



global witness

**AGENDA FOR REFORM
IN THE NATURAL RESOURCE SECTOR
OF THE DEMOCRATIC REPUBLIC OF CONGO**

March 2007

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AGENDA FOR REFORM IN THE NATURAL RESOURCE SECTOR OF THE DEMOCRATIC REPUBLIC OF CONGO

Introduction

The elections in the Democratic Republic of Congo (DRC) in 2006 have provided a unique opportunity to turn the page on the violence, armed conflict and plundering of natural resources which have burdened the country for decades. President Joseph Kabila and his new government should seize this opportunity to demonstrate their commitment to the well-being of the Congolese people by turning from the detrimental and destructive practices of the past.

The publication of the Government Programme which sets out the government's plans for the next four years, approved by the National Assembly on 17th February 2007, represents an important step in this direction. Global Witness welcomes the government's commitment to making good governance a priority, characterised by "participation, transparency, responsibility, respect for the primacy of the law, effectiveness and equity".¹ In particular, the publication of the Governance Contract (March-December 2007), appended to the Programme, and its emphasis on justice and the fight against corruption, is a positive initiative. The Annex outlines the government's short-term commitments to addressing the problem of bad governance – which it acknowledges as the origin of the crisis in the DRC – including through reforms of the justice sector, anti-corruption measures, and improved management of public financial systems and the natural resource sector.

Although the full implementation of some of these initiatives may take several years, it is essential that the government embarks upon them without delay, so as not to lose the momentum for change brought about by the elections.

As a response to the Government's Programme, Global Witness lays out in this briefing paper proposals for specific reforms in the natural resource sector. By implementing these reforms, along with the Government Programme, the government would demonstrate to the electorate a real commitment to restoring the rule of law in the natural resource sector, thereby ensuring that the Congolese people finally start to benefit from the wealth of their country.

The recommendations in Global Witness's reform agenda below seek to address the following main concerns:¹

1. Conflict fuelled by natural resources

The scramble for the DRC's rich mineral and timber resources was a significant factor in the brutal armed conflict which has devastated the country since 1996. Military

¹ This brief summary of concerns is based on the findings of Global Witness's in-depth research in the DRC over several years. These findings are described in more detail in Global Witness's reports listed at the end of this paper.

from the national Congolese army, numerous rebel groups, and armies from neighbouring countries all plundered the DRC's natural resources and used the profits to perpetuate the conflict. All parties to the conflict also carried out grave human rights abuses. Although fighting has decreased in recent months, the conflict is not over. Militia continue to operate in areas rich in natural resources, particularly in the east of the country, and the process of creating a unified, integrated and professionally-trained army is not yet complete.

2. Failure of natural resources to contribute to development

The basic right of the Congolese people to benefit from the wealth of the country's natural resources is enshrined in Article 58 of the national constitution:

“All Congolese have the right to enjoy the nation's wealth. The State has a duty to redistribute it equitably and to guarantee the right to development.”²

This right has been persistently violated by successive governments. Despite its enormous natural riches, the DRC still ranks as one of the world's poorest countries, rating 167 out of a total 177 countries in the U.N. Human Development Index in 2006.³ A lack of investment and responsible state management over several decades, compounded by the destruction of infrastructure during the war, has left many areas in desperate need of health facilities, schools, clean water, roads and other basic services. Some of the areas most rich in natural resources are among the most deprived.

3. State looting, corruption and lack of transparency

Past governments, including the transitional government in place until the end of 2006, have concentrated on exploiting natural resources for personal enrichment. Widespread corruption at all levels of the mining and forestry sectors has been one of the fundamental causes of this mismanagement and abuse. Senior politicians have often actively colluded in corruption or, at best, have turned a blind eye to it. In the mining sector, practices have included the creation of joint ventures or other deals which provide significant financial returns for individual politicians and their entourage, the embezzlement of funds from state-run companies and, at the lower levels, systematic extortion from miners and traders.⁴ In the timber industry, financial and 'in kind' payments are routine in exchange both for the provision of illegal logging permits by local authorities and for the "collaboration" of civilian and military officials in facilitating smuggling and illicit exports.⁵

4. Impunity

The culture of impunity in the natural resource sector in the DRC remains a major challenge. The persistent failure of governments, including the transitional government, to defend the rule of law has encouraged a wide range of individuals and companies, including senior government and military officials, to continue looting the DRC's resources without fear of the consequences. The country's national justice system is in a state of disarray, burdened by a lack of resources and political interference by senior political and military leaders. Little progress has been made in

tackling these problems during the transition; on the contrary, in many cases, the weakness of the justice system has been actively exploited. Global Witness therefore welcomes the government's emphasis on ending impunity and restoring the rule of law in the February 2007 Governance Contract.

