

Analysis of the interactive map of artisanal mining areas in eastern Democratic Republic of Congo

2023 update



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EDITORIAL

Analysis of the interactive map of artisanal mining areas in eastern Democratic Republic of Congo, 2023 update

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Front cover picture: Gold and wolfram mining site of “Mapipi bulege kagozu”, Shabunda, South Kivu.

Authors: Ken Matthysen, Thomas Muller, Jan Leysen and Ntakobajira Zacharie Bulakali

Researchers: Augustin Djamugisa Bedidjo, Bertin Nyamuhirwa Muganuzza, Bienfait Mateso Mulindwa, Bienvenue Akasa Okoko, Chance-Clarice Cikanga, Edgar Kakule Kamaliro, Emmanuel Kivuha Kahindo, Freddy Mugombekere Baleke, Gabriel Igilima Lunanga, Guillaume Ntangamyampi Alininyu, Josué Mfunyi Kadima, Lavoisier Lukindula Assumani, Mike Mudukwe Mirindi, Moise Katina Mbusa.

GIS and data analysis: Thomas Muller

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ABBREVIATIONS

AGR	African Gold Refinery
APCLS	<i>Alliance des patriotes pour un Congo libre et souverain</i>
ASM	Artisanal and small-scale mining
ASSODIP	<i>Association pour le Développement des Initiatives Paysannes</i>
CaMi	<i>Cadastre Minier (Mining Register)</i>
CEGEMI-UCB	<i>Centre d'expertise en gestion minière/Université Catholique de Bukavu</i>
CLS	<i>Comité Locale de Suivi</i>
CODECO	<i>Coopérative de Développement Économique du Congo</i>
CPS	<i>Comité Provinciale de Suivi</i>
CSO	Civil society organization
DDR	Disarmament, demobilization and reintegration
DIIS	Danish Institute for International Studies
DRC	Democratic Republic of Congo
FABB	<i>Force Armée Biloze Bishambuki</i>
FARDC	Armed forces of DRC
FDLR	<i>Forces Démocratiques de Libération du Rwanda</i>
FPP/AP	<i>Front Patriotique pour la Paix-Armée du Peuple</i>
GEC-SH	<i>Groupe d'Études sur les Conflits-Sécurité Humanitaire</i>
GESI	Gender equality and social inclusion
ILRG	Integrated Land and Resource Governance Program
IPIS	International Peace Information Service
ISDR-Bukavu	<i>Institut Supérieur de Développement Rural de Bukavu</i>
iTSCi	ITA (International Tin Association) Tin Supply Chain Initiative
KST	Kivu Security Tracker
M23	Mouvement du 23 mars
MMR	Mining Mineral Resources
NDC-R	<i>Nduma Défense du Congo – Rénové</i>
ORC	<i>Société Orientale Ressources Congo SARL</i>
PMH	<i>Police des Mines et des Hydrocarbures</i>
PNC	<i>Police Nationale Congolais</i>
RMS	Responsible Mining Scorecard
SAEMAPE	<i>Service d'assistance et d'encadrement de l'exploitation minière artisanale et à petit échelle</i>
SGN-C	<i>Service Géologique National - Congo</i>
SOMIL	<i>Société Minière de Lubutu</i>
TSM	Tongli Resources, Tshisangama Simeon Mining
UAE	United Arab Emirates
UPLD	<i>Union des Patriotes, pour la Libération et le Développement</i>
USAID	United States Agency for International Development

EXECUTIVE SUMMARY

While artisanal and small-scale mining (ASM) is a vital source of income for many rural communities in the eastern Democratic Republic of Congo (DRC), it has acquired a negative reputation over the past twenty years. This is in part because the DRC government has difficulties in tackling the issues of corruption, criminal activity, conflict financing, fraud, and smuggling in the ASM sector.

The International Peace Information Service (IPIS) invests in qualitative research in ASM, as a mechanism to support responsible ASM supply chains that promote peace, stability, and contribute to rural development. Since 2009, IPIS has mapped over 2,800 ASM sites in eastern DRC and collected primary data about the interference of armed groups, types of minerals, mineral pricing, worker demographics, trade routes, environmental issues, etc.

In 2021, the United States Agency for International Development (USAID) renewed its partnership with IPIS through the Integrated Land and Resource Governance (ILRG) project to execute in-depth research into ASM in eastern DRC and its links with insecurity and development. Between 2021 and 2023, IPIS collected **information at 829 active mining sites** that together employ an estimated 132,320 miners. According to the data collected by IPIS, gold is by far the most important artisanal mineral in eastern DRC, as 85% of the miners work in gold mines, followed by the minerals often referred to as the 3T minerals, tin ore (cassiterite), tantalum ore (coltan), and tungsten ore (wolframite).

