

From: -SAFARI KAJANGU Léonce; Number: 000802 Bukavu, on October 9th 2020
-TAMBWE BYADUNIA Anicet (in prison since August 3rd 2019); Number: 000881
-ZAGABE ZABENE François; Number: 000951

Former Workers and Union Delegates who represented the workers within the company Pharmakina SA; in DR Congo.

Contact phone: +243993269516 from Mr. Léonce.

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In the Democratic Republic of Congo (DRC-KINSHASA).

Subject: Specific proceeding against the multinational company SCHWEPPEES HOLDINGS LTD (based in Ireland), which does not respect the guidelines of the OECD concerning its supply chain for Quinine produced by the multinational company Pharmakina SA under conditions which violate the guiding principles of the OECD with negative consequences on the lives of workers in the company Pharmakina SA, and on the lives of residents in the Democratic Republic of Congo (DRC); during the manufacture of its soft drinks.

To the Ireland's National Contact Point (NCP), E-mail: oeclnccp@dbci.gov.ie

Schweppes Holdings LTD address: Kylemore Park, West Dublin, 10 Ireland.

Ladies; Gentlemen of the NCP of Ireland,

The multinational company Schweppes Holdings Ltd operates in or from Ireland, a member country of the OECD. In the manufacture of its own products, it uses **Quinine** produced by the company Pharmakina SA (in DR Congo), whose production operations for this **Quinine**, have been carried out in a context of irregular legal status since 1999 and which pushes Pharmakina SA to use its economic and diplomatic power to crush with impunity the rights of workers at Pharmakina SA; Endangers the environment around its factory located in the city of Bukavu; Engages in illegal practices in its operations; Calls for the death penalty against workers for union reasons; Cooperated with RCD-GOMA rebels to lay off 892 workers in 1999; Pollutes the environment of Lake Kivu with non-standard toxic values 302 times higher for BOD and 59 times higher for COD (30200% and 5900%); Had eliminated the milk formerly given to workers to combat the toxicity of the chemicals they handle on a daily basis, thus degrading the health of the latter; Pay the workers a pittance; Refuses to apply the decrees of the Congolese Government fixing the minimum wage, including that of 2019; Retaliate against former workers who seize the non-judicial mechanisms of the OECD; ...

We ask that the NCP of Ireland can recommend to Schweppes Holdings Ltd having a business relationship with the company Pharmakina SA, to use its influence on the latter, so that it can proceed to the compensation of the victims that we are and repair the prejudices related to the issues raised in our complaint.

Indeed, Schweppes Holdings Ltd manufactures its own products based on **Quinine** produced by the Pharmakina factory in DR Congo. See on these photos below.

A product of Schweppes Holdings LTD, made from Quinine produced by Company Pharmakina SA.

It is written on the capsules, the ingredients including QUININE for SCHWEPPE'S Tonic water.



Ladies; Gentlemen,

The OECD Guiding Principles provide (Foreword 2nd paragraph and 4th page) as follows:

«The guiding principles are intended to promote a positive contribution by businesses to economic, environmental and social progress **around the world**.

The changes agreed in this framework are intended to ensure that the Guiding Principles continue to play their role as a leading international instrument in promoting responsible business conduct. Some of the changes to the principles include:

* A new chapter on human rights inspired by the guiding principles for business and human rights: Implementation of the "**Protect, respect and remedy**" framework established by the **United Nations**.

* A new and more comprehensive approach to due diligence and responsible **supply chain** management that represents significant advancement over previous designs.». End of quote.

This is to say that Schweppes Holdings Ltd has a duty of care to Pharmakina SA, its business partner in the supply chain, to ensure that the quinine obtained from the latter is produced within internationally accepted standards. That is not the reality in this.

According to the commentaries to the Guiding Principles on General Principles No. 17, 18, 19, it says:

"17. The avoidance of, or contributing to, negative impacts by their own activities in areas covered by the Guidelines includes their activities in the chain of supply. Relationships in the chain procurement can take various forms, for example franchises, licensing or subcontracting agreements. The entities in the supply chain are often multinational corporations themselves and, therefore, those operating in or from countries adhering to the Declaration are covered by these Guiding principles. "

18. In the context of the supply chain, if a business realizes that there is a risk of an adverse impact, then it should take the necessary steps to terminate or prevent it.

