme and UN Environmental Programme 2018)

<https://www.undp.org/content/undp/en/home/librarypage/poverty-reduction/Managing-Mining-for-SD.html> accessed [NA]

¹¹ RA Marcantonio, SP Field, PB Sesay and GA Lamberti, 'Identifying Human Health Risks from Precious Metal Mining in Sierra Leone' (2021) 21 *Regional Environmental Change* 1–12

¹² T Wyatt, 'Mapping the Links between Conflict and Illegal Logging' in *Environmental Crime and Social Conflict* (Routledge 2016) 57–72

¹³ C Haenlein and ML Rowan Smith (eds), *Poaching, Wildlife Trafficking and Security in Africa: Myths and Realities* (Taylor & Francis 2017)

¹⁴ *Understanding Threats to West African Biodiversity and Linkages to Wildlife Trafficking: Sierra Leone Field Assessment Report* (September 2018) [no publisher or URL provided]

¹⁵ N Engwicht and C Ankenbrand, 'Natural Resource Sector Reform and Human Security in Post-Conflict Societies: Insights from Diamond Mining in Sierra Leone' (2021) 8(4) *The Extractive Industries and Society* 100988.

¹⁶ R Maconachie, 'Dispossession, Exploitation or Employment? Youth Livelihoods and Extractive Industry Investment in Sierra Leone' (2014) 62 *Futures* 75–82

¹⁷ 'Sierra Leone: Environment – Impacts of Illegal Mining Activities: Threat to Water Security, Human Health, and Potential National Public Health Emergency' (AllAfrica, 9 August 2022) <https://allafrica.com/stories/202208090226.html> accessed

¹⁸ LK Zulu and S Wilson, 'Whose Minerals, Whose Development? Rhetoric and Reality in Post-Conflict Sierra Leone' (2012) 43(5) *Development and Change* 1103–1131

¹⁹ SA Wilson, 'Diamond Exploitation in Sierra Leone 1930 to 2010: A Resource Curse?' (2013) 78(6) *GeoJournal* 997–1012

²⁰ K Lubovich and E Suthers, *Improving Environmental Security in Sierra Leone: The Importance of Land Reclamation* (Foundation for Environmental Security and Sustainability 2007)

²¹ FAO, Sierra Leone, (Bioenergy and Food Security Projects) BEFS Country Brief (2013) <http://www.fao.org/3/a-aq167e.pdf> accessed .

growth, it will require sound environmental policies, together with sustainable management, to prevent uncontrolled

environmental damage, mostly caused by mining and agriculture.²² There is virtually no doubt that

natural resources such as bauxite, diamond, gold, and iron ore, among other deposits, can greatly

contribute to the economic growth and development in regions where they are found.²³

The unwise and unsustainable exploitation of the natural environment in Sierra Leone is a course of concern. So far, several essential elements of the environment have been affected and directly affecting public health. Poor water quality is a major threat to public health and aquatic life in Sierra Leone. The main source of this problem appears to be poorly managed and unregulated waste disposal, as well as uncontrolled mining operations. Most disease outbreaks are either water-related or waterborne.²⁴ Additionally, typhoid fever is very common among citizens. Sewage ends up in those water sources through surface runoff and base flow, introducing pathogens that cause the disease.²⁵

Furthermore, there have been recurring instances of waterborne disease outbreaks stemming from inadequate sanitation in Sierra Leone. The Ministry of Health and Sanitation (MoHS) and the World Health Organization (WHO) have documented cholera outbreaks since 1970, when 293 cases were reported.²⁶ These occurrences are particularly common during the rainy season, with the most severe outbreak taking place in 2012. During this period, a staggering 22,885 cases, resulting in 298 fatalities, were recorded. In response, President Koroma declared a state of public health emergency, and international partners collaborated with the Government of Sierra Leone (GoSL) to address the outbreak effectively.²⁷ These disease outbreaks are a result of unsatisfactory sanitation conditions and behaviours leading to contamination of water sources. According to a WHO report from 2013, in 2010, only 55% of Sierra Leone's population had access to improved water sources, while a mere 13% had access to adequate sanitation facilities. The same report highlights that outbreaks related to poor sanitation tend to surge during the rainy season, coinciding with elevated surface runoff.²⁸

