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Pollution Incident of 04 November 2025
by Congo Dongfang International Mining (CDM)
subsidiary of ZHEJIANG HUAYOU COBALT

MEMORANDUM OF THE LOCAL COMMUNITIES OF KASAPA, KAMATETE AND KAMISEPE

CLAIM FOR COLLECTIVE REPARATION SUBMITTED TO THE SPECIAL INTER-MINISTERIAL COMMISSION OF INQUIRY INTO THE DISCHARGE OF WATER FROM THE FACITLITIES OF THE COMPANY CDM

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IRDH, January 2026

ABOUT THIS DOCUMENT

Title: Memorandum of Local Communities of Kasapa, Kamatete and Kamisepe – related to the industrial pollution incident occurred on 04 November 2025 by Congo Dongfang International Mining (CDM)

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- This document sets out the legal claims of local communities affected by the industrial pollution incident of 4 November 2025.
- The memorandum seeks to obtain full reparation for the damages suffered by local communities.
- It is based on the findings of the inter-ministerial commission of inquiry.

EXECUTIVE SUMMARY

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I. Background and facts

On 4 November 2025, a major industrial pollution incident occurred at the mining site of Congo Dongfang International Mining (CDM) in Lubumbashi, Democratic Republic of Congo. The incident severely affected the local communities of Kasapa, Kamatete and Kamisepe.

An interministerial commission of inquiry has been established to assess the severity of the damage and propose remedial measures. Its findings reveal an environmental and health catastrophe of considerable magnitude :

- **Volume discharged:**

Approximately 2.5 million cubic metres of acid leachate were released into the environment following the failure of a retention basin operated by CDM.

- **Extreme chemical contamination:**

Analyses reveal heavy metal concentrations exceeding international standards by several thousand times.

Water contamination:

- pH of 2.5 (10,000 times more acidic than WHO standards)
- Copper: 5,540 mg/L (2,770 times the WHO standard of 2 mg/L)
- Cobalt: 5,268 mg/L (5,268 times the WHO standard of 1 mg/L)
- Arsenic, cadmium, nickel, lead and chromium: confirmed presence at toxic concentrations

Exposure to these substances entails major health risks, including exposure to endocrine disruptors capable of causing irreversible damage to the hormonal system, with transgenerational consequences.

- **Immediate health impact:**

504 documented cases of health disorders (dermatological, digestive, respiratory).

- **Direct economic impact:**

258 agricultural fields damaged, 42 wells contaminated, 29 livestock losses.

II. CDM’s response

In response to this catastrophe, CDM implemented emergency measures:

- Distribution of emergency supplies (drinking water, foodstuffs) valued at 15,000 USD
- Payment of individual compensation totalling 650,000 USD to affected households

However, these measures are wholly insufficient in view of the scale of the damage and do not address the long-term health impacts on the affected populations.

III. Community demands

Local communities are demanding full and fair reparation for the harm suffered, separately from the complete execution of the projects outlined in the Cahier des Charges (social responsibility agreement) and the outstanding 0.3% endowment. The total amount claimed for reparation stands at **106,847,915.35 USD**, broken down as follows:

FINANCIAL SUMMARY OF REPARATIONS CLAIMED

A. Direct and immediate damages: 6,847,915.35 USD

- Contamination of agricultural land: 3,225,000 USD
- Contamination of water sources: 525,000 USD
- Loss of livestock and poultry: 362,500 USD
- Damage to dwellings: 1,450,000 USD
- Emergency medical care: 630,000 USD
- Temporary relocations: 420,000 USD
- Loss of income (6 months): 235,415.35 USD

B. Provision for endocrine disruptor exposure: 100,000,000 USD

- Establishment of a trust fund to cover long-term health impacts
- Specialised medical monitoring over several generations
- Treatment of pathologies linked to endocrine disruptors

TOTAL AMOUNT: 106,847,915.35 USD

IV. Proposed collective reparation

Beyond individual financial compensation, local communities propose the establishment of a sustainable collective reparation mechanism:

SPECIALISED REFERENCE MEDICAL CENTRE

Establishment of a specialist medical reference centre dedicated to the diagnosis, treatment and long-term monitoring of pathologies linked to mining activities, with research capacity and epidemiological surveillance.