19. If an enterprise sees that it is likely to be contributing to a negative impact, then it should take the necessary steps to stop or prevent this contribution and use its influence to mitigate the residual impacts to the extent possible. It is considered that there is influence when a company has the capacity to change the harmful practices of the entity responsible for the damage. "

So in the context of the supply chain, Schweppes Holdings Ltd; realizing that there is a risk of negative impact in the company Pharmakina SA, it should then take the necessary measures to put an end or to prevent it.

Using quinine produced by the Pharmakina SA factory in Bukavu as an ingredient, Schweppes Holdings Ltd produces the Schweppes Tonic Water brand drinks.

-Ingredients Schweppes tonic water: carbonated water, sugar, acidifier: citric acid, natural flavors, flavor: quinine, sweeteners: acesulfame K and sucralose.

https://www.google.com/search?q=ingredients+schweppes+tonic+water&rlz=1C1GGRV_en_CD913CD913&oq=ingr%C3%A9dients+de+Schweppes+&aqs=chrome.3.69i57j0l6.24312j0j7&sourceid=chro

Hence the request for the involvement of the NCP of Ireland, with the SCHWEPPE HOLDINGS LTD Group so that the company Pharmakina SA, can cease with these violations

and consider financial compensation to us the victims, through a dialogue framed by the PCN.

The international trade of the SCHWEPPEES HOLDINGS LTD Group, through this ingredient, quinine produced by Pharmakina SA under conditions of violations of accepted international standards, should no longer continue to generate money to contribute to these violations of standards by the company Pharmakina SA.

Hence the strategic interest of the SCHWEPPEES HOLDINGS LTD Group in the company Pharmakina SA to put an end to this situation decried in our complaint.

I. Concepts In general, the fact that the multinational company Schweppes Holdings Ltd, does not exercise its influence on the company Pharmakina SA so that the violations decried cease, constitutes a violation by Schweppes Holdings Ltd, of the guiding principles of the OECD, on the chapters **I concepts and principles; II General principles; IV. Human rights ; VI. Environment; VII. Fight against corruption, the solicitation of bribes and other forms of extortion**, as part of its supply chain.

I. Concepts and principles

1. The Guiding Principles are recommendations that governments jointly address to multinational enterprises. They set out principles and standards of good practice in accordance with current legislation and other internationally accepted standards.

- Multinational company Schweppes Holdings Ltd, since it has a business relationship with Pharmakina SA, should influence the latter to accept the recommendations that governments jointly address to multinational companies. Pharmakina SA being itself a multinational company.

-Schweppes Holdings Ltd should ensure that good practices in accordance with the laws in force in DR Congo and internationally accepted standards are applied in the production, by the multinational PHARMAKINA SA, of the quinine used in its drinks sold on a scale global.

Having an irregular legal status since 1999; Endangering the environment around their factory located in the city of Bukavu; Engage in illegal practices in their operations; Calling for the death penalty against workers for union reasons; Cooperating with the RCD-GOMA rebels to dismiss 892 workers at the Pharmakina SCARL in 1999; Polluting the environment of Lake Kivu with toxic values 302 times higher for BOD and 59 times higher for COD (30200% and 5900%); To have eliminated the milk formerly given to workers to fight against the toxicity of chemicals; Paying the workers a pittance; Refusing to apply the decrees setting the minimum wage; retaliation against those who seize the non-judicial mechanisms of the OECD, are not internationally accepted standards.

II. General principles.

Companies must take fully into account the policies established in the countries in which they operate and take into account the views of other actors.

In this regard :

A. Businesses should:

1. Contribute to economic, environmental and social progress with a view to achieving sustainable development.

-The international trade existing between the multinational company Schweppes Holdings Ltd and Pharmakina SA on the basis of the **Quinine** produced by the latter, should contribute

to economic, environmental and social progress with a view to achieving sustainable development, in DR Congo, a country abounding over 80% of cinchona plantations, the tree from which quinine is extracted.

2. Respect internationally recognized human rights vis-à-vis those affected by their activities.

-Human rights being internationally recognized, the company Schweppes Holdings Ltd, must ensure that they are respected by the company Pharmakina SA with which it is in business relations, lest the former become complicit in this last.

