



CMOC – Kisanfu Mining (KFM)

Human Rights Due Diligence

Summary Report

Prepared by Triple R Alliance
September 2024

Summary of HRDD at CMOC Kisanfu Mining

Overview of the HRDD Process

The following summary report has been prepared by Triple R Alliance (TRA) about the Human Rights Due Diligence (HRDD) process that was commissioned by the CMOC Group Ltd. (CMOC) for CMOC Kisanfu Mining (KFM) in the Democratic Republic of Congo (DRC). This HRDD process was conducted between March and September 2024.

The HRDD process included an assessment and prioritization of the human rights risks, impacts and salient issues of KFM in accordance with the UN Guiding Principles on Business and Human Rights (UNGPs). This revolved around a visit to the KFM mine site with extensive and constructive engagement with key stakeholder groups:

- Internally, the engagement involved a series of workshops with senior management and the key departments who are relevant to human rights. Through these workshops, a consensus was developed about KFM’s salient human rights issues—which are the areas with the greatest risk to the people affected by KFM’s operations and value chain. This is captured in the Human Rights Heat Map that is included below.
- In terms of affected stakeholders, the engagement involved a variety of interviews and focus group discussions with workers, contractor workers, community leaders and community members to understand their perceptions and concerns as part of the prioritization and validation of KFM’s salient human rights issues. This engagement with affected stakeholders is an important part of the methodology for human rights impact assessment and ongoing HRDD.¹
- As will be explained below, the HRDD process also included a dedicated workstream on the Voluntary Principles on Security and Human Rights (VPSHR). This facilitated engagement with KFM’s security stakeholders, including representatives of the DRC mine police (PMH) and private security managers and guards, including a series of training initiatives.

Between these three streams of engagement, over 235 stakeholders participated in and provided feedback for the HRDD process as presented in the table below.

Stakeholders	Details	People
KFM stakeholders	<ul style="list-style-type: none"> • KFM Management Team • CMOC and KFM ESG representatives • HSE department • Community department 	45 men 17 women

¹ See UNGP 18(b). In the Danish Institute for Human Rights’ “Human Rights Impact Assessment Guidance and Toolbox” one of the main criteria for a credible Human Rights Impact Assessment is meaningful participation of affected stakeholders.

Stakeholders	Details	People
	<ul style="list-style-type: none"> Compliance department Human Resources department Contract and Supply Chain department 	
Security stakeholders	<ul style="list-style-type: none"> KFM Security Managers Frontier Security Manager Frontier Security Guards (training) Police (PMH) 	56 men 1 woman
Contractor managers	<ul style="list-style-type: none"> Managers from mining contractors (Panda and Prospere) Managers from labour contractors (SSL and Tabitha) Managers from Frontier for VPSHR activities 	10 men 1 woman
Workers	<ul style="list-style-type: none"> Union representatives HSE committee representatives KFM workers (Chinese and Congolese) Contractor workers (Chinese and Congolese) 	43 men 23 women
Community representatives	<ul style="list-style-type: none"> Men, women, youth and civil society representatives from Kisanfu Koni; Kisanfu Gare; Kawala; Mibanzi; Dikanda; Maeba; Muchi wa Mumba; Kalebi and Bwasalangana 	23 men 16 women
TOTAL		177 men
235 people		58 women

TRA has previously conducted HRDD processes for KFM's sister mine, Tenke Fungurume Mining (TFM), as well as Glencore's Kamato Copper Company (KCC) and Mutanda Mining (MUMI) mines in the DRC copper-cobalt belt. The learnings from those other HRDD processes have also informed the KFM assessment.