Numerous other environmental devastations have occurred, yet many of these incidents have gone unreported or properly regulated, highlighting the prevalence of unnoticed and unregulated environmental crimes in Sierra Leone. Despite being home to a rich variety of wildlife, including 1,500 plant species, 170 mammal species, and 274 bird types, the country faces significant challenges. It boasts abundant fish stocks and valuable timber resources, integral to both formal and informal trade routes connecting West Africa and global markets. However, Sierra Leone struggles with controlling trade due to approximately 50 unauthorized border crossings.²⁹

Between 2000 and 2016, the most trafficked species were African Grey Parrots (21%) and chimpanzees (15%).³⁰ Sierra Leone was also implicated in seizures of illegal marine wildlife, like shipments of dried sea horses intercepted in Belgium in 2017, intended for Asian markets. Customs, the Environmental Crime Unit, and the Forestry Division lack adequate staff to combat wildlife crime effectively. Insufficient resources hinder Customs' ability to staff all border crossings, some of which are only monitored by untrained national police and army personnel. Additionally, there is a lack of wildlife-specific detection equipment, and existing resources like scanners and canine units at major ports are not utilized for wildlife crime detection.³¹ Crucially, wildlife crime does not receive equal priority across Sierra Leone's enforcement agencies, leading to a lack of interagency coordination at the national level. This absence of a cohesive approach underscores the challenges in addressing wildlife crime comprehensively in Sierra Leone.

Furthermore, illegal logging is considered a lucrative business for many private sectors and unlicensed individuals in Sierra Leone. Deforestation represents an environmental issue that is recognized by a variety of different governmental actors, but any solutions to any agreed issue are ultimately realized through a myriad of power struggles, operating in the context of bureaucratic corruption and political opportunism.³² An undercover report carried out by Al Jazeera English also unravels connivance by key government

²² FAO, Sierra Leone, (Bioenergy and Food Security Projects) BEFS Country Brief (2013) <http://www.fao.org/3/a-aq167e.pdf> accessed .

²³ AK Mensah and others, 'Environmental Impacts of Mining: A Study of Mining Communities in Ghana' (2015) 3(3) *Applied Ecology and Environmental Sciences* 81–94

²⁴ AS Mansaray, J Aamodt and BM Koroma, 'Water Pollution Laws in Sierra Leone—A Review with Examples from the UK and USA' (2018) 9(11) *Natural Resources* 361–388

²⁵ World Health Organization, WHO Report on the Global Tobacco Epidemic 2015: Raising Taxes on Tobacco (WHO 2015)

²⁶ R Kahn and others, 'Incubation Periods Impact the Spatial Predictability of Cholera and Ebola Outbreaks in Sierra Leone' (2020) 117(9) *Proceedings of the National Academy of Sciences* 5067–5073

²⁷ M Gelormini and others, 'Coverage Survey and Lessons Learned from a Pre-Emptive Cholera Vaccination Campaign in Urban and Rural Communities Affected by Landslides and Floods in Freetown Sierra Leone' (2023) 41(14) *Vaccine* 2397–2403

²⁸ *Ibid.*

²⁹ A Fichtelberg, 'Resource Wars, Environmental Crime, and the Laws of War: Updating War Crimes in a Resource Scarce World' in *Environmental Crime and Social Conflict* (Routledge 2016) 177–196

³⁰ *Ibid.*

³¹ *Ibid.*

³² PG Munro, 'Deforestation: Constructing Problems and Solutions on Sierra Leone's Freetown Peninsula' (2009) 16(1) *Journal of Political Ecology* 104–122

figures in Sierra Leone on illegal timber trading activities.³³ A 2017 report from Transparency International EU and Global Witness highlighted that corruption serves as a major catalyst for illegal logging and is the key facilitator of the illicit timber trade. Corruption permeates every stage of the timber industry, including timber harvesting, transportation, processing, manufacturing, exporting, importing, and sales.³⁴

Overall, environmental crimes in Sierra Leone stem from a variety of contributing factors, both legal and non-legal. In this paper, we specifically examine key laws targeting major environmental crimes in the country.