10. Exercise risk-based due diligence, for example by integrating this dimension into their risk management systems, in order to identify, prevent or mitigate the negative impacts, actual or potential, described in paragraphs 11 and 12, and report on how they respond to such impacts. The nature and extent of due diligence will depend on the circumstances of a particular situation.

-The multinational company Schweppes Holdings Ltd, since it consumes in its own products, the quinine produced at the Pharmakina which owns 80% of the cinchona plantations in the world, should ensure that the illicit practices of the company Pharmakina SA, do not impact negatively its own beverage production activities around the world.

-Schweppes Holdings Ltd should also ensure that through the trade maintained in favor of Pharmakina SA, it does not contribute to negative impacts in areas covered by the Guidelines, and take the measures required by such impacts when they arise. Hence the strategic interest of this multinational that the company Pharmakina SA put an end to this situation decried in our complaint.

15. Refrain from any undue interference in local political activities.

-The Pharmakina SA (in complicity with Pharmeg Holding SA), by entering into cooperation with a rebel movement in the host country, practiced the worst interference in local political activities.

-the multinational Schweppes Holdings Ltd, by paying quinine to the company Pharmakina SA, should ensure that their money would not be used for undue interference in local political activities, in particular when the Pharmakina SA paid to the rebels of the RCD - GOMA in 1999-2003, the taxes due to the Congolese public treasury, thus reinforcing them in their war enterprise against the DR Congo and its inhabitants.

IV. Human rights.

States have a duty to protect human rights. Within the framework of internationally recognized human rights, international commitments to human rights entered into by the countries in which they operate as well as relevant national laws and regulations, companies should:

1. Respect human rights, which means, they must be careful not to infringe on the rights of others and deal with negative human rights impacts in which they have a stake.

- The Pharmakina SA, with financial support from Schweppes Holdings Ltd, does not respect internationally recognized human rights such as the right to work; the right to life; the right to health; the right to a healthy life; the right to social security; the right to a retirement pension; the right to old age pension; the right to a living wage; the right to medical care; children's right to education; the right to family income; the right to family allowances; the right to adequate housing; the right to drinking water; the right to electricity; the right to food; the rights of the poor; the rights of the elderly; human rights of people with disabilities; economic and social rights; the right to development; etc.

<http://www.ohchr.org/FR/Issues/Pages/ListOfIssues.aspx>

2. In the course of their activities, avoid causing or contributing to negative human rights impacts, and address such impacts when they occur.

-Schweppes Holdings Ltd, within the framework of its beverage production activities with as one of the ingredients, quinine produced at Pharmakina SA in DR Congo; should avoid causing or contributing to negative human rights impacts, and address such impacts when they occur. Hence the request for the involvement of the NCP, with Schweppes Holdings Ltd, so that the company Pharmakina SA, can cease with these violations and consider financial compensation to us the victims, through a dialogue supervised by the NCP.

5. Exercise human rights due diligence, depending on their size, the nature and context of their activities and the seriousness of the risks of adverse impacts on these rights.

-Schweppes Holdings Ltd must exercise due diligence with the company Pharmakina SA, in matters of human rights, according to their size (death penalty claimed by Pharmakina SA against workers for union matters), of the nature (Lives of people in danger) and the context of its activities and the seriousness of the risks of negative impacts on these rights (Life in hiding).

6. Establish or partner with legitimate mechanisms to address negative human rights impacts where they are found to be or have contributed to them.

-Schweppes Holdings Ltd, following its unrestrained demand for quinine on the world market, Pharmakina SA seeks all possible means (even through illegal practices of violation of human rights and the environment) to satisfy the quantity demanded by his client. See the exaggerated overtime number (180 extra hours per month).

-The Pharmakina SA, despite the financial support of Schweppes Holdings Ltd, has not so far established legitimate mechanisms to remedy this pollution, nor to pay the minimum wage to workers, nor to grant them milk following exposure chemicals.

V. Employment and industrial relations

Enterprises should, within the framework of applicable laws and regulations and applicable employment and labor relations practices, as well as applicable international labor standards:

b) Respect the right of workers employed by the multinational enterprise to mandate trade unions and representative organizations of their choice to represent them in collective bargaining, and to engage, either individually or through associations of employers,

constructive negotiations with these representatives, with a view to reaching agreements on conditions of employment.

