

Violent Deaths on Glencore's Mining Concession in the Democratic Republic of the Congo (DRC)

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Bread for All (Switzerland), the Catholic Lenten Fund (Switzerland), Rights and Accountability in Development (RAID, UK) and the Congolese human rights organisation, *Centre d'aide juridico-judiciaire* (CAJJ), are calling for a full criminal investigation into the violent death of a young man, MUTOMBO KASUYI, on the mining concession of the Kamoto Copper Company (KCC), a subsidiary of Glencore Xstrata in the DRC.

Mutombo Kasuyi, a 26-year-old married man with two small children, lived with his family in Lubumbashi. He had recently travelled 240 km to Kolwezi to seek work. On 15 February 2014, after trying to find employment at SICOMINES, a nearby mine, Mutombo and a friend on their way home took a route across KCC's concession. According to the friend's statement, Mutombo Kasuyi and he were both arrested by the security team who started to beat them. The witness managed to escape and alert Mutombo's family who eventually found his body at the morgue of Mwangeji Hospital.

"Mutombo's death is clearly attributable to the violent actions of the security forces deployed by KCC to secure its site" said Maître Nathalie Kangaji of CAJJ, a lawyer representing the young man's family.

According to CAJJ the investigation is in the hands of a Military Prosecutor because it concerns serving police officers who were part of the security team on the evening the incident occurred. Two policemen have been arrested but not the private security agents who were also on duty at the time.

No Investigation In a Previous Case in Kolwezi

"Unfortunately the death of Mutombo Kasuyi is not an isolated incident" said Patricia Feeney, RAID's Executive Director. "There are other documented cases in which KCC's security teams have been implicated in the use of excessive force."

In January 2013 Kalala Mbenga, a 23-year old artisanal miner was shot point blank in the face by a policeman on guard at the entrance to the KOV open cast mine. According to eyewitnesses interviewed by the NGOs Bread for All and RAID, the young man was shot as he tried to leave KCC's concession. There has been no further investigation into this incident and the family has not received any compensation.

In the case of Mutombo the family is fearful that, as so often happens in the DRC, the case will be shelved. "The family is still waiting for the autopsy report to be released" said Patricia Feeney, who interviewed them on 10 March in Kolwezi.

Voluntary Principles on Security and Human Rights

The events and investigations surrounding the deaths of Mutombo Kasuyi and Kalala Mbenga raise questions about Glencore Xstrata's implementation of the Voluntary Principles on Security and Human Rights.

“Under the Voluntary Principles security guards should only use force when strictly necessary and to an extent proportionate to the threat. All allegations of human rights abuses should be reported and investigated and the company should press for the proper resolution of the case,” said Chantal Peyer, Bread for All's Team Leader on Business and Human Rights. The NGOs believe that the Swiss Government should seek clarification from Glencore Xstrata about these incidents. The Swiss Government is currently the president of the Voluntary Principles on Security and Human Rights and is chairing the Annual Plenary Meeting of the Initiative, which opens today, 26 March, at Montreux.

The NGOs have also communicated their concerns to Glencore Xstrata. In a detailed response the company has stated that in its view neither Glencore Xstrata nor its subsidiary bear any responsibility. Only the government's police have been implicated in these incidents not KCC's private security guards. Furthermore, Mutombo Kasuyi appears to have died not as a result of injuries sustained after being beaten, but from an illness. The family's lawyers dispute Glencore Xstrata's version of the events.

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