



Indicative, non exhaustive list of
**CONFLICT-AFFECTED
AND HIGH-RISK AREAS**
under Regulation (EU) 2017/821

This report is an individual CAHRA report from the indicative, non-exhaustive, regularly updated list of conflict-affected and high-risk areas (CAHRAs) (as defined under Regulation 2017/821).

This report stems from a website presenting an indicative, non-exhaustive, and regularly updated list of conflict-affected and high-risk areas (CAHRAs) under Regulation 2017/821. This website and its associated reports were developed with funding from the European Union through call for tenders N° TRADE2018/G3/G11 (*Revised*).

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DEMOCRATIC REPUBLIC OF THE CONGO

REGION(S)

Haut-Lomami


AREA STATUS


 High-risk area

RELEVANT COMMODITIES

 Gold

 Tin

 Tantalum and Niobium

 Tungsten

Overview of assessment

The Democratic Republic of Congo (DRC) is characterised by the presence of high-risk areas relevant to Regulation 2017/821. These include Bas-Uélé, Équateur, Haut-Katanga, Haut-Lomami, Haut-Uélé, Kasai Central, Kasai Oriental, Kongo Central, Kwango, Kwilu, Kinshasa, Kasai, Lomami, Lualaba, Maniema, Mongala, Nord-Ubangi, Sankuru, Sud-Ubangi, Tanganyika, Tshopo, and Tshuapa. While this report focuses on selected regions identified as high-risk areas according to the project's methodology, it should be noted that all the remaining regions of the DRC have been identified as conflict-affected areas relevant to Regulation 2017/821.

Several organisations have reported human rights and international law violations occurring in the DRC, specifically in this report's focus regions. These organisations include the Office of the United Nations High Commissioner for Human Rights (OHCHR), Amnesty International, Human Rights Watch (HRW), Global Witness, the US Bureau of International Labor Affairs (ILAB), Mines and Communities (MAC), and the UN Committee on the Elimination of Discrimination against Women (UN CEDAW). In particular, the following issues have been identified.

The OHCHR, HRW and Amnesty International report that the armed forces and the police use disproportionate levels of force against civilians and carry out arbitrary arrests and detentions (OHCHR, 2021a; Amnesty International, 2022a, 2022b & 2023a; HRW, 2024). HRW and Amnesty International report also highlight that conflict-related violence includes unlawful killings, rape, extensive civilian deaths and displacement (Amnesty International, 2021, 2022a & 2022b; HRW 2023b & 2024).

Global Witness, the OHCHR, HRW and Amnesty International report widespread, endemic corruption in the DRC state administration. This has resulted in impunity for high-ranking civilian and military officers, some of whom are suspected of crimes leading to thousands of deaths and the internal displacement of millions of people (Global Witness, 2020; HRW, 2021 & 2024; OHCHR, 2019a; Amnesty International, 2023b).

The OHCHR also reports that the government in the DRC has suspended citizens' rights to freedom of expression; by repeatedly shutting down the internet, suspending social media and television programmes, jamming radio broadcasts, and restricting foreign media broadcasts in the country (OHCHR, 2019a & 2021a). Further, HRW and Amnesty International report that the state of emergency in place due to the COVID-19 pandemic has been used by the government to crack down on protests, with security forces reportedly using excessive force against banned demonstrations (Amnesty International, 2023a; HRW, 2021 & 2024). Amnesty International and HRW further report that journalists, civil society organisations, opposition activists and human rights defenders have been targeted (Amnesty International, 2022 & 2023b; HRW, 2023a & 2024). HRW further reports increased repression of freedom of speech across the country in the run up to the December 2023 presidential elections through threats, physical violence and arbitrary arrests of journalists and political opponents (HRW, 2024).

The UN CEDAW, Amnesty International and the OHCHR report that violence against women is widespread in the DRC and that this is committed by both non-state armed groups and the state's own armed forces (Amnesty International, 2023a; HRW, 2022; OHCHR, 2019a, 2019b & 2021b; UN CEDAW, 2019). The OHCHR

and the ILAB both report that child labour, trafficking, and sexual exploitation are widespread in the DRC (ILAB, 2023; OHCHR, 2019a & 2021b). The OHCHR reports that only half of children aged between 6 and 11 attend primary school (OHCHR, 2019a). Instead, children are engaged in the worst forms of child labour, including forced mining and transportation of gold and tin, tantalum, and tungsten ores (ILAB, 2023). Children also engage in armed conflict and can be subject to forcible recruitment or abduction by non-state armed groups (ILAB, 2023). The military is also allegedly complicit in child abduction, illegal detention of children with alleged ties to armed groups, school raids and abuse of children working in mines (ILAB, 2023).

The DRC is home to a wealth of mineral resources, but Amnesty International, the ILAB, MAC, and the OHCHR all report that the mining industry is plagued by forced labour, including child labour, exploitation (including sexual exploitation), dangerous working conditions, extortion, illegal taxation and physical abuse (Amnesty International, 2023b, ILAB, 2023; OHCHR, 2019a). Many artisanal mines are reportedly controlled by armed non-state groups, who use them to fund their illegal activity (ILAB, 2022). In the artisanal mines, the ILAB reports that working conditions are hazardous and child labour is prevalent (ILAB, 2023). Child labourers are allegedly subjected to extortion and physical abuse by the DRC's armed forces, mining police, and non-state armed groups (ILAB, 2023). The OHCHR reports that the networks involved in artisanal mining in the DRC are involved in violations of human rights and international humanitarian law (OHCHR, 2019a). Amnesty International also reports that pollution caused by mining has led to serious human rights impacts (Amnesty International, 2022).

Relevance to the scope of Regulation 2017/821

Regions identified as conflict-affected areas within the DRC are considered relevant to the scope of Regulation 2017/821 for the following reasons:

- The DRC is characterised by the presence of production activities for gold, tin, and tantalum, according to data from Opaxe (Opaxe RED, 2024).
- Artisanal mining activities for gold, tin, tantalum, and tungsten are reported in the World Bank DELVE database, the ILAB and the OHCHR (DELVE, 2023; ILAB, 2023; OHCHR, 2019a).
- The DRC is identified as part of the supply chain for tin on the Raw Materials Supply Chain Viewer of the EU (Ciuta & Ciupagea, 2019).
- Production activities for gold, tin, tantalum and niobium, and tungsten are reported in the British Geological Survey from 2014 to 2020 (BGS, 2024).
- The DRC has reported exports of gold (unwrought, in semi-manufactured forms or in powder form) as well as exports of tin ores and concentrates and exports of tantalum/niobium ores and concentrates from 2016 to 2022 according to the UN ComTrade database (UN DESA, 2024).
- Updates and developments concerning the tin supply-chain are reported by the ITSCI Programme for Responsible Mineral Supply Chains of the International Tin Association (ITA, 2021).

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