Agenda for reform

I. Ensuring transparency and fairness in mining contracts

a) Mining deals made during the war: follow up to the Lutundula Commission

In June 2005, the parliamentary commission set up to investigate economic and financial contracts signed during the war (known as the Lutundula Commission) submitted a detailed report to the National Assembly.⁶ The report deemed that many mining deals signed between 1996 and 2003 were illegal or of limited value to the country's development. It recommended that some of these contracts be rescinded or renegotiated.

More than one and a half years later, the Lutundula Commission's report has still not been debated by the National Assembly, nor has the government taken any action on its findings.

Global Witness urges the Congolese government and the newly-elected National Assembly to:

- Prioritise debate and action on the findings of the Lutundula Commission report, within a specified and publicised time-table.
- Investigate the terms of those contracts deemed illegal by the Lutundula Commission report and the circumstances in which they were signed, and rescind or amend them, as appropriate.
- Assign specific responsibility for taking forward the issues raised in the report to a named government department and official/s or commission, and ensure that they receive full cooperation and support from all other branches of government.
- Where appropriate, launch judicial investigations into the role of specific individuals and companies cited in the report.
- Ensure that individuals investigating allegations of illegal acts surrounding these contracts are protected from threats, intimidation and obstacles.

b) Mining deals made during the transition

Between 2003 and 2006, the transitional government made deals with industrial mining companies which will provide vast profits to these companies but little benefit to the Congolese population. Many of these contracts were for the exploration and exploitation of large copper and cobalt mines in Katanga⁷.

The parastatal company Gécamines, which was already experiencing serious financial problems, was effectively asset-stripped during this period: in 2004 and 2005, the transitional government sold off most of the mines and plants that would have enabled it to become commercially viable. Many of these contracts were also characterised by a lack of transparency, unavailability of public information and absence of public consultation. Global Witness welcomes the recent commitment by the government in its Governance Contract to publish the key elements and analysis of existing

partnership agreements in the extractive industry and to renegotiate the agreements if deemed necessary⁸.

Global Witness urges the government to:

- Initiate an independent review of contracts signed during the transition. This could form part of the follow-up initiatives to the Lutundula Commission described above or could be undertaken as a separate initiative.
- Cancel or substantially renegotiate contracts found to have been drawn up illegally or which do not provide significant benefits for the country.
- Ensure that future contracts with mining companies are drawn up in a transparent way, following a process of public consultation, provision of public information and competitive public tender. Public consultations should be held with the local communities affected by any natural resource concession award to provide them with full information on the likely economic, social, environmental and human rights implications. There should also be a mechanism within future agreements to address any concerns arising from such consultations.
- Ensure that future contracts provide a fair deal for parastatals such as Gécamines, with a view to increasing revenues for the Congolese state.

II. Eradicating corruption and promoting transparency

Entrenched corruption has been one of the fundamental causes of the mismanagement of natural resources in the DRC. As stated in the 2007-2011 Programme, the government “has an obligation to stem the curse of corruption, embezzlement and iniquity which holds back the development of the country”.⁹ The government’s focus on bringing to justice individuals or entities involved in serious corruption cases would be a significant step in this direction.¹⁰

While the decentralisation provided for in the new constitution may bring benefits to the country,¹¹ there is a risk that in a new system of increased political and economic decentralisation to the provinces, corrupt practices could increase as provincial and local authorities are given significantly greater control over resources. Strong safeguards should be put in place to prevent such abuse of power ahead of time.

Global Witness urges the government to:

- Pursue wide-ranging programmes to eradicate corruption across government departments – including the Ministry of Mines, the Ministry of the Environment, the Customs and Excise Office (Office des Douanes et Accises, OFIDA) and the Control Agency (Office Congolais de Contrôle, OCC) – as well as the police, the army and the intelligence services (Agence Nationale de Renseignements, ANR), all of whom have been involved in corruption and extortion relating to the exploitation or export of natural resources. These programmes should be implemented at national, provincial and local levels.
- Suspend and, where appropriate, prosecute any officials found responsible for organising or facilitating the illegal exploitation or export of natural resources.

