



# Tenke Fungurume Mining

Human Rights Due Diligence

## Updated Summary Report

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Reviewed by Triple R Alliance

Updated  
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# Introduction

A human rights due diligence (HRDD) process was conducted by Triple R Alliance (TRA) commissioned by the CMOC Group Ltd. (CMOC) for the Tenke Fungurume Mining (TFM) in the Democratic Republic of Congo (DRC) between October 2022 and July 2023.

In terms of the tangible outcomes of the HRDD process, TFM developed a Human Rights Action Plan framework to guide TFM's ongoing HRDD for each of its salient human rights issues in accordance with the UNGPs. Based on the Human Rights Action Plan framework, TFM's own team, mainly comprised of ESG, Human Resources, HSE, Community, Supply chain, Security and other sustainability-related functions, has continued to conduct ongoing HRDD.

The following summary report summarizes their activities on implementing the Human Rights Action Plan in 2025. During this period, TFM's salient human rights issues have remained the same as in prior years. Therefore, this report focuses primarily on the activities, initiatives and mitigation measures TFM has implemented to address those risks.

Major actions that took place during this period included:

- TFM continues engaging with high-level relationships with government and international organizations, and uses them as leverage in the risk management in relation to human rights, security, artisanal and small-scale mining (ASM), and community's well-being.
- TFM developed a comprehensive management mechanism on ESG risks, with a focus on worker's rights, and deployed this management among contractors. Year 2025 saw improvements in labor practices of contractors, but challenges still remain.
- TFM promoted gender equality in 2025 by updating a comprehensive Gender Equality Policy, conducting baseline study, and setting up performance indicators for short and middle terms.

## Overview of TFM

TFM specializes in exploration, mining, extraction, processing, and sales of copper and cobalt. TFM is considered to be one of the highest-grade copper and cobalt mines globally with strong prospects for continued resource exploration and development.

TFM's mining concession is located to the east of Kolwezi in the Lualaba province of the DRC. The mining concession covers over 1,500 square kilometers. There are 14 active mining pits on the concession and numerous communities are also on TFM's large concession.

Due to an influx from other parts of the DRC, the number of people on the TFM concession has grown exponentially over the years. TFM managers estimate that the population of Fungurume has grown from 40,000 to 200,000 and the population of Tenke has grown from 8,000 to 90,000 in the last decade. This includes approximately 10,000 artisanal and small-scale miners (ASM) who are mining illegally around the TFM concession and who conduct incursions into TFM's active mining

and stockpile areas. TFM does not source its copper or cobalt from ASM and has strict product stewardship processes in place to ensure that illegal mining products do not enter its production or value chain.

Since the Mixed Ore Project was officially put into operation in October 2023, TFM now has 5 production lines with an annual production capacity of copper and cobalt reaching 450,000 tons and 37,000 tons respectively, making it one of the top ten copper and cobalt mines in the world.

## Governance and Management for Ongoing HRDD Process

During the reporting period, the management personnel responsible for overseeing and implementing TFM's Human Rights Action Plan changed from the Chief Partnership Officer to TFM's CEO Assistant.

Under the CEO Assistant's oversight, the implementation of the Human Rights Action Plan is approached in a cross-functional manner, including assigning clear responsibilities to key departments for the management of each salient issue. The Human Rights Action Plan incorporates TFM's management plans and systems for Human Resources, Environment, Health and Safety, Contracts & Procurement and Global Supply Chain departments to manage the key risks on workers' rights, and for Community, Resettlement and Security departments to manage the key risks on community members' human rights.

TFM conducts targeted engagements with the internal and external stakeholders involved in the Human Rights Action Plan to build awareness and buy-in as it is implemented. The Community department and Human Resources department are responsible for validating and disseminating the HRDD Action Plan within relevant employee and community groups.

As described below, the Human Rights Action Plan benefited from several assessments during this reporting period (i.e. Copper Mark re-assessment, IRMA auditing and ISO re-assessment) that reviewed existing mitigation measures, identified emerging issues and provided new actions for TFM's salient issues. Furthermore, TFM conducted multiple meetings with responsible departments to review the Human Rights Actions Plan and report on progress.

The governance and management of TFM's Human Rights Action Plan also benefits from the involvement and oversight of CMOC's Vice-President in charge of ESG. The Vice-President has been involved in and informed of the implementation progress, as well as reviewed relevant progress.

