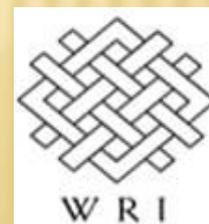
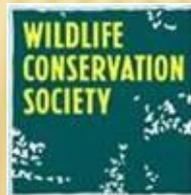
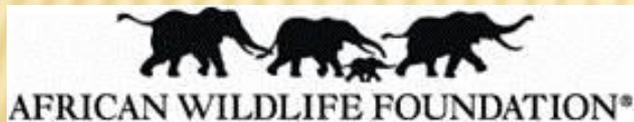


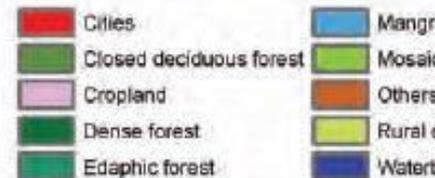
MINING AND BIODIVERSITY IN DRC – CHALLENGES & OPPORTUNITIES

ABCG Extractives Working Group

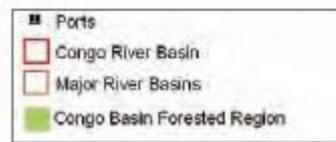
12 October 2011



DEMOCRATIC REPUBLIC OF CONGO



Sources: WWF, USGS, SDSU, UMD, Tom Patterson, US National Park Service.
Congo Basin Hydrological Watersheds



- ✗ Size: 2,345,000 sq km (size of US East of MS)
- ✗ 52% of dense forests of central Africa
- ✗ Highest level of biodiversity in Africa
- ✗ Pop: 72 mill
- ✗ History of armed conflict