Objectives:

- Provide specialised medical monitoring for exposed populations
- Develop treatment protocols tailored to pathologies induced by heavy metals and endocrine disruptors
- Train healthcare professionals in the specific health challenges of the mining industry
- Build an epidemiological database for future generations

V. Legal basis

This claim is based on solid legal grounds under Congolese law and international cases:

A. Congolese law

- **Mining Code (Law No. 18/001 of 9 March 2018), Article 285 bis:** Strict industrial liability of the mining operator for environmental damage, without the need to establish fault.
- **Framework Law on the Environment (Law No. 11/009 of 9 July 2011):** Polluter-pays principle and obligation of full reparation.

B. International jurisprudence/case law

This case falls within a series of similar cases that have established important precedents in mining company liability:

- **BHP Billiton (Brazil, Fundão Dam, 2015):** Reparation agreement of 30 billion USD for 19 deaths and massive environmental destruction.
- **Vale (Brazil, Brumadinho Dam, 2019):** Agreement of 7 billion USD for 270 deaths and contamination of 300 km of waterways.
- **Anglo American (Zambia, 2016):** Out-of-court settlement of 2 billion USD for lead contamination affecting 2,500 children.
- **Sino Metals (Zambia, 2015):** Immediate compensation claimed 420 million USD and 80 billion for endocrine disruptors.

VI. Conclusion

The incident of 4 November 2025 constitutes one of the most serious environmental and public health catastrophes in the recent mining history of the DRC. The communities of Kasapa, Kamatete and Kamisepe have suffered irreversible damage that will affect several generations.

CDM's strict industrial liability is established by the findings of the interministerial commission, pursuant to the penalties provided for under the laws of the DRC and international case law.

The reparation claims set out in this memorandum are fair, proportionate and consistent with international standards on mining company liability.

The communities call upon CDM to assume its industrial responsibilities in full and to proceed with complete reparation of the harm caused, in accordance with the polluter-pays principle.

SUMMARY TABLE OF REPARATIONS

CATEGORY OF HARM	AMOUNT (USD)	JUSTIFICATION
Contamination of agricultural land	3,225,000	258 contaminated fields, estimated 10-year loss of productivity
Contamination of water sources	525,000	42 contaminated wells, requiring replacement or treatment
Loss of livestock and poultry	362,500	29 head of livestock and poultry lost
Damage to dwellings	1,450,000	Structures damaged by pollution
Emergency medical care	630,000	504 documented cases requiring immediate care
Temporary relocations	420,000	Temporary rehousing of worst-affected families
Loss of income (6 months)	235,415.35	Inability to work during the crisis period
SUB-TOTAL: Direct damages	**6,847,915.35**	**Immediate and measurable impacts**
Provision for endocrine disruptors	100,000,000	Trust fund for monitoring and treatment over several generations
TOTAL REPARATIONS	**106,847,915.35**	**Full reparation in accordance with the law**

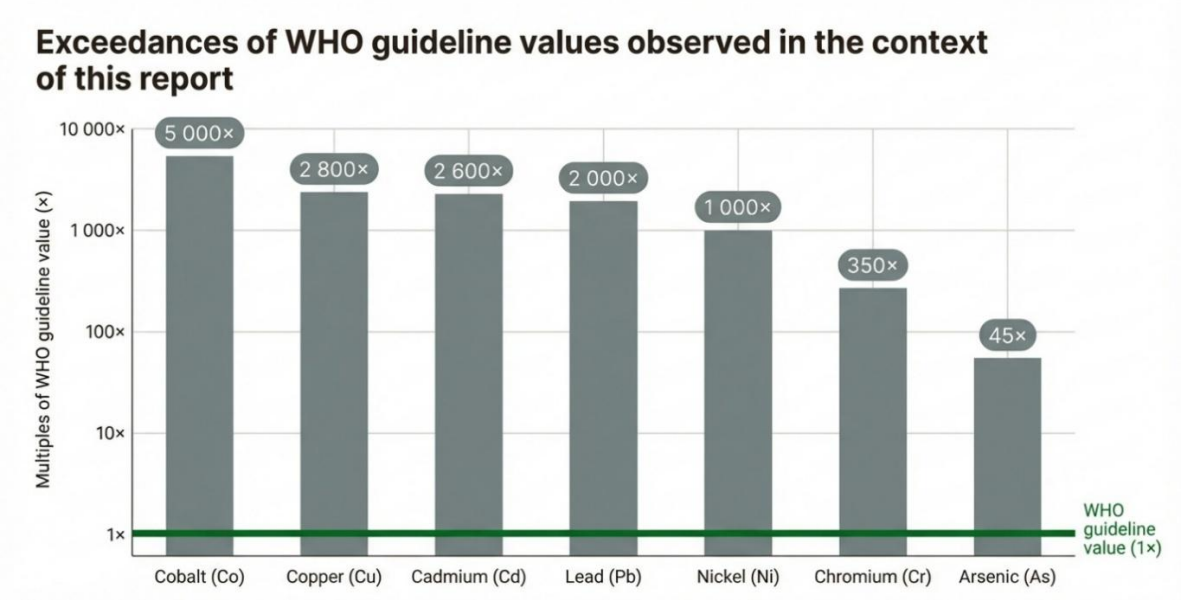
Important note: The 100 million USD amount for endocrine disruptor exposure is justified by:

- The irreversible and transgenerational nature of the damage
- The impossibility of precisely quantifying the impact across several generations
- Consistency with international precedents (BHP, Vale, Anglo American)
- The necessity of highly specialised long-term medical monitoring

SUMMARY OF POLLUTION ANALYSES

A. Water contamination

PARAMETER	MEASURED VALUE	WHO STANDARD	EXCEEDANCE
pH	2.5	6.5 – 8.5	**10,000 times more acidic**
Electrical conductivity	30,850 µS/cm	250 µS/cm	**× 120**
Copper (Cu)	5,540 mg/L	2 mg/L	**× 2,770**
Cobalt (Co)	5,268 mg/L	1 mg/L	**× 5,268**
Lead (Pb)	21.59 mg/L	0.01 mg/L	**× 2,000**
Nickel (Ni)	71 mg/L	0.07 mg/L	**× 1,000**
Chromium (Cr)	17.8 mg/L	0.05 mg/L	**× 350**
Cadmium (Cd)	8 mg/L	0.003 mg/L	**× 2,600**
Arsenic (As)	0.46 mg/L	0.01 mg/L	**× 45**



Exceedances of WHO guideline values identified in the present report

B. Soil contamination

AREA ANALYSED	HEAVY METALS DETECTED	IMPACT
Agricultural fields (258)	Cu, Co, As, Cd, Ni, Pb, Cr	Land unfit for cultivation for 10+ years
Residential areas	Cu, Co, diffuse contamination	Risks to residents' health
Grazing areas	Cu, Co, Ni	Contaminated and lost livestock

C. Impact on biodiversity

ECOSYSTEM	OBSERVED DAMAGE
Aquatic fauna	Mass mortality of fish in affected waterways
Vegetation	Defoliation and death of plants in contaminated areas
Living soil	Destruction of micro-organisms essential to soil fertility
Livestock	29 head lost, poisoning symptoms in survivors