This report is the final output of two years of research and provides an up-to-date **analysis of the link between mining and conflict** – and insecurity more generally in eastern DRC. Furthermore, it explores why mining reform (including responsible sourcing initiatives) has had a limited impact on improved security and sustainable development.

The section ‘Armed interference in mining’ explores the direct links between mining in eastern DRC and conflict. It reveals the extent to which both the armed forces of the DRC (FARDC) and (non-state) armed groups are still involved in mining. However, the next section on ‘Insecurity in mining beyond conflict minerals’ broadens the scope and explores how some more structural forms of violence (such as socio-economic inequality and the omnipresence of former rebels) create tensions and conflict that are not directly linked to the financing of armed groups. These issues deserve equal attention, as both represent important long-term security risks.

Armed interference in mining

DRC drew international headlines in the 2000s due to violence occurring near, and in connection with, its rich mining sites. Large-scale armed conflict over DRC’s mineral wealth has decreased significantly over the past twenty years. Nevertheless, insecurity and armed violence persist in eastern DRC, and mining and mineral trade still play an important role in ongoing armed and unarmed conflicts. A shattering 61% of the miners included in this research (80,425 out of 132,320) are still affected by the ‘interference’ – defined exploitation or illegal rent-seeking – by armed actors.¹

There are **three pathways that directly link mining and conflict**. First, at the local level, conflicts over access to resources between a variety of stakeholders including mining cooperatives, landowners, artisanal miners, local communities, and armed actors are still common. Second, many small self-defense groups – established to protect local communities against perceived external (armed) threats – use

1 ‘Armed interference’ is the term used to describe all cases where a non-state armed group, an army unit or an armed criminal network make profits from mineral exploitation or trade, through their physical presence in mining zones, or through more indirect interferences. It includes activities such as (illegal) taxation of ASM stakeholders, (illegal) taxation of commercial goods at mining sites, establishment of trade monopolies at mining sites, pillaging of mining sites, and (illegal) pit ownership. (Source: Matthysen K., Muller T. and Bulakali N. Z., *Analysis of the interactive map of artisanal mining areas in eastern Democratic Republic of Congo, 2022 Update*, IPIS, November 2022, p. 22.)

mineral resources, among other revenues, to finance their survival. This will be discussed below in the section on 'Armed groups'. And third, the national army (FARDC) units are the most prominent armed actors interfering in the mining business, which we will discuss in the section on 'FARDC.'

FARDC

A crucial problem that needs to be addressed to tackle both insecurity and conflict financing in eastern DRC, is **FARDC's** performance, notably its revenue-generating practices and its poor track record in eliminating armed groups. Soldiers have developed several illegal ways to make money, including roadblock taxation, extortion of natural resource stakeholders, and protection of mining operations as private security guards. They interfere in 37% of the mining sites visited by IPIS since 2021 (305 out of 829 sites), affecting the work of an estimated 55,800 mine workers in our sample. The revenues generated can partly explain the army's **inertia regarding armed groups** in eastern DRC. The continued presence of armed groups 'legitimizes' an army unit's deployment, providing them with the opportunity to develop economic activities through, for instance, interference with mining activities.

Roadblocks are one of the key mechanisms that enable FARDC soldiers to skim off revenues from the mining sector and the local economy. Since artisanal mining often involves large movements of goods and people, roadblocks can be used to directly or indirectly tax minerals. While a wide range of actors establish roadblocks, for example, police, local and customary authorities, cooperatives, and armed groups, this research shows that the national army is associated with 44% of the total number of roadblocks in Masisi and Walikale (48 of 110 roadblocks) territories. It seems that every military position, however temporary, is instantly transformed into a point of extortion.

Armed groups

The (non-state) **armed groups** were present at **29% of the mines visited by IPIS** (242 of 829 mining sites). Over the past two decades, self-defense groups (such as Mai Mai, Nyatura, and Raïa Mutomboki groups) have mushroomed to 'protect local communities' against external threats (including *Forces Démocratiques de Libération du Rwanda* (FDLR) and foreign business interests). These armed groups now use mineral resources, among other sources of income, to survive. Many of them grew out of ideological concerns, but rent-seeking incentives have become a more prominent focus over time.

The list of armed groups interfering in eastern DRC's mining business is long. Figure 1 lists the armed groups that IPIS teams observed at the mining sites visited since 2021 (829 sites). Although this is not a comprehensive list – it only includes the sites visited by IPIS – Figure 1 illustrates the high number of armed groups of all sizes in the mining sector, and it shows some of the groups that are well-known for 'conflict financing' from mineral trade.