KFM's Operational Context

Before identifying and prioritizing KFM's salient human rights issues, it is important to highlight some aspects of KFM's operational context that may distinguish it from other mines in the region:

- First, KFM has a much smaller concession (especially compared to TFM and MUMI), which helps to minimize the human rights risks related to artisanal and small-scale mining (ASM) and interactions with security forces. In this regard, interactions with ASM were one of the most salient human rights issues at other mines in the region, whereas it is currently less of a concern at KFM. If KFM can avoid becoming a beacon for ASM activities, it should be able to avoid many of the human rights issues (and associated reputational issues) that other mines have experienced in the past.
- Second, the resettlement process for KFM was relatively small and, according to the feedback from community representatives, appears to have been conducted successfully to date (livelihood restoration activities are being monitored and will be supplemented by projects from the Cahier des Charges). Resettlement is a very challenging issue that can be associated with a wide range of potential human rights impacts. Furthermore, as it is one of the first

activities that a mining company must undertake to develop a mine, it can negatively affect community relations and social license to operate if it is not conducted properly. The fact that no significant issues were raised about the resettlement process helps to diminish the overall human rights risk profile for KFM.

- Third, KFM has undertaken its HRDD process at a much earlier stage of development than most other mines in the region. This presents important opportunities for KFM to integrate human rights into its management systems as it completes the transition from construction into production. This should mean that there is less of a need to retrofit policies and procedures with HRDD measures later. Also, given the positive and constructive attitude towards human rights that was demonstrated by KFM managers and other key stakeholders, there is an opportunity to proactively develop a “human rights culture” at KFM. This can be much more challenging at older mines that have an entrenched culture.
- Fourth, CMOC’s ambition to be a world-class international mining company and to obtain certification related to key standards (e.g. Copper Mark, VPSHR, ISO) will undoubtedly strengthen the ongoing system of HRDD at KFM. Through our prior experience at TFM, we were impressed with the rigour and cross-functional effort that CMOC and TFM applied to obtain Copper Mark certification. We also observed the same level of dedication and determination at KFM as it embarks on the process to obtain Copper Mark certification. The Copper Mark standards provide strong requirements for ongoing due diligence and implementation of good industry practices across the full range of salient human rights issues that have been identified at KFM. Copper Mark is also aligned with and explicitly cross-references the VPSHR² and ISO standards,³ which are key references for mining companies on how to operationalize due diligence on security, safety and environmental issues.⁴

With this context in mind, we have identified and prioritized KFM’s salient human rights issues in relation to three key themes: (1) workers’ rights, including contractors and suppliers workers’ rights; (2) human rights of community members; and (3) security and human rights / VPSHR. As will be explained below, the HRDD process at KFM had three distinct workstreams to examine and assess these issues in detail.

Workers’ Rights

With respect to workers’ rights, we conducted focus group discussions and individual interviews with KFM workers, contractor workers, union representatives, HSE committee representatives,

² See Copper Mark criterion 22(b)(3).

³ See Copper Mark criterion 17(b)(5) for health and safety and various criteria related to the environment.

⁴ We also note that Copper Mark is seeking to strengthen its standards and to further align with the Initiative for Responsible Mining Assurance (IRMA). Many stakeholders consider IRMA to be the “gold standard” assurance; and human rights are strongly integrated within the IRMA framework—particularly in “Standard for Responsible Mining and Mineral Processing 2.0” (currently in draft and which should be launched before the end of 2024). Therefore, CMOC and KFM’s commitment to continuous improvement will be spurred on by Copper Mark and its integration with IRMA.

as well as KFM’s Human Resources, Contracts and Procurement and Supply Chain managers and contractor managers. Key feedback from our engagement with workers included:

- The transition from exploration to production is bringing higher expectations about working conditions, wages and benefits from workers. Therefore, we anticipate there will be pressure on KFM to provide better pay and more benefits. From a human rights perspective, it will be important for KFM to distinguish between core workers’ rights under the ILO Declaration on the Fundamental Principles and Rights at Work and broader human resources issues. We have prioritized working to establish an appropriate “living wage” for the KFM workforce and ensuring respect for freedom of association and collective bargaining.
- There was broad agreement from all stakeholders in the workforce that integration and communications between Congolese and Chinese workers is a key priority for the current stage of KFM’s development. While integration is ultimately about increasing cross-cultural understanding, it can have human rights implications, including the potential for discrimination in employment, promotions and disciplinary measures; disrespect for local culture and language; and, heightened risks related to health and safety if workers have difficulty understanding their supervisors. These issues often have strong elements of perception, there was convergent feedback from workforce stakeholders that it is the top priority for improvement. We also observed that the living quarters and cafeterias at site are currently configured with a high degree of separation of Congolese and Chinese workers. Interestingly, it was also raised as a priority by many community representatives—so it is clearly something that local workers are talking about when they go home from work. In this regard, management was fully aware of the issue and had already developed a China-Congo Integration Strategy. We also saw some instances of good cross-cultural practices such as Congolese and Chinese colleagues playing sports together and Chinese managers making concerted efforts to speak French and Kiswahili. As will be discussed further below, we recommend that KFM establish a joint Congolese-Chinese task force to develop further actions and incentives / rewards to accelerate the implementation of the China-Congo Integration Strategy. While cross-cultural integration is not an issue that can be “solved” overnight, the right messages and signals from top management can certainly diminish the level of frustration and concern that we heard from some stakeholders.
- Like other mines in the region (and everywhere else in the world), supervision and support for contractor’s workers’ rights will be a key priority for KFM’s ongoing HRDD. In this regard, we observed the continuation of CMOC’s work at TFM for the strengthening the framework and standards for procurement, contracting, engagement and monitoring of contractors and suppliers at KFM. We highlight the ongoing development of monitoring tools and KPIs for a range of ESG topics that incorporate a strong component on workers’ rights, as well as a system of penalties and bonuses that has been developed related to contractors and suppliers’ ESG performance. As these are operationalized and refined, we speculate that they can develop into leading practices for due diligence on contractors and suppliers workers’ rights.

Human Rights of Community Members

In terms of the human rights of community members, we facilitated focus group discussions with representatives from the 9 affected communities around KFM (Kisanfu Koni, Kisanfu Gare, Kawala, Mibanze, Dikanda, Mayeba, Muchi Wa Mumba, Kalebi and Bwasalangana). These focus groups included women, youth, elders and civil society representatives. Key feedback from our engagement with communities included:

- Generally, the community representatives had very positive feedback about the relationship that was developing between KFM and the local communities. There was strong appreciation expressed for the ongoing engagement and communication between KFM and communities that takes place on a regular basis, as well as the responsiveness of the KFM team when issues are raised. Community members stated that they were aware of the KFM grievance mechanism and how to use it, but also highlighted that most community issues were being resolved through dialogue.
- Furthermore, the community representatives were grateful for past social investments and training activities, and the participatory process for the development of the Cahier des Charges. Compared with some other mines where we have worked in the region, there were no frustrations expressed about the process of developing the Cahier des Charges. That said, there are clearly very high expectations from community representatives about the prompt implementation on the Cahier des Charges. This is understandable in the local context where there are high levels of extreme poverty and very low levels of government services. Like in other assessments in the region, we note the Cahier des Charges can be a source of positive impacts on human rights, but there is also a risk of adverse impacts if the social investment projects are not implemented well. In addition to the Cahier des Charges, there was broad agreement that efforts were needed to work with the government and other mining companies to coordinate projects and resources under the respective Cahier des Charges and the 0.3% dotation that is intended for community development.
- When probing about potential areas of concern or impact on communities, it was interesting to note that the working conditions of local people (especially those working for contractors) was raised more frequently than other community issues. This reinforces the prioritization of workers' right issues as discussed above.
- Another issue that was raised in different focus groups was about environmental protection, particularly about potential impacts on water sources and crops. As discussed below, we recommend a proactive approach to community involvement in KFM's environmental monitoring programme to respect human rights and to manage risks of misperceptions and misinformation about the company's environmental performance. In this regard, we note

that international and local NGOs are increasingly looking at the environmental impacts of copper-cobalt mines in the DRC.⁵

Security and Human Rights / VPSHR

As mentioned above, we had a separate work stream on security and human rights within the framework of the VPSHR. This included a series of workshops with security stakeholders (KFM Security Department, private security contractors and the police (PMH)); training-of-trainers of private security managers; and several training sessions with private security guards and police officers. This work is detailed in a separate VPSHR Risk Assessment, but the key feedback for the broader HRDD process includes:

- The security stakeholders who have experience and colleagues at other mines in the region are grateful that the KFM concession is smaller and more manageable from a security perspective. It is small enough that it has been fenced and therefore there are very few incursions of artisanal and small-scale miners. This significantly reduces the risk of human rights issues arising through confrontations with ASM, use of force, and arrest and detention.
- Through the VPSHR Risk Assessment exercise, we reviewed a broad range of security and human rights risks that we had identified at other mines in the region. Many of these were either deprioritized or are not applicable at KFM. In terms of probability and consequences, the following table presents the security and human rights / VPSHR risks identified as being most probable or possible at present. In addition to the recommendations for ongoing HRDD about these issues below, the VPSHR Risk Assessment proposes additional recommendations for managing these security and human rights risks.

Probable Security and Human Rights Risks	Possible Security and Human Rights Risks
<ul style="list-style-type: none"> • High number of contractor employees or other migrants from outside the area creates tensions and violence in the community. • A dog handler loses control of his dog causing serious injury to an intruder or the dog handler. • Theft of material from KFM leads to arrest and detention by security forces. 	<ul style="list-style-type: none"> • Security providers misbehave and violate women's rights. • Protests and strikes by contractor workers leads to confrontation with security forces. • Lack of defensive equipment for security guards leads to injury during an intrusion. • Circulation of workers on the concession requires intervention by security forces.

- In the training sessions with security guards, some issues related to their working conditions were raised such as not having warm clothes when it is cold at night; experiencing late payments of their wages; and being afraid of unfair disciplinary proceedings. We were unable to verify these allegations while at site, but believe that these issues highlight the importance of KFM's ongoing due diligence and monitoring of contractors' workers' rights.

⁵ See, for example, RAID, "Beneath the Green: A critical look at the cost of industrial cobalt mining in the DRC" (2024), accessed at: <https://raid-uk.org/post-library/report-beneath-the-green/>

- Private security companies are typically in the higher risk categories of contractors due to risks related to long working hours, low pay and harsh discipline. Experience also shows that improvements of the working conditions of private security guards is correlated to improved security performance (less theft, collusion or other misconduct). In this regard, we note that TFM has recently increased the pay of some of its private security guards, so it would be interesting to see if this has had a positive impact on security performance in addition to a positive impact on respect for workers’ rights.

Human Rights Heat Map

As we have done at TFM and other mine sites, we have used a Human Rights Heat Map to prioritize the salient human rights issues for KFM based on the UN Guiding Principles on Business and Human Rights. As explained in the methodology section of the report, this is a tool that has been developed to help companies prioritize their actions based on the severity and likelihood of impacts on people. The results of the KFM Human Rights Heat Map are based on 3 workshops with KFM teams: one focusing on workers’ rights; one focusing on community members’ rights; and one focusing on security and human rights / VPSHR. TRA has aggregated the results into the heat map presented below.

Severity of potential impact on people →			Safe and healthy working conditions		
	Child and forced labour	Environment (water)		VPSHR risks (esp. related to theft and dog handling)	
			Community health and safety	In-migration* Contractor and supplier workers’ rights	
	Resettlement Cultural heritage Freedom of association	Information and consultation Grievance mechanisms (worker and community)	Non-discrimination		
	Social investment		Just and favourable working conditions		
	Likelihood that impacts may occur →				

Notes on the Heat Map

- The heat map results reflect a consensus on the salient human rights issues at the time of the assessment. However, it should be validated and updated on a regular basis as part of the tracking of KFM’s Human Rights Action Plan.
- The same rating for grievance mechanisms was given in both the workshops for workers and community members.
- The rating for in-migration is an aggregation of the three workshops on workers, community members and security.

From these different perspectives (company, community, security and learnings from other mines in the DRC), there appears to be a consensus on the following priorities for KFM’s salient human rights issues. The recommended high-level HRDD strategy for addressing each of the salient issues is also presented.

