Committee: Human Rights Council (HRC)

Topic: Addressing Human Rights Abuse by Multinational Corporations in DR Congo

Student Officer: Evangelos Pappas

Position: Deputy President

PERSONAL INTRODUCTION

Dear Delegates,

My name is Evangelos Pappas, I am in 10th grade, and I attend Pinewood the American International School of Thessaloniki. I am very honoured to be serving as the Deputy President of the Human Rights Council (HRC) in the 9th DSTMUN.

I began MUN by attending my school's weekly club, and it was there that I learnt how MUN truly works, ranging from the Rules of Procedure, all the way to writing a resolution. This was what I needed for my first conference, which was in fact DSTMUN. It was at this conference that I experienced the reality of MUN, and although confused at the beginning, I found that this step outside of my comfort zone was what I needed to move forward and try to achieve my MUN goals. Since then, I have attended several conferences, all of which have made me who I am today and boosted my MUN skills, allowing me to take on the role of chairing.

This study guide's topic is "Addressing Human Rights Abuse by Multinational Corporations in DR Congo". I encourage delegates to do their own research alongside reading and understanding the content of this study guide, because although this guide should provide you with some standard information regarding the topic, it will not be sufficient for you to perform at the highest level in this conference. Therefore, adequate preparation for the conference will require individual research and written samples for you to be the best that you can. However, this study guide will contain important information regarding the topic, allowing you to gain a better understanding and have a base of knowledge, which you can use for further preparation.

Feel free to contact me at any time, for any reason through my email address; epappas@pinewood-school.gr.

Yours Sincerely,

Evangelos Pappas

TOPIC INTRODUCTION

The Democratic Republic of Congo (DRC) is the largest country in Sub-Saharan Africa (SSA). It is equipped with fantastic natural resources such as cobalt and copper, however, in spite of this, the DRC is one of the five poorest countries worldwide. The people of the DRC have not benefited from these wares seeing as the nation has experienced years of conflict, political upheaval, and instability, leading to a serious and ongoing humanitarian crisis. Said crisis has been worsened by the revival of M23 rebel activity in the eastern DRC, overall causing widespread gender-based violence and extensive levels of displacement. "Despite positive trends, poverty remains high at 81.1% (at $3/day PPP) in 2025, with limited job creation in the mining sector and structural weaknesses constraining inclusive growth." [World Bank][1]

Nevertheless, in 2024, the DRC was responsible for approximately 75% of global mined cobalt production, and was the second-largest mined copper producer. [USGS][2] The issue with the DRC's wealthiness regarding the aforementioned minerals is that the hunger for them sparks violent conflict and causes environmental damage, which adds to the country's protracted humanitarian crisis. Seeing as the DRC is rich in minerals, it is a hotspot for mining. However, within the supply chain, there are many different events and actors, meaning that there often is no visible direct link between the mining operators and Multinational corporations (MNCs). The many actors within the supply chain include either LSM or ASM. This then passes through a variety of different actors including, processors, traders, depots, buying stations, before the minerals are exported onto an international scale. However, the issue at hand, and the topic itself is addressing the human rights abuses in the DRC from the mining sector. There are a variety of abuses, however some to focus on include, child labour, harmful working conditions, and illegal or "grey-zone" working coorporations.

Without sufficient oversight, due diligence, monitoring, and remediation, these problems may never be solved, and human rights abuses may continue. With regards to Multinational Corporations (MNCs), the human rights abuses may occur long before the minerals reach the MNCs. They usually occur during the mining process, which is at the beginning of the supply chain. However, when the minerals pass through such a variety of actors, being traded, processed or refined, supplied, and then reaching an MNC, the MNC having knowledge of the aforementioned human rights abuses is unclear seeing as there are so many steps in the supply chain. Finally, one of the key aspects of this topic includes due diligence. A MNC must complete their due diligence in adherence with the respected guidelines as to ensure that it has knowledge of the mineral's place of origin, while also taking into account all risks in their operations and supply chains, ensuring that the entire process is conducted legally and safely. However, the benefits of due diligence include a MNC being able to act on any risks that it has identified in order to take the appropriate and

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[1] "---." *World Bank Group*, www.worldbank.org/ext/en/country/drc.
[2] "Congo (Kinshasa)." *USGS*, www.usgs.gov/centers/national-minerals-information-center/congo-kinshasa.

necessary steps in dealing with prevention and mitigation of these risks, while also accounting for them and coming up with the necessary solutions. Overall, the DRC is rich in valuable minerals, and the solution is not to halt mining in the DRC as a whole. This is because the mining of said minerals provides employment, government revenue, investment, and economic development to the DRC, while also assisting global actions regarding the energy transition, seeing as the abundant minerals that the DRC is home to are vital for this process. Therefore, rather than halting the mining process completely, the solution should be to ensure that the entire operation and process is legal, safe, monitored and known to all involved parties as to ensure that all human rights abuses end.

DEFINITION OF KEY TERMS

Artisanal and Small-Scale Mining (ASM)

Artisanal and Small-Scale Mining can include individual, informal miners that earn a bare minimum to support their lives, or "more formal and regulated small-scale entities producing minerals commercially". [IGFMINING][3] ASM operations can often be without "legal status, environmental safeguards, health and safety measures, and economic security for miners." [IGFMINING][4] Therefore, if unsupervised, ASM can add to pollution in the environment, community health concerns, and human rights problems.

