



# The question of human rights' violations in the Congolese mining industry



HRC

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### Introduction:

Conflict minerals have shaped the human rights landscape of the African continent since the 1480s when it was first colonized. Cobalt in particular has become indispensable to the function of our society. It is one of the key materials in a lithium-ion battery, which is essential for mobile phones and other devices requiring these batteries. Essentially cobalt goes to rechargeable battery companies, who are then redistributed to everything that requires a battery. Alternatively, most household wires as well as some utility wires require cobalt. The DRC is easily exploited by these companies because of its cheap labour prices, as well as vulnerable workers, lack of human and environmental legislation, corruption and muddy supply chains. It is easy for large corporations to blame modern-day slavery that occurs in their company on their suppliers because these supply chains will be so big, extensive and long that it is “difficult” to keep track of where these materials are coming from before they are manufactured into something else. In less economically developed countries (LEDCs) people are more likely to accept job offers below minimum wage, as many are desperate to make ends meet or people from vulnerable grassroots communities are enslaved and/or threatened to work. Nonetheless, unfair pay is only one of the violations of human rights that occur within the mining industry. Cases of sexual harassment, child labour and abuse, dangerous work environments, overworking, and physical abuse have all been found to be serious issues within the mining industry.

The Congolese mining industry is of notable global importance, producing 41% of the world's cobalt, ranking as the 6th largest producer of industrial-grade diamonds, and featuring copper graded up to 3%—remarkably higher than the world average of 0.4-0.6. Its leading sub-sectors encompass copper, nickel, gold, cobalt ore mining, and mining equipment leasing and financing. This industry holds irreplaceable national significance, contributing to 9/10 of the DRC's total exports.

With a population exceeding 85 million, the DRC contends with ethnic diversity and linguistic variations, factors amplifying social complexities and vulnerability. The historical context, marked by colonial rule and post-independence struggles, significantly influences the nation's present state, contributing to ongoing challenges in governance, economic development, and human rights. Despite its resource richness, the DRC remains one of the world's least developed countries, with approximately 72% of its population living below the poverty line.

Endowed with abundant natural resources, the DRC possesses immense economic potential, notably in the mining sector. However, this potential is marred by issues such as corruption and exploitation. Over 40% of the population faces food insecurity, creating an environment where vulnerable individuals are compelled to accept exploitative working conditions. The kinds of UN-observed human rights violations in the DRC encompass a spectrum, from the sprawling Congolese mining industry to broader socio-political contexts. Key areas of concern include child labour, unsafe working conditions, conflict financing, and the exploitation of vulnerable populations. Understanding these violations necessitates a thorough exploration of contributing factors. Economic disparities, political instability, and armed conflicts create an environment where violations persist, exacerbated by a lack of effective governance and enforcement mechanisms. The DRC faces unique social challenges with a Gini coefficient of 42.1, indicating significant income inequality, further magnifying the vulnerability of its population. Human rights violations in the Congolese mining industry constitute a longstanding issue, with previous UN attempts for resolution. These violations pose a multifaceted threat to the population of the DRC, exacerbating existing social and economic disparities. Resolving this issue is imperative for protecting human rights, fostering economic development, and stabilizing society. Furthermore, it is indispensable to prevent Ongoing efforts, including those by the United Nations, aim to address factors like political instability and armed conflicts, urgently mitigating the magnification of vulnerability and socio-economic inequalities in the DRC.

## Definition of Key Terms



### Conflict Minerals

Natural resources, such as minerals or metals, whose extraction and trade are linked to funding armed conflicts and human rights abuses.

### Child Labour

The exploitative practice of using a child/children to do specific work that is meant to be done by an adult. This practice is illegal in all member states of the UN.

### Consumer

A person, company or organization that buys a product or a service from another person, company or organization, for their use.

### Core Country

Part of World Systems Theory is an industrialized country that owns businesses and capital.

### Discrimination

The act of treating a person or a group of people in a worse way, specifically due to a part of their identity such as their gender, race, or sexual orientation.

### Ethics Washing

The practice of a company fakes ethical consideration to improve how this company is seen by the general public and how much their products are bought.