3. Related Environmental Laws

Regulating environmental crimes in Sierra Leone involves a complex framework of legislation and institutions. Sierra Leone is aware of the dangers and attacks on the environment and thereby has established several key regulatory bodies, including the Environmental Protection Agency (EPA-SL), National Protection Area Authority (NPAA), and National Commission on Environment and Forestry (NaCEF), aimed at governing environmental activities.³⁵ The cornerstone legislation in this regard is the EPA-SL Act of 2008, amended in 2011, which granted regulatory power to the EPA-SL, especially concerning mining activities.³⁶ Under Section 23 of this Act, mining companies, both small and large-scale, are mandated to obtain an Environmental Impact Assessment (EIA) License, monitored quarterly to ensure adherence to environmental standards.³⁷ Moreover, the National Protection Area Authority Act of 2012 has fortified Sierra Leone's environmental regulations by imposing penalties, including fines and imprisonment, for violations such as burning vegetation, cutting timber, and introducing domestic animals within protected areas.

The Mines and Minerals Act of 2009 repealed the Mines and Minerals Act of 1994 and the Commission for the

Management of Strategic Resources, National Reconstruction and Development Act of 1999, addressing water quality issues related to mining activities.³⁸ It emphasizes the preservation of freshwater dams and the associated waters upon cessation of operations or termination of a mineral right. The Act prohibits dredging without a permit and imposes fines for violations.³⁹ Section 132 of the Mines and Mineral Act places a duty on mineral rights holders to minimize and manage environmental impacts, but its enforcement by the National Minerals Agency (NMA) has been inadequate.⁴⁰ Moreover, subsection 2 specifies that all mineral rights holders in the country must adhere to environmental protection laws. Section 134 addresses monitoring, particularly concerning industrial waste activities, by mandating mining companies to periodically submit an Environmental Management Program Report.⁴¹

Enforcing environmental protection laws in Sierra Leone has historically been challenging due to the absence of strong legal and government frameworks necessary to mitigate the harmful environmental effects of mining activities. For many years, this situation remained unchanged.⁴² The institutional capacity of departments responsible for environmental protection is questionable in regard to their effectiveness, enforcement and monitoring.⁴³ Existing environmental laws are often outdated and insufficient to address the current issues, necessitating further action.⁴⁴ The failure of existing policies, especially in the mining sector, to prioritize environmental and social concerns is attributed to the lack of specificity in mining legislation, unclear responsibilities of various ministries, inadequate monitoring, and weak implementation of laws and regulations.⁴⁵

Apart from that, Sierra Leone inherently lacks the essential legislative framework required for the full implementation of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).⁴⁶ Additionally, the country faces challenges due to the insufficient capacity of

³³ EA Jackson, 'FLEGT Mandate: Its Applicability and Effectiveness in Sierra Leone' (2015) 4(3) *Journal of Applied Thought* [pages not provided]

³⁴ M Fayiah, 'Uncertainties and Trends in the Forest Policy Framework in Sierra Leone: An Overview of Forest Sustainability Challenges in the Post-Independence Era' (2021) 23(2) *International Forestry Review* 139–150

³⁵ *Ibid.*

³⁶ PT Mabey, W Li, AJ Sundufu and A H Lashari, 'Environmental Impacts: Local Perspectives of Selected Mining Edge Communities in Sierra Leone' (2020) 12(14) *Sustainability* 5525

