
The DRC should safeguard the rights of Wantashi's populations from negative effects of mining exploitation by the "Société Minière du Katanga" (SOMIKA)

African Resources Watch (AFREWATCH), a nongovernmental organisation working for the advancement of human rights in the sector of natural resources is concerned about the poor living conditions of the Wantashi populations in Lubumbashi following the overflow of toxic acid by the "Société Minière du Katanga" (SOMIKA).

The incident occurred in the night of May 2nd when SOMIKA's tailing ponds overflowed; the acid flooded a dozen households located at only ten meters from the company, infiltrated wells, damaged plants and caused many other devastations etc.

Populations have reported that the acid waters flowed into Kimilolo which is the ground water reservoir for the city of Lubumbashi preserved by the company REGIDESO.

On April 4th 2017 the former governor of Haut-Katanga, Mr Kazembe Jean-Claude made a site visit and promised to bring experts to analysis the incident¹. Unfortunately after the eviction of the governor, no follow up of the situation was made to identify and compensate the victims, to decontaminate the source of water and to hold the company accountable.

Rather than begin the process of decontamination of the source of water and the compensation for the victims, the company preferred, four days later, to offer a bag of 25 kg maize flour and 175 millilitres of oil of table per household as compensation. This compensation did not take into account a prior identification which estimated the number of victims in several dozen.

This is what the victims said in short: "this toxic water has flooded our homes for several days preventing us to breathe normally and destroying our property; so far we ignore what could be health-related consequences in near future on our lives... because the signs are still visible"².

AFREWATCH recalls that for over twelve years NGOs, the population and REGIDESO have been requesting the relocation of SOMIKA since it is located in a living area and near to the Kimilolo ground water reservoir³.

In 2003⁴, the former Governor of Katanga Mr Kisula Ngoy decided to relocate SOMIKA; unfortunately due to political interferences, this decision could be executed⁵. The relocation of SOMIKA would be done easily since the company does not have a mining exploitation site in the premises.

¹ <http://cern-cenco.cd/revue-de-presse-du-03-au-04-avril-2017/>

² Views collected on April 20th and May 19th and 30th in Kisanga

³ http://www.congomines.org/system/attachments/assets/000/000/202/original/Lutundula-2006-Partenariats_SOMIKA.pdf?1430928052

⁴ <https://fr.groups.yahoo.com/neo/groups/CongoVista/conversations/messages/42863>

⁵ <http://www.radiookapi.net/sans-categorie/2005/04/05/insecurite-au-katanga-le-gouverneur-kisula-ngoy-accuse-le-gouvernement-et-le-pasteur-mulunda-du-parec>

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Based on Article 12 of the legislation n°11/009 of July 2011 relating to the protection of the environment⁶ and the Article 7 of the Universal Declaration of Human rights, AFREWATCH recommends:

- a) the Congolese Government, to:
 - ✓ request SOMIKA to identify and compensate all the victims of the pollution;
 - ✓ ensure that SOMIKA takes decontamination measures of the soil and the ground water reservoir in order to protect the environment and populations;
 - ✓ execute the decision on the relocation of SOMIKA that was taken by the former Governor Mr Kisula Ngoy Urbain in 2003

- b) SOMIKA, to :
 - ✓ identify and compensate all the victims;
 - ✓ take strong measures for the protection of the environment and populations
 - ✓ consider relocating populations living in the neighbourhood that might be victims of mining exploitation

- c) Nongovernmental organisations, to:
 - ✓ assist the communities which face human rights violations by SOMIKA

- d) Populations, to :
 - ✓ claim compensations from SOMIKA and the State following the incident caused by the company

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⁶ This provision states that the polluter should support the cost relating to prevention and reduction measures of the pollution and to reparation of damages

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