



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)	Nord-Kivu	
AREA STATUS	 Conflict-affected area	
RELEVANT COMMODITIES	 Gold	 Tin
	 Tantalum and Niobium	 Tungsten

Overview of assessment

The Democratic Republic of Congo (DRC) is characterised by the presence of conflict-affected areas relevant to Regulation 2017/821. These include Ituri, Nord-Kivu, Sud-Kivu and Tanganyika. Conflict and instability are widespread in the DRC. While this report focuses on selected regions identified as conflict-affected according to the project's methodology, it should be noted that all of the remaining regions of the DRC have been identified as high-risk areas relevant to Regulation 2017/821.

The DRC has experienced conflict since it gained its independence from Belgium in 1960 (CIA, 2020). Today, conflict is mainly concentrated in the east of the country (Crisis Group, 2020b; Crisis Group, 2021). The main actors involved in conflict activities comprise both state actors as well as a wide array of non-state armed groups located in regions of the country over which state authority and control is limited (HRW, 2020 & 2021; Crisis Group, 2019; OHCHR, 2019b). Most of the conflicts involve fighting between the DRC Armed Forces (Forces armées de la République démocratique du Congo (FARDC)) and non-state armed groups, as well as among non-state armed groups (Crisis Group, 2020a; HRW, 2020 & 2021). Violence against civilians and human rights violations at the hands of the FARDC, law enforcement and non-state armed groups have also been reported, including arbitrary arrests, detention, and summary executions (Crisis Group, 2020a; HRW, 2020 & 2021; OHCHR, 2021).

Conflict in the DRC continues to be fuelled by the lack of an effective state apparatus; large-scale corruption remains endemic in the country, in part fuelled by the DRC's mineral wealth (Lyll, 2017; Weiss, 2000). The conflict in the east of the country is also exacerbated by historical grievances and ongoing abuses, as well as competition for control of the country's mineral wealth. The DRC's mineral wealth has reportedly been mismanaged throughout the years, and several mines are or have been under the control of armed groups who have used these to fund their activities, fuelling conflict and instability (Global Witness, 2020). Ethnic tensions are also reported to be an underlying driver of conflict and mobilisation among armed groups (HRW, 2020 & 2021).

Furthermore, several organisations have reported human rights and international law violations occurring in the DRC and including in the regions of focus of this report. 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 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, 2021; OHCHR, 2019a; OHCHR, 2019b; OHCHR, 2021; UN CEDAW, 2019). Especially in conflict-affected areas identified in the country, sexual violence against women and girls is reportedly widespread (UN CEDAW, 2019).

The OHCHR and the ILAB both report that child labour, trafficking, and sexual exploitation are widespread in

the DRC (ILAB, 2020 & 2021; OHCHR, 2019b; OHCHR, 2021). The OHCHR reports that only half of children aged between 6 and 11 attend primary school (OHCHR, 2019b). Instead, children are engaged in the worst forms of child labour, including forced mining of gold, tin, tantalum and tungsten ores. Children also reportedly engage in armed conflict and can be subject to forcible recruitment or abduction by non-state armed groups (ILAB, 2020 & 2021). Elements of the FARDC are 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, 2020 & 2021).

The DRC is home to a wealth of mineral resources, but 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 (ILAB, 2020 & 2021; MAC, 2019a, 2019b & 2020; OHCHR, 2019b). Many artisanal mines are reportedly controlled by armed non-state groups, who use them to fund their illegal activity (ILAB, 2020 & 2021). Child labourers are allegedly subjected to extortion and physical abuse by the DRC's armed forces, mining police, and non-state armed groups (ILAB, 2020 & 2021).

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, tantalum, and niobium, according to data from Opaxe (Opaxe, 2021).
- Artisanal mining activities for gold and tungsten are reported in the World Bank DELVE database, the ILAB and the OHCHR (DELVE, 2021; ILAB, 2020 & 2021; OHCHR, 2019b).
- 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 (BGS, 2020).
- 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 in 2016, 2017, 2018, 2019 and 2020 according to the UN ComTrade database (UN DESA, 2021).
- 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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