

Geneva, 5th March 2018

H.E. Mr. Joseph Kabila
President
Democratic Republic of Congo

E-Mail: kndukuma@yahoo.fr; missionrdc@bluewin.ch

IndustriALL Global Union calls for full implementation of new mining code in Democratic Republic of Congo

Dear President Kabila,

I am writing this letter to you as the General Secretary of [IndustriALL Global Union](http://www.industriall-union.org), which represents more than fifty million workers in mining, energy and manufacturing sectors throughout the world, including five affiliates across the Democratic Republic of Congo's mining, production and manufacturing sector, to call for the full implementation of the new mining code.

IndustriALL Global Union, as a representative of the interests of mineworkers in the Democratic Republic of Congo, has been following developments around the new mining code discussion in the country, which is something we also do in other mining countries, such as in South Africa, Madagascar, Zambia, Brazil, and Mexico.

It is therefore not surprising that we were present and actively participated at the Investing in Africa Mining Indaba's Sustainable Development Day, as well as other side meetings and events, in Cape Town in early February. We were encouraged by the interventions of the Minister of Mines and the representative from the state-owned mining company, Gécamines, on the urgent need for a policy change in the country's mining regime.

The reaction of the multinational mining companies present in the Democratic Republic of Congo, without exception, were scathing in their criticism of the policy change envisaged in the country's new mining code. They conveniently ignore the government's review of the 2002 mining code, undertaken from 2012 to 2015, which was followed by a series of extensive tripartite consultations among government, the private sector and civil society representatives.

We also find it appropriate that the policy change in the Democratic Republic of Congo is being contemplated at a time of the rebound in the commodity prices. We are fully aware of the fact that the Democratic Republic of Congo did not benefit from the recent super-cycle commodities boom and was severely affected by the subsequent commodities crises.

We had the privilege of visiting the Democratic Republic of Congo recently at the invitation of one of the mining unions to investigate the appalling and disturbing working conditions at one of the private multinational mining companies' operations in the country, Glencore. We were saddened and outraged at what we discovered: the daily experience of abuse and violation of fundamental labour rights of Congolese mine workers at these operations are in total disregard of the laws of the country and collective bargaining arrangements. The testimonies of around 80 workers represented by the union, offer clear proof of the abuse and violation of their labour

rights and human rights, extending beyond the mine operations into their homes, families, communities and the surrounding environment.

Therefore, taking into account the appalling working conditions at some multinational mining companies' operations in the country, we attach extreme importance to the actual implementation of this new mining code.

Sincerely yours,



Valter Sanches
General Secretary