³⁷ R Maconachie and F Conteh, 'Artisanal Mining Policy Reforms, Informality and Challenges to the Sustainable Development Goals in Sierra Leone' (2021) 116 *Environmental Science & Policy* 38–46

³⁸ Government of Sierra Leone (GoSL), *The Mines and Mineral Act, 2009* (2009)

³⁹ AS Mansaray, J Aamodt and BM Koroma, 'Water Pollution Laws in Sierra Leone—A Review with Examples from the UK and USA' (2018) 9(11) *Natural Resources* 361–388

⁴⁰ T Mebratu-Tsegaye, P Toledano and S Thomashausen, 'A Review of Sierra Leone's Mines and Minerals Act' (2020) <https://ssrn.com/abstract=3726420> accessed

⁴¹ The Environmental Protection (Mines and Minerals) Regulations, Statutory Instrument No. 10 of 2013 (Sierra Leone)

⁴² AM Conteh, 'The Legal Environmental Protection Responsibility of Extractive Industries on Attendant Waste: An Analysis of International and Sierra Leone Law' [unpublished or no date provided]

⁴³ *Ibid.*

⁴⁴ *Ibid.*

⁴⁵ B Biagini, R Bierbaum, M Stults, S Dobardzic and SM McNeeley, 'A Typology of Adaptation Actions: A Global Look at Climate Adaptation Actions Financed Through the Global Environment Facility' (2014) 25 *Global Environmental Change* 97–108

⁴⁶ African Carnivores Initiative (ACI), CMS, *Convention on the Conservation of Migratory Species of Wild Animals: Convention*

government enforcement agencies responsible for combating wildlife crime. Sierra Leone is categorized as a Category 3 country under the CITES National Legislation Project, indicating that its existing legislative structure does not meet the necessary criteria for CITES implementation.

The core environmental laws in Sierra Leone, namely the Forestry Act, Fisheries Regulations, and Wildlife Conservation Act, do not align entirely with CITES regulatory standards, thus providing a weak foundation for enforcement measures.⁴⁷ Complicating matters further, Sierra Leone lacks clear guidelines for issuing permits. This complexity is exacerbated by unclear and, in some cases, overlapping jurisdictions among key wildlife authorities such as Customs, Police, National Protected Areas Authority, Forestry Division, and the Environmental Crime Unit.

Moreover, the penalties for wildlife crime in Sierra Leone are inadequate as deterrents. Offenses carry a maximum fine of 100 Leones, equivalent to less than one US dollar, or a maximum imprisonment term of six months.⁴⁸ These penalties fall significantly below the United Nations Convention against Transnational Organized Crime (UNTOC) definition of 'serious crime', which entails offenses punishable by imprisonment for at least four years or a more severe penalty. Furthermore, there is a lack of awareness within Sierra Leone's judiciary regarding wildlife crime, impeding the successful prosecution and conviction of offenders.⁴⁹

Enhancing the capacity of law enforcement agencies is essential for improving regulations. Government officials at various levels, including customs, police, and forestry and wildlife officers, lack a fundamental understanding of CITES requirements and the identification of wildlife species. This knowledge gap is particularly concerning at major entry and exit points like Freetown Seaport and Lungi International Airport, where only a handful of officials have received training on CITES or species identification.⁵⁰ This knowledge gap is particularly concerning at major entry and exit points

like Freetown Seaport and Lungi International Airport, where only a handful of officials have received training on CITES or species identification.⁵¹

Enforcing environmental laws in Sierra Leone faces several significant hurdles. One challenge is the lack of modern technology, as highlighted by Ijaiya and Joseph.⁵² Additionally, there is a weak judicial response to green culture, as pointed out by Fagbohun.⁵³ The existence of ineffective supra-national adjudicatory institutions for global environmental issues promotes the cross-border movement of waste and toxic chemicals.⁵⁴ Poor political approaches further compound the challenges.⁵⁵