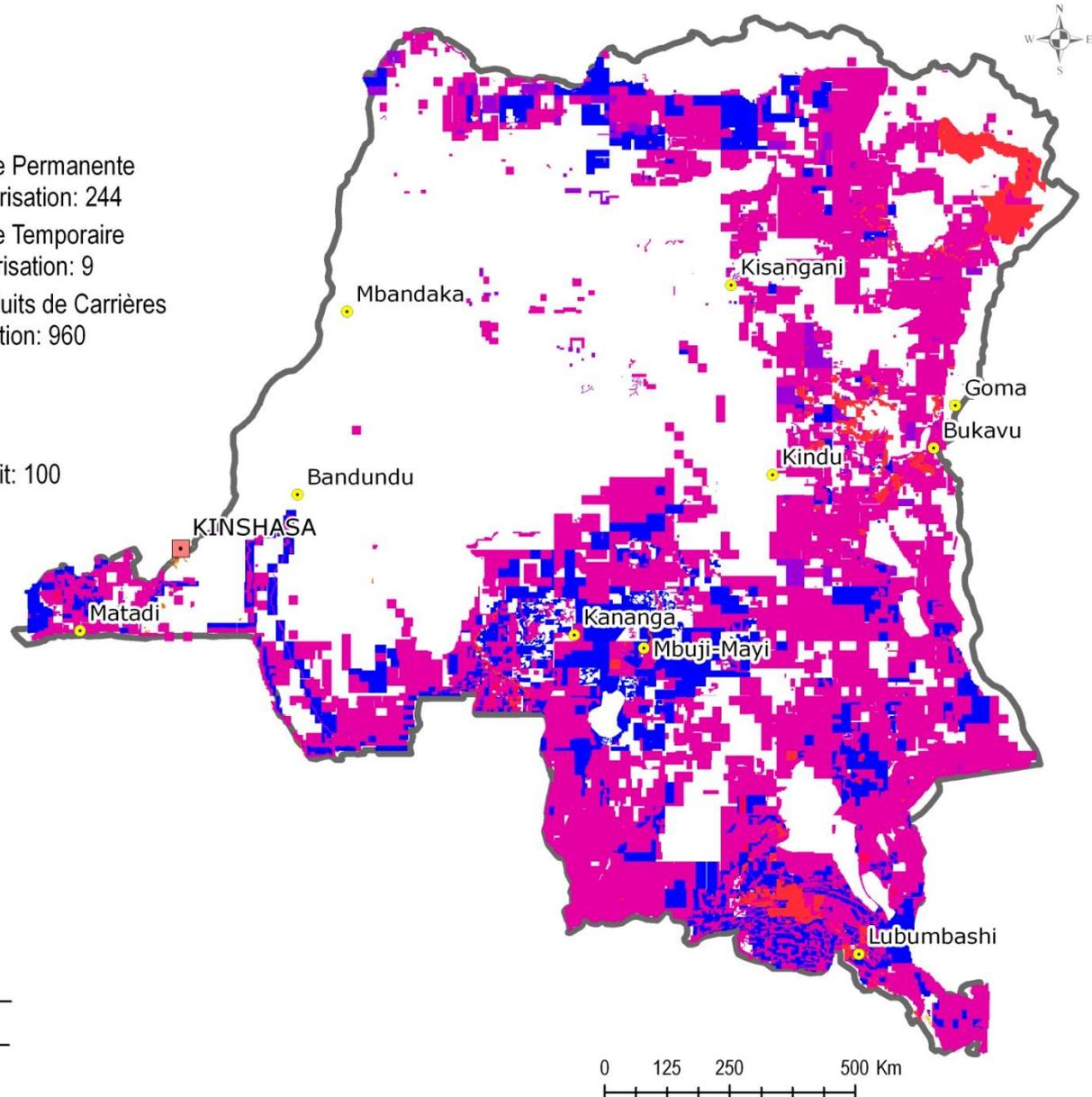


Democratic Republic of Congo: Mining Permits



Mining Permits

-  Autorisation d'Exploitation de Carrière Permanente
Permanent Quarry Exploitation Authorisation: 244
-  Autorisation d'Exploitation de Carrière Temporaire
Temporary Quarry Exploitation Authorisation: 9
-  Autorisation de Recherches des Produits de Carrières
Quarry Product Exploration Authorisation: 960
-  Permis d'Exploitation
Exploitation Permit: 442
-  Permis d'Exploitation de Petite Mine
Small-scale Mining Exploitation Permit: 100
-  Permis d'Exploitation des Rejets
Tailings Processing Permit: 21
-  Permis de Recherches
Exploration Permit: 4221
-  Zone d'Exploitation Artisanale
Artisanal Exploitation Area: 240
-  Zone de Recherches Géologiques
Geological Exploration Area: 1495

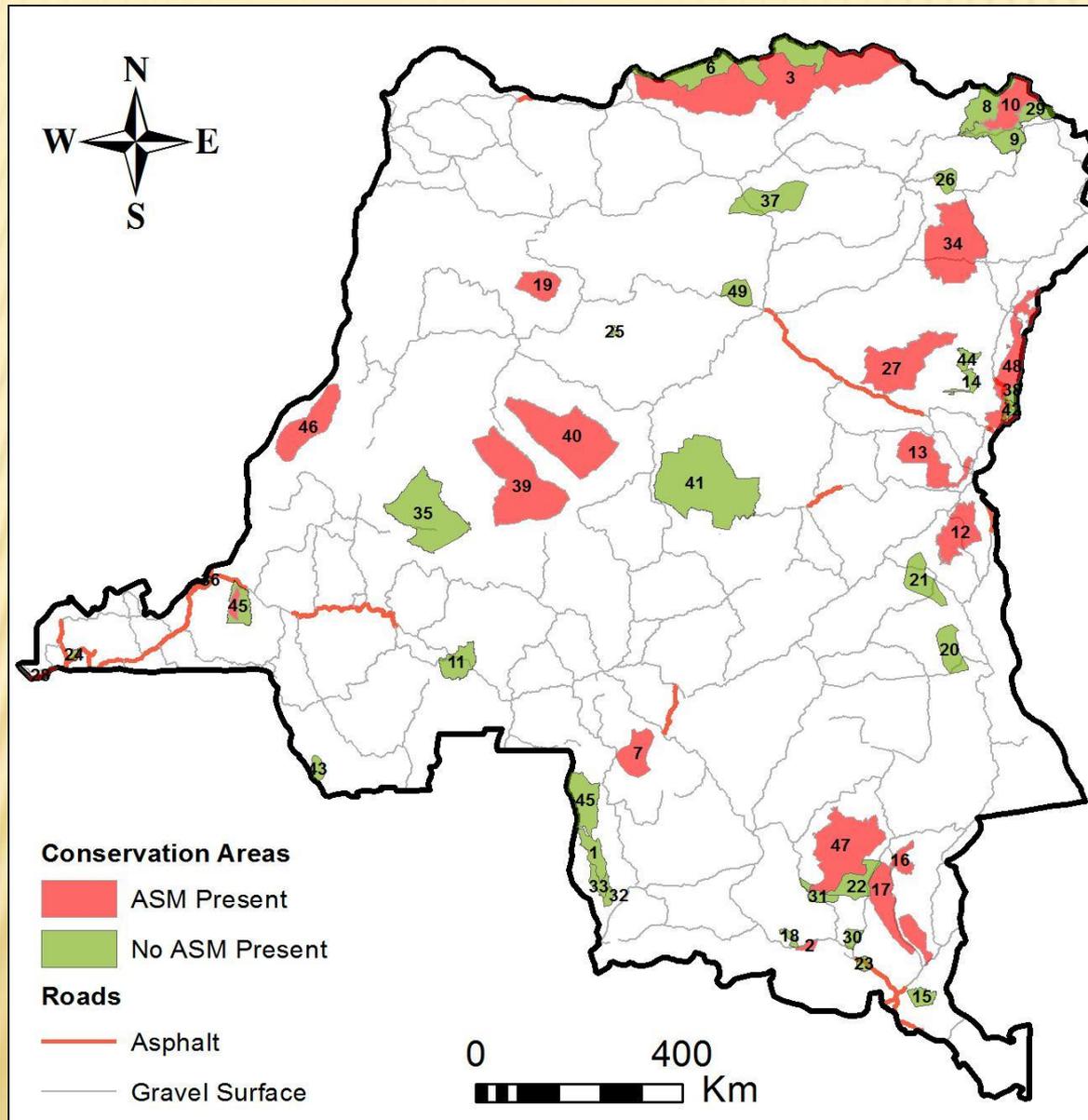


Sources:

- Mining permits: Ministry of Mines, DRC, 2011
- Towns: DIAF, WRI, 2010

October 2011

ARTISANAL MINING IN CONSERVATION AREAS



Democratic Republic of Congo: Conservation Priority Areas

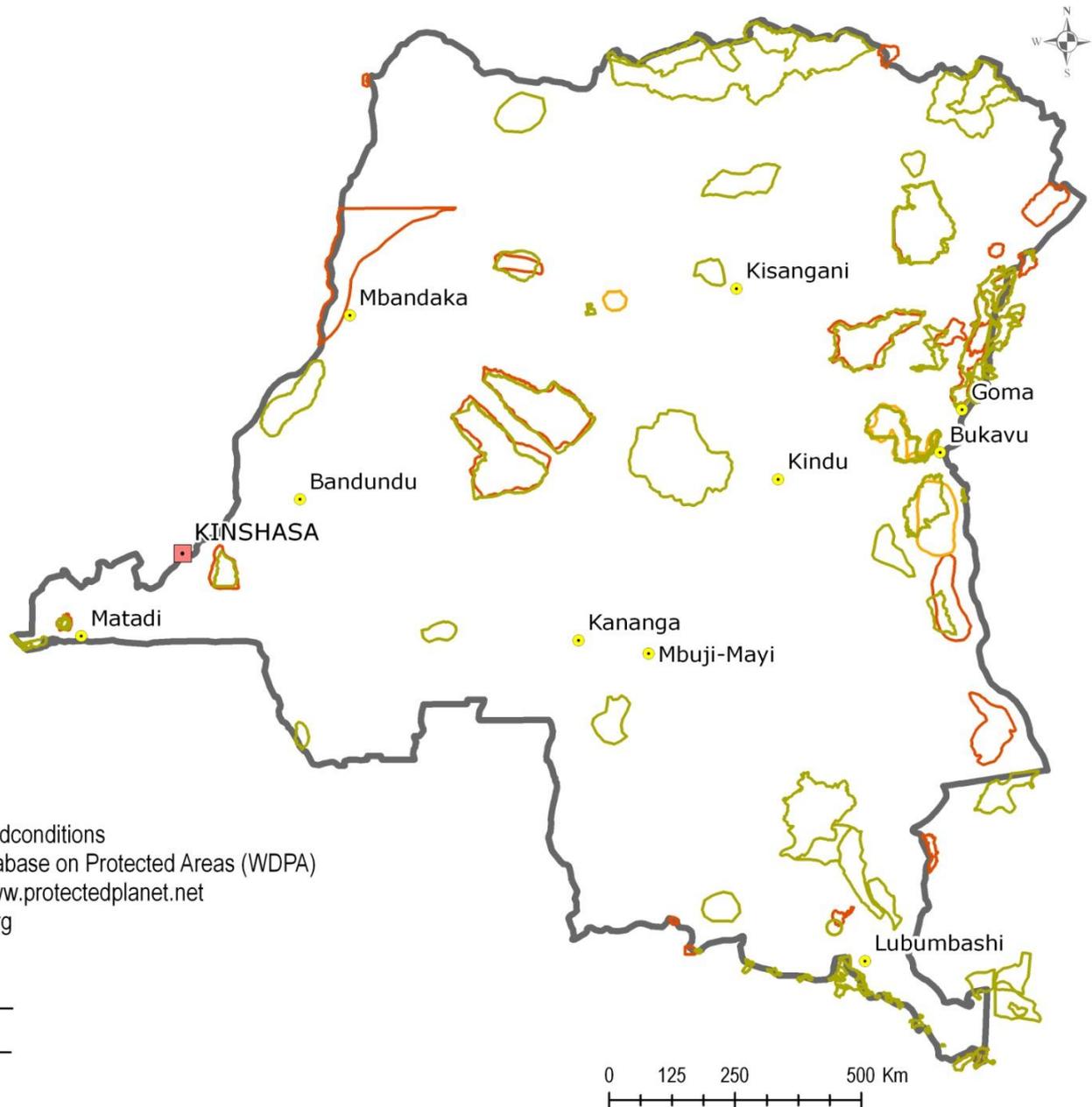


Conservation Priority Area

 World Database on Protected Area

 Alliance for Zero Extinction Sites

 Key Biodiversity Area



Sources:

- WDPA: <http://www.protectedplanet.net/termsandconditions>
- IUCN and UNEP-WCMC (2010), The World Database on Protected Areas (WDPA) Cambridge, UK: UNEP- WCMC. Available at: www.protectedplanet.net
- AZE: AZE Update, 2010, www.zeroextinction.org
- KBA: BirdLife International
- Towns: DIAF, WRI, 2010