Fiscal systems of the natural resource sector, including the revenue stream into the state budget, are typically opaque; this opacity has favoured corruption. In 2005, the DRC signed up to the Extractive Industries Transparency Initiative (EITI), a voluntary mechanism for improving governance in resource-rich countries through the full publication and verification of company payments and government revenues. Through the scheme, the information should be audited and discrepancies investigated and reconciled. The successful implementation of EITI in the DRC would help promote the development of good practices in the extractive industries.

Global Witness welcomes the recent commitment by the government, in the March-December 2007 Governance Contract, to carry out an EITI action plan. However, given the magnitude of the problems in the country, EITI cannot be viewed as the sole solution, especially given its voluntary nature. Other, more wide-ranging and legally enforceable measures should be implemented in parallel with EITI.

Global Witness urges the government to:

- Introduce systems of clear accountability for the proceeds received from natural resources on a company-by-company basis, together with systems of penalties for those found violating these systems, whether individuals working for the state or companies.
- Ensure that a working group involving civil society, government and company representatives, set up to oversee and direct implementation of EITI, produces a joint implementation plan with clear timelines. The named department and official/s representing the government should receive full cooperation and support from all other branches of government.
- Prevent commercial confidentiality in contracts from covering payments. The rights of companies to commercial confidentiality should cover issues such as propriety technology but should never include information about payments to the state.

III. Improving labour conditions of artisanal workers

The artisanal mining and forestry industries operate on a vast scale; hundreds of thousands of people depend on this work to survive in the informal sector alone. Yet the artisanal sector remains anarchic and unregulated, and the government has taken little responsibility for the security, welfare or labour conditions of artisanal workers. On the contrary, artisanal workers, as well as communities living in or near sites where minerals or timber are exploited, are particularly vulnerable to abuses by government officials, members of the security forces, militia and other actors. They have been victims of forced displacement, violence and ill-treatment, harassment, extortion, environmental destruction and health problems. Artisanal miners are working in life-threatening conditions and preventable deaths from accidents such as collapsing mine-shafts or landslides are common.

Global Witness urges the government to:

- Take immediate measures to exercise oversight over the artisanal sector.
- Investigate all reports of fatal accidents and serious injuries in mines.

- Undertake thorough health and safety training of artisanal miners.
- Prevent artisanal miners from digging in areas which are known to be unsafe or where there is a high risk of accidents.
- Ensure that law enforcement at the sites is provided by well-trained police personnel.
- Prevent children from working in the mines.

IV. Developing facilities for processing minerals

A significant proportion of the ore exported from DRC is unprocessed due to a lack of investment, capacity and political will. This is despite the stipulation that exports of raw minerals are only permitted with a written authorisation from the Minister of Mines which, according to the Mining Code, will only be granted in exceptional conditions.¹² As a result, the Congolese economy is losing significant revenue from the value which would be added from processing these resources before export.

Global Witness urges the government to:

- Actively encourage and support the development and refurbishment of facilities for mineral processing within the DRC to increase the value of goods exported and revenue generation.
- Ensure that exports of raw minerals are only authorised in exceptional circumstances, as specified in the Mining Code.

V. Strengthening and extending administrative oversight and export control

Just as national legislation governing the exploitation of natural resources (notably the Forestry Code and Mining Code) has not been enforced, so government directives and regulations regarding the export of natural resources have been largely ignored. Widespread corruption, weak capacity in the Ministry of Mines and the Ministry of Environment and a lack of political will in these and other government departments have meant that huge amounts of potential revenue from natural resource exports are being lost. Large quantities of valuable minerals and timber are leaving the DRC undeclared or significantly under-declared.

Global Witness urges the government to:

- Strengthen the capacity of departments responsible for the management of natural resources, particularly the Ministry of Mines and the Ministry of the Environment, to enable adequate oversight and control at provincial and local levels and at border posts.
- Ensure more effective coordination and cooperation between these two ministries and other government agencies responsible for controls, including OFIDA, OCC and the Office for the Management of Maritime Freight (Office de Gestion de Fret Maritime, OGEFREM), as well as the police and judicial authorities.

- Continue with reforms of the customs and tax departments in order to increase revenue flows and strengthen border controls, including verification and accurate declaration of the quantity and quality of exports, the provision of valid documentation by exporters and payment of official taxes.
- Ensure that these and other government departments collect accurate and comprehensive statistics relating to the production and export of natural resources and channel these regularly to the capital Kinshasa.