Another noteworthy issue is that a large portion of international multilateral environmental treaties, of which Sierra Leone is a signatory, have yet to be domesticated. This failure to incorporate these treaties into domestic law adds another layer of complexity to Sierra Leone's legal framework for environmental governance.⁵⁶ The absence of a thorough evaluation of forest policies in Sierra Leone is remarkably surprising, especially considering that these policies, whether intentionally or unintentionally, have significantly exacerbated the depletion of forest resources.⁵⁷ Despite being initially devised for commendable purposes such as industrial growth, enhanced agricultural production, job creation, poverty alleviation, and regional development, these objectives have largely gone unmet. Instead, forest policies have become synonymous with enabling potential users to exploit forests without adequate regulation.⁵⁸

One glaring issue lies in the government's practice of selling timber at undervalued rates, leading to a loss of public revenue and the undermining of the value of non-timber products. This approach has inadvertently encouraged rapid, exploitative, and wasteful logging, triggering conflicts among various groups, individuals, and conflicting social and private interests.⁵⁹

on International Trade in Endangered Species of Wild Fauna and Flora [no date or URL provided]

⁴⁷ JN Nakamura and B Kuemlangan, *Implementing the Convention on International Trade in Endangered Species of Wild Fauna and Flora Through National Fisheries Legal Frameworks: A Study and a Guide*, vol 4 (Food & Agriculture Org 2020)

⁴⁸ C Ankenbrand, Z Welter and N Engwicht, 'Formalization as a Tool for Environmental Peacebuilding? Artisanal and Small-Scale Mining in Liberia and Sierra Leone' (2021) 97(1) *International Affairs* 35–55

⁴⁹ *Ibid.*

⁵⁰ M Fayiah, 'Uncertainties and Trends in the Forest Policy Framework in Sierra Leone: An Overview of Forest Sustainability Challenges in the Post-Independence Era' (2021) 23(2) *International Forestry Review* 139–150

⁵¹ MA Peters, 'The Convention on International Trade in Endangered Species: An Answer to the Call of the Wild' (1994) 10 *Conn J Intl L* 169

⁵² H Ijaiya and OT Joseph, 'Rethinking Environmental Law Enforcement in Nigeria' (2014) 5 *Beijing L Rev* 306

⁵³ O Fagbohun and Nigerian Institute of Advanced Legal Studies, *Mournful Remedies, Endless Conflicts and Inconsistencies in Nigeria's Quest for Environmental Governance: Rethinking the Legal Possibilities for Sustainability* (Nigerian Institute of Advanced Legal Studies 2012)

⁵⁴ DV Ogunkan, 'Achieving Sustainable Environmental Governance in Nigeria: A Review for Policy Consideration' (2022) 2(1) *Urban Governance* 212–220

⁵⁵ A Budnukaeku, O Chinedu and G Kponi, 'A Review of Development Policies Implementation in Nigeria' (2022) *East African Scholars Multidisciplinary Bulletin* [pages not provided]

⁵⁶ *Ibid.*

⁵⁷ M Fayiah, 'Uncertainties and Trends in the Forest Policy Framework in Sierra Leone: An Overview of Forest Sustainability Challenges in the Post-Independence Era' (2021) 23(2) *International Forestry Review* 139–150

⁵⁸ EA Jackson, 'Political Economy of Forest Ecology in Sierra Leone: A Focus on the Western Area Peninsular Forest (WAPFoR)' (2018) 9(1) *Postmodern Openings* 63–90

⁵⁹ *Ibid.*

Therefore, the problem of forest depletion in Sierra Leone is not just a matter of scarce resources; it is equally a policy and institutional challenge. While the situation is grave, there is still an opportunity for intervention. However, unless there is a significant improvement in forest policies and their effective implementation, Sierra Leone's environment will continue to degrade, making its development efforts unsustainable.⁶⁰

Across the globe, the predominant approach for addressing environmental issues involves implementing relevant regulations. Yet, the Sierra Leone experience with environmental policies has revealed that the conventional command-and-control system has not yielded the intended economic and environmental outcomes.