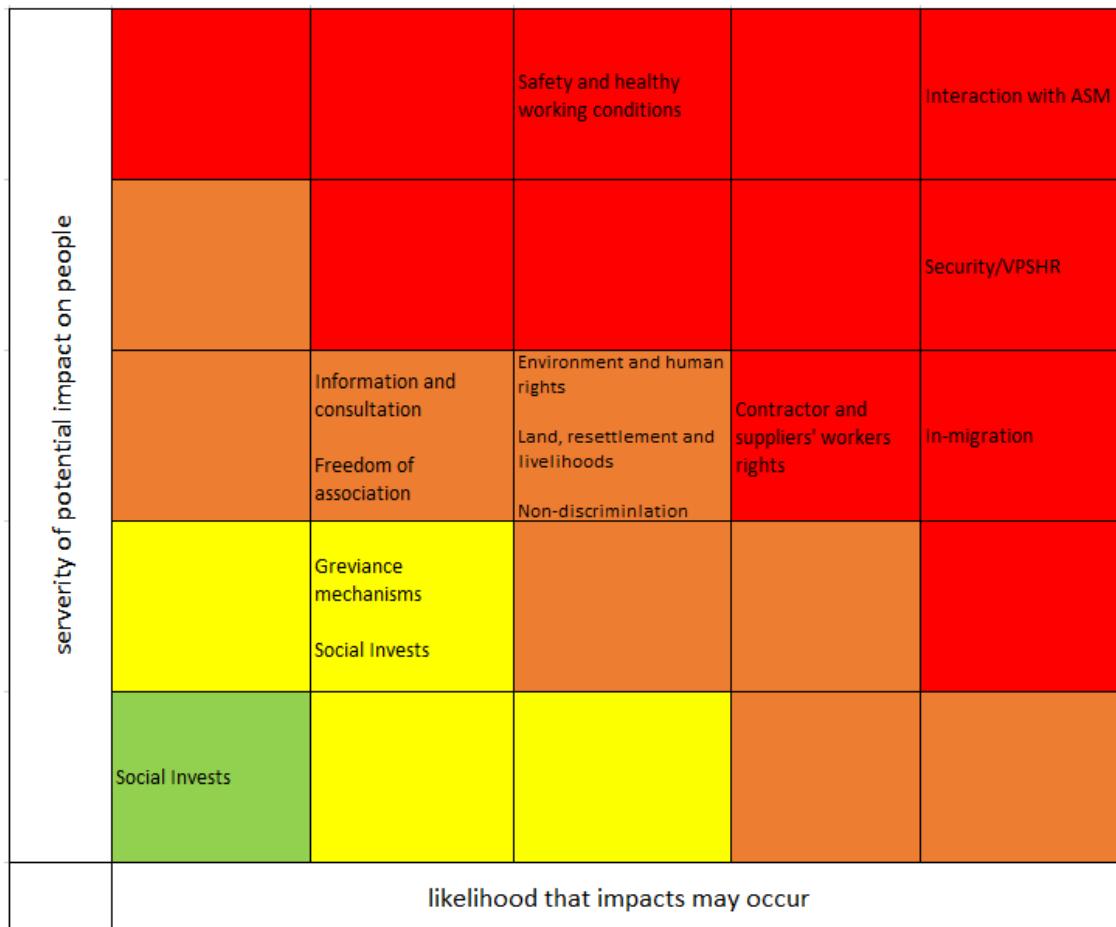
## Overview of the HRDD Process

The HRDD process in this reporting period mainly included a series of continuous actions to manage and control the identified human rights risks and to mitigate potential impacts. Meanwhile, TFM keeps updating the assessment and prioritization of the human rights risks, impacts and salient issues of TFM in accordance with the UN Guiding Principles on Business and Human Rights (UNGPs) through regular and constructive engagement with key stakeholder groups:

- Internally, the engagement involved regular meetings with senior management and key departments relevant to human rights. Through these meetings, TFM's salient human rights issues were reviewed and progress on the implementation of the Action Plan was tracked.
- In terms of affected stakeholders, the engagement involved a variety of stakeholders including workers, contractors, union representatives, community members, vulnerable groups, traditional leaders and local authorities to understand their perceptions and concerns regarding TFM's salient human rights issues. This was done through various management meetings with workforce and unions, interviews and focus group discussions, and regular engagement channels which include a series of locally elected company-community engagement platforms for resettlement, community development and community grievances, and a series of company-employee engagement platforms.
- TFM's HRDD process also included quarterly training and capacity-building for contractor management teams on ESG standards, regular onsite inspections, contractor management interviews on contractors' ESG practices, and contractor employee interviews for cross-checking. These processes are led by the Human Resources department and ESG working group. These covered contractors present in all TFM operation areas.
- In view of the need for tailing's safety management, following the emergency drilling exercises for tailing storage facility (TSF) downstream village in 2023, and associated consultation in 2024 with villagers in the purpose of improving future exercising, TFM organized drilling exercises for each one of the 14 villages of the KT1 and KT2 during June and July of 2025.
- Our HRDD process was also informed by the Copper Mark re-assessment in 2025, the IRMA auditing, RMAP auditing, as well as ISO recertification audits. Auditors' professional comments were referenced in measures taken to mitigate relevant risks. During these auditing, over 500 internal and external stakeholders were interviewed.

# TFM's Salient Human Rights Issues and Implementing Progress

TFM's salient human rights issues for 2025 remain the same as 2024. These salient issues are presented on the following Human Rights Heat Map. These are the priority areas that have been assessed as having the greatest likelihood and/or severity of adverse impacts on TFM's affected stakeholders.



A brief description of each of these salient issues is presented below, including the main actions, initiatives and mitigation measures implemented between January and December 2025 as part of TFM's ongoing HRDD and continuous improvement.

## 1. Artisanal and small-scale mining (ASM)

TFM's key human rights risks related to ASM include child labor, unsafe and unhealthy working conditions and interactions between ASM participants and security forces on the TFM concession. The potential impacts also include injuries to TFM workers and security guards, damage to TFM equipment, as well as the stress and fear it creates throughout the workforce and community. Furthermore, the potential for ASM activities on the TFM concession is a major driver for in-migration into the local community and broader region, which has significant negative impacts on local communities.

The interactions between TFM and ASM are due to the physical presence of ASM activities on its concession. TFM is not sourcing its copper or cobalt from ASM sources. Nonetheless, this physical presence creates a direct linkage from a human rights perspective.

In 2025, TFM continued enhancing its ongoing HRDD concerning its interactions with ASM. CMOC engages with various stakeholders in discussing strategic formalization of ASM in DRC and providing views from perspective of an enterprise; continues advocating for a regional development plan with the government. TFM also proactively works with United Nations organization and industrial associations to implement international good practices and initiatives to address child labor in informal and illegal ASM. In addition, TFM provides social investments in all communities on its concession, including those with clusters of ASM participants.

The progress of implementing these actions in 2025 is as follows:

- TFM, as one of the few mining companies represented, participated in the Child Labor Platform (CLP) established by the International Labour Organization (ILO). Through this platform, TFM shares practices and challenges in its child labor prevention and remediation projects within ASM communities. The company was invited to join the ILO's CLP platform, advocating for the Congolese government to allocate a percentage of mining companies' royalties to support child labor remediation efforts in ASM communities while implementing multi-stakeholder governance solutions.
- TFM continues to support the mitigation of child labor, and health and safety risks faced by ASM communities through our collaboration with the Fair Cobalt Alliance and the Better Mining Initiative. This includes providing PPE to ASM miners, identifying child labor, and implementing remedial actions.
- TFM continued its collaboration with the Centre for Child Rights and Business (the Centre) to implement the ASM Child Labor Prevention and Remediation Program. Building upon child labor identification efforts conducted in 2024, this project integrated 20 vulnerable children into remediation programs during 2025. These children were reintegrated into school or

vocational training programs, with each of these families receiving tailored financial and capacity-building support based on their specific circumstances. Simultaneously, the Center launched targeted training programs on child rights, community outreach for child labor prevention and remediation, and child labor identification for personnel across TFM community, security, and human resources departments. To strengthen child labor prevention, TFM and the Center discussed and decided to develop corresponding after-school activity programs, with pilot implementation planned for 2026.