Since 2017-2018, **Coopérative de Développement Économique du Congo (CODECO) and Jeunesse/Zaire'** have been at the center of inter-communal tensions and violence in Djugu territory (**Ituri**). The interaction between local communities' security and socio-economic concerns, the role of local (customary) authorities, historical grievances about social inequalities and land rights, and the failure of disarmament, demobilization and reintegration (DDR) programs, are crucial factors in understanding the local security dynamics. However, since 2020-2021, gold has played an increasingly important role in the groups' revenues and determining their actions.

In 2022, this research program reported on violent clashes between several armed groups in the center of **North Kivu**.² Alliances tended to shift intermittently, driven by opportunism such as economic interests and access to gold mines. Fierce fighting occurred, for example, between Nduma Défense du Congo

2 Matthyssen K., Muller T. and Bulakali, N. Z. (November 2022), op. cit., pp. 28-30.

– Rénové (NDC-R) and **Kabidon's Front Patriotique pour la Paix-Armée du Peuple (FPP/AP)** rebels over control of gold mines near Bunyatenge (Lubero). In May 2022, however, several armed groups came to a truce, agreeing not to attack each other to fight the rebel group Mouvement du 23 mars (M23).

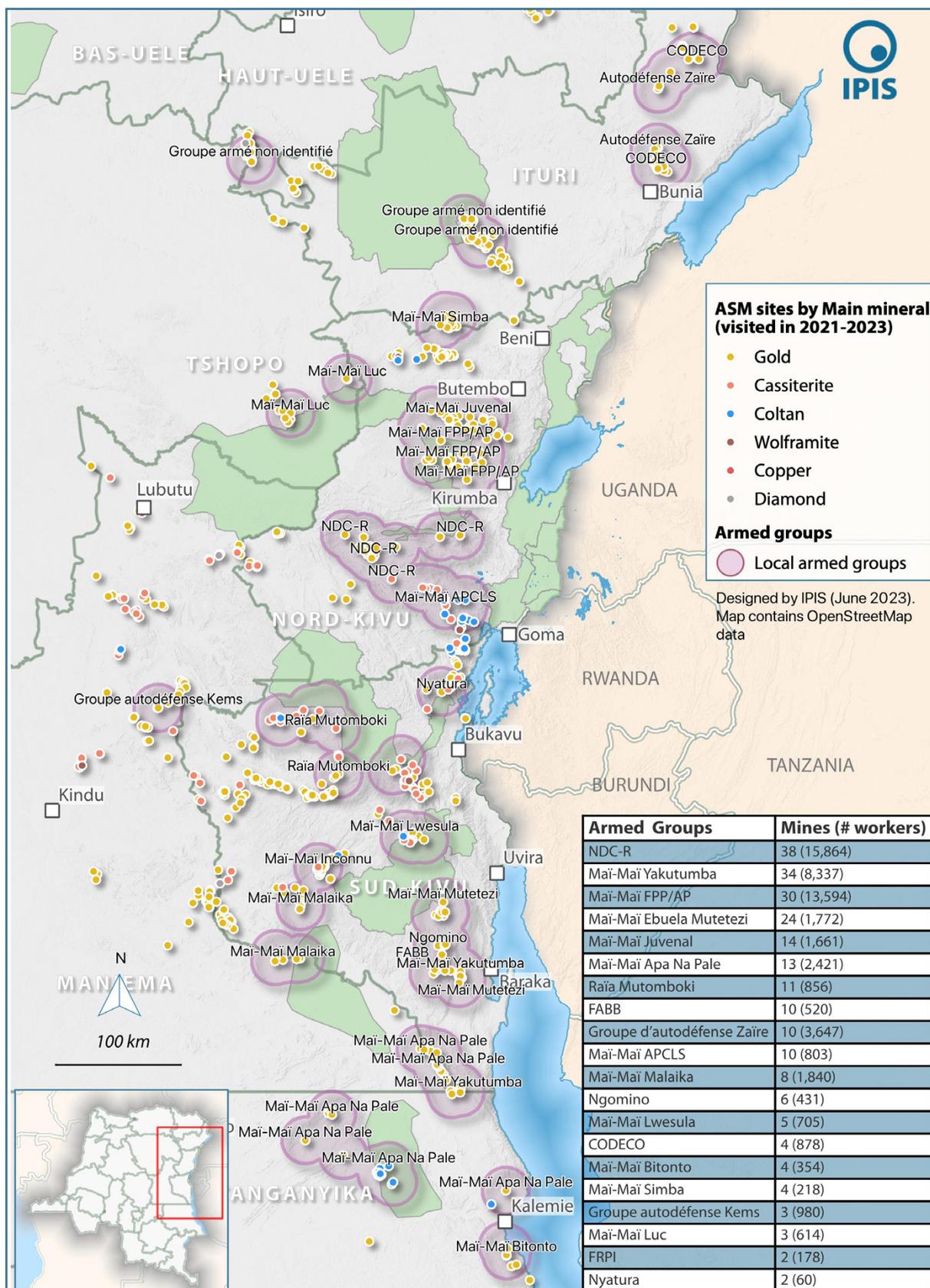


Figure 1: Map of armed groups in mining sites, 2021-2023.