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PRIORITY BIODIVERSITY AREAS

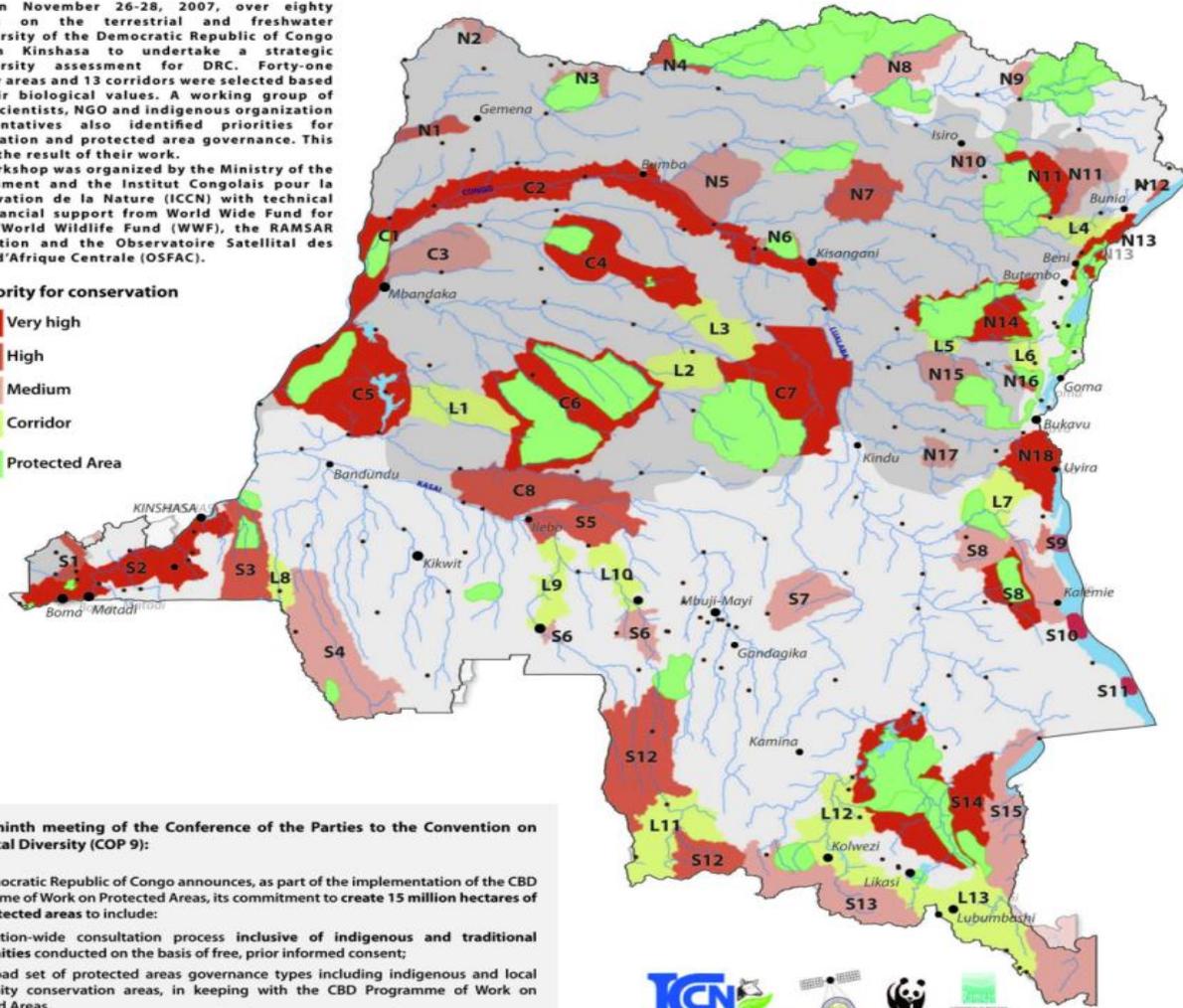


RESULTS OF THE NATIONAL STRATEGIC EVALUATION OF BIODIVERSITY IN THE DEMOCRATIC REPUBLIC OF CONGO

Between November 26-28, 2007, over eighty experts on the terrestrial and freshwater biodiversity of the Democratic Republic of Congo met in Kinshasa to undertake a strategic biodiversity assessment for DRC. Forty-one priority areas and 13 corridors were selected based on their biological values. A working group of social scientists, NGO and indigenous organization representatives also identified priorities for consultation and protected area governance. This map is the result of their work. The workshop was organized by the Ministry of the Environment and the Institut Congolais pour la Conservation de la Nature (ICCN) with technical and financial support from World Wide Fund for Nature/World Wildlife Fund (WWF), the RAMSAR Convention and the Observatoire Satellital des Forêts d'Afrique Centrale (OSFAC).

Priority for conservation

- Very high
- High
- Medium
- Corridor
- Protected Area



North:

- N1. Dongo-Mbanza
- N2. Nord de Bosobolo
- N3. Nord Businga
- N4. Reserve de la Bomu/DRC Bili-Uélé
- N5. Basoko-Aketi
- N6. Yangambi
- N7. Banalia entre Lindi et Aruwimi
- N8. Ango (Bas Uélé)
- N9. Dungu-Watsa Garamba
- N10. Abiangama
- N11. Mambasa-Wamba-Watsa
- N12. Flanc du Lac Albert
- N13. PN des Virungas et extension Mt. Hoyo
- N14. Grand Maiko
- N15. Extension PN de Kahuzi-Biega
- N16. Forêt de Bushema
- N17. Maniema
- N18. Itombwe

Central:

- C1. Ngiri - Triangle
- C2. Cours moyen du fleuve Congo et les îles
- C3. Ikelemba-Bosomba-Lulonga
- C4. Lomako-Wamba
- C5. Hinterland Tumba-Mai Ndombe
- C6. Salonga
- C7. Sankuru-Lomami-Lualaba
- C8. Lukenie-Kasai