The above illustrates the government's endeavours to promote environmental planning and protection in Sierra Leone since the early 1990s through policy and legislation. However, despite the existence of environmental laws, paradoxically, environmental issues in Sierra Leone have escalated due to laws and poor implementation, as well as enforcement.⁶¹

The sustenance of Sierra Leone population hinges on efforts to restore natural resources, ensuring the continued availability of livelihood sources. Therefore, political leaders must demonstrate unwavering commitment, understanding that neglecting environmental protection jeopardizes the nation's ability to fulfil people's aspirations. The repercussions of government inaction in the political, social, legal and economic spheres would be exceedingly detrimental for the nation.⁶² According to a study by Bruce and Ken in 2012, the economic well-being of a state is intricately linked to maintaining a healthy environment and ensuring the sustainable management of natural resources and primary industries. This involves overseeing high-risk aspects of their utilization, safeguarding economically significant sectors, aligning with community expectations, and preserving the environment. In regulatory scenarios, individuals tend to fall into different categories: some willingly comply, some do not, and some comply only if they witness others facing consequences for noncompliance.⁶³

Enhancing community engagement is crucial, going beyond the current approach. When entering mining agreements, it is vital to involve not just traditional leaders but also diverse community groups, incorporating their voices and suggestions. Authorities must reevaluate existing mining agreements, ensuring they are more advantageous for the host community.⁶⁴ An example of this proactive approach can be seen in Tanzania, where the central government led the review of mining agreements, leading to increased benefits for both the national and local communities. Other countries in Sub-Saharan Africa, including Ghana and South Africa, are also leaning towards reevaluating mining agreements with the aim of securing improved socioeconomic advantages.⁶⁵ The absence of participation from community groups and communication gaps significantly influenced how respondents evaluated the effectiveness of the mining company.⁶⁶

After determining that the current environmental governance structure in Sierra Leone is insufficient for achieving sustainable environmental management, especially considering the country's political and socio-economic context, the following suggestions are proposed for policy consideration. These recommendations aim to enhance the quality of governance, paving the way for the achievement of a sustainable environment in Sierra Leone, a goal that has proven elusive thus far.

This article brings to light the insufficiencies in Sierra Leone's environmental legislation, paralleled by the instances of pollution, deforestation, and mining regulations. A notable concern with these narrowly defined laws is their detachment from contemporary developments and the evolving realities of our time. Consequently, this paper advocates for a comprehensive review and reformulation of such legislation, aiming to enhance their adaptability and resonance with sustainable development.

To enhance the effectiveness of the related environmental laws, it is essential to harmonize roles and functions, review sanctions, and ensure institutional independence. Emphasizing these recommendations is crucial to strengthen EPA-SL services. A constructive step entails the establishment of a governmental committee tasked with

⁶⁰ MI Bakarr and I Abu-Bakarr, 'A Framework for Application of the Landscape Approach to Forest Conservation and Restoration in Sierra Leone' (2022) 5 *Frontiers in Forests and Global Change* 887365

⁶¹ MY Jalloh, WSA Wan Dahalan and RM Khalid, 'Environmental Awareness and Public Participation: A Driving Force for Environmental Protection in Sierra Leone' (2022) 7(11) *Malaysian Journal of Social Sciences and Humanities (MJSSH)* e001989–e001989

⁶² OJ Oyeboode, 'Impact of Environmental Laws and Regulations on Nigerian Environment' (2018) 7(3) *World Journal of Research and Review* 262587

⁶³ AC Salihu and others, 'Analysis of the Factors Affecting Facilities Compliance to Environmental Regulations in Minna–Niger State, Nigeria' (2016) 45(2) *World Scientific News* 174–184