VI. Fulfilling the requirements of the Kimberley Process

The DRC's participation in the Kimberley Process certification scheme for the legitimate shipment of rough diamonds has been a positive factor in the considerable rise in official diamond exports. However, internal controls remain weak and the smuggling of diamonds in and out of the DRC continues.

Global Witness urges the government to:

- Ensure it fulfils the requirements of the Kimberley Process, specifically in applying an effective system of internal controls from mine to export, as outlined in the guidance compiled at the scheme's 2006 plenary meeting in Gabarone, Botswana¹³.
- Increase oversight of the diamond industry by encouraging and monitoring industry self-regulation and carrying out its own cross-checks of diamond production records.
- Increase efforts to ensure that the production of artisanal mines is recorded on a regular basis and communicated to the Ministry of Mines and the Centre of Evaluation, Expertise and Certification (Centre d'Evaluation, d'Expertise et de Certification, CEEC) at the national level.
- Work with neighbouring countries to develop an anti-diamond smuggling programme, and to achieve tax harmonization to reduce incentives for smuggling.

VII. Sustainable management of the DRC's forests

Forests in the DRC cover approximately 145 million hectares. They are the second largest block of tropical forest in the world, comprise half of Africa's rainforests and, as recognised in the recent Government Programme, are critical for the livelihoods of at least 40 million people.¹⁴ The new Congolese government has a unique opportunity to set an example by managing the country's forests to the benefit of the global environment.

From a global perspective, greenhouse gas "emissions from deforestation are very significant – they are estimated to represent more than 18% of global emissions, a share greater than is produced by the global transport sector", according to former World Bank chief economist and current head of the UK Government Economics Service, Sir Nicholas Stern, in his Review on the Economics of Climate Change.¹⁵ The report states that curbing deforestation "is a highly cost-effective way of reducing greenhouse gas emissions". If it is not tackled within the next decade, climate change

will cost up to approximately \$7 trillion globally. Global Witness supports the review's recommendation that forest-rich-but-financially-poor countries, such as the DRC, "should receive strong help from the international community, which benefits from their actions to reduce deforestation."¹⁶

Global Witness welcomes the statement by the DRC's new Minister of the Environment, made at the International Conference on Sustainable Forest Management in the DRC held in Brussels on 26-27 February 2007, in which he recognised the international importance of the DRC's forests to the global climate and the "incalculable consequences to the environment" if the DRC's forests are badly managed and destroyed.

Global Witness urges the government to:

- Manage the DRC's forests as a 'global public good' to reduce carbon emissions produced as a result of deforestation.

During the period of the transition in DRC, forest areas which had remained largely unexploited were opened up to logging, particular in Equateur and Province Orientale. This led to uncontrolled and illegal logging in areas which were either remote and inaccessible, or escaped government control entirely, with many of the provisions of the 2002 Forestry Code being ignored. Despite the declaration of a moratorium on all new forest concessions in 2002, reiterated in a presidential decree in October 2005, 15 million hectares were reportedly exchanged or relocated illegally, resulting in an increase of 2.4 million hectares of forest concessions.¹⁷

Global Witness urges the government to:

- Cancel concessions allocated in violation of the 2002 moratorium
- Maintain and enforce the moratorium on the allocation of forest concessions at least until the conditions for suspension stipulated in the law have been met,¹⁸ satisfactory standards have been established in the existing concessions¹⁹ and the Ministry of Environment has acquired sufficient capacity for effective control and regulation of the forest sector.

Global Witness is concerned that in the face of increasing internal and external pressure for investments in the country following the elections, moves will be made to continue opening up the forests to large-scale industrial logging with little thought for the consequences.