Audits

Audits mean "to make an official examination of the accounts of a business and produce a report" [Cambridge Dictionary][5]

Chemical of Africa SA (Chemaf)

It stands for Chemical of Africa SA, and it is a copper and cobalt mining and processing company that operates in the DRC.

Child Labour Monitoring and Remediation System (CLMRS)

The Child Labour Monitoring and Remediation System is used to identify occurrences of child labour, record or monitor the child's situation, and then refer them to appropriate support, and then follow up on remediation.

Compagnie Minière de Musonoie (COMMUS)

[3] IGF. "Artisanal and Small-Scale Mining - Intergovernmental Forum on Mining." *Intergovernmental Forum on Mining*, 3 June 2025, www.igfmining.org/artisanal-and-small-scale-mining.
[4] IGF. "Artisanal and Small-Scale Mining - Intergovernmental Forum on Mining." *Intergovernmental Forum on Mining*, 3 June 2025, www.igfmining.org/artisanal-and-small-scale-mining.
[5] *Audit*. 16 Sept. 2026, dictionary.cambridge.org/dictionary/english/audit?q=Audits.

It is the abbreviation for the Compagnie Minière de Musonoie and it is a subsidiary of Zijin Mining, which is a multinational mining company. However, Gécamines, the state-owned mining company in the DRC, is the minority shareholder while Zijin Mining has the majority stake. COMMUS has a mining operation in Kolwezi, DRC.

Due Diligence

Due Diligence is "the detailed examination of a company and its financial records, done before becoming involved in a business arrangement with it" [Cambridge Dictionary][6]

Multinational Corporation (MNC)

A multinational corporation is "any corporation that is registered and operates in more than one country at a time. Generally the corporation has its headquarters in one country and operates wholly or partially owned subsidiaries in other countries. Its subsidiaries report to the corporation's central headquarters." [Britannica][7] Furthermore, corporations have the duty of respecting human rights. "In addition to compliance with national laws, the baseline responsibility of companies is to respect human rights." [UN Digital Library][8] Additionally, companies must conduct due diligence as part of their mission of respecting human rights. "To discharge the responsibility to respect requires due diligence. This concept describes the steps a company must take to become aware of, prevent and address adverse human rights impacts." [UN Digital Library][9]

Large-scale Industrial Mining (LSM)

LSM "is a high-tech, capital-heavy sector. It utilizes sophisticated geological engineering and massive equipment to move mountains of ore with clinical efficiency". [Miningdoc][10] Additionally, LSM operations are usually formal and state-approved MNCs supported with binding pacts. Moreover, LSM enhances the GDP of a country more than ASM via corporate taxes and export revenue.

Purchasing Power Parity (PPP)

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[6] *Due Diligence*. 16 Sept. 2026, dictionary.cambridge.org/dictionary/english/due-diligence.
[7] "Multinational corporation (MNC)." *Britannica*, https://www.britannica.com/money/multinational-corporation.
[8] Ruggie, John. *Protect, Respect and Remedy: A Framework for Business and Human Rights*. United Nations Human Rights Council, 2008, https://digitallibrary.un.org/record/625292.
[9] Ruggie, John. *Protect, Respect and Remedy: A Framework for Business and Human Rights*. United Nations Human Rights Council, 2008, https://digitallibrary.un.org/record/625292.
[10] "How Does Artisanal and Small-scale Mining (ASM) Differ From Large-scale Industrial Mining? - Mining Doc." *Mining Doc*, 8 Apr. 2026, www.miningdoc.tech/question/how-does-artisanal-and-small-scale-mining-asm-differ-from-large-scale-industrial-mining.

Purchasing Power Parities "are the rates of currency conversion that aim to equalise the purchasing power of different currencies by eliminating differences in price levels between countries. [OECD][11]

BACKGROUND INFORMATION

Democratic Republic of the Congo Mineral Sector

The DRC accounts for most of the world's cobalt production and known reserves. However, with regards to copper, Congo produced 3.5 million tonnes in 2025; this makes it the second largest supplier globally, runner-up to Chile. Minerals such as lithium and cobalt could pose as vital wares for the energy transition, away from fossil fuels, and the DRC is rich in both. The metals are often consistently mined and traded in a region known as the "Copperbelt" by the same companies, with cobalt being a by-product of copper processing and refining for the majority of the time. This "Copperbelt" hosts copper and cobalt deposits, extending over a region more than 500 km long, both in southern DRC and northern Zambia. Furthermore, the "DRC is considered to be producing an estimated 60-70% of the world's cobalt, 20-30% of which is artisanal production". [OECD][12] Finally, "The

DRC has around 3.5 million metric tonnes of cobalt reserves. Minerals such as cobalt and copper are critical to the electrification of energy and transport; they are used in everything from electrical vehicle batteries to solar panels and wind turbines. This puts the DRC at the centre of the decarbonization transition, with potential benefits from foreign investment, revenue and job creation. However, this massive exploitation of resources also has profound negative consequences, such as the destruction of critical ecosystems and pollution. The governance of the extractive resources also increases inequality." [Corey Pattison, UNEP][13]

Artisanal and Small-Scale Mining (ASM) and Large Scale Mining (LSM)

ASM and LSM are two different mining operators that mine within the DRC. Cobalt produced through LSM is refined as a by-product of either nickel or copper processing, but

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[11]"Purchasing power parities (PPP)." *OECD*, https://www.oecd.org/en/data/indicators/purchasing-power-parities-ppp.html.