South:

- S1. Forêt Maiombe
- S2. Mangrove et Bas Congo Rapides et Pool Malebo
- S3. Maimpili-Bombolumene
- S4. Kwango-Wamba
- S5. Moyen Kasai
- S6. Rapides de Tshikapa et de Kananga
- S7. Gefu
- S8. Lukuga-Tanganyika
- S9. Kabobo
- S10. Lac Tanganyika Centre
- S11. Lac Tanganyika Sud
- S12. Haut Kasai
- S13. Mustshatsha-Sakamia
- S14. Upemba-Kundelungu
- S15. Luapula-Mweru

Corridors:

- L1. Tumba-Salonga
- L2. Salonga-Sankuru
- L3. Lomako-Wamba-Sankuru
- L4. Mambasa-Virunga
- L5. Maiko-Kahuzi-Biega
- L6. Bushema-Maiko
- L7. Tanganyika-Itombwe
- L8. Popokabaka
- L9. Tshikapa-Ilebo
- L10. Kananga-Mweka
- L11. Dilolo-Sandoa
- L12. Bia Lualaba
- L13. Lufira

At the ninth meeting of the Conference of the Parties to the Convention on Biological Diversity (COP 9):

The Democratic Republic of Congo announces, as part of the implementation of the CBD Programme of Work on Protected Areas, its commitment to create 15 million hectares of new protected areas to include:

- A nation-wide consultation process inclusive of indigenous and traditional communities conducted on the basis of free, prior informed consent;
- A broad set of protected areas governance types including indigenous and local community conservation areas, in keeping with the CBD Programme of Work on Protected Areas.



Democratic Republic of Congo: Mining Permits on Conserved Priority Area



Mining permit

 Mining permit

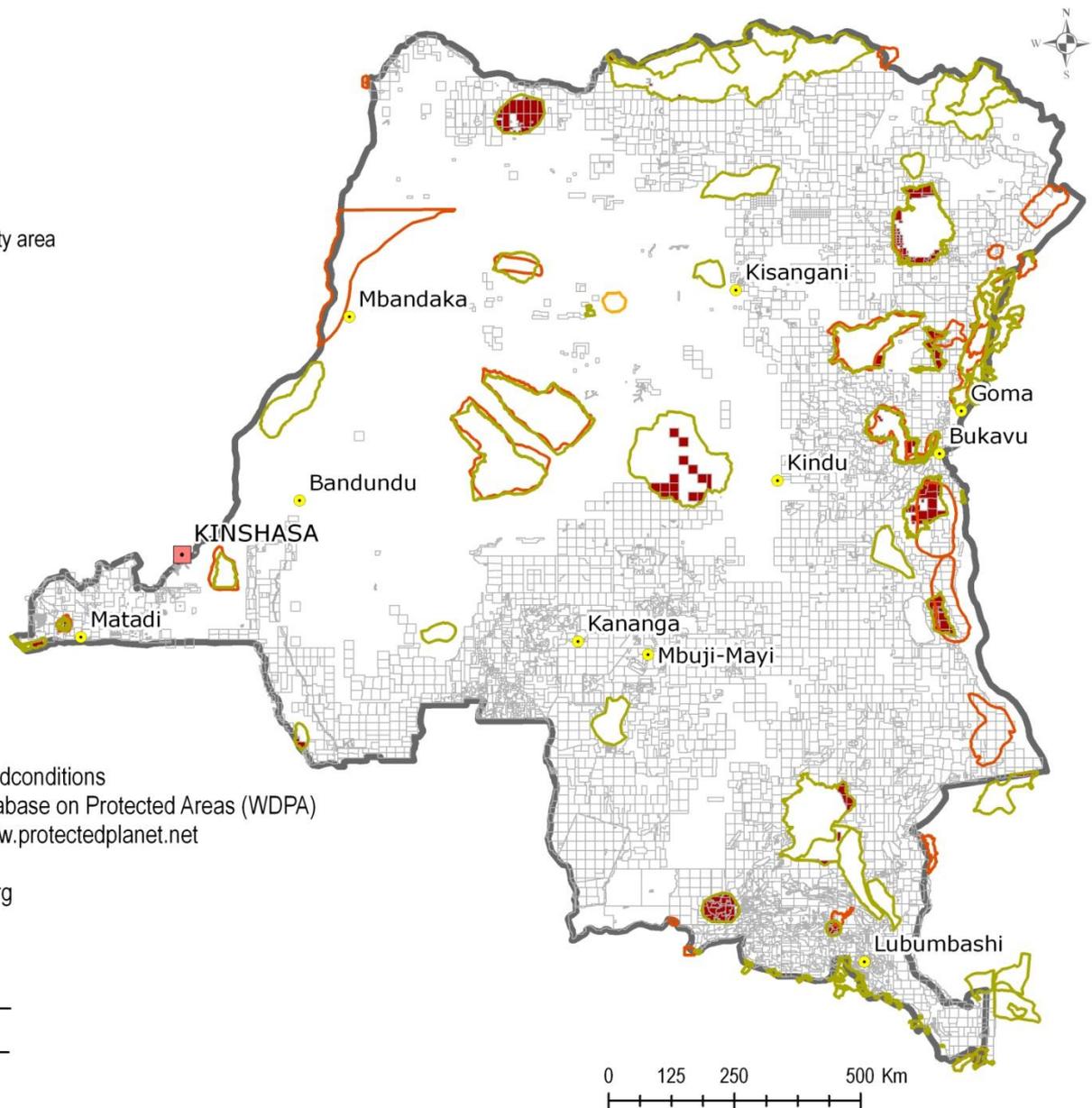
 Mining permit located in a conserved priority area