⁶⁴ B Ngocho, Burure, S Magai, 'Mining in Tanzania: Effects of the Mining Legal Framework Overhaul' (DLA Piper, 2020) <https://www.dlapiper.com/en/africa/insights/publications/2020/08/africa-connected-issue-4/6tanzania-mining-legal-framework-overhaul/> accessed [NA]

⁶⁵ SA Wilson, 'Measuring the Effectiveness of Corporate Social Responsibility Initiatives in Diamond Mining Areas of Sierra Leone' (2022) 77 *Resources Policy* 102651

⁶⁶ A Dresse, JO Nielsen and I Fischhendler, 'From Corporate Social Responsibility to Environmental Peacebuilding: The Case of Bauxite Mining in Guinea' (2021) 74 *Resources Policy* 102290

reassessing the national environmental legal framework. This effort should especially account for emerging environmental challenges, encompassing activities that currently lack regulation and demand incorporation into state governance. For this committee's efficacy, a composition featuring not only officials from pertinent government bodies and technical experts but also representation from civil society organizations active in the environmental sphere and interested members of the public who can influence the final decision is essential. By facilitating robust involvement from relevant stakeholders, this approach will contribute to the development of more effective and widely embraced environmental laws. These regulations will be better aligned with societal values, fostering increased public compliance and nurturing a culture of environmental responsibility.

The issue of limited public access to environmental information, particularly regarding environmental laws, has been identified as a concern. Recognizing the link between widespread environmental unawareness and the resulting harm, it becomes imperative for the government to uphold its obligations outlined in the EPA earnestly. This responsibility involves ensuring that the general public has adequate access to environmental information, specifically directly related environmental laws. Extensive education is essential, a practice many regions have rightfully embraced.⁶⁷ The people of Sierra Leone must unite before their natural heritage is irrevocably lost. Preserving ecological balance should be a fundamental focus of national policies; otherwise, the opportunity for meaningful action might slip away.

The right to live in a healthy environment is a fundamental natural right, that several countries such as India uphold.⁶⁸ Also, while dealing with biodiversity, the following must be considered: (i) social justice and equity, (ii) rights of future generations, and (iii) rights of animals and other non-human living creatures.⁶⁹ Furthermore, collaboration with pertinent civil society organizations can enable a gradual and comprehensive approach to addressing language barriers for different ethnicities in the country, who may find it difficult to understand the English manuals. This involves initiating a progressive program to translate the laws from English into local languages, making them more comprehensible and inclusive for a broader segment of the population.

Moreover, the analysis conducted above has illuminated incongruent legal strategies employed to address analogous environmental challenges—such as the imposition of varying penalties for identical transgressions through different statutes, and the assignment of identical responsibilities to diverse public entities via separate legislation. These disparities hold the potential to undermine the efficacy of Sierra Leone's environmental legal framework.

In light of these observations, it becomes imperative to undertake a comprehensive review of pertinent environmental laws, ensuring a consistent application of penalties and methodologies in response to similar offenses. Clarity must also be established regarding the specific public entity endowed with regulatory authority in distinct situations. Furthermore, it is worth contemplating the integration of certain elements from different regulatory systems, or the inclusion of provisions in newer regulations that supersede comparable yet possibly obsolete clauses in older ones. These actions collectively work towards presenting a lucid and coherent rendition of the law to both its enforcers and the general populace. Ultimately, this approach can significantly bolster the effectiveness of compliance and enforcement measures.

In relation to the status and efficacy of Sierra Leone's environmental institutions, a notable challenge was identified concerning the insufficiency of adequate human and material resources. Given the paramount importance of the environment in ensuring human well-being and progress, the government must prioritize environmental concerns and extend essential financial and technical support to the relevant agencies to enable their effectiveness. It is recommended that a portion of fines collected from those violating environmental laws should be directly channelled toward equipping these environmental agencies. This allocation should be conducted through a transparent process. This approach could potentially incentivize officials within these agencies to enforce the law more diligently. In contrast, the current practice of depositing fines into a general government account for unrelated purposes hinders progress toward a healthier environment and a robust enforcement mechanism.

