

MEMORANDUM OF UNDERSTANDING

Among the

THE UNITED STATES OF AMERICA,

THE DEMOCRATIC REPUBLIC OF THE CONGO,

And the

THE REPUBLIC OF ZAMBIA

Concerning

**SUPPORT FOR THE DEVELOPMENT OF A VALUE CHAIN IN
THE ELECTRIC VEHICLE BATTERY SECTOR.**

The United States of America (the “United States”), the Democratic Republic of the Congo (the “DRC”), and the Republic of Zambia (“Zambia”) (hereinafter collectively referred to individually as a “Participant” and jointly as the “the Participants”);

SEEKING to facilitate the development of an integrated value chain for the production of electric vehicle (EV) batteries in the DRC and Zambia, ranging from raw material extraction, to processing, manufacturing, and assembly;

RECOGNIZING the DRC and Zambia’s shared interest in furthering cooperation to drive industrial and economic growth as global demand for cobalt is projected to increase dramatically in the coming decades to meet demand for electric vehicle (EV) batteries from domestic use and export;

INTENDING to undertake a project to facilitate the development of an EV battery value chain that would help the international community reduce carbon emissions and support the Paris Agreement's aim to strengthen the global response to the threat of climate change, including by holding the increase in the global average temperature to well below 2 degrees Celsius above pre-industrial levels and pursuing efforts to limit the temperature increase to 1.5 degrees Celsius;

ACKNOWLEDGING the United States' offer to provide support, including possible technical assistance, to facilitate the development of an integrated EV battery value chain; and

MINDFUL of the need by DRC and Zambia to build their respective technical capacities to enable cooperation in the joint development of battery material processing and manufacturing capacity;

NOW, THEREFORE, have reached the following understanding:

Section I: Objective and Scope

1. The purpose of this Memorandum of Understanding is to strengthen cooperation among the Participants in furtherance of the development of a cross-border integrated value chain for the production of EV batteries, leading to increased awareness of investment opportunities and the identification of potential co-financing opportunities for electric vehicle value chain-related investments.

Section II: Areas of Cooperation

1. The Participants intend to cooperate in feasibility studies, consultancies, and technical assistance opportunities to facilitate transparent, competitive tenders to find the best and most cost-effective contractors and partners to advance the DRC-Zambia Cooperation Agreement on the Establishment of a Value Chain in the Electric Battery

and Clean Energy Sector. Each Participant may determine for itself if a project is suitable for investment.

Section III: Intentions

1. The United States intends to support DRC and Zambia in their development of a value chain for EV batteries in the DRC and Zambia in a manner consistent with applicable domestic laws and international best practices that facilitate the prevention, detection, and prosecution of corruption, as well as applicable obligations under the United Nations Convention against Corruption.
2. The United States intends to take appropriate steps to promote awareness of the DRC and Zambia Electric Vehicle Battery initiative within the U.S. private and investment sector. This could include commercial development, where appropriate, as well as exploring technical assistance opportunities to facilitate potential U.S. private sector participation in such projects.
3. The United States confirms its interest in supporting the development of industrialized economic growth, such as through the construction of electric vehicle precursor plants in DRC and Zambia, and to provide the technical assistance to ensure its success to the extent allowed under its domestic legal authorities.
4. This Memorandum of Understanding is not intended to be legally binding and is not an obligation of funds. All activities pursued under this Memorandum of Understanding are subject to the availability of funds.

Section IV: Duration and Amendment of the MOU

1. This Memorandum of Understanding becomes operative upon signature of the Participants.
2. A Participant may discontinue its participation in this Memorandum of Understanding at any time. A Participant that intends to discontinue its participation in this Memorandum of Understanding should endeavor to provide the other Participants with 90 day's written notice of its intent to do so.
3. Discontinuation is not intended to affect the implementation of ongoing activities facilitated under this Memorandum of Understanding prior to discontinuation.

Signed at Washington on December 13, 2022, in three copies, in the English and French languages, both language versions being equally official.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:

FOR THE GOVERNMENT OF THE DEMOCRATIC REPUBLIC OF THE CONGO:

FOR THE GOVERNMENT OF THE REPUBLIC OF ZAMBIA:
