

CEPAS: Mining Companies and Corporate Social Responsibility

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Brief description of CEPAS

The Centre d'Études pour l'Action sociale (Study Centre for Social Action), CEPAS, was founded in Kinshasa, Democratic Republic of Congo, in 1965 by the Central African Province of the Society of Jesus. The aim of the centre is to establish a close link between research and social action and contribute to the cultural, social, political and economic development of Congolese society. The Centre carries out activities under the responsibility of the Central African Provincial who is also the Director of CEPAS.

CEPAS has 16 members and its work encompasses the following five sectors: Congo-Africa, Library, Publications, Socio-political Coordination and Support for Development. Each activity sector has its own director. The CEPAS library provides a valuable source of documentation relating to political, social and economic issues for researchers, teachers and students. Since 1961, the CEPAS monthly journal *Congo-Afrique* has published important studies by members and partners on different aspects of the economic, political, social and cultural life of Congo. Numerous CEPAS pamphlets, providing popular guides to law, political and social formation, management and democratic principles, are used for training and informing the public at large. Support for development (assessments, planning, and accountancy training for a cycle of projects) contributes to good governance in Church structures and among local and international NGOs active in the development sector. Seminars, workshops, conferences and social days organised by CEPAS nurture reflection and urge members and partners to action.

Case Study of the South Katanga mining company (CMSK)

The South Katanga Mining Company (CMSK, Compagnie Minière du Sud Katanga), a private limited company, was set up in April 1997. A joint venture has been signed between Gécamines (Générale des carrières et mines), formerly the Union Minière du Haut-Katanga (UMHK), and the Entreprise Générale Malta Forrest (EGMF), linked to CMSK. In this partnership, Gécamines brought to CMSK mining rights on the Luisha polygons (open pit mining). It also brings the sites necessary for the Kipushi metallurgy factories. EGMF brought the new Luiwishi concentrator facility. According to article three of the contract, EGMF owns 60 percent and Gécamines 40 percent of the social capital. From 1908 to 1960, the mining sector, with the support of external investment, produced 4,900,000 tonnes of copper (Cu). The sale of diamonds, copper, cobalt, gold and zinc has made it possible to repay the capital invested and the interest has contributed to the social and economic development of the country,

especially the Katanga region. From 1980 to the present day, production has been approximately 20,000 tonnes/Cu a year.

The increasing poverty of the inhabitants in Kipushi

The salary paid to the workers allows them to live modestly. They are better paid than even teachers in primary and secondary schools. Security, hygiene and protection measures are guaranteed and health care is provided for employees and their families. Working conditions are in general acceptable.

Nonetheless, the CMSK contribution to the social and economic well being of local people in Kipushi is minimal. CMSK mining activities contribute to destroying the roads used to transport the Luishuisi copper to Kipushi, where it is transformed into copper concentrate. Previously, all mining products were transported by train but, bridges have been damaged by the constant transit of heavy goods vehicles and farming transport routes have been ruined. People live in abject poverty, on less than one US dollar a day. Unemployment is very high, the labour market being practically non-existent. Malnutrition reigns in Kipushi; many young people have had little or no education, and the water and air are polluted.

Let us listen to the account of a Christian woman in Kipushi one Sunday after Mass - "We have suffered greatly. Our husbands have been sacked by Gécamines. Others work for foreign mining companies who exploit the resources and take the money back with them. The smoke and dust from mining operations threaten us and assault us every day. If we were to go for medical tests, we would all have lung diseases. And if we don't do anything, we ourselves, our husbands, our children and you, our priests, are all going to die because of this intense mining activity". This mother's view raises the main issue regarding mining activities - is it a fortune or a misfortune for local people?

Thus, with reason, the Katanga bishops stated in March 2007 that "it is clear the mines do not benefit either our population or our people. While investor profits increase enormously, workers themselves are becoming poorer". In July 2007 the bishops of the National Congolese Bishops' Conference (CENCO) confirmed that "instead of contributing to the development of our country and benefitting our people, the mines, the oil and the forests have become the cause of our misfortune". (Message from the CENCO bishops, 7 July 2007, no 11)

CEPAS Advocacy in Kipushi

The case of CMSK in Kipushi was chosen for the following reasons. First of all, the entire Kipushi-Sakania diocese is subject to mining activities. Secondly, poverty and injustice resulting from mining activities bear witness to the mining company's indifference to the well-being of the region and its people. Third, we have set up a project to build awareness of corporate social obligations among local people. The Democratic Republic of Congo mining code requires the mining companies to observe certain norms as part of

corporate social responsibility. They are required to “improve the well-being of local people by setting up economic and social development programmes” (article 452). From an environmental and security viewpoint they have to present an environmental impact study and an environmental project management plan (article 204). With regard to infrastructure, “owners of mining rights or permanent quarries are obliged to construct and maintain all the infrastructure necessary for mining activities” (article 212).

Our advocacy is aimed at training and empowering local communities on all aspects of the mining code and corporate social responsibility, so that they can compel mining companies to fulfil their social obligations in accordance with the articles of the Congolese mining code. We began the advocacy process in Kipushi in June 2008 and our work has been developed as follows -

- a) We have listened to the local population’s¹ interpretation of the signs given out by those engaged in mining activities. Advocacy must be people-centred, and together with Mgr Ruvezi Gaston, bishop of Kipushi-Sakania, we devoted a full day to visiting the three mining sites in order to obtain a global understanding of mining activity in the diocese.
- b) We have organized four conferences and one formation seminar on the theme of corporate social responsibility for members of the Justice and Peace commissions in the three parishes and for the members of the pastoral team in the diocese of Kipushi. We also held a training session with the bishops of the Ecclesiastical province of Katanga on the overall state of mining issues in Katanga. The engagement of the bishops as religious decision-makers is indispensable for advocacy at local, national and international level.
- c) We will commission in-depth research and objective analysis from experts (including a person from the university and a member of an NGO) so that we can publish clear information, which creates awareness of rights and offers useful pedagogic tools to reinforce capacity within local populations and NGOs. This research and analysis will not only provide advocacy material for OCIPE (Brussels) and the US Jesuit Conference (Washington) but can also be a basis for dialogue with mining company management, Mining Ministry structures, the mining commissions in Parliament and in the Senate and international NGOs.

Conclusion

Decree Three of the 35th GC states that “transnational interests, unconstrained by national laws and often abetted by corruption, frequently exploit the natural resources of the poor. Powerful economic groups foment violence, war, and arms trafficking” (GC35 D 3 n. 26). In our globalised world where the poor are marginalised, CEPAS, as a centre for social promotion and

¹The local population comprises members of the Justice and Peace commissions in three parishes in Kipushi, workers and managers in Gécamines and CMSK.

research, seeks greater engagement in fostering “the growth of corporate social responsibility, the creation of a more humane business culture, and economic development initiatives with the poor” (GC35 D 3 n. 28). Inspired also by the conclusions of the International Advocacy Workshop held in Madrid in November 2008, CEPAS, with support from Entreculturas and Alboan, intends with “renewed fervour and enthusiasm” to rise to one of the “challenges of our mission today”, namely corporate social responsibility.

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