ANALYSIS OF CHEMICAL SUBSTANCES PRESENT

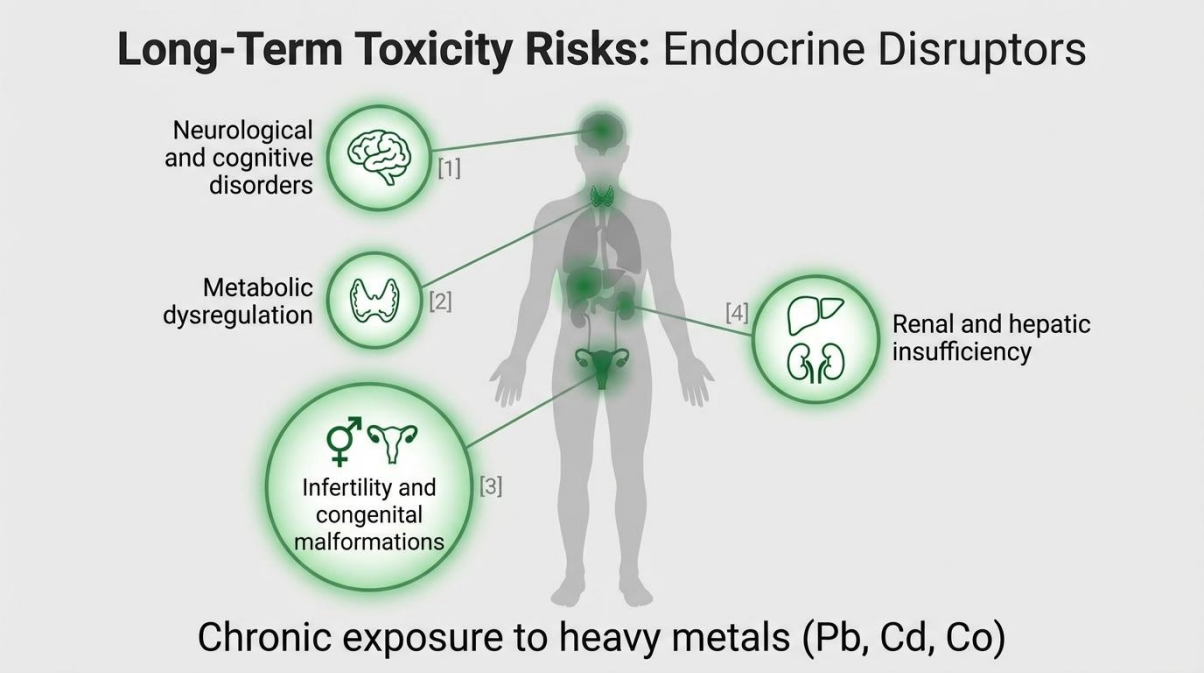
Endocrine disruptors (EDs) and chemical substances in CDM's leachate

The acid leachate discharged by CDM contains a highly toxic cocktail of chemical substances, several of which are classified as endocrine disruptors by international scientific bodies.

1. Heavy metals identified

SUBSTANCE	HEALTH EFFECTS	CLASSIFICATION
Copper (Cu)	• Gastrointestinal disorders • Hepatic lesions • Renal damage • Immune system disruption	Toxic at high doses Potential endocrine disruptor
Cobalt (Co)	• Cardiomyopathy • Thyroid disorders • Asthma and pneumoconiosis • Potential carcinogen	Classified 2B by IARC Endocrine disruptor
Arsenic (As)	• Multiple cancers (skin, lung, bladder) • Cardiovascular diseases • Diabetes • Neurotoxic effects	Classified Group 1 carcinogen Confirmed endocrine disruptor
Cadmium (Cd)	• Renal failure • Bone fragility • Lung and prostate cancers • Reproductive disorders	Classified Group 1 carcinogen Major endocrine disruptor
Lead (Pb)	• Neurological disorders • Developmental delay in children • Arterial hypertension • Renal failure • Fertility disorders	Major neurotoxicant Confirmed endocrine disruptor
Nickel (Ni)	• Contact dermatitis • Lung cancer • Sinus cancer • Occupational asthma	Classified carcinogen Potent allergen
Chromium (Cr)	• Skin ulceration • Lung cancer • Gastrointestinal disorders • Renal and hepatic damage	Chromium VI: Group 1 carcinogen Endocrine disruptor

2. Endocrine disruptors: mechanisms of action



Long-term toxicity risks: Endocrine disruptors

DEFINITION: Endocrine disruptors are chemical substances that interfere with the hormonal system, even at very low doses, and can cause transgenerational effects.

Mechanisms identified in the substances present:

- **Hormonal mimicry:** Heavy metals can mimic natural hormones
- **Receptor blocking:** Prevent natural hormones from functioning
- **Alteration of hormonal production:** Disrupt the synthesis and degradation of hormones
- **Epigenetic damage:** Modifications transmissible to future generations without alteration of DNA

3. Long-term health risks

Exposure to the endocrine disruptors present in CDM's leachate entails major risks:

- **Reproductive disorders:** Infertility, miscarriages, congenital malformations
- **Hormone-dependent cancers:** Breast, prostate, thyroid
- **Metabolic disorders:** Diabetes, obesity, metabolic syndrome
- **Neurodevelopmental disorders:** IQ decline, attention disorders, autism
- **Autoimmune diseases:** Immune system dysregulation
- **Transgenerational effects:** Damage is transmitted to future generations (F2, F3 and even F4)

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