-Schweppes Holdings Ltd must ensure that the quinine it uses in its own products is produced under good working conditions which do not seriously affect the health of the workers engaged in its production. The applicable international labor standards must be highlighted by Schweppes Holdings Ltd, with regard to the company Pharmakina SA and Pharmeg Holding SA, when signing a supply contract.

-While the representatives were in collective negotiations with the employer on the application of the minimum wage, the Pharmakina took the option of dismissing 8 of them so as not to reach the agreements.

-The Pharmakina SA applies the lowest salary scale compared to other employers in DR Congo. Schweppes Holdings Ltd does not positively influence Pharmakina SA, to pay a living wage to workers whose burden must be reflected in the sale price of quinine to Schweppes Holdings Ltd.

-The health and safety of the workplace at the Pharmakina is taken very lightly.

-The dismissal of workers' representatives has had and will continue to have an unfair influence on all negotiations that may be underway within Pharmakina SA, following the gagging of speech that it provoked for fear of reprisals.

VI. Environment.

Enterprises should, within the framework of the laws, regulations and administrative practices in force in the countries in which they operate, and having regard to relevant international agreements, principles, objectives and standards, take due account of the need to protect the environment, public health and safety, and generally to conduct their activities in a manner that contributes to the broader objective of sustainable development.

In particular, companies should:

1. Set up and apply an environmental management system adapted to the company and providing for: (a) the timely collection and assessment of adequate information on the potential effects of their activities on the environment, health and safety;

-The Pharmakina SA has no environmental management system adapted to this industrial waste, which is discharged directly either into Lake Kivu or into nature.

c) regular monitoring and control of progress made in pursuit of general and specific objectives in the areas of environment, health and safety.

-No environmental monitoring is carried out by Pharmakina SA.

3. Evaluate and take into account, when making a decision, the foreseeable effects on the environment, health and safety, of the company's processes, goods and services over their entire life cycle with a view to avoid these effects and, if they are unavoidable, mitigate them. When the planned activities are likely to have significant effects on environment, health or safety, and are subject to a decision by a competent authority, companies should carry out an appropriate environmental impact assessment.

-Schweppes Holdings Ltd must be very careful about how Pharmakina SA deals with environmental issues in the production operations of the quinine used in its drinks.

4. In view of the scientific and technical knowledge of the risks, where there are threats of serious damage to the environment, also taking into account human health and safety, do

not invoke the absence of absolute scientific certainty to put back to later adoption of cost-effective measures aimed at prevent or reduce this damage.

-Schweppes Holdings Ltd must advise La Pharmakina SA to relocate the plant in view of human health and safety, without mentioning the costs intended for this operation, while it benefited from the tax breaks.

6. Constantly strive to improve their environmental performance at the level of the company and, where appropriate, its supply chain, by encouraging activities such as: (b) the development and supply of products or services which do not have an undue impact on the environment, which are safe to use for their intended purposes, which reduce greenhouse gas emissions, that are energy and resource efficient natural, and which can be reused, recycled or disposed of safely;

-Schweppes Holdings Ltd, to whom the quinine from Pharmakina SA is supplied, must note that the Pharmakina factory still uses wood-fired steam boilers today, while there is the possibility of using an electric boiler. It should be noted that there is the possibility for the pharmakina with the financial assistance of Schweppes Holdings Ltd, to build hydroelectric power stations in these plantations or around, to supply itself with cleaner electrical energy, if it considers that the electrical energy available locally, is no longer sufficient.

d) studying and evaluating ways to improve the long-term environmental performance of the company, for example by developing strategies for reducing emissions, efficient use of resources, recycling, replacement or reduction in the use of toxic substances, or biodiversity strategies.

-The Pharmakina SA, under the advice of Schweppes Holdings Ltd, should consider the construction of the hydropower plants as potential sites exist within 100 kms of the current plant, without taking into account the possible relocation of the plant to its sites.

8. Contribute to the development of a well-designed and economically efficient public environmental policy through, for example, partnerships or initiatives that can improve environmental awareness and protection.