[12] Maiotti, Luca, and Benjamin Katz. *Interconnected Supply Chains: A Comprehensive Look at Due Diligence Challenges and Opportunities Sourcing Cobalt and Copper from the Democratic Republic of the Congo*. OECD, 2019, https://www.oecd.org/content/dam/oecd/en/publications/reports/2019/11/interconnected-supply-chains_cec91fc0/576804e7-en.pdf.

[13] ---. "Can The Democratic Republic of the Congo's Mineral Resources Provide a Pathway to Peace?" *UNEP*, www.unep.org/news-and-stories/story/can-democratic-republic-congos-mineral-resources-provide-pathway-peace.

only of copper mining in the DRC. However, ASM usually aims for deposits that have higher concentrations of one mineral or the other. Figures vary due to a variety of factors such as insufficient amounts of reliable statistics, price variability, and seasonality, however, "between 140,000 and 200,000 artisanal miners are estimated to be currently working in copper and cobalt in Lualaba and Haut-Katanga." [OECD][14] Furthermore, ASM refers to formal or informal mining operations, with primarily simplified forms of exploration, extraction, processing, and transportation.

It usually comprises less capital intensive mining and more labour intensive mining, with men and women working individually, in familial cooperation, in partnerships, in teams or as members of cooperatives or other legal associations, and enterprises involving hundreds or even thousands of miners. For example, it is common to work in groups of four to ten people, sometimes in family units, and to share tasks and one point of mineral extraction, such as excavating a tunnel. Yet, on organisational levels, groups of 30-300 miners are common which together extract one mineral deposit or vein, for example working in different tunnels but in the same area, and sometimes sharing processing facilities. "ASM is a source of livelihoods and employment in many regions of the world. It currently employs around 90% of the mining workforce, which corresponds to at least 40 million people worldwide" [World Bank][15] Additionally, "in cobalt, it represents about 20-30% of the DRC's production, thus making it an indispensable player in the supply chain, particularly as a swing producer that can be "switched on or off", or shift between different commodities, as market conditions change." [OECD][16] Moreover, in many nations, ASM functions in a regulatory grey zone, where its role is not explicitly recognised by legal guidelines but largely tolerated.

However, both ASM and LSM can be exposed to large risks. ASM can be more exposed to serious human rights abuses and extortion by security forces, while LSM can be connected to corruption, money laundering, and tax evasion, which have wide-ranging effects on domestic resource mobilisation.

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[14] Maiotti, Luca, and Benjamin Katz. *Interconnected Supply Chains: A Comprehensive Look at Due Diligence Challenges and Opportunities Sourcing Cobalt and Copper from the Democratic Republic of the Congo*. OECD, 2019, https://www.oecd.org/content/dam/oecd/en/publications/reports/2019/11/interconnected-supply-chains_cec91fc0/576804e7-en.pdf.

[15] "2019 State of the Artisanal and Small Scale Mining Sector." *Delve*, https://www.delvedatabase.org/resources/state-of-the-artisanal-and-small-scale-mining-sector.

[16] Maiotti, Luca, and Benjamin Katz. *Interconnected Supply Chains: A Comprehensive Look at Due Diligence Challenges and Opportunities Sourcing Cobalt and Copper from the Democratic Republic of the Congo*. OECD, 2019, Maiotti, Luca, and Benjamin Katz. *Interconnected Supply Chains: A Comprehensive Look at Due Diligence Challenges and Opportunities Sourcing Cobalt and Copper from the Democratic Republic of the Congo*. OECD, 2019, https://www.oecd.org/content/dam/oecd/en/publications/reports/2019/11/interconnected-supply-chains_cec91fc0/576804e7-en.pdf.

Interconnected Supply Chain

The DRC's mining supply chain is extensive and, as previously mentioned, consists of multiple actors and connections. Although LSM and ASM are different operators, they can sometimes cooperate in the interconnected Supply Chain. This can occur when the ASM is formalized and hence works together with LSM. However, while they can coexist, the two can also spark conflict throughout the entire operation. This can occur for various reasons including when an active LSM site has ASM activities that overlap spatially. Additionally, this occurrence comes from unauthorized ASM activities on an inactive part of active LSM concession. Finally, the common ground between conflict and cooperation is tolerance, and this occurs when there are inactive ASM activities on an inactive LSM concession with long-term passive tolerance. Therefore, the relationship between ASM and LSM ranges from conflict and hostility, to tolerance, and finally to actual cooperation. However, of course both ASM and LSM can work independently with no interaction.