- TFM continues its collaboration with UNICEF to provide communications professionals with specialized training on “Communication and Advocacy on Violence Against Children.” This initiative serves as a vital complement to the ASM Community Child Labor Prevention and Remediation Project, strengthening community outreach and behavior change efforts.
- TFM continues to cooperate with Tujenge Pamoja, a local NGO, in organizing summer camps for children and youth. Under the guidance of 75 local counselors and 25 trainers, over 3,200 children and adolescents participated in the holiday activities. These camps provided them with safe spaces for learning and recreation, reducing the risk of child labor in ASM.
- TFM's community liaison officers conducted awareness campaigns for ASM miners on the risks and hazards of mine blasting. ASM miners are informed of blasting information, and discouraged from entering the pits before and after blasting operations, in the purpose of reducing the number of ASM miners and mitigate associated risks in the pits. In 2025, TFM community liaison officers carried out 720 awareness campaigns for 86,635 individuals.
- TFM has completed construction of 5 schools, 1 healthcare post with the capacity of 12 beds, and 3 water supply facilities in communities with high ASM concentrations. All these facilities are open to local communities and ASM families without discrimination, aiming to mitigate child labor and health safety risks faced by ASM communities.

## 2. Security and human rights (VPSHR)

Security and human rights are salient issues for most mining companies when operating in higher risk jurisdictions due to a variety of risks to their employees, assets and communities.

The main risks for TFM in relation to security and human rights come from interactions between illegal ASM and the private and public security forces that are protecting the TFM concession. It must also be recognized that the TFM workers and security are often threatened or injured by aggressive ASM. There are also community security concerns related to the rise in criminality due to in-migration, including with increasingly violent in-migrants from the Eastern DRC and from the Kasaï region.

TFM is directly linked to interactions between informal and illegal ASM and security forces by virtue that these interactions occur on its concession. TFM may also contribute to adverse impacts if it does not exercise sufficient control over and/or provide adequate training to the

security forces that are acting on its behalf.

TFM continued enhancing its ongoing HRDD, including continued implementation of its VPSHR Action Plan, continued participation in and financial support for VPSHR working groups in DRC, and ongoing dialogue with the DRC Government and training for public security forces.

In 2025, TFM continued implementing its VPSHR Action Plan and took various measures to mitigate risks. The main risk controls and enhanced actions this year included:

- Intensified training on safety and security during handover among frontline mining staff.
- Updating security-related policies and standard operating procedures (SOPs), including Policy on Using Less-Lethal Weapons, Stages of Decisions, Security Management Regulations for TFM Subcontractors;
- Keeping security communication equipment in good working order;
- Distributing VPSHR reminder cards;
- Enhancing cross-departmental collaboration and communication through monthly meetings with Community department, External Relations, Mining department, Legal department and related senior management to address cross-function issues; and
- Implementing community programs to prevent and remediate child labor working in ASM activities.
- TFM continued to provide training to its security staff, the personnel of private security contractors, and police officers (PMH) on key elements of the VPSHR. TFM wrote to the Police Authority of Lualaba Province and the military leadership deployed to TFM concession area, reaffirming TFM's commitment to respecting human rights and requesting their adherence to the VPSHR principles. In 2025, 97% of TFM's 158 direct-hire security employees and 2,262 private security contractors received VPSHR training. A total of 200 PMH officers were stationed in the TFM concession, 182 of whom received VPSHR training.
- TFM also invited the Center for Child Rights and Business to provide training about child labor prevention and remediation within ASM community to the Security management team. TFM continued cooperating with Bureau Conjoint des Nations Unies pour les Droits de l'Homme (BCNUDH) and formulated a joint workplan between 2025 and 2026, including training and sensitizing the public security forces, including leaders from the army (FARDC) and police (PMH), regarding the VPSHR requirements.

- As part of its efforts to promote and implement the VPSHR, TFM signed a Memorandum of Understanding with Justicia in 2025 to support its regular VPSHR Working Group meetings held in Lubumbashi and Kolwezi to promote the ongoing implementation and exchange of practices of the standard in the region. Representatives from TFM's Security, Legal, and External Relations departments participated in the working group meetings in both cities. During these sessions, TFM exchanged information and opinions with various stakeholders, conveyed our commitment to the VPSHR and related practices, and offered suggestions to the government authorities on how companies can address the challenges posed by illegal ASM mining.

### 3. In-migration

The topic of influx and in-migration in the Kolwezi region has been highlighted by many internal and external stakeholders as a current challenge that contributes to the interactions between informal and illegal ASM and industrial mining companies; that constrains local employment and dilutes social investments; that creates a potential source of conflict between the local community members and in-migrants; and that contributes to increased crime rates.

The main risks for the communities around TFM in relation to in-migration include a rise in criminality, diseases, harassment and gender-based violence; impacts on water and sanitation; impacts on land and cultural sites; dilution and destruction of social investments and negative impacts related to increase in informal and illegal ASM activities and interactions with security forces on TFM concession.

In 2025, TFM continued to use the experts' recommendations for human rights due diligence actions in its interactions with in-migration. These include working with local stakeholders to mitigate the negative impacts; advocating to the government for a regional development plan to reduce incentives for in-migration; providing viable livelihood options outside of ASM.