-The Pharmakina SA factory, despite financial support from Schweppes Holdings Ltd, is not concerned with any environmental matters.

-Schweppes Holdings Ltd must ensure that Pharmakina SA, when producing quinine, cannot excessively pollute Lake Kivu.

VII. Fight against corruption, the solicitation of bribes and other forms of extortion.

Businesses should not, directly or indirectly, offer, promise, grant or demand bribes or other improper advantages in order to obtain or retain a market or other illegitimate advantage. Businesses should also reject any solicitation of bribes and other forms of extortion.

-The Pharmakina SA, in order to maintain its market in favor of Schweppes Holdings Ltd, which consumes its quinine, had granted illicit payments to the rebels of the RCD-GOMA, including taxes owed to the public treasury of the DR Congo, but which had been paid to these rebels, an illegal entity.

In particular, companies:

5. Should improve the transparency of their activities in the fight against corruption, the solicitation of bribes and other forms of extortion. For example, they could make public

commitments against corruption, the solicitation of bribes and other forms of extortion, and communicate information on management systems and internal control mechanisms or programs and measures of ethics and discipline adopted by them in order to keep these commitments. Businesses should also encourage openness and dialogue with the public to raise awareness of the issue of combating corruption, solicitation of bribes and other forms of extortion and to ensure its cooperation.

-The Pharmakina SA cannot improve the transparency of its activities because it is managed by the same owners of the company, who in addition are its former employees and who want at all costs to keep their interests at a lower cost.

7. Should not make any illegal contributions to candidates for public office, political parties or other political organizations. Political contributions should fully comply with the rules for the publication of information and be brought to the attention of company managers.

-Pharmakina Sa, then a business partner of Schweppes Holdings Ltd, had paid illegal taxes and duties to the RCD-GOMA rebellion for 5 years, regardless of the atrocities that were being committed by these rebels on the civilian population, for example the burial of living women in a locality called KASIKA, 80 km west of BUKAVU, headquarters of the company Pharmakina SA.

-Schweppes Holdings Ltd must ensure that the money it pays to Pharmakina SA is not used to make an illegal contribution to illegal entities.

Ladies; Gentlemen,

Commentaries on general principles say the following:

«14. Due diligence in the Guiding Principles is understood to mean the process which, as an integral part of their decision-making and risk management systems, enables enterprises to identify, prevent and mitigate impacts. Negative, actual or potential, of their activities, as well as to report on the way in which they approach this question ...

Potential impacts should be addressed through prevention or mitigation measures, while actual impacts should be addressed through remedial measures ...

By "business relationship" is meant any relationship with business partners, entities belonging to the supply chain or any other entity, public or not, directly related to its activities, products or services ...

18. In the context of the supply chain, if a business realizes that there is a risk of an adverse impact, then it should take the necessary steps to terminate or prevent it. ».

As the company Schweppes Holdings Ltd is the entity which sources quinine from the Pharmakina, it is itself a multinational company and, therefore, as it operates in or from a country adhering to Declaration, is covered by these Guiding Principles.

Therefore, in the context of the supply chain, if the company Schweppes Holdings Ltd realizes that there is a risk of negative impact in the company Pharmakina SA, then it should take the necessary measures to terminate it, or to prevent it.

Ladies; Gentlemen,

We entered the NCP of Ireland for the following reasons:

1. Schweppes Holdings Ltd, which uses quinine produced by Pharmakina in DR Congo, is based in Ireland.
2. Pharmakina SA says it trades in quinine all over the world, and therefore in Ireland, through among other clients, Schweppes Holdings Ltd.
3. Ireland is an international market for quinine produced by Pharmakina SA accused of these violations raised in our complaint.
4. The NCP of Ireland may make recommendations to the company Schweppes Holdings Ltd to halt any transaction related to Pharmakina SA, until the company Pharmakina SA puts an end to these violations, so that Schweppes Holdings Ltd n 'be not an accomplice.
5. The NCP of Ireland can organize a dialogue between the company Schweppes Holdings Ltd and ourselves, to put an end to the violations that the leaders of Pharmakina SA commit against us, when they want to serve the interests of Schweppes Holdings. Ltd, related to the production of quinine.

Ladies; Gentlemen,

After having demonstrated the competence of the NCP of Ireland, we come to the elements charged to the company Pharmakina SA and against which the company Schweppes Holdings Ltd will have to exercise its diligence, within the framework of its supply chain of quinine produced under the following conditions:

- Death penalty claimed by the company Pharmakina SA through its CEO Mr. Etienne Erny in complicity with the company Pharmeg Holding SA through its President Mr. Franz X. Stirnimann, against the union delegates (and other workers), in reprisal for the for us to have dared to seize the National Contact Points for the OECD guidelines for multinational companies, in order to obtain financial compensation through a dialogue supervised by them (See also the document judgment in the Pharmakina case against Tambwe and others, page 5 last paragraph and page 6, 2nd paragraph and the direct quotation RP 16737 with immediate arrest, in appendix).

This fact shows that the life of the Congolese represents nothing in front of the interests of Schweppes Holdings Ltd maintained by the Pharmakina SA. It also proves that the lives of defendants are in danger. It is also a serious violation of trade union rights.

- Claim by Mr. Etienne Erny, on behalf of Pharmakina SA, in complicity with Pharmeg Holding SA, of \$ 50,000,000 USD - Fifty million US dollars - in compensation, according to him, for material and moral damage resulting from his travels in Europe as in the DRC to defend oneself against so-called defamatory acts of defendants (See appendix, the judgment appeal document in appendix, page 24).

- Reprisals put in place against union delegates, representing workers in the Pharmakina, by dismissing them from the service on April 22, 2019 for only having demanded the application of the Prime Minister's decree n ° 18/017 of May 22, 2018, fixing the Guaranteed Minimum Interprofessional Salary (SMIG) in 2019 at 7,015 Congolese Francs per day (\$ 5 USD), while the company pays 1,120 Congolese Francs per day in the city and 560 Congolese Francs in

rural areas per day (See letter from Mr. . Etienne Erny, of May 30, 2019 informing Mr. Franz of the retaliatory measures envisaged against us, without the latter dissuading him; See the salary scale Pharmakina SA; Decree of the Prime Minister setting the minimum wage in 2018 and Notifications Revocation).

- Intimidation and threats against workers who participated in the General Assembly of workers organized on March 01, 2019 within the company on the authorization of the CEO himself in the presence of the other permanent unions and the Head of Human Resources of the company , for the restitution of the negative response of the CEO to the negotiations conducted by the union representatives. (Example of the case of Worker LWABOSHI raised in the judgment document as well as the workers required to testify against their signatures. The court rejected the allegations of Pharmakina SA on this subject).

-Making by the company Pharmakina SA, in complicity with the company Pharmeg Holding SA, of a gag order with a strategy of imprisonment against the union delegates already dismissed by the CEO, by qualifying them as an organized criminal gang not otherwise identified, the thus exposing to the death penalty that the aforesaid companies demanded against the defendants (Read the document on appeal judgment, page 2 introduction where it is mentioned: "... .. prosecution and diligence of Mr. Etienne ERNY").

-Manhunt with security incidents against us, union representatives after three months of our dismissal from the Pharmakina SA company, following our union activities to protest the application of the Prime Minister's decree n ° 18/017 of May 22, 2018 setting the minimum wage (minimum guaranteed interprofessional wage). Two years later, this decree has still not been implemented, neither by order of Pharmeg SA, nor by Pharmakina SA. However, the SMIG problem does not arise in the other neighboring companies of Pharmakina SA, because they pay at a higher value even than the SMIG.

- False publications on the value of the contributions of the majority shareholder Pharmeg Holding SA for the constitution of the false share capital of the company Pharmakina Sa, with negative consequences on the workers in the company Pharmakina SA, including the salary scale which is below the poverty line (1120 Congolese Francs or US \$ 0.67 per day in the city and 560 Congolese Francs in rural areas where the egg of a hen costs 300 Congolese francs, currently), forcing them to lead a life of misery in DRC. See the 2019 scale in the attachment and article 6 of the harmonized statutes to download from:

https://docplayer.fr/77811773-Officiel-de-la-republique-democratique-du-congo.html#show_full_text

Articles 6 and 7 of the harmonized statutes (in annex) of the company Pharmakina SA, say that the share capital of the company is 25,000,000 Congolese Francs in 2014, while the patrimonial situation of the company Pharmakina SA is 56 billion Francs Congolais in 2011 and 44 Billion Francs Congolais in 2015. See attached, harmonized statutes and balance sheets 2011, 2012, 2015 and other accounting documents.