Priority	Salient Issues	Recommended HRDD Strategy
Higher Risks (Red Zone)	Safe and healthy working conditions	<ul style="list-style-type: none"> • Continue to implement, monitor and continuously improve the occupational health and safety system for the entire KFM workforce within the ISO 45001 certification framework. • Prioritize training for contractor workers on health and safety (along with on other workers’ rights issues) and monitoring of health and safety performance, including with respect to provision of appropriate PPE and regular monitoring of health for workers in higher risk areas. • When promoting grievance mechanisms for workers (see recommendations below), ensure that there are strong messages about non-retaliation and the importance of speaking up—including on health and safety issues. • Enhance the role of the HSE Committee to involve workers and management in dialogue and activities to continuously improve health, safety and other workers’ rights issues. Consider how to promote and engage with HSE Committees for contractors who have higher risk activities.
	VPSHR risks (esp. related to theft and dog handling). ⁶	<ul style="list-style-type: none"> • Validate and implement the specific mitigation measures proposed in the VPSHR Action Plan and ensure the VPSHR Action Plan is tracked as part of the same process / committee for the broader Human Rights Action Plan. • Ensure participation of key security stakeholders from KFM in the VPSHR Working Groups established in the region (Kolwezi and Lubumbashi) to support sharing of good practices.

⁶ These were the top 2 security and human rights risk discussed with the security stakeholders in terms of probability and consequence. The other top security and human rights risk was related to in-migration and potential conflict with communities. This aspect has been integrated into the salient issue on in-migration below. Other security and human rights risks are discussed in the VPSHR Risk Assessment and additional mitigation measures are proposed.

Priority	Salient Issues	Recommended HRDD Strategy
<p style="background-color: red; color: red;">[Redacted]</p>		<ul style="list-style-type: none"> • For dog handling, consult with the VPSHR Working Group on good practices for training and mitigation of human rights risks and consider whether alternative non-lethal weapons should be provided to private security guards. • Continue to roll out the training provided by TRA for arrest and detention (along with the additional scenarios provided after the initial training).
	<p>Environment and human rights (water)</p>	<ul style="list-style-type: none"> • Continue to focus on water as an environmental priority from a community and human rights perspective. This involves proactively providing information to community members about KFM’s environmental management and monitoring system using non-technical messages. • Continue to implement, monitor and continuously improve KFM’s environmental management system within the ISO 14001 certification framework. • Consider how to facilitate community participation in environmental monitoring activities, particularly related to water monitoring.
	<p>In-migration</p>	<ul style="list-style-type: none"> • Consider conducting a dedicated in-migration study (as has been done at TFM) and/or contributing to a broader study in coordination with other neighbouring mining companies. • Work with KFM’s stakeholder engagement platforms with community representatives, traditional leaders, local government and NGOs to identify and mitigate any negative impacts of in-migration, particularly on vulnerable groups such as women and girls. • Ensure that security stakeholders are involved in the planning and actions related to in-migration so that the risks of conflict in local communities identified in the VPSHR Risk Assessment can be mitigated proactively.
<p style="background-color: red; color: red;">[Redacted]</p>	<p>Contractors and Suppliers’ Workers’ Rights</p>	<ul style="list-style-type: none"> • Continue to conduct risk assessment of contractors on regular basis. • Continue to implement and refine the upgraded ESG monitoring protocol and KPIs, particularly with respect to workers’ rights risks for contractors and suppliers. • Continue to implement and refine the system of bonuses (and penalties) for ESG performance as a tool to support continuous improvement. • Consider developing additional tools or training to support engagement with the highest risk contractors. This could be developed in collaboration with TFM and other mining companies in the area as they likely have similar “high-risk” contractors. • Continue to promote the availability of KFM’s grievance mechanism and complaints boxes for contractors’ workers until such time that contractors have their own effective