### Exploitation

In this context, the mistreatment of an individual to gain or ascertain an advantage from them.

### Human Rights

The rights that all humans obtain by birth, however, are not always upheld



### **Labour**

The use of the mental, physical and intellect of a person to produce goods or services for money, typically to receive a monetary reward in the form of a salary or hourly wage.

### **Manufacturing**

The act of producing a large amount of a product, particularly a good, from raw materials, most commonly in a factory.

### **Semi-Periphery Country**

Part of World Systems Theory is an industrializing country that provides cheap labour to create products for core countries.

### **Sweatshop**

A factory where employees are forced to work for long hours in dangerous or unhealthy conditions without getting paid a fair amount for their work.

### **Mining Industry**

The industry involved with extraction, management, and processing of naturally occurring solid minerals from the earth's surface.

### **Modern Slavery**

Contemporary forms of forced labour and exploitation, include practices such as human trafficking, forced labour, and debt bondage.

### **Responsible Sourcing**

Ethical and sustainable practices in the acquisition of raw materials, ensure that products are produced without human rights abuses or environmental harm.

### **Corporate Social Responsibility (CSR) in Mining**

Voluntary initiatives and commitments by supplier companies to address social, environmental, and ethical issues associated with their operations.

### **Supply Chain Transparency**

The openness and clarity in disclosing information about the entire supply chain, from raw material extraction to the final product, ensure accountability and traceability.

### **International Labour Organization (ILO)**

A specialized agency of the United Nations that sets international labour standards and promotes social justice, including issues related to labour rights and working conditions.

### **Multi-Stakeholder Initiatives**

Collaborative efforts involving governments, businesses, and civil society to address complex issues like human rights violations in mining, often through shared standards and guidelines.

### **Exploitative Employers**

Individuals or companies engaged in the industry exploit workers through unfair labour practices, unsafe working conditions, and other forms of mistreatment.

### **Human Traffickers**

Individuals or networks involved in the illegal transportation of people, often for forced labour.

### **Conflict Financiers**

Entities or groups that fund armed conflicts through the exploitation of natural resources.

### **Supply Chain Intermediaries**

Middlemen or entities involved in the supply chain facilitate the flow of goods.

### **Beneficiary Nations**

Countries that benefit economically from the exploitation of resources in LEDCs, potentially indirectly contribute to or perpetuate human rights abuses.

### **Illegal Armed Groups**

Militant or rebel groups

### **Economic Disparities**

The significant differences in wealth, income, and economic opportunities within a society, contribute to vulnerability and exploitation.

### **Land Displacement**

The forced removal of communities or individuals from their land often leads to social, economic, and cultural disruptions.

### **Environmental Degradation**

The deterioration of the environment due to mining activities leads to soil erosion, water pollution, and habitat destruction.

### **Food Insecurity**

Lack of consistent access to enough food for an active and healthy life.

### **Informal Economy**

Economic activities that occur outside formal government regulations

### **Labor Exploitation**

Unfair treatment of workers, including issues such as low wages, long working hours, and unsafe working conditions.

### **Internally displaced person**

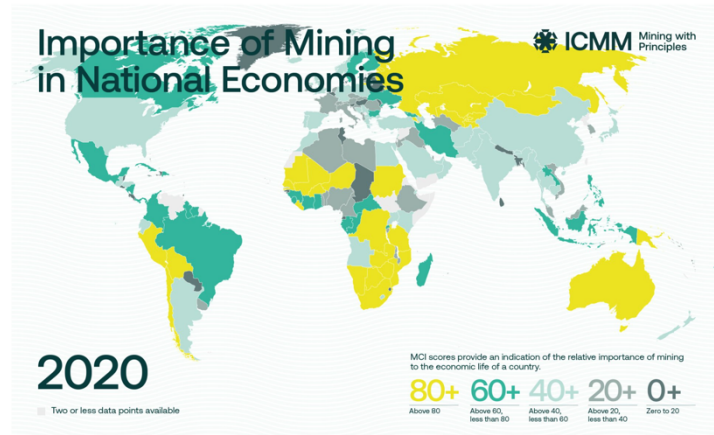
A migrant who had to leave their home in order to protect their safety due to a natural disaster, war or persecution.