For **NDC-R Guidon**, the entente gave them the opportunity to return to the important Matungu gold mine. Guidon had lost control of Matungu in October 2020, but returned on March 23, 2023. They gradually settled, started levying the so-called *effort de guerre* (an illegal tax), and began selling consumer goods such as cigarettes, cannabis, and alcoholic beverages.

One of the most insecure areas in eastern DRC is the highland region of Fizi, Uvira and Mwenga territories (**South Kivu**). Beginning in 2019, intercommunity tensions deteriorated as a violent conflict involving several armed groups erupted, leading to a humanitarian crisis. Despite the situation, IPIS teams visited mining sites along two main axes in the Minembwe highlands. They reported that **Mai Mai Mutetezi (or Mutetuzi), Gumino and Force Armée Biloze Bishambuki (FABB)** were heavily involved in the area's gold mines, both for revenue generation and to protect mine workers against other armed groups.

It is clear that armed actors in eastern DRC continue to skim off revenues from the mining sector, as well as the overall local economy around these mining sites. Conflict dynamics and conflict financing, however, are complex and multidimensional. **A wide range of other issues interact with natural resources**, including landownership and access to land, intercommunity tensions and their historical roots, failed DDR programs, and long-lasting governance issues such as elite capture, underperforming corrupt state services, and faltering mining sector formalization processes. These issues should also be considered when attempting to understand and resolve resource-related conflicts.

Insecurity in mining beyond conflict minerals

Additionally, IPIS identified several mining-related issues that are not directly linked to conflict (financing) in eastern DRC, but rather to **structural forms of violence** that may represent significant security risks. These include the omnipresence of former rebels, the rush on DRC's mineral resources (e.g. by a growing number of semi-industrial mining companies), gender inequality (and other forms of discrimination), and governance issues, including the existence of 'networks of predation.' In eastern DRC's post-conflict situation, such problems risk contributing to future conflict.

Many mining zones in eastern DRC have a long history of armed mobilization. Many local armed groups are still present in the eastern provinces, active or dormant, some interfering in mining. **Many miners are former combatants**, and in many cases, militia members navigate continuously between civilian and combatant life. This dynamic creates a feeling of insecurity for ASM stakeholders and affects mining governance.

While the **regional dimension** of conflict in eastern DRC has gradually decreased over the past fifteen years (as the scale of foreign armed groups, or armed groups supported by neighboring countries, has diminished), the relationship between mining, conflict, and insecurity, still holds an important regional – and international – dimension. Neighboring countries continue to facilitate the smuggling of illegally exploited natural resources in eastern DRC, and the gold trade is among many factors contributing to regional tensions.

Over the past decade, an increasing number of (foreign) business enterprises rushed into eastern DRC's risky investment environment, looking for mineral resources. Such larger scale extractive operations (mostly semi-industrial) have often been a source of tension that can result in additional insecurity and violence. IPIS undertook a study on the impact of **semi-industrial gold mining** on local conflict and security dynamics in Mwenga territory.³ This study showed that these operations are characterized by a disregard for legal obligations, protection by military actors that provide shelter against government control, and the support of a vast, powerful network that enables predatory behavior against local populations. These practices affect mining governance and social cohesion and are thus responsible for long-term severe security risks.

3 Wakenge C. I. and Matthysen K., *Securing insecurity: Semi-industrial gold mining and violence in Mwenga, South Kivu, Democratic Republic of Congo*, IPIS, February 2023.

Mining involves a wide range of players, including men and women, people with different ethnic backgrounds, and different levels of (material) prosperity. Access to resources is, however, not equal for each individual and creates **socio-economic inequalities**. IPIS studied the structural factors that explain **gender inequality in ASM** in eastern DRC. Gender inequalities are rooted in the working conditions of the ASM sector and the security situation in many rural areas, as well as social norms and taboos surrounding the presence and work of women. These factors act as barriers for women to access more strategic positions in mineral supply chains, and as a result, women tend to only work in low-paying jobs. Additionally, the report analyzed the impact of policy reforms (in particular ‘responsible sourcing’), which have decreased extortion of ASM stakeholders, including women. However, these reforms have also negatively impacted women’s involvement in mining and their income due to neglect of issues of gender equality and social inclusion (GESI). The initiatives have often pushed women further into informality, reinforcing their already fragile position.