The progress of implementing these actions in 2025 is as follows:

- TFM continues to implement its community development programs as well as community recruitment to provide alternative livelihood options outside of ASM, as well as to mitigate the negative impacts of in-migration. In 2025, TFM's community-based projects addressed a range of health and safety risks. This included continuing constructing new healthcare facilities; providing medical supplies and equipment; responding to the emergency of cholera outbreak; supporting skills training for healthcare professionals; contributing disease surveillance and control; undertaking road safety monitoring and safety awareness campaigns; and expanding access to clean drinking water. In addition, TFM continues its efforts on malaria and HIV prevention projects. More details will be provided in the 2025 *TFM ESG Report* that will be published in the coming months.
- TFM partnered with UNICEF on an emergency response during the 2025 cholera outbreak

in Fungurume, providing mobile clean drinking water facilities to local communities and conducting real-time monitoring of disease incidence, thereby contributing first-hand community health data to the Fungurume Health Zone.

#### 4. Contractors and suppliers' workers' rights

When considering workers' rights at TFM, there was considerable agreement amongst internal and external stakeholders that the most severe and likely impacts were related to TFM's contractors and suppliers.

The focus of this salient issue relates to strengthening TFM's ongoing HRDD about contractors' and suppliers' workers' rights. Key areas for ongoing attention are related to health and safety, and favorable working conditions (e.g. living wages) and access to grievance mechanisms.

TFM is directly linked to impacts on workers of suppliers by virtue of its direct business relationship and/or by being part of TFM's copper or cobalt value chain. In some circumstances, TFM could also contribute to impacts on contractors' or suppliers' workers (e.g. failure to pay contractors on time leads to late pay for workers).

The recommended actions for TFM to continue and enhance its ongoing HRDD in relation to contractor and suppliers' workers' rights include continuing to implement and refine the current processes for assessing potential ESG and human rights risks; refining the processes for engagement, monitoring and training of contractors; and promoting the availability of TFM's grievance mechanism to contractors.

The progress of implementing these actions in 2025 is as follows:

- TFM continued to embed ESG compliance management throughout the entire contractor lifecycle, including initial compliance assessment, bidding, bid evaluation, onboarding, and project operations, through cross-departmental collaboration. Prior to the actual project operation phase, contractors sign the TFM Contractor Management Policy Compilation to clarify and reinforce TFM requirements. TFM's bidding documents explicitly require bidders to commit that during the quotation and contract performance phases, their employees' wages, working hours, and accommodation standards must strictly comply with the laws and regulations of the DRC and TFM's ESG management requirements. Bidders are required to submit an ESG management plan within their bid documents. Bidder's ESG awareness and ESG management plan were scored in bid evaluation. ESG-specific clauses are included in the main contract with TFM, defining bidder's compliance obligations. During the operational phase, TFM provides capacity building for contractors through ongoing training and coaching. Additionally, TFM conducts cross-departmental inspections and assessments, followed by corrective actions required and monitored by TFM. Based on assessed gaps and associated risk levels, TFM implements corresponding disciplinary measures, including rectification within a specified timeframe, fines, work stoppages, deductions from future bid ESG

performance scores, suspension of bidding eligibility, and ultimately contract termination.

- TFM introduced a semi-annual contractor ESG risk assessment mechanism, utilizing standardized risk assessment tools. This initiative is implemented by Chinese and Congolese staff from five departments: Human Resources, HSE, Security, Community Relations, and Compliance. The assessment covers areas of labor rights, occupational health and safety, grievance mechanisms, security and human rights, environmental management, community relations, and corruption risks. The assessment triangulates results by incorporating document review, interviews with contractor management and employees, on-site observations, and findings from routine checks to ensure impartial and objective outcomes.
- TFM continues to assess potential ESG and human rights risks for contractors and suppliers on a semi-annual basis. For contractors ranked with high risks and critical risks, TFM enhanced communication and onsite inspections, provided additional training and management tools to support continuous improvement.
- TFM conducted more than 50 ESG compliance performance inspections on 25 major contractors with relatively high ESG risks in 2025. These contractors mainly provide onsite services on mining, engineering construction, operations and maintenance, and security. Through inspections, corrective actions, training and re-inspections, these major contractors indicated significant improvements in such areas as worker working hours and wages, worker communication channels, distribution of personal protective equipment, employee grievance mechanisms, and living conditions. In addition, TFM took measures and suspended the bidding qualifications of two non-compliant contractors. To improve contractor's knowledge of CMOC and TFM's ESG requirements, besides induction and refresher training, TFM provided three intensive ESG compliance training sessions to contractor management. Over 200 personnels were trained.
- TFM standardized the assessment criteria and tools for routine inspections of contractors. These criteria and tools encompass 81 compliance requirements covering labor, health and safety, environment, security, community and compliance areas. They also apply to the six labor broker contractors providing labor services to TFM.
- TFM continues to promote the availability of TFM's grievance mechanism to contractor employees through human rights education flyers, induction training and refresher training. In total there are 26 complaints boxes installed across the TFM operations and accommodation camps. By end of November 2025, TFM received 170 complaints from employees and 44.1% of them are from the contractor workforce. Among these grievances, 66.6% have been resolved.

## 5. Safe and healthy working conditions

Safe and healthy working conditions are one of the core ILO workers' rights in the ILO Declaration

on Fundamental Principles and Rights of Work. All managers and workers agree that health and safety is a key priority for TFM and its contractors.

TFM's health and safety program was re-audited under ISO 45001 in 2025. This re-auditing was part of the response to increased safety risks and disappointing safety performance in 2024. According to the root cause analysis, this was due to insufficient ownership of health and safety performance by managers, supervisors, and contractors; failure to comply with procedures or bypassing critical controls due to production pressure; poor safety culture and awareness of new recruits; and the failure to comply with the Management of Change (MOC) in new projects.

To address these challenges, TFM continues to reinforce the positive safety culture by using pre-shift safety meetings as a key approach, delivering ongoing safety and fire-prevention training. TFM has also completed the annual safety refresher training for Chinese employees. 90% of our experienced Occupational Health and Safety (OHS) staff have been integrated into frontline operational and production departments, significantly enhancing the effectiveness of risk management. Furthermore, TFM carried out a company-wide Safety Campaign Month to enhance the awareness and respect of middle and senior managers in terms of OHS. As part of the fatality prevention program, TFM also made efforts to reinforce the supervision and management of high-risk contractors.

