

Impact of SHRIM Donors Support to DCAF Activities in the Democratic Republic of the Congo (DRC)

Improving the Field Implementation of the Voluntary Principles for Security and Human Rights in South Kivu – A project enabled by the Dutch Embassy in DRC, receiving additional support from the Swiss Ministry of Foreign Affairs

Context:

The Dutch Embassy in DRC initiated this project in 2018 with the objective of setting up a Voluntary Principles Working Group in the South Kivu Province which addresses security and human rights risks through multistakeholder action. With the additional support of Switzerland, the Working Group was further enabled to regularly conduct field missions to high risk areas on mining sites in South Kivu. Since the roll-out of the Voluntary Principles & Human Rights Mining Police Training in December 2019, the Working Group monitors the Mining Police's (PMH) conduct at several mining sites, including a concession owned by an international mining corporation.

In the first quarter of 2020, the following incidents took place in and around the mine:

- On 6 January, an unarmed community member who trespassed the concession was shot in the leg by a PMH officer;
- On 4 February, a shepherd trespassing the concession was stopped and arrested by PMH officers and allegedly tortured under the order of the PMH commander;
- On 23 March, the Mining Police intervened in protests and marches by local communities against the international corporation's subsidiary resulting in multiple arrests of community members as well as disproportionate use of force against protesters.

Measures:

The WG used incident reporting templates developed jointly by DCAF and OGP to describe in detail the severe human rights violations committed by the PMH and analyze the conduct of the PMH according to the principles of use of force. The WG raised awareness at the local PMH level about the nature of the incident of 4 February as a severe human rights violation and supported the local PMH in reporting the incident to the provincial PMH in Bukavu. The WG advocated at the provincial PMH level in Bukavu for a diligent follow-up. The WG also organised several multistakeholder meetings at the local level, inviting and informing the mining company about meetings and all measures taken.

Impact:

- Advocacy at provincial PMH level **led to the removal of the PMH commander who had allegedly committed a severe human rights violation** on 4 February. A new commander joined the PMH on 25 February 2020;
- Working Group engagement led to **increased awareness at the local PMH level about human rights, and most importantly, about the factors which classify incidents as human rights violations;**
- The response of the Working Group demonstrated clearly the impact of previous thematic capacity-building inputs by DCAF: the WG used incident reporting templates to gather details about the incident, as well as used their knowledge on principles of use of force to evaluate the PMH's response. Both topics had been covered by DCAF.

Next Steps:

While the replacement of the commander was an important first step, the WG's objective is to ensure a proper judicial follow up by the Mining Police and provincial judicial authorities. However, personal networks and relationships at the provincial PMH impede these mechanisms from being used. The Working Group is exploring alternative routes to find justice for the victim.

Regarding the marches and protests, the Working Group continues reaching out to community members as well as the mining company to improve the current security arrangements.

Redynamisation of the Voluntary Principles Working Group in Haut Katanga and Lualaba – A project enabled by the Swiss Ministry of Foreign Affairs

Context:

Switzerland's support enabled the redynamisation of the Haut Katanga Working Group leading to monthly multistakeholder meetings and field missions to high risk areas on mining sites in Haut Katanga and Lualaba.

The following incident took place in the first quarter of 2020 at a copper and cobalt producing mining company's site:

- A journalist and cameraman were arrested by the Mining Police as they trespassed a concession to reach the adjacent concession. They planned to report on air pollution on the adjacent site but were put into detention by the police providing security at the mining company.

Measures:

The Working Group set up an ad hoc commission to contact the security manager of the mining company - who was not a member of the Working Group at this point - in order to find a resolution to this situation. The commission advocated for a quick release of the journalist and his cameraman as well as a return of all confiscated materials which led the security manager to find an agreement with the Mining Police on their release.

As a follow up, the Working Group conducted missions to the site on 7 and 26 February to assess the security and human rights risks this company is facing, which mainly revolve around artisanal miners illegally accessing their concessions.

Impact:

- **The journalist and cameraman were released from custody.**
- Thanks to the positive resolution of this situation, **the Working Group convinced the mining company to participate more regularly to the Working Group.**
- The Working Group **provided recommendations in a report specifically regarding the mining company's security arrangements with their subcontracted private security company and the lack of formal agreements with the Mining Police.**

Next Steps:

Recommendations in the Working Group report will be operationalized in consultation with the mining company. A meeting will be organised between the security managers of the mining sites in the vicinity in order to share experience, considering that they face similar challenges.

The Security and Human Rights Implementation Mechanism (SHRIM) – Enabling Multistakeholder Action:

These project snapshots demonstrate the impact of SHRIM projects enabled through the contribution of the Dutch Embassy in DRC and the Swiss Ministry of Foreign Affairs. The objective of the SHRIM is to channel donor funding to support coherent, targeted and cost-effective security, development and human rights programming in fragile contexts.

Project supported by :