The government should prioritize the appointment of proficient environmental experts based on merit, rather than favouring political associates, to lead and collaborate with various environmental agencies. This strategic move is pivotal in ensuring the optimal functioning of these agencies.

Additionally, an analysis revealed that the effectiveness of environmental governance in Sierra Leone's environmental laws was constrained by inadequate implementation of the subsidiarity principle. Integrating the principle of subsidiarity into state environmental laws and governance systems and subsequently executing it diligently could significantly contribute to achieving environmental sustainability. This integration would distribute responsibilities more equitably, freeing up resources at the state level to tackle broader environmental issues, while local government councils address smaller-scale matters within their jurisdictions. Such an approach could enhance the overall effectiveness and

⁶⁷ M.C. Mehta v Union of India AIR 1992 SC 382.

⁶⁸ A D'amato and SK Chopra, 'Whales: Their Emerging Right to Life' in *International Legal Personality* (2017) 393–434

⁶⁹ LL Thurman and others, 'Applying Assessments of Adaptive Capacity to Inform Natural-Resource Management in a Changing Climate' (2022) 36(2) *Conservation Biology* e13838

efficiency of environmental governance by equitably sharing the responsibilities across all levels of government.

Lastly, a deficiency in public transparency and accountability within Sierra Leone's environmental institutions was identified as a potential hindrance to their capacity for delivering effective environmental governance—a cornerstone of environmental sustainability. Addressing this shortfall necessitates improved compliance with environmental laws and its affiliated institutions. This involves establishing an up-to-date website where the public can track the activities of relevant agencies and access pertinent environmental information, including reports, financial records, contracts, and agreements.

Considering these factors, greed and wastefulness are increasingly becoming the standard in consumption habits, as the nation assigns monetary worth to every resource. It's disheartening to observe that a natural resource, especially biodiversity, is considered 'significant' only when it holds an economic value, regardless of how indigenous communities perceive its value.⁷⁰ Adherence to these measures will significantly enhance transparency and accountability within the environmental sector, ultimately fostering a healthier environment for the state. Correspondingly, in accordance with the tenets of Principle 10 of the Rio Declaration,⁷¹ markedly improved avenues for public participation and access to justice in environmental matters are pivotal for advancing governance and bolstering the sustainability of Sierra Leone's environment.

4. Conclusion

This paper has revealed that Sierra Leone is confronted with a significant environmental crime problem that has been largely ignored or downplayed despite the existence of legal provisions. The exploitation of natural resources, particularly through mining and illegal logging, has resulted in biodiversity loss, land degradation, and threats to food security and public health. This has also led to the pollution of rivers, water shortages, and contamination of water sources, negatively impacting local communities. The paper further revealed the inadequacies of the existing laws surrounding environmental protection in the country. It is against this backdrop that the call for the enhancement of the existing laws and introduce policy reforms with stricter enforcement mechanisms. Achieving effective environmental regulation and protection requires the involvement of multiple stakeholders, including government agencies, law enforcement, and non-governmental organizations. All in all,

tackling the environmental degradation in Sierra Leone necessitates a multifaceted approach. This includes implementing legal reforms, strengthening institutions, fostering public participation, and collaborating internationally. Also, the rights of local communities should be harmoniously integrated into the conservation strategy. The local communities, particularly in rural areas, are often in a better position to take on the responsibility for the sustainable management of forest resources. Besides there are no specific laws with respect for indigenous people as far as environmental conservation is concerned. By addressing the point out challenges and implementing effective measures, Sierra Leone can better protect its environment, mitigate the impacts of climate change, and promote sustainable development for the well-being of present and future generations.

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