## **General Overview**



## Global scope

The Congolese mining industry is marred by alarming human rights violations, notably exploitative labour practices and hazardous working conditions. Children, constituting a substantial part of the workforce, endure perilous tasks, compromising their



well-being and hindering education. Unsafe environments contribute to accidents and fatalities, with miners facing severe health risks, including respiratory issues and skin ailments. Prolonged working hours exacerbate psychological hardships.

These violations transcend national borders, impacting global supply chains in major technology, automotive, and electronics sectors. The demand for minerals from the Democratic Republic of the Congo (DRC) resonates globally, integral to products reaching consumers worldwide. This global interconnection underscores the urgency for international collaboration. Entities like the Office of the High Commissioner for Human Rights (OHCHR) and Amnesty International play pivotal roles in raising awareness and advocating for ethical practices globally. Increased scrutiny from consumers, investors, and regulatory bodies amplifies the call for responsible sourcing practices. Addressing human rights violations in the Congolese mining sector requires not only national efforts but also a concerted global response to uphold ethical standards and protect the rights of workers involved in mineral extraction.

## Working conditions

In the Congolese mining industry, the health risks are intricately intertwined with challenging working conditions, exposing miners to abuses and treatments that further exacerbate their vulnerabilities. In the pursuit of extracting minerals, workers face a daunting reality characterized by exploitative practices and neglect.



One of the pressing issues is the prevalence of child labour, a form of exploitation that robs young individuals of their childhood and exposes them to hazardous conditions. Children are often subjected to arduous tasks, working in unsafe environments that compromise their physical and mental well-being. This exploitation extends beyond physical risks, influencing their overall development and perpetuating cycles of poverty.

Moreover, the choice of unregulated and outdated working sites compounds the risks faced by miners. The decision to operate in dilapidated structures, devoid of adequate safety measures, not only endangers the structural integrity of the mines but also places miners at heightened risk of accidents, injuries, and even fatalities. The absence of robust national laws or policies adds to the vulnerability of workers, allowing for minimal accountability and perpetuating a cycle of exploitation.

The working conditions in the Congolese mining industry extend beyond physical risks to encompass psychological and emotional hardships. Miners endure prolonged working hours, often in overcrowded conditions, contributing to stress, anxiety, and mental health challenges. The lack of access to adequate sunlight, necessary for maintaining Vitamin D levels, adds another layer to the complex web of challenges faced by workers, potentially leading to a range of health issues.

In terms of health risks, exposure to hazardous substances used in mining processes, such as chemicals and dust particles, poses severe threats. The impact includes respiratory issues, skin ailments, and long-term health implications, creating a perilous environment for workers. Lack of proper training on machinery and equipment further heightens the risk of

injuries, and in the absence of comprehensive regulations, workers remain inadequately protected

### Notable human rights violations



The Congolese mining industry stands as a troubling arena marred by egregious human rights violations, flagrantly breaching several articles of the Universal Declaration of Human Rights.

Exploitative labour practices, particularly the pervasive use of child labour, directly contravene Article 4's assertion of freedom from slavery.

Hazardous working conditions expose miners, including children, to physical harm, infringing upon Article 5's guarantee of freedom from torture and degrading treatment. Discriminatory practices within the industry, manifested in unequal treatment and opportunities, run afoul of Article 7's stipulation of the right to equality before the law. Coercion and exploitation of workers raise concerns about arbitrary practices, potentially violating Article 9's assurance of freedom from arbitrary arrest.

Moreover, the industry's practices infringe on the right to privacy and protection in the workplace, as outlined in Article 12, with unsafe working conditions and the absence of proper safeguards. The right to desirable work and the freedom to join trade unions, articulated in Article 23, is compromised by exploitative labour practices and the lack of workers' rights. Prolonged working hours and stressful conditions challenge the right to rest and leisure, as per Article 24. Additionally, inadequate wages and living conditions infringe upon the right to an adequate standard of living, as detailed in Article 25.

These systematic violations underscore the urgent need for comprehensive measures to rectify the deeply ingrained challenges within the Congolese mining sector. It calls for international collaboration, ethical oversight, and stringent regulations to protect the rights and well-being of the workforce involved in mineral extraction.