Priority	Salient Issues	Recommended HRDD Strategy
		<p>mechanisms. Given potential fears of workers to speak up, ensure to include strong messages about non-retaliation and that the goal of the grievance mechanism is to support continuous improvement and remedy rather than punishment or disciplinary measures.</p>
<p>Moderate Risks (Orange Zone)</p>	<p>Child labour or forced labour</p>	<ul style="list-style-type: none"> • Continue to consider risks of child labour or forced labour in the periodic risk assessments of contractors and suppliers. • Considering the importance of this topic for international stakeholders (and under various “Modern Slavery” laws that may apply to customers), consider how KFM can work with higher-risk contractors or suppliers to assess and act upon child labour or forced labour beyond the first tier of KFM’s supply chain. • Although there is a lower risk of interactions with ASM at KFM than at other mine sites in the region, consider the merits of collaborating with some of the initiatives to address child labour in ASM (e.g. TFM’s work on this issue).
	<p>Community health and safety</p>	<ul style="list-style-type: none"> • For risks related to road safety, ensure strong implementation of KFM’s road safety measures and monitor compliance of contractors and suppliers. • Consider organizing a road safety campaign that focuses on children with the involvement of teachers and parents. • See recommendations above related to in-migration and environment.
	<p>Non-discrimination</p>	<ul style="list-style-type: none"> • Considering the strong stakeholder feedback about the need for further integration of Congolese and Chinese workers, establish a joint Congolese-Chinese task force to develop further actions and incentives / rewards to accelerate the implementation of the China-Congo Integration Strategy. • Consider how to apply some of the good practices observed at TFM related to language training and cross-cultural awareness and sensitivity. • Continue to promote non-discrimination in hiring and initiatives to support women in the workplace through the implementation of the Promotion of Gender Equality policy. • Continue to support social investments targeting education and technical training of local women and girls. • Ensure that the personnel who are involved in KFM’s grievance mechanisms receive training on how to handle sensitive grievances related to discrimination and harassment.
<p>Lower Risks (Yellow Zone)</p>	<p>Information and consultation</p>	<ul style="list-style-type: none"> • Continue to enhance information and consultation on KFM’s salient human rights issues as part of the ongoing HRDD process—particularly in relation to environmental issues.

Priority	Salient Issues	Recommended HRDD Strategy
High		<ul style="list-style-type: none"> Consult with key stakeholders and vulnerable groups before finalizing and implementing the Human Rights Action Plan. Ensure that there are sufficient human resources (CLOs) and support for the company-community engagement platforms to maintain consultation with community members on priority issues.
	Grievance mechanisms	<ul style="list-style-type: none"> Continue to promote and enhance the effectiveness of grievance mechanisms for community members and workers with an emphasis on continuous improvement and providing remedy rather than disciplinary action. Continue to support direct access for contractor workers to the KFM worker grievance mechanism until such time that they have their own effective mechanisms. Support capacity-building for the Independent Mediation Committee so that it can be effective in resolving community grievances.
	Land, resettlement and livelihoods	<ul style="list-style-type: none"> Continue to support the Resettlement Committee in monitoring resettlement and livelihood activities. Continue to support expert monitoring of resettlement and livelihood outcomes to determine when the impacts on PAPs have been sufficiently remediated. If there is a need for future resettlement activities, ensure that they are conducted in line with international standards and consider updating KFM's compensation rates to take into account local inflation.
	Cultural heritage	<ul style="list-style-type: none"> Continue to conduct pre-construction surveys for cultural heritage materials and implement the chance find procedure for unexpected discoveries. Collaborate with local communities and government for preservation of any cultural landmarks or sacred sites that are identified.
	Freedom of association	<ul style="list-style-type: none"> Continue the ongoing dialogue with union representatives within the framework of the Collective Agreement, and support enhanced communications between the union representatives and their members. Develop a simplified booklet to facilitate communication of the rights in the Collective Agreement (like has been done at TFM). Consider the possibility of joint capacity-building efforts for union representatives at KFM and TFM to facilitate better cooperation on key workers' rights issues.
	Just and favourable working conditions	<ul style="list-style-type: none"> Considering the importance of the topic of "living wage" from an international perspective (including within Copper Mark), consider how KFM can support the development of a methodology for calculating a "living wage" and extending it to local contractors and suppliers. Ideally, this would be