Human Rights Abuses

States and companies must respect human rights and it is their responsibility to do so. "States must protect against human rights abuse within their territory and/or jurisdiction by third parties, including business enterprises. This requires taking appropriate steps to prevent, investigate, punish and redress such abuse through effective policies, legislation, regulations and adjudication." [UN Ilibrary][17] Furthermore, corporations have the duty of respecting human rights. "In addition to compliance with national laws, the baseline responsibility of companies is to respect human rights." [UN Digital Library][18] Additionally, companies must conduct due diligence as part of their mission of respecting human rights. "To discharge the responsibility to respect requires due diligence. This concept describes the steps a company must take to become aware of, prevent and address adverse human rights impacts." [UN Digital Library][19]

Child Labour

One of the Human Rights Abuses occuring in the DRC includes child labour in the ASM cobalt sector, especially in Haut-Katanga and Lualaba, which are cobalt producing regions. Artisanal cobalt mining is hazardous for children, and the ILO Convention No. 182, which was ratified by the DRC, states that it is the worst form of child labour. Moreover, Child Labour Monitoring and Remediation System (CLMRS) has been trialed in 14 mining sites in in Lualaba and Haut Katanga, and since "its initial deployment in the two pilot provinces, the latest figures have identified 6,242 children working in the 14 mine sites in

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[17] United Nations. "The State Duty to Protect Human Rights." *Guiding Principles on Business and Human Rights*, United Nations, 2011, pp. 3–12. *UN iLibrary*, https://doi.org/10.18356/e8a12c47-en.
[18] Ruggie, John. *Protect, Respect and Remedy: A Framework for Business and Human Rights*. United Nations Human Rights Council, 2008, https://digitallibrary.un.org/record/625292.
[19] Ruggie, John. *Protect, Respect and Remedy: A Framework for Business and Human Rights*. United Nations Human Rights Council, 2008, https://digitallibrary.un.org/record/625292.

Haut Katanga and Lualaba, including 3,516 boys and 2,726 girls." [ILO][20] However, this does not mean that there are 6,200 children mining in the DRC, but rather 6,200 were registered by the Child Labour Monitoring and Remediation System (CLMRS). Moreover, in accordance with the GALAB factsheet, there is a high mortality rate associated with artisanal cobalt mining, meaning that this dangerous work can also expose children to severe health and safety risks. Additionally, poverty and a lack of economic opportunities are a reason for why children take part in child labour, meaning that if these issues persist, there is no guarantee that if a child were to be removed from child labour, they would not return.

Forced Evictions and Displacement

The expansion of industrial cobalt and copper mining can also cause the forced eviction of whole communities. It also ended up leading to the displacement of peoples from their homes and farmland. The Amnesty International report also investigated the communities that were affected by the COMMUS copper and cobalt mine in Kolwezi. The report mentions that hundreds of inhabitants were told to depart or had already left. In addition to this, the report discovered the fact that communities have not been sufficiently consulted, with some residents even finding out about the destruction of their house through red crosses that appeared on them.

Loss of farmland and livelihoods

Additionally, Amnesty inquired into farmers around the Metalkol Roan Tailings Reclamation Project close to Kolwezi. In accordance with the report, 21 farmers stated that in February 2020 soldiers took control of the area, bulldozing their farmland. The soldiers did this without any previous notification or eviction notice. To make matters worse, this lost agricultural land could be a potential source of food and income for the workers and owners. Therefore, those affected by this destruction could have faced even greater consequences. One woman affected by these events told Amnesty that "I can't afford to register my children in school … To date, I don't have a job or other sources of income. I wander, from home to home, to find something to eat for my kids." [Amnesty][21]

Inadequate compensation

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[20] International Labour Organization. *Using Data to Remediate Child Labour in the Democratic Republic of the Congo: Impact Brief on the DRC Child Labour Monitoring and Remediation System*. International Labour Organization, 2024, https://www.ilo.org/sites/default/files/2024-05/DRC_CLMRS_Brochure_FINAL_WEB.pdf.

[21] ---. "Democratic Republic of the Congo: Industrial Mining of Cobalt and Copper for Rechargeable Batteries Is Leading to Grievous Human Rights Abuses." *Amnesty International*, 31 Oct. 2023, www.amnesty.org/en/latest/news/2023/09/drc-cobalt-and-copper-mining-for-batteries-leading-to-human-rights-abuses.

Another human rights abuse includes a lack of adequate compensation, affecting the quality of life for many. For example, at Cité Gécamines, those evicted said that the compensation that COMMUS had offered them was insufficient when it came to acquiring similar housing. This had resulted in people relocating to homes with no running water and undependable power on the outskirts of Kolwezi, which meant that their quality of life had dropped massively. In fact, one of the former inhabitants mentioned: "I had a large house, with electricity, water…Now, I have a small house that was all I could afford with the compensation…we have to drink water from wells … almost no electricity."

Violence and Security-force abuses

Moreover, quite a serious instance that was recorded by Amnesty/IBGDH affects Mukumbi, which is near the mutoshi mining project. Previous inhabitants told researchers that soldiers of the Republican Guard had appeared and started burning houses, and beating villagers that would attempt to halt them in their actions. Satellite images show that Mukumbi, which had around 400 structures, which included a school, a health facility, and a church, was destroyed by the 7th of November, 2016. One child, two years old at the time, was severely burned and suffered life-altering scarring. Her uncle had stated that she was lying on a mattress that had caught on fire. However, Chemaf, which ran the Mutoshi project, denied wrongdoing, liability, or involvement in the destruction of Mukumbi and they denied directing military forces to destroy it. However, Amnesty's argument is that as a leaseholder of the Mutoshi concession, Chemaf still had the duty to conduct human rights due-dilligence, even if Chemaf was not involved in any wrongdoing.