TFM continued enhancing its ongoing HRDD in relation to safe and healthy working conditions include continuing to implement, monitor and improve the OHS system across the whole workforce with ISO 45001 framework; building upon same approaches for contractor engagement on other workers' rights issues; and supporting the role of HSE committee.

The progress of implementing these actions in 2025 is as follows:

- TFM continued to implement, monitor and improve the OHS system for the entire workforce within the ISO 45001 framework. The recent ISO 45001 audit in September 2025 further analyzed TFM's risk management system and highlighted potential improvements for the risk classification and grading. Following the audit, TFM developed a corrective action plan and updated its risk register to reflect the management requirements and control measures for different risk levels.
- TFM adopted the practice of signing an HSE Management Agreement with contractors, requiring them to pay an HSE risk management deposit based on the contract value. This measure aims to reinforce HSE management responsibilities and to prevent and reduce HSE incidents. In addition, TFM continues to build upon the approaches to engage, monitor and train contractors on their OHS management and performance. Beyond continuing the established OHS trainings and daily inspections, TFM restructured the OHS management system in 2024 to ensure that each production line is equipped with sufficient safety professionals. TFM safety technicians are assigned to oversee contractors for improving their working conditions and safety behaviors, and to document non-compliance so as to provide

baseline data for safety analysis.

- TFM established its own HSE Committee in 2017 to ensure our safety protocols meet or exceed DRC regulatory requirements concerning occupational health and safety, prevent workplace accidents and illnesses, and improve working conditions for our employees. In the reporting period, the HSE Committee continued implementing a range of tasks as part of its legally mandated mission to improve occupational health and safety, including: workplace safety inspections; monitoring and assessing the implementation of occupational health and safety measures; improving safety signage; reinforcing employees' awareness and compliance with health and safety regulations; providing training to raise employees' awareness of occupational hazards; participating in internal and external audits; and drafting the TFM HSE Annual Report for submission to the DRC government.

## 6. Non-discrimination

The HRDD process prioritized the potential for discrimination against women. This prioritization considered the general context and concerns about protection and respect for women's rights in the DRC and the high incidence of discrimination, harassment and gender-based violence. While women's rights and gender equality are evolving in DRC, there are still cultural, social, religious, political and legal barriers to full equality. Furthermore, gender equality, non-discrimination and freedom from harassment are priority issues for the mining industry globally as many mining companies are actively trying to make their workplaces and sites safer and more inclusive.

Feedback was also received about perceived discrimination between Congolese and expatriate workers. This is a common issue at mines in Africa. In the DRC, the perceptions about discrimination often focus on differences in pay and benefits for expats, as well as linguistic challenges that can be seen as a lack of respect.

TFM would cause impacts of any discriminatory practices on its direct workforce, and could contribute or be linked to impacts related to contractors and suppliers.

TFM continues to strengthen its ongoing human rights due diligence related to anti-discrimination, and the main areas of work included updating Policy on Promoting Gender Equality within TFM, with an emphasis on enhancing the role of the TFM Women's Committee; reinforcing awareness training for expatriate employees on gender equality and non-discrimination to promote fair practices in recruitment and in the workplace; implementing social investments and training opportunities for local women and girls; ensuring the grievance team is trained on how to handle discrimination and harassment related grievances, and encouraging language training and cross-culture awareness and sensitivity.

The progress of these actions in 2025 is as follows:

- TFM continued to promote non-discrimination and gender equality to support women in the workplace. TFM updated its Gender Equality Policy and identified the priority areas requiring further attention to advance gender equality. These include preventing gender discrimination and sexual harassment; ensuring equal pay for equal work; strengthening capacity-building and career development for female employees; increasing the proportion of women in job categories where they are significantly under-represented; providing gender-appropriate personal protective equipment; and, ensuring adequate maternity leave provisions.
- TFM Women's Committee further advanced the company's efforts in promoting gender equality. In March 2025, the Committee conducted a gender-equality baseline assessment at TFM, evaluating the current situation against the focus areas outlined in the updated Gender Equality Policy. Based on the findings, TFM organized three gender-equality awareness trainings for employees in management positions.
- TFM collaborated with the Women in Science and Business Network (RFSE), an industry association, to showcase the role and achievements of women in mining to female students, to spark their interest in STEM studies, and to encourage them to join the mining sector in the future.
- TFM also maintained close communication with external stakeholders and submitted its Gender Report to the Gender, Family, and Child Services Department of Fungurume, sharing the actions taken and results achieved by TFM in promoting gender equality.
- TFM continued to support social investments that target education and technical training of local women and girls. At the same time, applying a gender-responsive approach, TFM ensured that female employees are included in the design of community programs. Women are always an important stakeholder group in all our economic development programs. TFM continued to support eight women's associations by providing financial support to their business activities.
- TFM continued to put efforts to ensure that the personnel who are involved in TFM's grievance mechanisms receive training on how to handle sensitive grievances related to discrimination and harassment. TFM carried out a self-assessment and planning workshop on its employee grievance management, benchmarking the UNGPs' effectiveness criteria and identifying ways to promote the grievance mechanism to employees.
- TFM continued to organize French and Mandarin classes in the company, with participants including contractor management and employees. TFM also continued to organize cultural integration activities such as new year festive gala, football championship to celebrate the Congolese Independence Day and the Chinese New Year celebration. Also in 2024, a Congolese senior manager was promoted as the Chief Reform Officer. Now TFM has two nationals sitting in the senior management team.

## 7. Freedom of association

Freedom of association is one of the core ILO workers' rights. When there is effective freedom of association, worker representation and collective bargaining, this tends to improve working conditions, and the protection and respect of other workers' rights. Furthermore, union representatives often play an important role in enhancing the equitability and predictability of worker grievance mechanisms and disciplinary procedures. Unions also should contribute to ongoing dialogue and resolution of common workforce issues or concerns.

While there are many active unions in DRC, there are concerns about their capacity and effectiveness. This creates risks for companies that can be seen as undermining freedom of association when dialogue breaks down. On the other hand, there may be opportunities for enhanced multi-stakeholder action with other mining companies focused on capacity building for union representatives for partnerships and collaboration around workers' rights protection in the region.

