

Submission to the United States Securities and Exchange Commission on the Regulatory Initiatives Under the Dodd-Frank Act

We, the representatives of the mining cooperatives COCABI, COMIMPA and COMIDER, the only three legal mining cooperatives in North Kivu representing 20000 artisan miners, and with the full support of:-

The Governor of North Kivu;
The national and provincial members of parliament elected in Walikale Territory;
The Administrator of Walikale Territory;
The President of the Walikale Civil society;
Various other cultural, civil and church organisation;

Would like to make the following statement to Unites States of America Securities and Exchange Commission in response to the sections on Conflict Minerals in the Dodd Frank Bill: -

1. We want to bring to your attention that we the local population in the areas that will be the most effected by your proposed legislation Dodd-Frank Bill, have not been consulted in all theses times and
2. We have been suffering greatly for many years and would like to ask you to help in a constructive way to improve the lives of the local population in the region of Walikale, and the rest of the DRC and not to punish us further.
3. We thank our Government [DRC] for the efforts made during the resent ban on mining in the three Eastern Provinces of North Kivu, South Kivu and Maniema to improve the situation. We know how difficult it is for the government and we thank the President for his courage to implement the ban and for the consultation with us and the local population and the commitments given to us to help improve the situation.
4. This ban was very difficult and hard for us the local population, but we are very happy to see the positive effect it already had.
 - a. It had shown us as local mining cooperatives the benefit of working together.
 - b. The government have listen to many of our issues and have agreed to make many changes to protect and improve the situation of the local artisanal miners.
5. Now that our government has promised to lift the ban we are looking forward to work together with our partners to improve the lives of the local population.
6. We are aware that you plan to put an embargo in place from 1 April 2011 for all minerals that don't have traceability.
7. We are supporting you very well in what you want to achieve and thank you for all your effort, but for us if we cannot start to work when the ban is lifted we will starve. We cannot continue to suffer any longer. Do we now have to choose between dying by a bullet or starving to death?
8. We are also afraid that smuggling of minerals will increase - the people have to eat - and that all the positive effect of the current ban will be removed. It is important to now quickly build on the positive effect of the ban.
9. We have been working now for three years on a solution with our international partner, Oakridge Mining Solutions to develop our area and to improve the situation of artisanal miners.
10. Through this we have created a model – Fairmining – that we will implement when the mining ban are lifted. We will be very happy to give you full detail of this model that is based on social development, environmental development, mineral traceability and compliance and ethical and fair-trading. We are

- committed to work with ITRI with regards to mineral traceability for cassiterite and coltan and have already made preparations to extend this to the area of gold.
11. We have also formed a local Congolese mining company Kalminco (www.kalminco.com) where we the local cooperatives are the shareholders. We are planning to develop this company into a small-scale mining company and it is our vision to turn it into a large mining company owned by the local people.
 12. We ask your support and help in implementing this model and to please engage with our partner and ourselves to make sure we find a solution that will last.
 13. We ask you to support our efforts and to give us time to implement such a program for all areas under the control of our cooperatives.
 14. We have been made aware of statements by foreign organisation, with specific reference to Global Witness and Enough Project, that we don't agree with and we ask you to have caution when using these organisation as the primary source for legislative decisions that could effect the whole of Central Africa, without deeper consultation with the local population.
 15. We want to bring to your attention that neither of these, nor any other organisations have engaged with us to any real extend and that they do not understand the reality and complexity of the situation.
 16. We have been made aware of a situation where Enough Project are asking people not to buy computers because the minerals in them are from our region. We do not agree with this and are not supporting any such actions.
 17. Although it is a very difficult process for us, we believe that these problems should be resolved by legal and constitutional ways and not by uncoordinated efforts by a partially informed general public.
 18. We thank you once again for all you good work and look forward to your response.
 19. We would also like very much to come and present our situation in person to you.

For COMIMPA

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For COMIDER

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