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Response Status Update - Global Witness report 'The ITSCI Laundromat' ahead of final statement

May 2022

On 27 April we released a brief initial statement¹ in response to the Global Witness report 'The ITSCI Laundromat' which confirmed that we are dedicating time in a full analysis in light of the serious allegations the report makes. Recognising stakeholders' and commentators' interest, we are providing this status update pending our full and final comment, which we aim to share around the end of May.

We retain our strong belief that ITSCI plays a credible and valuable role in responsible sourcing of 3T minerals. While welcoming constructive feedback and evidence of risks we also retain the view that there appears to be a lack of balance and evidence supporting the Global Witness reporting. ITSCI refutes all allegations of deliberate misuse of the ITSCI system or other illegal activity but regardless take the report and all allegations made very seriously and are assessing these for our due diligence.

We are already in a position to share some early comment in advance of our final response. As the introduction, executive summary and conclusion repeat many of the allegations we believe our comment is best directed at examining each section.

- Section 1 (South Kivu): allegations are based in a certain view of the ICGLR related validation process omitting recognition of supplementary ITSCI and company mine evaluations.
- Section 2 (North Kivu): allegations appear to favour certain company's accounts over other evidence, exacerbated by omission of important contextual information.
- Section 3 (Rwanda): allegations appear to arise from oversimplistic analysis of historic information with references sourced from an ongoing legal case potentially with inherent bias.
- Section 4 (international): comments on potential impacts of the allegations on international markets, expecting companies to retain their own due diligence responsibilities, which is a common view that ITSCI shares.
- Recommendations: are far reaching and broad in nature, in some cases unrelated to the sections 1 to 4, and in a number of cases are actions that ITSCI has advocated for.

The Global Witness report includes quotes, facts and references that require detailed evaluation, including through field teams and conversations with local stakeholders. In addition, any comment on references to legal documents² must proceed with care to avoid potential prejudice although according to recent reports³ the case appears to have been dismissed by the arbitration tribunal.

ITSCI provided extensive commentary to Global Witness in December 2021, and continues to analyse to what extent this has been reflected in the report. We remain committed to transparently reporting and are considering sharing our extensive original December commentary alongside our detailed final response. We will invite our members, stakeholders and commentators to review all information as it becomes available to inform their own due diligence.

As we do for any issue or concern raised which may impact supply chains we will transparently record, investigate and report through our incident mechanism. All incidents are reported [publicly](#).

French translation forthcoming

¹ See <https://www.itsci.org/2022/04/27/itsci-initial-response-to-the-global-witness-report-the-itsci-laundromat/>

² Bay View Group LLC and The Spalena Company LLC v. Republic of Rwanda, ICSID Case No. ARB/18/21

³ https://www.africaintelligence.com/mining-sector_courts-and-advisory/2022/05/03/bay-view-suffers-setback-in-mining-dispute-with-kigali,109782057-art

A handwritten signature in black ink, appearing to read "Roper Cleland". The signature is written in a cursive style with a horizontal line at the end.

Roper Cleland (Ms.)
On behalf of the ITSCI Programme