Sexual Violence

There was also one serious allegation regarding sexual violence. A woman that identified by the pseudonym "Kabibi" told Amnesty/IBGDH that while she was harvesting crops before their destruction, three soldiers seized her and gang raped her while other soldiers spectated. She was two months pregnant and needed medical attention afterwards. According to Amnesty she was too afraid to report what had happened to the company or to local authorities. However, this is simply one claim, and to determine whether it is a recurring pattern further research is necessary.

Lack of Remedy/Access to Justice

Amnesty and IBGDH determined that those affected do not often have access to effective methods of gaining redress. In fact, the IBGDH's president, Donat Kambola, had said that "People are being forcibly evicted, or threatened or intimidated into leaving their homes, or misled into consenting to derisory settlements. Often there was no grievance mechanism, accountability, or access to justice." [Amnesty][22] As previously stated, the

[22] ---. "Democratic Republic of the Congo: Industrial Mining of Cobalt and Copper for Rechargeable Batteries Is Leading to Grievous Human Rights Abuses." *Amnesty International*, 31 Oct. 2023,

evictees were not provided with sufficient compensation by COMMUS, and they have no successful ways to appeal or gain redress. Furthermore, in the Metalkol case, as Amnesty reports, farmers asked for compensation time and time again, but they had not been offered a successful remedy.

Poverty and Limited Economic Opportunities

As reported by the World Bank, poverty in the DRC "remains high at 81.1% (at $3/day PPP) in 2025" [World Bank][23]. The World Bank also states that restricted job creation in the mining industry and structural weaknesses restrain inclusive growth. Additionally, according to the ILO, poverty is an underlying cause of child labour, and poverty can lead families into using whatever available sources of income there are, including informal mining.

Dependence on mining and lack of alternative livelihoods

The ILO also provides some potential solutions that could help prevent children from returning to child labour. This could include establishing more income-generating activities for families, vocational training, and assistance to parents to ensure more stability in their incomes.

Informality and Weak Protection in ASM

Seeing as the ILO mentions that the artisanal cobalt sector poses risks to safety and human rights, it says that its GALAB programme attempts to enhance labour and mining inspectors, government capacity, monitoring and public/private accountability.

Governance Problems and Insecurity

UNEP states that the DRC has had an established history that was shaped by resource extraction, but historically this did not benefit local communities. Therefore linking difficulties regarding governance with insecurity and poverty, producing conditions where cycles of violence are facilitated, possible, or likely.

Conflict and Natural Resources

The "institutional history of the DRC is profoundly shaped by the extraction of resources—which has historically not benefitted local communities. This and other governance challenges have led to insecurity and poverty, which create the conditions for

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www.amnesty.org/en/latest/news/2023/09/drc-cobalt-and-copper-mining-for-batteries-leading-to-human-rights-abuses.

[23] World Bank. "Democratic Republic of Congo." World Bank Group, www.worldbank.org/ext/en/country/drc.

cycles of violence." [Corey Pattison, UNEP][24] "Cycles of violence have occurred in the DRC over the past decades, and natural resources are widely acknowledged to have played a role in these cycles. According to numerous studies, including the UN Group of Experts on the DRC, it is clear that mining plays quite a substantial role in the financing of armed groups. Extracting these resources puts tremendous pressure on the country's biodiversity, with poaching, pollution, deforestation and soil erosion threatening biodiversity." [Corey Pattison, UNEP][25]

International and MNC Connection

The People's Republic of China (China) is one nation that is heavily invested in the DRC's mineral supply chain. China "dominates the supply chain, with eight of the fourteen largest cobalt miners in the DRC being Chinese-owned, which makes up approximately half of the nation's output. China also shows for "80% of the world's cobalt chemical refining capacity". [OECD][26] The ore is mainly shipped to China, which plays a significant role in buying and refining cobalt. "Largely driven by the demands of battery manufacturers, China increased production of refined cobalt 34 times from 2000 to 2016". [Shedd et al., 2017][27] In fact, China is so heavily involved in the DRC's supply chain that eight of the fourteen largest cobalt miners in Congo are now Chinese-owned, which accounts for almost half of the nation's output. "Most importantly, China represents 80% of the world's production of cobalt chemicals and the vast majority of refining capacity, with much of the remainder coming from a refinery in Finland acquired by the Belgian recycler and manufacturer Umicore in 2019". [OECD][28]

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[24] ---. "Can The Democratic Republic of the Congo's Mineral Resources Provide a Pathway to Peace?" *UNEP*, www.unep.org/news-and-stories/story/can-democratic-republic-congos-mineral-resources-provide-pathway-peace.

[25] ---. "Can The Democratic Republic of the Congo's Mineral Resources Provide a Pathway to Peace?" *UNEP*, www.unep.org/news-and-stories/story/can-democratic-republic-congos-mineral-resources-provide-pathway-peace.

