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In response to violations of local communities' rights, civil society organisations are demanding that Kamoa Copper SA and Tenke Fungurume Mining compensate the local communities resettled in Kaponda 1 and Mano-Mapia, respectively, for the harm caused during their displacement. They are also calling for an improvement in their living conditions following their displacement.

Rights violations and deteriorating living conditions: this is the alarming finding set out in two reports by the African Natural Resources Observatory (AFREWATCH). These documents analyse the displacement of local communities by the companies Kamoa Copper SA and Tenke Fungurume Mining.

Between June 2025 and November 2026, the organisation monitored two processes of involuntary displacement: that of local communities resettled in the village of Kaponda by Kamoa Copper SA, and that of communities displaced to Mano-Mapia by Tenke Fungurume Mining.

The findings of these two studies, published on 10 November in Kinshasa, reveal diametrically opposed situations, both of which have serious repercussions on the rights of the affected communities and their living conditions. Despite operating within the same legal framework and adhering to almost identical international standards regarding the displacement of communities affected by development projects, practices differ from one company to another.

According to the findings of these two reports, the affected communities have faced enormous challenges. These include:

1. A lack of transparency

Both processes were characterised by a lack of access to key documents, such as resettlement plans, minutes of consultation meetings and the price list for compensation. Yet these important documents record the outcomes of discussions and regular consultations between the company and the various stakeholders. Whether it is Kamoa Copper S.A. or TFM, the Resettlement Plan and consultation minutes are not published on their websites nor appended to their ESIA reports, contrary to the requirements of Article 27 of the Relocation Directive. Indeed, these key documents are not included as annexes to Kamoa S.A.'s revised 2020 ESIA, which is the only study to which the researchers were able to gain access.

This lack of transparency also contravenes the IFC's policy on environmental assessment and information disclosure. It requires developers of projects involving involuntary displacement to make their Resettlement Action Plan (PAR) publicly available. For their part, the communities interviewed reported that no such plan had ever been presented to them.

Furthermore, whilst TFM responded to the concerns raised in the correspondence sent to it by AFREWATCH, Kamoa Copper S.A. issued a tacit refusal and dismissed the two letters sent to it out of hand.

2. Low participation

The findings of two reports highlight the low level of participation by the affected communities at the various stages of this process, resulting in their inability to make their views heard and express their needs, particularly during the consultation phase. The data collected indicates the virtual absence of any mechanism for disseminating information and taking account of the views of those affected, which clearly limited their participation throughout these processes.

However, the outcome of the consultations appears to be mixed. At Kamoa Copper SA, the communities acknowledged that the meetings had been organised; however, they lamented not having had sufficient time to ask questions and receive answers that would have enabled them to participate effectively in the resettlement process. At TFM, interviews conducted by the AFREWATCH research team with several victims show that those affected never received sufficient information about the entire process of their displacement.

The right to information and participation is enshrined in the Constitution of the DRC (Article 24), as well as in the Law on Fundamental Principles Relating to Environmental Protection (Articles 8 and 9) and the Mining Code.

Furthermore, both companies have failed to honour their own commitments. TFM has failed to comply with its Land Acquisition and Resettlement Policy Framework (LARPF); for its part, Kamoa Copper SA has breached the human rights policy of Ivanhoe Mines, one of the multinationals holding significant stakes in its capital.

Compensation and resettlement

The payment of compensation reveals major disparities. In the case of Kamoa Copper SA, the investigation notes that the affected individuals and households are generally satisfied with the payments received as compensation and restitution. However, they regret the lack of transparency in the calculation of compensation and restitution. Furthermore, Kamoa Copper has rehoused them in newly built homes.

Conversely, those surveyed claim to have received compensation from TFM that was lower than the actual value of their property. Similarly, this subsidiary of the Chinese giant CMOC did not replace their homes with new ones and forced the majority of them to become tenants. Furthermore, the study highlights the lack of transparency surrounding the calculation of these compensation payments: indeed, the affected individuals or households were neither informed nor involved in the discussions.

Yet the provincial decree on resettlement – a sub-national instrument in Lualaba – stipulates in Articles 15 and 16 that expropriated land must be replaced with new land, that monetary compensation for land is prohibited, and that the owner of a building must be provided with a replacement ensuring a higher quality of life than they previously enjoyed.

Restoring livelihoods

The restoration of livelihoods remains another challenge in these two processes and raises questions in light of the disparities observed. Whilst Kamoa Copper S.A. has implemented a programme dedicated to restoring and improving the living conditions of those resettled from Kaponda 1, TFM has not undertaken any similar measures.

However, Kamoa Copper S.A.'s livelihood restoration programme was designed without transparency or the participation of the affected communities. The study's findings highlight, in particular, the failure to provide replacement agricultural land as part of the resettlement programme, even though the livelihoods of the displaced people and the alternatives proposed by Kamoa Copper S.A. rely primarily on agricultural activities.

Furthermore, the study reveals that the loss of access to natural resources, combined with inadequate support programmes for agriculture and livestock farming, has prevented an effective restoration of their livelihoods and incomes. Consequently, their food security is under serious threat and their ability to provide for themselves has been almost completely eroded, which has increased their vulnerability and precariousness. Those interviewed report a marked deterioration in their living conditions and state that some of them are sinking into extreme precariousness.

All these practices contravene the legal framework in force in the DRC and are not aligned with relevant international standards, such as IFC Performance Standard 5.

In light of the breaches observed in these two processes carried out by Kamoa Copper SA and Tenke Fungurume Mining, civil society organisations emphasise that these cases illustrate poor practices regarding relocation, resettlement and compensation in the DRC. They call on the government, as the regulatory body and guarantor of communities' rights, as well as the two companies, to take urgent measures to remedy the violations of the rights of the affected communities and to implement corrective actions to improve the living conditions of those displaced.

The signatory organisations

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