Key human rights risks for TFM include the potential for ineffective communication and representation by the 11 unions that are currently recognized and active at TFM. In addition, TFM continues engaging with contractors and suppliers, requiring them to establish trade unions or worker representative organizations according to DRC legal requirements to provide an effective structure for worker-management dialogue and collective bargaining.

TFM would be directly linked to the communication and representation shortcomings of the different unions, as well as the lack of union representation of contractors or suppliers.

To safeguard employees' right to freedom of association, TFM has strengthened ongoing dialogue with trade-union representatives; socializing the Collective Agreement; and providing joint capacity building efforts for union representatives with other stakeholders.

The main progress of these actions in 2025 is as follows:

- TFM continued the ongoing dialogue with union representatives within the framework of the Collective Agreement, including but not limited to weekly union meetings and quarterly union working sessions between employers and delegations. In addition, the semi-annual and annual meetings with the unions focused more on TFM's overall operational performance and strategic development. TFM also supported enhanced communications between the union representatives and their members.
- TFM also enhanced the dialogue between the senior management and the union representatives. The unions held a meeting with the TFM Chief Executive Officer, which enhanced communication and mutual understanding. The unions also held regular meetings with the TFM General Manager of Human Resources and other members of the management team. Topics covered common concerns of TFM workforce including transportation

efficiency, medical care, benefits for vulnerable groups as well as the process to renew the Collective Agreement. The management also took this as an opportunity to get feedback and opinions on company management issues and decisions.

- TFM continued efforts to socialize the Collective Agreement using the simplified booklet that was previously developed. The Human Resources Department has distributed a large number of copies of the Collective Agreement, supplemented by an electronic version accessible to all employees. TFM also socialized relevant provisions of the collective agreement through induction training sessions.
- TFM engaged a third-party training institution to provide dedicated capacity-building training to union delegates to enhance their understanding of the ILO, the Congolese Labor Law and the roles and responsibilities of a union delegate. This was a 24-hour training program lasting 3 days.

## 8. Environment and human rights

Human rights related to the environment have traditionally been focused on the right to water and the right to health. In recent years, environmental and human rights advocacy, policies and regulations have converged, particularly in relation to the impacts of climate change. This convergence was formally consolidated by the UN's adoption of a stand-alone right to a clean, healthy and sustainable environment in 2021.

TFM and other mining companies must also focus on their local environmental performance from a human rights perspective, including in terms of providing more access to environmental information, developing participatory monitoring platforms and strengthening the mitigation and management of cumulative impacts.

The main community concerns are about the potential environmental impacts on water and crops. While ongoing HRDD should be focused on these community concerns, other environmental issues are relevant to human rights, including air, dust and noise pollution; biodiversity; tailings management; closure planning and greenhouse gas emissions.

TFM would cause the environmental impacts or discharges from its direct operations. There is the potential for cumulative impacts from ASM activities that take place on the TFM concession, as well as from other industrial mining activities in the region.

TFM continues and enhances its ongoing HRDD in relation to environment and human rights. This includes continuing to focus on water and land issues from a community and human rights perspective; implementing multi-layered environmental management system; enhancing collaboration between the Environment and the Community departments; and ensuring the accessibility and effectiveness of TFM's grievance mechanism to address environmental concerns or issues.

The progress of these actions in 2025 is as follows:

- TFM continued to focus on water and land issues as priorities from a community and human rights perspective. TFM carries out its operations in a closed "zero discharge" circuit so as not to impact community outside the area of its operations. Contact water is retained, recycled and then pumped to the plant for reuse. Runoff water management structures are built around disturbed areas to avoid contamination of rivers by sediments. Surface and groundwater are permanently monitored to alert of possible risks of impacting water quality. TFM follows its topsoil management procedure for topsoil conservation.
- TFM continued to implement a multi-layered environmental management and monitoring program following the ISO14001 management system. In September 2025, TFM passed an ISO 14001 re-audit.
- TFM strengthened the coordination between its Environment department and Community department to improve the efficiency of investigating and resolving environmental grievances raised by communities, thereby enhancing community satisfaction with TFM's handling of such issues. In addition, TFM conducted a self-assessment of its community grievance mechanism, updated the grievance procedures, and reinforced the mechanism's accessibility and transparency for community members.
- TFM also continued to communicate environmental issues with external stakeholders including government bodies, local communities, NGOs, media, and other mining companies.

## 9. Land, resettlement and livelihoods

Land acquisition and resettlement activities by mining companies can have multiple impacts on human rights, which can be hard to remediate by cash compensation alone.

Generally, TFM's land acquisition, resettlement, and livelihood restoration activities will cause direct impact as these are undertaken for the benefit of the company's operations.

To mitigate the potential impacts of resettlement, TFM continued to adhere to international standards and good practices, strengthened stakeholder engagement with affected people, supported the role of the Resettlement Committee, regularly updated compensation standards, and conducted ongoing monitoring and evaluation of resettlement activities.

The progress of these actions in 2025 is as follows:

- TFM continued to conduct land acquisition, resettlement and livelihood restoration

activities in line with international good practices, notably Performance Standards 5 of the International Finance Corporation (IFC), which helps protect the livelihoods and rights of affected population.

- The Resettlement Committee continued to be fully involved and supported in planning, implementing and monitoring resettlement and livelihood activities to ensure the affected people especially the vulnerable groups' voices and rights are sufficiently considered and respected.
- TFM's grievance channels remained open to the community, and resettlement-related grievances were received and processed in accordance with the established grievance procedures.
- TFM continued to offer fair compensation to affected population. TFM updated its 2025 compensation rates based on its internal policy framework and the market price fluctuations observed in 2024. The updated rates were also discussed with the Resettlement Committee and the village chiefs' representatives, and their consent was obtained.
- TFM continued to support expert monitoring of resettlement and livelihood outcomes to determine when the impacts on affected population have been sufficiently remediated. In 2025, TFM completed the latest external independent audit of its resettlement activities. The audit provided positive comments on TFM's land acquisition and resettlement processes, stakeholder engagement, implementation of compensation measures, support for vulnerable groups, the effective functioning of the community grievance mechanism, and the overall documentation of resettlement activities.
- In addition, the audit also provided recommendations for improvement, including further refining the development of resettlement action plans, strengthening monitoring of livelihood restoration program outcomes, providing timely feedback and explanations to resettled communities regarding TFM's procedures, and enhancing internal coordination among TFM departments to improve operational efficiency. Based on these recommendations, the TFM Resettlement Department has developed an action plan to implement the corresponding measures.