### Economy of the mining industry



The Democratic Republic of the Congo's (DRC) mining industry is intricately linked to the global economy, and the exploitation of human rights within this sector has profound implications for both. The DRC, endowed with vast mineral resources, plays a pivotal role in supplying minerals, which are crucial components in the production of technology, electronics, and renewable energy. As the demand for these minerals rises globally, driven by advancements in technology and the transition to electric vehicles, the economic significance of the mining sector intensifies.

However, this economic interdependence often comes at the expense of respecting human rights. In the pursuit of profit and meeting global demand, ethical considerations and workers' rights are frequently overlooked. The use of child labour, hazardous working conditions, and the absence of proper safeguards are symptomatic of a system that prioritizes economic gains over the well-being of those involved in mineral extraction. The challenging working conditions, coupled with a lack of stringent national laws, create an environment where the exploitation of workers becomes pervasive, making it difficult to respect fundamental human rights.

Global market trends further exacerbate the challenges in upholding human rights within the mining industry. The relentless demand for minerals contributes to a race to meet production quotas, often sidelining ethical considerations. The competitive nature of the global market encourages cost-cutting measures, leading to inadequate wages, substandard working conditions, and the perpetuation of exploitative practices. In this context, companies may prioritize securing their market share and meeting consumer demands, while the human toll of such practices remains obscured in the complex web of global supply chains.

Moreover, the volatility of global market trends can exacerbate the vulnerability of workers in the DRC's mining industry. Fluctuations in demand and commodity prices can lead to job insecurity and increased pressure on workers to meet production targets, potentially compromising safety and ethical standards. As the global economy continues to evolve, the interconnectedness of industries and economies underscores the need for a

concerted effort to integrate ethical considerations into business practices, ensuring that economic growth aligns with the respect for human rights.

## Major Parties Involved

### China

Positioned as the foremost global exporter and manufacturer, China strategically asserts its dominance in the global supply chain, particularly within the Congolese mining sector. With a meticulous focus on securing critical minerals, notably cobalt, essential for its technology and electric vehicle industries, the country has become a linchpin in the intricate web of international economic interdependence. However, this economic ascendancy is not without ethical concerns. As the leading exporter globally, China's demand for minerals is driven by its burgeoning technology and electric vehicle industries. This has prompted accusations of labour exploitation for this beneficiary nation, particularly in the Xinjiang region, where thousands of factories stand accused of engaging in forced labour and slavery. The absence of robust national laws or policies about employee and worker rights exacerbates the situation, allowing for minimal accountability. This juxtaposition of economic prowess and ethical challenges presents a predisposition for China's role in the Congolese mining industry. Acknowledging these concerns, China faces scrutiny over alleged human rights violations within its supply chains, inspired by its lack of national slavery prevention laws. The allegations encompass forced separation, sterilization, sexual harassment, and torture. China purchases half of the cobalt mined in the DRC as well as owning most of the mines, making it a major stakeholder, a concerning fact considering most Chinese corporations are said to lack respect for human rights. Despite its status as a developing nation, the ethical dimensions of its involvement in the mining sector spotlight vulnerabilities and underscore the urgent need for comprehensive regulatory frameworks. China's pivotal role in the Congolese mining industry underscores the intricate interplay between economic interests, ethical considerations, and the urgent need for comprehensive regulatory frameworks to ensure responsible practices throughout the mineral supply chain. This multifaceted landscape requires meticulous navigation to address human rights concerns and uphold global standards of ethical business conduct.

## United States

A trailblazer in innovation and technological advancement, plays a significant role in the Congolese mining industry. Despite its status as a developed nation, the U.S. faces escalating scrutiny for potential links to human rights abuses within the Congolese mining sector, adding a layer of complexity to its economic engagement. Driven by its emphasis on innovation, the U.S. is a major consumer of minerals from the Democratic Republic of the Congo (DRC), fueling its technology and electronics sectors, which take up a considerable amount of its economy. The demand for cobalt is intricately linked to the production of lithium-ion batteries used in smartphones, laptops, and electric vehicles. However, this economic entanglement brings ethical considerations to the forefront. The lack of stringent national laws addressing supply chain ethics contributes to the persistence of these issues. In navigating its role in the global mineral supply chain, the United States grapples with reconciling economic imperatives with ethical concerns. Striving for a responsible image, in recent years after public outcries for justice the nation has begun to face the imperative to address human rights issues associated with modern-day slavery hidden within the supply chains of large companies such as Apple, this includes the Congolese mining industry. Calls for greater transparency and responsible sourcing practices are gaining momentum, urging the U.S. to align its economic pursuits with ethical standards. This intricate balancing act underscores the challenges inherent in the nation's contribution to the Congolese mining sector, where economic aspirations intersect with ethical considerations, shaping the trajectory of its engagement.

## European Union (Germany, France, Netherlands, etc.)

The European Union (EU), a conglomerate of economic powerhouses such as Germany, France, and the Netherlands, plays a pivotal and multifaceted role in the Congolese mining industry. Driven by collective economic objectives, the EU significantly influences various industries, including automotive, electronics, and renewable energy, thereby fueling demand for minerals sourced from the DRC. However, this economic interconnectedness is not devoid of ethical challenges, prompting a nuanced exploration of the EU's role in the Congolese mining landscape, as several of these member countries played a role in initiating the exploitation of minerals from the DRC as well as other African



LEDCs. As a substantial consumer of products containing minerals from the DRC, the EU's economic ties deepen, especially with the rising demand for these conflict materials driven by advancements in technology and electric vehicles. This heightened economic engagement also prompted the EU's announcement to invest 50 million USD into the Congolese mining infrastructure. European nations, within the EU framework, find themselves under increasing pressure to enact and enforce stricter national laws on supply chain intermediaries that promote responsible sourcing practices and address human rights violations within the mineral supply chain. Just like the US in recent years the EU has attempted to address this issue, condemning preparators with zero tolerance. The EU has committed to comprehensively addressing modern slavery endorsed by supply chains originating in its countries.

### Japan

Renowned for its advanced technology and electronics industry, emerges as a significant consumer of minerals extracted from Congolese mines, a crucial component in the manufacturing of electronic devices. As Japan's technological advancements contribute to the global demand for minerals, ethical concerns regarding potential ties to human rights abuses and environmental degradation in the Congolese mining sector come to the fore. Japan's economic interdependence with the Democratic Republic of the Congo (DRC) underscores the significance of its role in the mining industry. As Japanese companies grapple with these ethical considerations within their supply chains, more comprehensive regulations become imperative. The necessity for regulatory frameworks aligns with Japan's national aspirations for ethical standards and sustainable practices in the global mineral supply chain. The scope of this issue is immense, with millions affected by the ramifications of an inadequately regulated industry.

### South Korea

With its prominent tech and automotive industry, actively participates in the Congolese mining sector, driven by the country's demand for minerals. This active involvement, while economically significant for South Korea and the DRC, is not without ethical challenges. The increased scrutiny of global supply chains reveals potential ties to human rights abuses in the Congolese mining industry. South Korea faces mounting pressure

to enact and enforce national laws that promote responsible sourcing practices, addressing concerns related to human rights violations in the mineral supply chain. As the South Korean economy continues to grow, the ethical dimensions of its engagement with Congolese minerals are increasingly under the spotlight, prompting the need for comprehensive regulatory frameworks. These frameworks aim to ensure that South Korea's economic aspirations align with ethical standards, fostering a sustainable and responsible approach in the global mineral supply chain.

### India

India, emerging as a burgeoning market for technology and electric vehicles. The country's demand for materials is crucial for its growing manufacturing sector. However, the lack of stringent national laws and policies related to employee and worker rights in the DRC raises concerns about ethical practices and human rights violations in the Indian engagement with Congolese minerals. As a major consumer, India is urged to enact and enforce comprehensive national laws addressing these challenges. Responsible mineral sourcing and ethical practices within the Congolese mining sector are imperative as India navigates the complexities of its economic ties with the DRC. The significant figures associated with this issue highlight the urgent need for regulatory frameworks that ensure ethical standards are met throughout the mineral supply chain.