-False publication on the value of the share capital of the company Pharmakina SA, in order to hide the economic reality of the company, to promote tax evasion for the benefit of the company Pharmeg Holding SA, holder of 99.94% of the shares.

-Very exaggerated environmental pollution of Lake KIVU by the Pharmakina SA factory to preserve the financial profits of Pharmeg Holding SA, putting the lives of the surrounding population in danger. See attached documents.

- Establishment of business relations with an armed rebellion against the Host Country and its inhabitants, against whom atrocities have been committed by the said rebellion, the massacres of which have never been tried until now. Open this link to see these atrocities. http://www.congovision.com/nouvelles/ouganda_rdc.html

-Cooperation of the companies Pharmeg Holding SA and Pharmakina SA, between 1999-2003, with the rebels of the RCD-GOMA, because of their industrial activities in the areas under the jurisdiction of the rebels of the RCD-GOMA (see letter Pharmakina on SMIG 2003 which specifies that the pharmakina evolved in the area occupied by the rebels and the parliamentary report of 2006, says LUTUNDULA, page 210-212.

-Cooperation with the RCD-GOMA rebels to lay off 892 workers at the Pharmakina SCARL in 1999, in favor of the restructuring supported by the new owners, including the company Pharmeg Holding SA (See letter from Pharmeg Holding SA to the PCN, which says that the dismissal process was approved and supervised by the authorities, who in reality were none other than the RCD-GOMA rebels, occupying the area).

-Payment, to the rebels of the RCD-GOMA, of taxes due to the Congolese public treasury between 1999 and 2003, a period when the company Pharmakina SA had already become 99.94% owned by the company Pharmeg Holding SA, without this last refrain from financially reinforcing the rebels in their warlike enterprise against the host country, the DRC, and its inhabitants (See attached, the parliamentary report of the Lutundula commission, page 178-179 for Mission EST and page 210 -212 concerning the company Pharmakina).

-In 1999, dismissal by the pharmakina SA and without authorization from the National Minister of Labor and Social Welfare, of more than 892 workers, without compensation, in favor of the company Pharmeg Holding SA, to replace them by day laborers or workers temporary until today. <https://www.memoireonline.com/08/11/4772/Du-licenciement-collectif-et-du-recrutement-des-temporaires-dans-les-entreprises-privees.html>

-Political legitimization of the rebel movement accused of crimes against civilians, thus benefiting from the cooperation with the companies Pharmeg Holding SA and Pharmakina SA and from the international diplomatic influence of the latter.

-Complicity of the company Pharmeg Holding SA, because of its shareholding, in the undervaluation of the fortune of the company Pharmakina SA, published in its articles of association, thus leading to an escape of capital, until today, in favor of Pharmeg Holding SA and to the detriment of the workers of the company Pharmakina SA, of the Congolese State and of the Congolese population (See article 6 on the constitution of the share capital of 25,000,000 FC, i.e. 27,173 USD in 2014, date of publication of the statutes, and the turnover of 14,000,000 USD in 2016 published by Pharmeg Holding to the Luxembourgish PCN).

-Implementation of the buyout process of the company Pharmakina SCARL at a low price, leading to unfair treatment (bad final accounts) to 892 workers made redundant in 1999, during the transfer of the company to the new owners at the head of which is the Pharmeg Holding SA as majority shareholder, with 99.94% of the participations. (See attached, letter from Pharmeg Holding SA to the Luxembourgish NCP). The sale of a company's assets should be used as a priority for the payment of workers who leave the company.

-Cheating maintained until today by the new shareholders who had not bothered to change the company's documents, whereas this is a new company following the change of shareholders since 1999 (See article 45 of the harmonized statutes of the company Pharmakina SA in 2014, attached which says that the legal personality of their company is that of since 1956 attributed at the time, to Pharmakina SCARL). As the company has changed owners, it must also change its legal personality, because it is a new company.