Conservation Priority Area

 World Database on Protected Area

 Key Biodiversity Area

 Alliance for Zero Extinction Sites



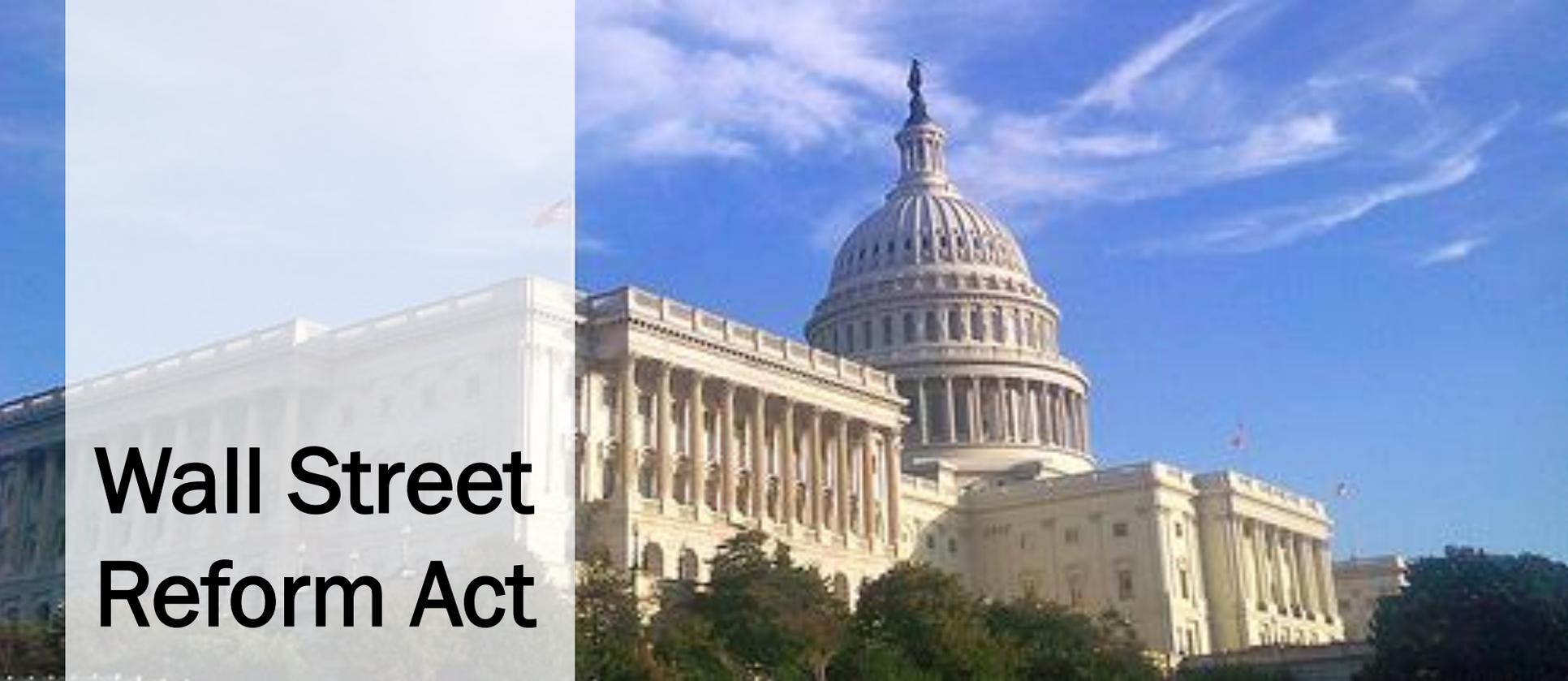
Sources:

- WDPA: <http://www.protectedplanet.net/termsandconditions>
- IUCN and UNEP-WCMC (2010), The World Database on Protected Areas (WDPA) Cambridge, UK: UNEP- WCMC. Available at: www.protectedplanet.net
- KBA: BirdLife International
- AZE: AZE Update, 2010, www.zeroextinction.org
- Towns: DIAF, WRI, 2010
- Mining permits: Ministry of Mines, DRC, 2011
- Towns: DIAF, WRI, 2010

October 2011

LEGAL CONTEXT

- ✘ Principles of Environmental Protection Law
- ✘ New Mining Code – 11 July 2002
 - + Contradictions
 - + Lack of clarity
- ✘ New laws being developed
 - + Mining code to be revised in 2012 – a unique opportunity to inform the process
 - + Conservation law is close to being approved.
- ✘ Elections scheduled for 28Nov 2012