Priority	Salient Issues	Recommended HRDD Strategy
		done in collaboration with TFM and other mining companies to promote a common approach in the region.
Positive Impact (Green Zone)	Social investment benefits	<ul style="list-style-type: none"> • Continue to implement and monitor the projects in the Cahier des Charges with participation of the Local Development Committees and beneficiaries to maximize positive development and human rights outcomes. Ensure due attention to gender and vulnerable groups to enhance a rights-based approach. • Continue to work with other mining companies and the government to coordinate the implementation of respective Cahier des Charges (and the 0.3%) to maximize local benefits and avoid duplicative initiatives. • Continue to advocate for more coordination, transparency and accountability from the provincial government for the spending of the 0.3% dotation royalty to support a coordinated development strategy in the region. • Continue to implement the <i>Cahier des Charges</i> in a participatory manner with the support of the Local Development Committees (CLDs) to manage community expectations and risks of unintended consequence or secondary impacts. • Continue to coordinate and support local employment opportunities with its contractors through regular engagement with traditional leaders and community meetings.

Governance, Management and Multistakeholder Action

In terms of the tangible outcomes of the HRDD process, a Human Rights Action Plan framework has been developed to guide KFM's ongoing HRDD for each of its salient human rights issues in accordance with the UNGPs. The Human Rights Action Plan framework is based on integration of the key KFM's management plans and systems for the different departments (e.g. Human Resources, Contracts & Procurement, Environment, Health and Safety, Community, Resettlement and Security) to manage the salient human rights issues. It also draws upon the learnings from TFM to develop and implement its Human Rights Action Plan since 2023.

It is recommended that KFM conduct targeted engagements with the internal and external stakeholders who are implicated in the Human Rights Action Plan framework to build awareness and buy-in as it is finalized and implemented. The Human Rights Action Plan and the current list of salient human rights issues should be reviewed and updated on an annual basis.

The implementation of the Human Rights Action Plan will be the formal responsibility of a member of KFM's senior leadership team (i.e. the Compliance Officer). Implementation of the Human Rights Action Plan will be approached in a cross-functional manner, including by assigning

clear responsibilities to key departments for the management of each salient issue and by using the ESG quarterly meetings (which brings together all the relevant departments) for ongoing discussion of emerging issues and tracking progress. The governance and management of KFM’s Human Rights Action Plan will also benefit from the involvement and oversight of CMOC’s ESG team.

The strong motivation and collaboration of the KFM management team, and the visible leadership and active support of CMOC, have been key enablers of this HRDD process. Like at TFM, there has been strong buy-in from KFM and CMOC for the message that the HRDD process should be based on a philosophy of continuous improvement and should be practical and operational so that different departments are empowered to manage their specific risks. Ultimately, HRDD should be a win-win-win for workers, communities and the company. These messages, which we tested with TFM in our prior HRDD process, also appeared to resonate at KFM.

We believe that KFM is positioned to support CMOC’s leadership on human rights in the DRC. In this regard, KFM can collaborate with TFM to encourage multistakeholder action on key issues in accordance with the CMOC motto “to achieve the impossible.” Furthermore, multistakeholder action is an important strategy to address the big human rights challenges in DRC that are impossible to be solved by any single company. We therefore suggest that KFM explore the following opportunities for leadership and leverage on human rights at the national, regional and local levels.

Levels of Collaboration	Opportunities for Leadership and Leverage
National and regional	<ul style="list-style-type: none"> • Advocate to the DRC government with other mining companies for the development of a regional development strategy that reduces incentives for in-migration by providing viable livelihood options outside of ASM, and enhances health and safety, local employment and human rights protection for local communities. • Advocate for more coordination, transparency and accountability from the provincial government for the spending of the 0.3% dotation to support such a regional development strategy. • Support the work of the VPSHR Working Groups and other meetings in Kolwezi, Lubumbashi and Kinshasa and the development of the DRC Government’s VPSHR Action Plan.
Local	<ul style="list-style-type: none"> • Work with other mining companies to develop common approaches and tools for HRDD on priority issues related contractor workers’ rights and community members’ rights. • Work with government and civil society organizations to mitigate the worst impacts related to in-migration and ASM. • Continue supporting company-community engagement platforms for participatory planning, implementation and monitoring of resettlement, social investment, environmental monitoring and grievance resolution.