- Non-compliance by the company Pharmakina SA, for the benefit of the company Pharmeg Holding SA, of relocation measures, to ensure public safety, following the high risk of human catastrophe in the event of fire within the chemical plant of Pharmeg Holding SA, located in the heart of a residential area in Bukavu.

- Non-compliance with the laws of the host country, the DRC, by the company Pharmeg Holding based in Luxembourg, despite its power of management and control of the company Pharmakina SA, located in the DRC. This is the case of the Decree of the Sovereign King of February 27, 1887 relating to commercial companies, article 6; and Decree No. 18/017 of May 22, 2018 fixing the minimum wage in DR Congo.

- Violation of the human rights of the workers of the company Pharmakina SA, in complicity and for the benefit of the parent company Pharmeg Holding SA. <http://www.ohchr.org/FR/Issues/Pages/ListOfIssues.aspx>

-Violation of labor law in the DRC (Article 62, 78, 258 of the Congolese Labor Code).

- Removal of the milk formerly given to workers for their physical reconstitution, in order to fight against the poisoning of the chemicals they handle on a daily basis. See in annex the letter concerning the milk which was often given to the workers.

-Non-compliance with the Decree of the Congolese Prime Minister, No. 18/17 of May 22, 2018 fixing the guaranteed minimum interprofessional wage (SMIG), to improve the living conditions of workers in the DRC. See the attached Decree.

-Lack of notice without notice of the 8 union delegates out of the 10 in our delegation, for having quite simply dared to demand the application of this decree setting the minimum wage, in favor of more than 400 workers and their families.

-Written false declaration on the letters of notification of the termination of our employment contracts, according to which the labor inspector authorized the dismissal of the 8 union representatives, even if Pharmakina SA, let alone Pharmeg Holding SA, never showed the said decision No 22/METPS/IGT/DPIT/SK/020/2019 of 19/04/2019 of the Provincial Labor Inspector (See letters of termination of our employment contracts).

-Gagging, henceforth, of the word of workers' representatives, following repressive measures. This is the consequence of all these measures taken against us.

-Complicity of the company Pharmeg Holding SA in the threats made against the complainants who lodged a complaint with the Luxembourg NCP (See letter from Mr. Etienne Erny, CEO of Pharmakina SA, dated May 30, 2019, addressed to Mr. Franz X. Stirnimann, Chairman de Pharmeg, on the retaliatory measures envisaged against the delegates already dismissed, without Pharmeg dissuading the Pharmakina).

-Policy of neutralization of the trade union movement, following the reprisals organized by Mr. Erny, CEO of Pharmakina SA, in complicity with Mr. Franz X. Stirnimann, Chairman of Pharmeg Holding SA.

-Insecurity around union representatives (see denunciation of June 13, 2019 of security incidents related to the Pharmeg and pharmakina file).

-Obscure management of the Patrimony of the company Pharmakina SA by the managers of Pharmeg Holding SA, who say they do not carry out an operational follow-up of the activities of the company Pharmakina SA, despite 99.94% of the profits in the production of the latter.

-Violation of the Sovereign King's Decree of February 27, 1887 relating to commercial companies, article 6, for lack of a Presidential ordinance authorizing the company Pharmakina Sa, as a subsidiary of Pharmeg Holding SA, to exist and operate in the DRC since 1999 , following the acquisition of the company Pharmakina SCARL by new shareholders other than the former owners.

-Serious faults on the part of the employer Pharmakina SA (Article 73 Labor Code), in complicity with Pharmeg Holding SA. Pharmakina SA cannot do anything without involving the parent company for which it works here in the DRC.

-Violations of the OECD Guidelines for Multinational Enterprises in chapters: I concepts and principles; II General principles; III. Publication of information; VI. Environment; IV. Human rights ; V. Employment and industrial relations; VII. Fight against corruption, solicitation of bribes and other forms of extortion.

For all the harm suffered by ourselves and the workers and which we continue to suffer, we are claiming 100,000,000 USD. We don't know what Mr. Etienne ERNY did with his 50,000,000 USD that he is claiming from us today.

May the company Schweppes Holdings Ltd, within the framework of its business relations with the company Pharmakina SA, exert its influence to put an end to the violations complained of and that financial compensation be granted to us through a dialogue framed by the NCP.

We remain at your disposal for the rest.

Regards,

SAFARI KAJANGU Léonce.