[26] Maiotti, Luca, and Benjamin Katz. *Interconnected Supply Chains: A Comprehensive Look at Due Diligence Challenges and Opportunities Sourcing Cobalt and Copper from the Democratic Republic of the Congo*. OECD, 2019, https://www.oecd.org/content/dam/oecd/en/publications/reports/2019/11/interconnected-supply-chains_cec91fc0/576804e7-en.pdf.

[27] Shedd, Kim B., Erin A. McCullough, and Donald I. Bleiwas. "Global Trends Affecting the Supply Security of Cobalt." *Mining Engineering*, vol. 69, no. 12, 2017, pp. 37–42. *ResearchGate*, www.researchgate.net/publication/322199444_Global_trends_affecting_the_supply_security_of_cobalt.

[28] Maiotti, Luca, and Benjamin Katz. *Interconnected Supply Chains: A Comprehensive Look at Due Diligence Challenges and Opportunities Sourcing Cobalt and Copper from the Democratic Republic of the Congo*. OECD, 2019, https://www.oecd.org/content/dam/oecd/en/publications/reports/2019/11/interconnected-supply-chains_cec91fc0/576804e7-en.pdf.

Development Dilemma

The DRC cannot simply discard the idea of mining, or reduce it, because the DRC's copper and cobalt resources are too important for the nation both economically and internationally. According to UNEP, these two valuables are vital when it comes to the electrification of energy and transport, therefore placing the DRC in a central position regarding the global energy transition. UNEP describes the benefits of such a position as "potential benefits from foreign investment, revenue and job creation." [Corey Pattison, UNEP][29] However, this mineral exploitation can also have negative effects "such as the destruction of critical ecosystems and pollution. The governance of the extractive resources also increases inequality," [Corey Pattison, UNEP][30] and additional negative effects can include risks to local communities and ecosystems. Additionally, the World Bank mentions the fact that compelling mining-driven economic growth has not immediately reduced poverty on a wider scale and increased employment. Ultimately, "the exploitation of mineral resources has the potential to be an opportunity to increase prosperity but at the same time, presents profound risks to local communities and ecosystems. The world needs to decarbonize. But that process should take into account the needs of developing countries." [Corey Pattison, UNEP][31]

MAJOR COUNTRIES AND ORGANISATIONS INVOLVED

China

China is a large actor seeing as Chinese companies are quite heavily involved in DRC copper and cobalt mining and processing, and China has also dominated global cobalt refining in the past. The OECD's 2019 research also shows that Chinese companies have held significant positions across the DRC-to-international cobalt supply chain. This makes corporate due diligence and responsible sourcing especially relevant.

Democratic Republic of the Congo (DRC)

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[29] United Nations Environment Programme. "Can the Democratic Republic of the Congo's Mineral Resources Provide a Pathway to Peace?" *UNEP*, 20 Sept. 2022, https://www.unep.org/news-and-stories/story/can-democratic-republic-congos-mineral-resources-provide-pathway-peace.

[30] ---. "Can The Democratic Republic of the Congo's Mineral Resources Provide a Pathway to Peace?" *UNEP*, www.unep.org/news-and-stories/story/can-democratic-republic-congos-mineral-resources-provide-pathway-peace.

[31] ---. "Can The Democratic Republic of the Congo's Mineral Resources Provide a Pathway to Peace?" *UNEP*, www.unep.org/news-and-stories/story/can-democratic-republic-congos-mineral-resources-provide-pathway-peace.

The DRC is the main country involved regarding this topic, this is because the topic refers to the human rights abuses within the DRC's mining sector. Additionally, one of the Congolese government's jobs is to regulate mining, imposing labour and environmental protections, ensuring that miners and communities are defended and protected. However, the extractive sector is also a big driver of the nation's economy.

Rwanda

Rwanda is especially relevant to the conflict-minerals and cross-border mineral trade in eastern DRC. It helps explain the regional dimension of mineral traceability, illicit mineral flows and conflict rather than primarily the southern DRC cobalt industry.

Switzerland

Switzerland is a major global commodity-trading centre and the headquarters of companies like Glencore, which has extensive business interests in DRC mining. Therefore, Switzerland exemplifies the role of the home states of multinational corporations and their responsibilities with regards to corporate conduct abroad. Finally, Swiss authorities have also taken enforcement action involving Glencore's historical DRC activities.

United States of America (USA).

The USA is involved as a main downstream economy and through efforts to develop alternative and more responsible critical-mineral supply chains. In 2022, it signed an agreement that supports the DRC and Zambia in developing an EV-battery supply chain from mining to assembly, with commitments that concern international standards and anti-corruption measures.

Zambia

Zambia borders the DRC's mineral-rich Copperbelt and is a significant copper producer, which connects it closely to regional mineral supply chains. Zambia and the DRC are also working together to develop an EV-battery value chain, with the aim of creating more processing, manufacturing and economic value within Africa.

European Union (EU)

The European Union is a significant market and regulatory actor for vital minerals. In 2023, it established a strategic partnership with the DRC, which aimed at developing sustainable raw-material value chains, increasing local processing and promoting responsible sourcing and international environmental, social, and governance standards.

International Labour Organisation (ILO)

The International Labour Organisation is especially involved in addressing child labour and workers' rights in DRC cobalt mining. Its GALAB project targets child labour in

artisanal cobalt mining through monitoring, remediation, stronger government capacity and greater accountability among public and private actors.