Wall Street Reform Act

“...each **resource extraction issuer** to include in an **annual report** of the resource extraction issuer information relating to **any payment** made by the resource extraction issuer, a subsidiary of the resource extraction issuer, or an entity under the control of the resource extraction issuer **to a foreign government** of the Federal Government for the purpose of the commercial development of **oil, natural gas, or minerals...**”

MINING CONCESSIONS OVERLAPPING WITH CONSERVATION PRIORITY AREAS

4,164 Concessions in 2011

867 Companies

Total # of companies with titles overlapping with a PA, KBA or AZE*	236	100%
Individuals	53	22%
Unknown companies (excluding individuals)	89	38%
Companies partially or totally owned by a company found on an Xchange place (incl. subsidiaries of)	31	13%

PA = Protected Areas

KBA = Kea Biodiversity Areas

AZE = Alliance for Zero Extinction Areas

COMPANIES PUBLICLY OWNED

12 companies with overlapping titles with a PA, KBA or AZE are partially or totally owned by an entity required to submit an **Annual Report to the SEC**

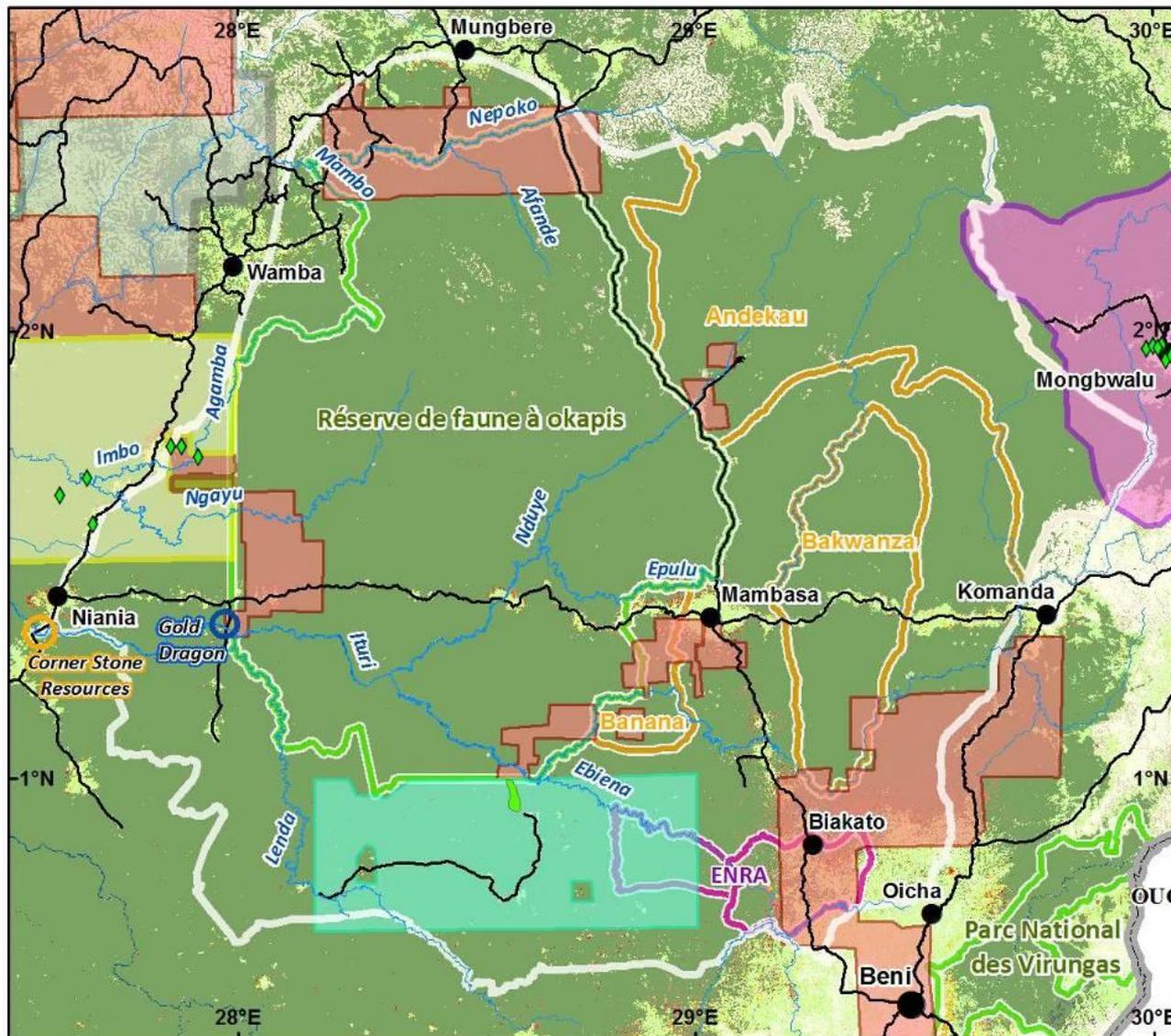
Wholly owned subsidiaries of companies required to submit AR to SEC

ASHANTI GOLDFIELDS KILO
BANRO CONGO MINING Sarl
BHP BILLITON WORLD EXPLORATION
GISOR
RIO TINTO CONGO RDC SPRL
SHAMIKA CONGO KALEHE
TENKE FUNGURUME MINING
Twangiza Mining