## [10. Information and consultation](#)

The right to information and consultation is a key human right that supports access to information for community members, enhances the transparency of extractive industry projects and reinforces the stakeholder engagement component of ongoing HRDD. Information and consultation are also a cross-cutting issue that is relevant to all TFM's salient human rights issues for community members, including environment, resettlement and social investments.

The key human rights risk for TFM is that community members do not have information or are not adequately consulted about TFM's operations and activities, including in terms of monitoring information. TFM will cause impacts on information and consultation for the most part. Where other parties (notably the government) have responsibilities to provide information to community members, TFM may contribute or be directly linked to the impacts of poor information and consultation by other parties.

In 2025, TFM continued and enhanced its ongoing HRDD in relation to information and consultation. TFM ensured sufficient human resources and supports were provided to the community engagement platforms that have been established, and TFM enhanced information and consultation on salient human rights issues with key stakeholders and vulnerable groups.

The progress of these actions in 2025 is as follows:

- TFM continues to enhance the team of Community Liaison Officers (CLOs) serving as the primary communication channel between local residents and TFM, to support ongoing engagement with communities, traditional leaders, government representatives and civil society organizations. In 2025, TFM community liaison team visited 120 villages within the TFM concession, held over 100 community meetings with local chieftains and engaged with over 2,000 members of the local community. TFM also uses Community Development Committees (CLDs), Resettlement Committee and Independent Mediation Committee as key platforms for participatory management of key issues for the community.
- TFM continues to hold quarterly meetings with stakeholders, which serve as a vital communication channel for external stakeholders and one of the most important means of obtaining their feedback on community priorities and needs. In 2025, 440 stakeholder representatives participated in the quarterly meetings, including 92 traditional chiefs. The quarterly meetings provide the company with the opportunity to inform the community about its mining activities and construction projects, as well as respond to concerns received by the CLOs.
- In the context of TFM's tailing management efforts, TFM conducted extensive communication with tribal leaders, community representatives, and civil society organizations in May 2025, focusing on 14 villages located downstream of tailings ponds KT1 and KT2. Door-to-door, group mobilization, and community outreach were carried out in these villages. Meanwhile, vulnerable groups were identified, which supported the discussion on evacuation plans for emergency preparedness drills. To ensure the smooth implementation of these drills, TFM convened village chiefs, traditional leaders, community opinion leaders, medical personnel, Red Cross representatives, media, and security personnel, and clearly communicated the emergency plan, communication procedures, and roles and responsibilities during evacuation. From late June to early July 2025, TFM organized emergency preparedness drills for the 14 villages, followed by a review and analysis meeting. Based on the challenges identified, corrective measures were developed and incorporated

into the updated TFM Emergency Response Plan.

- In addition, the company organizes consultations and awareness campaigns for specific projects and for issues which are of concern to the community. In the reporting period, these consultations and campaigns included topics on the implementation of the *Cahier Des Charges*; safety measures around the site perimeter; community recruitment; environmental monitoring; and the Human Rights Action Plan.

#### [11. Social investment risks](#)

In the context of the DRC, there are such high expectations, needs and demands about mining company's social investments that this issue needs to be proactively managed so that potential benefits from TFM do not become a source of conflict and adverse impact.

TFM's key human rights risks are that social investments could lead to conflict or unintended human rights consequences. For example, there is a real risk of conflict over the allocation of social investments between or within communities, as well as between locals and in-migrants. Furthermore, social investments are likely encouraging more in-migration to the area, and there have been instances where in-migrants have deliberately destroyed investment projects such as ambulances, training centers and boreholes.

TFM could contribute to negative impacts if it does not manage expectations about its social investments or if they are implemented in a manner that is perceived as unfair between or within communities.

In 2025, in order to mitigate the potential human right risks associated with social investments, TFM continued to seek support of the Local Development Committees (CLDs) in the implementation of the *Cahier des Charges*, and coordinate and support local employment opportunities.

The progress of these actions in 2025 is as follows:

- In accordance with the requirements in the Congolese Mining Code, TFM has developed and implemented its first *Cahier des Charges* between 2020 and 2025. The *Cahier des Charges* covers the thematic areas including infrastructure, health, water, sanitation, health and education, which leads to positive human rights outcomes.
- TFM continued to implement the *Cahier des Charges* with the consultation and support of the two Local Development Committees (CLDs). TFM continued to hold quarterly meetings with these two CLDs to promote community involvement in the development and implementation of the projects within the *Cahier des Charges*. There is also a Local Monitoring Committee (CLS) that supports community-based monitoring and evaluation of the projects within the *Cahier des Charges*.

- TFM engaged the consulting firm Triple R Alliance to conduct a comprehensive evaluation of the implementation of its current *Cahier des Charges* with a view to enhancing the positive benefits of the next *Cahier des Charges*. The evaluation analyzed project management, project outcomes, and the capacity of the project team, and developed improvement action plans to address the identified gaps. The evaluation also examined the project benefits for communities, and identified opportunities for synergies with development projects by government and other mining companies in the region. Considering evolving community needs, TFM will design next *Cahier des Charges* to be more practical and better aligned with on-the-ground realities.
- TFM continues to provide and support community employment opportunities. The Human Resources department works closely with the Community department to advertise vacancies and organize village recruitment fairs aiming at encouraging residents to apply for positions within the company, as stipulated in our community hiring procedures. TFM also requires our contractors to conduct community recruitment, as stipulated in our company procedures. In 2025, the TFM Community department helped 1,378 local residents to find stable employment with TFM's contractors.