Organisation for Economic Co-operation and Development (OECD)

The OECD developed internationally influential due diligence guidance for responsible mineral supply chains. It has also particularly studied DRC cobalt and copper supply chains, studying LSM and ASM, traders, processors and refiners, and risks including child labour, corruption, and human-rights abuses associated with security forces.

United Nations Human Rights Council (UNHRC/HRC)

The HRC is fundamental to the issue regarding business and human rights. In Resolution 17/4 (2011), it endorsed the UN Guiding Principles on Business and Human Rights and established the Working Group on business and human rights, providing an international framework for preventing and addressing human-rights impacts associated with businesses.

BLOCS EXPECTED

Bloc A

Would demand immense corporate responsibility and ensure that human rights due diligence is obligatory for MNCs involved in mineral supply chains. Bloc A would possibly concentrate on boosting transparency and traceability. Bloc A could also be in favour of access to remedy for workers and communities that are affected and stronger reporting requirements. Overall, Bloc A could centre on supporting affected workers and communities, enhancing reporting and monitoring, and producing mandatory measures for practices including human rights due diligence, and it could concentrate on more potential accountability, clarity, potentially trackability, and verifiability. Such countries could potentially include EU member states, such as Germany, and Switzerland.

Bloc B

This bloc could centre more on acting domestically and on the nation acting as the producer, to be able to lead and run its own mining sector. Bloc B may support domestic legislation, government-led regulation, international cooperation and capacity-building. Additionally, Bloc B could focus on remediation of the problems in the DRC, and focus more on the DRC itself. This bloc could centre more on addressing the circumstances that allow abuses to occur within the DRC, and on helping the DRC have increased economic benefits from its mineral resources, instead of having its primary objective as regulating MNCs. However, this bloc would still protect a state's ability to manage its domestic mineral

resources and seek economic development. Such countries could potentially include the Democratic Republic of the Congo and Zambia.

TIMELINE OF EVENTS

Date	Description of event
2nd August, 1998	**Second Congo War Begins** A significant regional conflict started in the DRC which involved the COngolese government, neighbouring states, and numerous armed groups. Control and illegal exploitation of important natural resources became connected to the funding and continuation of parts of the conflict.
17th June, 1999	**ILO Convention No. 182 Adopted** This convention was adopted by the ILO to completely discard the worst forms of child labour. This includes dangerous work likely to harm children's health, safety, or morals. Therefore, this is relevant to dangerous child labour in mining.
2nd June, 2000	**UN Panel of Experts on Illegal Exploitation of Natural Resources in the DRC Established** The UNSC created a Panel of Experts responsible for investigating the illegal exploitation of natural resources and other forms of riches in the DRC, and examining links between resource exploitation and the ongoing conflict.
20th June, 2001	**DRC Ratified ILO Convention No. 182** Seeing as the DRC ratified this convention, it agreed to do something that would prohibit and eradicate the

	worst forms of child labour, including dangerous child labour.
23rd October, 2003	**UN Panel Completes its Investigation** The Panel submitted its complete report after it looked into illegal resource exploitation in the DRC, which includes the roles of armed groups, political actors, and commercial networks connected to natural-resource exploitation.
30th November, 2009	**UNSC Resolution 1896 Adopted** The UNSC asked for recommendation guidelines regarding due diligence for companies and those that import, process, or consume minerals from the DRC, especially where mineral trade could support armed groups.
29th November, 2010	**UNSC Resolution 1952 Adopted** The UNSC was in favour of due diligence recommendations for DRC mineral supply chains and urged states, importers, processors, and consumers to perform due diligence in order to reduce the support for armed groups through mineral trade.
25th May, 2011	**OECD Due Diligence Guidance Adopted** The OECD created guidance that would help companies identify, prevent, and mitigate risks in mineral supply chains from conflict-affected and high risk areas instead of completely avoiding these areas.
16th June, 2011	**HRC Resolution 17/4 supports the UN Guiding Principles on Business and Human Rights**

	The HRC supported the UN Guiding Principles on Business and Human Rights, which established the framework that human rights should be protected by states, respected by business, and that victims should be able to access remedy.
9th March, 2018	**DRC Mining Code Revised** The DRC revised its Mining Code, overall changing the legislation that governed mining and improving clauses regarding state revenue, mining companies, local development and governance of the sector.
15th November, 2019	**OECD published Interconnected Supply Chains** The OECD analysed DRC cobalt and copper supply chains, showing how ASM, LSM, traders, processors and refiners can be interconnected and establishing due-diligence challenges that involved human rights, corruption and security forces.
20th November, 2024	**ILO launches GALAB's DRC intervention** The ILO initiated a DRC intervention that aimed at reducing child labour in artisanal cobalt mining through monitoring and remediation, assistance for children and families, enhanced government capacity and more public and private sector accountability.