There is a growing international agreement that industrial-scale logging is rarely, if at all, pro-poor and contributes little, if anything, to poverty alleviation, particularly where management and control capacity are weak. Cambodia, for example, was subjected to almost a decade of logging and lost much of its forest, before an Independent Forest Sector Review discredited the logging concession system, in April 2004. A subsequent Inspection Panel investigation into the World Bank-funded Forest Concession Management and Control Pilot Project concurred: "one could hardly overemphasise the negative effects of the logging on ... very poor and vulnerable rural communities and indigenous peoples."²⁰ Similar effects have been noted in Cameroon.²¹ On 25 July 2006, Baroness Amos, the United Kingdom House

of Lords spokesperson on international development, said: "There is a growing consensus that the traditional concession-based industrial logging model does not generate the desired economic, social and environmental benefits."²²

Global Witness urges the government to:

- Ensure that future forest policy reform is centred on the improvement of local livelihoods and advances the rights of forest dependent communities, including the full participation of such communities in reforms that impact them directly.
- Increase funding for mapping community resources and help for forest dependent people to secure legal title to land, access and user rights.
- Ensure regulation of the informal timber sector, if necessary by adopting new legislation or amending existing legislation.
- Investigate reports that civilian and military authorities have exploited timber themselves illegally, as well as facilitated illegal exploitation and export of timber by other parties, and take action against those found responsible.

VIII. Protecting civil society

The development of a strong and independent civil society is essential in a culture of democracy, transparency and accountability. The DRC's constitution guarantees the right to freedom of expression and the right to freedom of information.²³ Defending these freedoms will be vital in preventing corruption and repression within the newly democratic DRC – objectives to which the government has committed itself. However, Congolese journalists and human rights activists, including those denouncing corruption and abuses in the natural resource sector, have faced persistent intimidation, threats and violence in connection with their legitimate, peaceful activities.²⁴

Global Witness urges the government to:

- Denounce and investigate all incidents of intimidation, threats and violence against journalists, human rights and anti-corruption activists, and other members of Congolese civil society who are attempting to document and expose abusive practices in the natural resource sector.
- Ensure that those found responsible for these acts are prosecuted.
- Encourage civil society to play a central role in debates regarding the use of the country's natural resources.

IX. Breaking the culture of impunity

Global Witness welcomes the new government's commitments to tackle widespread impunity in the DRC and restore confidence in the justice system, as stated in the 2007 Governance Contract.²⁵ Such measures are essential to bring to an end the large-scale looting and illegal exploitation of the DRC's natural resources which have persisted for so many years. In particular, the prevalent view that certain individuals

and companies within the natural resource sector are above the law should be challenged.

Global Witness urges the government, as a priority, to:

- Make a clear, public statement that illegal exploitation, corruption and other crimes relating specifically to the misuse of natural resources will no longer be tolerated and those found responsible for illegal acts will be prosecuted.
- Support judicial authorities in investigating such cases and initiating prosecutions against individuals or companies who may be responsible for such crimes. These individuals should include senior government officials, leaders of militia and others who have exploited natural resources to fund conflict and war crimes.

Global Witness is a British-based non-governmental organisation which researches and campaigns on the links between the exploitation of natural resources, conflict and corruption around the world.

Global Witness reports and briefings on the Democratic Republic of Congo are all available at www.globalwitness.org :

- *Digging in corruption: Fraud, abuse and exploitation Katanga's copper and cobalt mines*, July 2006
- *Reforming the DRC diamond sector*, June 2006
- *Under-mining peace – Tin: the explosive trade in cassiterite in eastern DRC*, June 2005
- *Rush and ruin: The devastating mineral trade in southern Katanga, DRC*, September 2004
- *Same old story: A background study on natural resources in the Democratic Republic of Congo*, June 2004

¹ République Démocratique du Congo, "Programme du Gouvernement (2007-2011)", Kinshasa, February 2007. Available at <http://www.radiookapi.net/bibliotheque.php>, entitled "Programme d'action du Gouvernement".

² Article 58 of the Constitution of the Democratic Republic of Congo, May 2005.

³ United Nations Development Programme, "The 2006 Human Development Report – Beyond scarcity: Power, poverty and the global water crisis", 2006.

⁴ See, for example, Global Witness, "Digging in Corruption: Fraud, abuse and exploitation in Katanga's copper and cobalt mines", July 2006.

⁵ Global Witness investigations in Ituri, north-eastern DRC, November-December 2006.

⁶ Assemblée nationale, Commission spéciale chargée de l'examen de la validité des conventions à caractère économique et financier conclues pendant les guerres de 1996-1997 et de 1998, Rapport des travaux, 1^{ère} partie.

⁷ Global Witness, "Digging in Corruption: Fraud, abuse and exploitation in Katanga's copper and cobalt mines", July 2006.