Uncertain cases

SAKIMA
PHELPS DODGE CONGO
MIDAMINES Sprl
LONCOR RESOURCES CONGO Sprl

INDUSTRIAL MINING CONCESSIONS

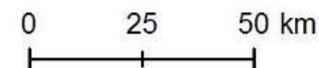


Concessions Industrielles autour du Paysage Ituri

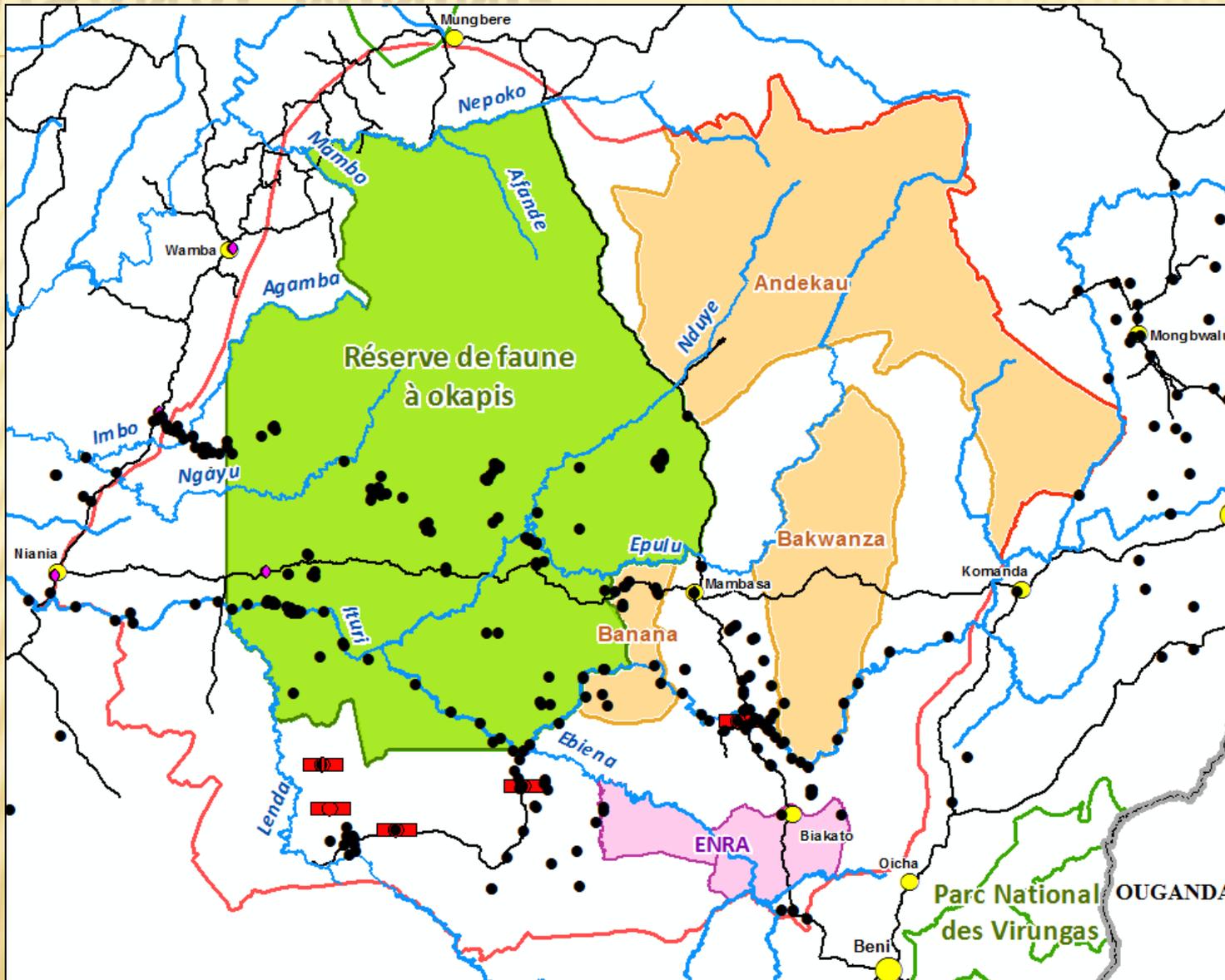
Légende

Concessions Minières

- AngloGold Ashanti
- Auris AG
- Golden Valley
- Kilo-Gold
- Loncor
- Rio Tinto (fer)
- Sites d'infrastructure (actuel ou prévu)
- Aires Protégées
- CBNRM Zones
- Concession Forestière



ARTISANAL MINING



ASM indistinctively affect Protected Areas as well as CBNRM Zones in Ituri LS

OPPORTUNITIES FOR ENGAGEMENT ON MINING AND CONSERVATION (ASM/LSM)

- ✘ Corporations
- ✘ Financial institutions e.g. WB
- ✘ People engaged in ASM
- ✘ National level policy and planning
- ✘ International initiatives e.g. DDI, IPIS, Conflict Mineral Initiatives
- ✘ Transparency/Access to information
- ✘ Learning lessons from Forestry Sector
- ✘ Expanding policies related to stock exchanges
- ✘ Coordination of effort