### South Africa

South Africa, with historical ties to the Democratic Republic of the Congo (DRC) and expertise in the mining sector, stands as a major player in the Congolese mining industry. Beyond minerals, South Africa is intricately connected to various industries, including mining equipment manufacturing and technology. The interconnectedness with the DRC underscores the economic significance of the mining sector. However, ethical dimensions, including concerns about human rights violations, highlight the need for responsible practices. The absence of stringent national laws addressing human rights in the DRC contributes to challenges in ensuring ethical standards and transparency within South Africa's engagement with Congolese minerals. As South Africa navigates its role in the mining industry, it faces the imperative to align economic goals with ethical considerations. The significant figures associated with human rights abuses emphasize the urgency for

comprehensive regulatory frameworks. These frameworks aim to establish ethical standards and ensure responsible practices throughout South Africa's participation in the Congolese mining sector.

## Rwanda

Rwanda, historically linked to the Congolese mineral trade, plays a role that extends beyond its geographical proximity. The country is implicated in the illicit exploitation of resources, contributing to regional conflicts and challenges in the Congolese mining industry perpetuated by illicit armed groups, which are using these minerals as conflict financiers. Smuggling them out of the DRC. Beyond minerals, Rwanda's economy is connected to industries such as trade and coordination. Ethical considerations regarding human rights abuses are particularly pertinent. The significant figures associated with human rights violations highlight the urgent need for comprehensive regulatory frameworks in Rwanda to address ethical concerns in the Congolese mining sector. These frameworks aim to establish clear ethical standards and ensure responsible practices within Rwanda's involvement with Congolese minerals.

## Office of the High Commissioner for Human Rights (OHCHR)

The Office of the High Commissioner for Human Rights (OHCHR) plays a crucial role in monitoring and advocating for human rights standards globally, including within the Congolese mining industry. With a mandate to promote and protect human rights, the OHCHR engages in comprehensive assessments of the industry's impact on local communities, workers, and the environment. In the Democratic Republic of the Congo (DRC), the OHCHR closely monitors the extraction of minerals, and its potential ties to human rights abuses. The OHCHR's reports contribute to global awareness and catalyze diplomatic efforts to address systemic issues. By collaborating with international stakeholders, the OHCHR aims to establish frameworks that promote ethical practices, transparency, and accountability in the Congolese mining sector.

## Amnesty International

Amnesty International, a leading human rights organization, has been at the forefront of addressing human rights violations in the Congolese mining industry. With a focus on



advocating for the rights of individuals impacted by mineral extraction, Amnesty International conducts extensive research to expose human rights abuses, including forced labour, exploitation, and environmental degradation. The organization's reports shed light on the complexities and challenges faced by those working in and around Congolese mines. Amnesty International's advocacy extends to urging governments, corporations, and international bodies to enact and enforce policies that prioritize human rights and ethical practices in the mineral supply chain. Through its global campaigns, Amnesty International contributes significantly to the dialogue surrounding the Congolese mining industry, fostering awareness and demanding accountability for human rights violations.

### Timeline of key events

- 1885** The Congo Free State is established under King Leopold II of Belgium, leading to significant resource exploitation.
- 1960** June 30 - The Democratic Republic of the Congo gains independence from Belgium.
- 1996-1997** First Congo War begins, contributing to regional destabilization and impacting the mining sector.
- 1998-2003** Second Congo War occurs, involving various armed groups exploiting mining resources for funding.
- 2001** Global Witness releases a report on the economic dimensions of armed conflicts in the DRC.
- 2006** July - Democratic elections are held in the DRC, but challenges persist in governance and corruption.
- 2009** UN experts report on the illicit exploitation of natural resources, including minerals, in the eastern DRC.
- 2010** Dodd-Frank Wall Street Reform and Consumer Protection Act is signed into law in the United States, containing provisions related to conflict minerals.