## 12. Grievance mechanisms

Grievance mechanisms have been prioritized as a salient human rights issue given the importance of access to remedy as part of the overall framework for business and human rights, coupled with concerns about the effectiveness of judicial and non-judicial mechanisms for workers and community members in the DRC.

Grievance mechanisms have also been prioritized because of the scope and scale of the human rights risks that TFM and other industrial mining companies in the DRC face. Furthermore, grievance mechanisms contribute to TFM's ongoing HRDD and access to remedy for all of TFM's other salient human rights issues.

TFM's key human rights risk is that stakeholders are not aware of or are not confident in using the grievance mechanisms available. TFM would cause impacts related to lack of access to remedy if it does not provide effective mechanisms for communities or its direct workforce; it would contribute or be directly linked if contractors or suppliers do not provide effective mechanisms for their workers.

In 2025, TFM's grievance channels remain fully functional for community members. And grievance of resettlement and grievance of environment top the number of receipt of grievances for the whole year. The following actions are implemented by TFM to continue and enhance its ongoing HRDD in relation to grievance mechanisms:

- TFM continued to promote and enhance the effectiveness of grievance mechanisms for

community members and workers. Using the UNGP effectiveness criteria, TFM continued to provide capacity-building on good practices to our grievance team. TFM conducted an annual review and planning on our grievance mechanisms against the UNGPs effectiveness criteria.

- Quarterly grievance reports are issued to senior management that track our progress in resolving grievance and to analyze root causes and major trends. The community grievance resolution rate, as of late November of 2025, was 68.6%.
- TFM continues to support the Independent Mediation Committee (IMC) to help resolve community grievances. In 2025, 23 IMC meetings were organized to mediate 62 complaints, 6 of which were resolved in favor of the complainants. All complainants were informed of the IMC's decision.
- TFM continued to support direct access to the TFM worker grievance mechanism among contractor workers. TFM grievance channels are introduced to all employees through induction and refresher training. TFM also added new grievance boxes for a total of 26 in the TFM operation areas for all front-line employees.
- TFM continued enhancing the ESG compliance training and onsite inspection among its contractors. The contractors are encouraged to build or improve their own worker communication channels and grievance mechanisms. TFM printed 20,000 worker grievance pocket cards containing the CMOC Group grievance channels and distributed them among workers.
- TFM also enhanced its communication to the workforce about the prohibition against any retaliation against employees who raise grievances.
- These initiatives helped enhance workers' awareness of using the grievance mechanisms and promoted access for contractor workers. Out of all the employee grievances in 2025, 44.1% of the grievances are from contractor employees.

### [13. Positive Impacts of Social investment](#)

Whereas social investment is sometimes seen as a voluntary initiative for companies, the DRC Mining Code provides obligations for mining companies to provide social investments through the *Cahier des Charges* and contribution of a revenue stream of 0.3% to the provincial government. The 0.3% contribution model was originated by TFM and adopted by the government officially by being included in the Mining Code. These are additional contributions beyond the general royalties and taxes that go to the central government. TFM causes the positive impacts of its social investments and contributes to broader positive impacts when it implements social investments in partnership with other actors.

In 2025, TFM continued to maximize the positive impacts of its social investments. This includes continuing to implement the projects in the *Cahier des Charges* with the participation of the CLDs, ensuring attention to gender and vulnerable groups; advocating to the DRC government for the development of a regional development strategy; enhancing its coordination with international organizations and other peer mining companies in the advocacy with government; calling for higher transparency and accountability from the provincial government for the spending of the 0.3% contribution to support such regional development plan, including supporting child labor remediation in ASM communities; and, enlisting customers and other donors to support the regional development strategy.

The main progress of these actions in 2025 is as follows:

- TFM continues to implement the *Cahier des Charges* in collaboration with the two CLDs and related local stakeholders. From January to December 2025, TFM implemented 51 CDC projects covering infrastructure, health care, water, sanitation, community health and education. Since the start of the *Cahier des Charges*, more than 400,000 community members have directly benefited from TFM's social investments.
- TFM was invited to participate in the regional working group on the initiative of child labor remediation within ASM communities, initiated by the International Labour Organization (ILO). Within the group, TFM shared its experience in implementing child labor prevention and remediation project in ASM communities of its concession. Meanwhile, through this platform TFM advocated to international organizations and the Government of the DRC for allocating resources for child labor remediation in ASM communities.
- TFM has carried out several studies related to different community topics including ASM, social-health-economic baseline and stakeholder analysis. TFM is now in the process of consolidating the results of different studies, which will inform us of what to provide to the government while advocating for the regional development plan.

## Challenges

One of the key challenges of implementing the HRDD process is the influx of migrant workers from other parts of the country, which leads to increased illegal ASM activities thus brought human rights risks while confronting with TFM security, as well as human rights risks to the communities, such as harassment, criminality and gender-based violence.

To address this challenge, TFM continues to engage with stakeholders through communication platforms and by collaborating with traditional leaders, local governments, mining peers, and NGOs to mitigate negative impacts. TFM is also further enhancing community investments to promote local entrepreneurship, capacity building, and economic diversification. By providing alternative livelihood options, TFM aims to reduce community's dependence on ASM activities,

and strengthen community health and safety, local employment, and human rights protection. In the meantime, TFM is strengthening its cooperation and dialogue with international NGOs and organizations, advocating for multi-stakeholder approach to mitigating the human rights risks and associated impacts of ASM activities. Without the determination of a comprehensive regional development plan from the government, and without an effective mechanism to mitigating risks and impacts of ASM activities, in-migration will continue to be a critical and cross-topic risk for TFM and local communities.

Managing TFM contractor's risks remains a challenge, and therefore occupational health, security and human rights are systematically incorporated into the contractor ESG risk management approach and procedures from contractor qualification and selection, to onboarding and training, to workplace monitoring and audits.

## Forward-Looking Statement

TFM will continue to commit to ongoing HRDD. TFM will continue to employ the coordinated efforts among key departments in addressing the human rights risks and in tracking the Human Rights Action Plan.