RELEVANT RESOLUTIONS, TREATIES AND EVENTS

Convention on the Rights of Child (CRC) (1989)

The CRC creates essential and hugely important rights for children. More specifically Article 32 of the CRC states: “States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.” [UNICEF][32]

United Nations Security Council Resolution 1896 (2009)

The UNSC asked for recommendation guidelines regarding due diligence for companies and those that import, process, or consume minerals from the DRC, especially where mineral trade could support armed groups. Here, the UNSC asked for recommendations for due diligence guidelines so that a set of guidelines is produced, meaning that companies are obliged to follow said guidelines before engaging in any activity involving the mining sector in the DRC. Practically, this means that the United Nations Security Council shows interest in combating the human rights abuses in the mining sector in the DRC. This is apparent in their enquiry for recommendations because it is an attempt to ensure that corporations involved in the mining sector have a set of guidelines for due diligence that they need to follow. Additionally, this interest is apparent when the UNSC asked for recommendation guidelines especially where mineral trade could support armed groups. This portrays the fact that the UNSC is attempting to create guidelines that would potentially help companies research prior to involvement, which could stop this engagement if it is found that that mineral trade could support armed groups, and hence this finding could be reported and acted upon. [UNSC][33]

United Nations Security Council Resolution 1952 (2010)

The UNSC was in favour of due diligence recommendations for DRC mineral supply chains and urged states, importers, processors, and consumers to perform due diligence in order to reduce the support for armed groups through mineral trade. [UNSC][34]

United Nations Human Rights Council Resolution 17/4 (2011)

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[32] United Nations. *Convention on the Rights of the Child*. 20 Nov. 1989, *UNICEF North Macedonia*, https://www.unicef.org/northmacedonia/media/1801/file/MK_CRC_1990_ENG.pdf.

[33] United Nations. *Report of the Secretary-General on Children and Armed Conflict in the Democratic Republic of the Congo*. United Nations Digital Library, https://digitallibrary.un.org/record/672394?v=pdf.

[34] United Nations Security Council. *Resolution 1952 (2010): Adopted by the Security Council at Its 6432nd Meeting, on 29 November 2010*. 29 Nov. 2010, United Nations Digital Library, https://digitallibrary.un.org/record/694221?v=pdf.

The HRC supported the UN Guiding Principles on Business and Human Rights, which established the framework that human rights should be protected by states, respected by business, and that victims should be able to access remedy. [UNHRC][35]

PREVIOUS ATTEMPTS TO SOLVE THE ISSUE

DRC Country Partnership Framework (CPF)

The CPF pushes for the stabilization and development of the DRC. It is in favour of strategic preferences and vital reforms for better governance and broadening stabilization practices in the DRC. Additionally, the CPF pays much attention to human development, and it is committed to assisting the DRC in its hopes to gain access to and better the quality of standard services including education, health, and social protection.

International Labour Organisation GALAB Project

The ILO initiated the GALAB project, which was funded by the U.S. Department of Labour, to fight child labour in the DRC's artisanal cobalt sector. GALAB carries on the work from the COTECCO project, and it uses the CLMRS to identify children that are involved in mining and refer them to remediation services. These services can be educational assistance, vocational training, and income-generating support for families. Finally, it trains labour or mining inspectors and private-sector actors and aims at enhancing public/private accountability and due diligence.

United Nations Environment Programme & DRC Government

UNEP's cooperation with the government of the DRC aims at developing a national plan for mineral extraction, attempting to reduce mining's environmental impacts. Additionally, it has looked at mechanisms that resolve conflicts affiliated with mineral extraction, including revenue-sharing and dispute-resolution processes.

POSSIBLE SOLUTIONS

Due Diligence and Audits

Ensuring due diligence is completed prior to involvement in any mining, with audits presented. This will ensure that states have access to a corporation's audits and hence means of operation, allowing said states to identify any malpractice or error in procedure within the corporation, and for this to be handled appropriately. Additionally, by making due

[35] United Nations Human Rights Council. *Human Rights and Transnational Corporations and Other Business Enterprises: Resolution Adopted by the Human Rights Council*. 2011, United Nations Digital Library, https://digitallibrary.un.org/record/706796?ln=en&v=pdf.

diligence obligatory for all corporations, some of those corporations may identify risks in the procedure of the practice that they will enter in, allowing for it to be identified, reported, and dealt with accordingly.

Due Diligence Guidelines

Creating due diligence guidelines for mining and minerals specifically, ensuring clarity. This solution can build off of the OECD's aforementioned guidelines because it can serve as either a solid foundation for future additions to the guidelines, or an inspiration for another set of guidelines. However, the vital point to get across here is that by having guidelines, corporates can perform due diligence accordingly, in a fitting manner, cohesively, without room for interpretation, without the ability to "bend the rules", and without a grey zone.

Transparency Between States and Mining Organisations regarding Audits

Enforcing legislation for nations and their governments to be provided with audits from each mining organisation. This procedure will ensure transparency between mining organisations and states, which means the state will be notified should any error, malpractice, or breach of legislation by the organisation occur. Once again, this should assist in the minimisation of such practices by organisations, and allow for appropriate responses to said actions.

Monitoring of Mining Operations

Monitoring mining operations continuously and regularly, with inspections of working conditions and circumstances as well. Public or private employment of inspectors conducting routine inspections of the working environment and its conditions and circumstances will ensure regular checks for compliance with appropriate legislation, and will attempt to assist in making the operations legal. Additionally, applying a monitoring system for the mining operations could potentially reduce or eliminate illegal procedures, or help in doing so.

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