- 2016** January - Amnesty International releases a report on labor conditions in cobalt mines in the DRC.
- 2018** Tech companies, including Apple and Google, announce commitments to enhance supply chain transparency and responsible sourcing.
- 2020** Ongoing efforts to address human rights concerns in the Congolese mining industry through international initiatives, corporate responsibility, and local governance reforms

## UN Involvement, relevant treaties and events

There are UN treaties that address modern slavery. One such treaty is the Slavery Convention, also known as the 1926 Convention to Suppress the Slave Trade and Slavery. The Slavery Convention was adopted by the League of Nations in 1926 and later taken over by the United Nations. It entered into force on March 9, 1927. The Slavery Convention was amended by the Protocol done at the Headquarters of the United Nations on December 7, 1953. The amended Convention entered into force on July 7, 1955, **1**. The Slavery Convention and its amendments aim to suppress the slave trade and slavery in all their forms. It is important to note that modern slavery encompasses various forms, including human trafficking, forced labour, and debt bondage. While the Slavery Convention addresses the issue of slavery, some other international instruments and initiatives focus on combating modern slavery and human trafficking, such as the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (also known as the Palermo Protocol)

- **Universal Declaration of Human Rights (UDHR):** The UDHR, adopted by the UN General Assembly in 1948, includes Article 4, which prohibits slavery and forced labour. It recognizes the inherent dignity and equal rights of all individuals and establishes the right to be free from slavery and servitude.
- **Slavery Convention (1926):** This convention, adopted by the League of Nations and later endorsed by the UN, aims to prevent and suppress slavery and the slave trade. It calls for the complete abolition of slavery in all its forms.

- **Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery (1956):** This convention supplements the Slavery Convention and provides for the complete abolition of debt bondage, serfdom, and other practices similar to slavery.
- **International Labour Organization (ILO) Conventions:** The ILO has several conventions related to forced labour, including the Forced Labour Convention (1930) and its Protocol (2014). These conventions aim to eliminate all forms of forced labour, protect workers' rights, and promote decent work.
- **United Nations Convention against Transnational Organized Crime:** This convention, also known as the Palermo Protocol, includes the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (2000). It addresses human trafficking, which often involves forced labour and exploitation.
- **2030 Agenda for Sustainable Development:** The Sustainable Development Goals (SDGs) include Target 8.7, which calls for the eradication of forced labour, modern slavery, human trafficking, and child labour in all its forms. The International Labour Organization (ILO) plays a significant role in achieving this target.

## Previous attempts to solve the issue

1. **Mapping Exercise:** The UN Office of the High Commissioner for Human Rights (OHCHR) conducted a mapping exercise to document the most serious violations of human rights and international humanitarian law committed in the DRC between March 1993 and June 2003. The mapping exercise aimed to assess the existing capacities within the national justice system to appropriately deal with these violations.
2. **UN Joint Human Rights Office:** The UN Joint Human Rights Office (UNJHRO) in the DRC, which comprises the MONUSCO Human Rights Division and the former Office of the UN High Commissioner for Human Rights, has been actively monitoring and reporting on human rights issues in the country. The UNJHRO works to document human rights abuses, provide technical assistance to the Congolese government, and advocate for accountability and justice.

3. **Human Rights Council:** The UN Human Rights Council has addressed the human rights situation in the DRC through enhanced interactive dialogues and statements. The Council has called for an end to human rights violations in the country.
4. **Accountability and Justice:** Efforts have been made to hold perpetrators of human rights violations accountable. The military justice system in the DRC has investigated and convicted officers for crimes such as sexual violence, murder, arbitrary arrest, and torture. However, challenges remain, including the need for systematic and appropriate addressing of widespread impunity.
5. **Humanitarian Assistance:** The UN, along with other humanitarian organizations, provides assistance to address the humanitarian crisis in the DRC. This includes support for internally displaced persons, access to healthcare, food security, and protection of vulnerable populations
6. **United Nations Development Programme (UNDP):** The UNDP works to promote sustainable development and address the root causes of poverty. In the DRC, they have initiatives focused on promoting good governance, strengthening the rule of law, and supporting efforts to combat human rights abuses, including those related to the mining industry.
7. **United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO):** MONUSCO is a UN peacekeeping mission in the DRC that works to protect civilians, promote human rights, and support the rule of law. They have been actively engaged in addressing human rights violations, including those related to the mining industry.
8. **International Organization for Migration (IOM):** The IOM is an intergovernmental organization that works to ensure the orderly and humane management of migration. They have programs in the DRC that aim to combat human trafficking and provide support to victims.
9. **United Nations Children's Fund (UNICEF):** UNICEF works to protect the rights of children and ensure their well-being. In the DRC, they have programs aimed at addressing child labour and exploitation, including in the mining sector.
10. **Amnesty International:** has been actively involved in addressing human rights issues in the Democratic Republic of the Congo (DRC) mining industry. Amnesty International has conducted research and published reports highlighting the human

rights abuses (documented forced evictions, sexual assault, arson, and beatings, associated with the expansion of industrial-scale (cobalt and copper) mines in the DRC.

Additionally, certain nations have written policies and laws regarding the issue, ensuring that workers are treated fairly and have specific benefits. For example, all members of the European Union have implemented the law that employers must guarantee their workers health insurance to protect them from any potential health concerns they may have. There have also been steps made on an international level to ensure that there is a minimum wage in each country and that wages may not go below a set amount. In Europe, nations have ensured that women are fairly paid for their jobs and that they have maternity leave. Even though this is not related to the Congolese mining industry, it helps bring forward grounds

### **Possible solutions**

Addressing these challenges requires a paradigm shift, where economic success is not achieved at the expense of human well-being. Establishing ethical supply chains, enforcing stringent regulations, and promoting responsible sourcing practices are essential steps toward fostering an industry that not only contributes to economic growth but also upholds the dignity and rights of the individuals at its core. Within the Congolese mining industry, severe human rights violations persist, echoing challenges seen in the textile industry. These violations include child labour, unsafe working conditions, long hours, and wage theft. To combat these issues, a comprehensive approach involving international cooperation, legislative measures, and corporate accountability is crucial. One effective solution involves implementing and enforcing international labour laws specifically addressing the mining sector. Proactive measures, such as spontaneous checks within mining facilities, can ensure compliance and prevent human rights abuses. Similarly, establishing a global tracking system for minerals would enhance transparency, allowing consumers and governments to trace the origin of resources and hold companies accountable.

Another key strategy is the creation of a specialized UN organization, akin to the UNHCR, dedicated to addressing human rights violations in the Congolese mining industry. This entity would oversee the enforcement of regulations and work towards eliminating forced labour and unsafe conditions. Holding companies responsible for their manufacturing processes is equally essential. Stricter consequences for human rights violations, particularly in less developed nations, can act as a deterrent. Companies should be compelled to implement strict hygiene and safety policies for workers, accompanied by mandatory training sessions to create a safer working environment. On an individual level, raising awareness about the human rights issues within the Congolese mining industry is paramount. Citizens must be informed about the social issues and encouraged to take action. Supporting fair trade products, opting for thrift stores, and choosing locally sourced, certified child-labour-free brands are steps consumers can take to reduce the demand for inhumanely sourced minerals. Additionally, promoting practices like reselling, renting, or recycling minerals can contribute to minimizing the environmental and ethical impact of the industry. Ultimately, these collective efforts are vital in creating lasting change and ensuring the protection of workers in the Congolese mining sector.

### Outline of solution ideas

- **Implementation of International Labor Laws:** Emphasized the need for international labour laws specifically addressing the mining sector, similar to regulations in the textile industry.
- **Proactive Measures for Enforcement:** Advocated for proactive measures, such as spontaneous checks within mining facilities, to enforce labour laws and prevent human rights abuses.
- **Global Tracking System:** Proposed the establishment of a global tracking system for minerals to enhance transparency, allowing consumers and governments to trace the origin of resources.
- **Creation of Specialized UN Organization:** Suggested the creation of a UN organization dedicated to addressing human rights violations in the Congolese mining industry, similar to the UNHCR.



- Corporate Accountability: Highlighted the importance of holding companies responsible for their manufacturing processes, including stricter consequences for human rights violations, particularly in less developed nations.
- (extra) addressing the issue of illicit armed groups involvement within the Congolese mining industry
- (extra) propose a program which deals with increasing the quality of life and enforcing SDGs and other similar concepts more vehemently, to create a overarching and general effect of betterment which would consequently impact the number of vulnerable groups subject to slavery and extortion

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