In 2006, Global Witness highlighted an unfavourable contract signed in Liberia with Mittal Steel. The Global Witness report “Heavy Mittal? A State within a State: The inequitable Mineral Development Agreement between the Government of Liberia and Mittal Steel Holdings NV” (2 October 2006) demonstrates a well-established pattern of behaviour by transnational corporations around the world to maximise profits by taking advantage of a regulatory void that allows capital flight, aggressive tax avoidance and tax reduction strategies. The risks of such unfavourable deals are particularly high in countries emerging from conflict.

⁸ République Démocratique du Congo, Annexe : Contrat de Gouvernance (CDG) Mars-Décembre 2007, Kinshasa, February 2007, p. 11.

⁹ République Démocratique du Congo Gouvernement, "Programme du Gouvernement (2007-2011)", Kinshasa, Février 2007, p. 40.

¹⁰ République Démocratique du Congo, Annexe : Contrat de Gouvernance (CDG) Mars-Décembre 2007, Kinshasa, February 2007, p.9.

¹¹ Projet de Constitution de la République démocratique du Congo, ‘Exposé des motifs’ and Article 175, May 2005.

¹² Loi no.007/2002 du 11 juillet 2002 portant Code Minier, Article 85.

¹³ Responding to calls from participants, civil society and the World Diamond Council, the Kimberley Process 2006 plenary agreed on stronger internal controls standards for participants which produce, trade, cut and polish diamonds. These measures offer clearer guidance on implementing effective controls from mine to export and include stronger government oversight of the diamond industry, including spot checks of industry compliance. See “Administrative Decision on improving implementation of internal controls in the KPCS”, www.kimberleyprocess.com.

¹⁴ République Démocratique du Congo Gouvernement, "Programme du Gouvernement (2007-2011)", Kinshasa, Février 2007, p. 18.

¹⁵ Stern, N., “Stern Review: The Economics of Climate Change”, 2006, online at http://www.hm-treasury.gov.uk/independent_reviews/stern_review_economics_climate_change/stern_review_report.cfm, Executive Summary, p.26

¹⁶ Stern Review, Executive Summary, p.26.

¹⁷ Debroux, L., Hart, T., Kaimowitz, D., Karsenty, A. and Topa, G. (Eds.) 2007 Forests in Post-Conflict Democratic Republic of Congo: Analysis of a Priority Agenda. A joint report by teams of the World Bank, Center for International Forestry Research (CIFOR), Centre International de Recherche Agronomique pour le Développement (CIRAD), African Wildlife Foundation (AWF), Conseil National des ONG de Développement du Congo (CNOGD), Conservation International (CI), Groupe de Travail Forêts (GTF), Ligue Nationale des Pygmées du Congo (LINAPYCO), Netherlands Development Organisation (SNV), Réseau des Partenaires pour l’Environnement au Congo (REPEC), Wildlife Conservation Society (WCS), Woods Hole Research Center (WHRC), World Agroforestry Centre (ICRAF) and World Wide Fund for Nature (WWF). xxii, 82p. ISBN 979-24-4665-6

¹⁸ Loi no.011/2002 du 29 août 2002 portant Code Forestier.

¹⁹ As recommended by World Bank Senior Advisor, Dr. Stephen F. Lintner, at the International Conference on the Sustainable Management of the Forests in DRC, 26-27 February 2007.

²⁰ World Bank Inspection Panel report, Investigation Report Cambodia: Forest Concession Management and Control Pilot Project (Credit No. 3365-KH and Trust Fund. 26419-JPN), Report No. 35556, March 30, 2006. Online at <http://siteresources.worldbank.org/EXTINSPECTIONPANEL/Resources/CAMBODIAFINAL.pdf>, accessed 8 March 2007.

²¹ Greenpeace International, “Forest reform in the DRC: how the World Bank is failing to learn the lessons from Cameroon”, February 2007.

²² House of Lords, Written Answer to Lord Eden of Winton, Tuesday 25 July 2006. Online at <http://www.publications.parliament.uk/pa/ld199697/ldhansrd/pdvn/lds06/text/60725w0262.htm#06072541000077>.

²³ Articles 23 and 24 of the Constitution of the Democratic Republic of Congo, May 2005.

²⁴ See, for example, Section IX of Global Witness report “Digging in Corruption: Fraud, abuse and exploitation in Katanga’s copper and cobalt mines”, July 2006.

²⁵ République Démocratique du Congo, Annexe : Contrat de Gouvernance (CDG) Mars-Décembre 2007, Kinshasa, February 2007.