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NGOs Complain About George Forrest International's Illegal Demolition of Houses in the DR Congo

Date de mise en ligne : Thursday 5 April 2012

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On 24 November 2009, the Compagnie Minière du Sud Katanga (CMSK), which operates the Luiswishi mine in the Democratic Republic of the Congo (DRC), supported and participated in the demolition of hundreds of houses in the villages of Kawama and Lukuni-Gare, in the vicinity of the mine. More than 500 homes were crushed by bulldozers belonging to CMSK and several people were injured. Entreprise Générale Malta Forrest (EGMF), a subsidiary of the Belgian group, GEORGE FORREST INTERNATIONAL GFI), has a 60 percent shareholding in the CMSK joint venture.

The brunt of these demolitions, supposedly to remove illegal artisanal miners (creuseurs), in reality affected villagers who earn their living mainly through subsistence farming or making charcoal. In the twelve months prior to this operation, several violent incidents were reported in which mine security and police guarding the mine allegedly injured or killed artisanal miners that were inside the concession, and fired live ammunition at the village. On 9 November, one Kawama resident, Boniface Mudjani Tumba, was hit in the chest by a stray bullet while he was taking a bath in his home.

"***The actions of the Forrest Group are in flagrant contradiction with the responsibility of companies to respect human rights***" said Souhayr Belhassen, FIDH President. "***The OECD Guidelines make clear that the corporate duty to respect human rights exists even when States fail to uphold their international human rights obligations***" she added.

To date, the legal proceedings initiated locally and attempts at mediation have not progressed and the victims of CMSK's actions have not received any compensation. On several occasions, the NGOs have asked the Forrest Group to recognise its responsibilities for these violations and to enter into a negotiation with the victims' representatives. Unfortunately, the Forrest Group has not been willing to follow this course of action.

For this reason, RAID, ACIDH and FIDH and its member organisations in Belgium and the DRC have taken the case to the Belgian National Contact Point. "***We expect the Belgian NCP to confirm that the OECD Guidelines have been violated and to arrange without further delay an independent mediation so that the victims, who have been injured or lost their homes or their livelihoods, can be compensated***" said Patricia Feeney of Rights and Accountability in Development (RAID).

"***It's time for the EGMF to change its behaviour in the Congo***" remarked Emmanuel Umpula of ACIDH. "***We hope that the National Contact Point can have a positive influence over the Forrest Group so that in future it takes into account the human rights of local communities.***"

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