Governance of eastern DRC’s ASM sector is extremely challenging. Consequently, the implementation of legal provisions is lagging, and most ASM actors work informally. While the state tries to monitor artisanal mining, ASM actors often complain about abuses committed by the state mining agents, notably at 72% of the mines where these agents are present (342 of 475 mines). Well-established informal governance practices, including forms of ‘legal pluralism’ (i.e., the coexistence of different normative systems and different competing authorities), and the existence of predatory networks also hamper formalization. Conflict financing and extortion of ASM stakeholders by armed actors must be understood within this broader context of systemic corruption, ‘legal pluralism,’ and ‘climate of predation.’

Conclusion

To conclude, IPIS finds that many **mining reforms** have been largely driven by international concerns over ‘conflict minerals’ and are based on an outdated analysis of conflict financing and a direct link between mining and conflict. They fail to sufficiently **integrate the above factors and risks**, in particular: structural problems within the national army; the complex interaction between revenues from mining and other drivers for conflict in eastern DRC (such as land conflicts and intercommunity tensions); former rebels that did not formally disarm and continue to contribute to insecurity; challenges around the arrival of mining companies and semi-industrial production techniques; socio-economic inequalities; and governance issues.

We believe that a **more integrated analysis** of ‘mining,’ ‘insecurity,’ and ‘conflict financing’ is crucial for responsible sourcing efforts to become more effective.

Additionally, this report highlights structural **problems that affect the effectiveness of ‘responsible sourcing’** initiatives in eastern DRC. These include poor incentives for state agents to implement traceability accurately; rising socio-economic inequality generated by responsible sourcing initiatives because of the additional barriers they create for several ASM-stakeholders; and a lack of an in-depth evaluation of responsible sourcing dynamics.

Understanding the complex web of conflict drivers and responsible sourcing’s structural challenges will surely improve these initiatives’ conflict sensitivity. A conflict-sensitive approach starts from the identification and consultation of a wide range of ASM stakeholders. During implementation, it should focus on the participation of different local stakeholders and avoid exclusionary strategies, which is not the case today. Additionally, it should develop a good understanding of the local socio-economic realities and social context, as reforms have regularly pushed vulnerable groups further into informality and reinforced their fragile position. A more conflict-sensitive approach will lead to less tension around the implementation of these initiatives and contribute to a more sustainable impact.

INTRODUCTION

Artisanal and small-scale mining (ASM) is a vital source of income for many rural communities in eastern Democratic Republic of Congo (DRC). Since the early 2000s, the artisanal mining sector's reputation has, however, been seriously damaged as it struggles with corruption, criminal activity, conflict financing, fraud, and smuggling.

The International Peace Information Services (IPIS) carries out qualitative research within the ASM sector to inform how responsible ASM supply chains can promote peace and stability while providing livelihoods and contributing to rural development. In 2021, the United States Agency for International Development (USAID) renewed⁴ its partnership with IPIS through the Integrated Land and Resource Governance (ILRG) project to execute more in-depth research into ASM in eastern DRC and examine its links with insecurity and development.

Between June 2021 and June 2023, IPIS organized several qualitative research missions in eastern DRC, involving its research teams and several other partners. Research teams visited mining areas in the provinces of Ituri, Tshopo, Haut-Uele, North and South Kivu, Maniema, and Tanganyika, to collect up-to-date and accurate information on security, conflict financing, due diligence, and socio-economic dynamics along ASM supply chains. The results of this research have been published and distributed through six different reports and five restitution workshops in DRC. These results are listed under the section 'Project outputs.'

The project's studies have provided a range of interesting and complementary findings. This report compiles the lessons learned from across the various research subcomponents. It provides an up-to-date analysis of **the link between 'mining' and 'conflict' – and 'insecurity' more generally – in eastern DRC**. Moreover, based on this analysis, it explores why mining reform (and most notably responsible sourcing initiatives) has had limited impact on sustainable security and development, and how to address this.

The next section ('project outputs') provides a brief overview of the different outputs that IPIS produced within this project. It also summarizes how each output has contributed to better understanding the complex link between mining and (in)security in eastern DRC. Chapter 1 ('Scope of data collection') provides an overview of characteristics of the 800+ mining sites that IPIS has visited over the past two years. Chapter 2 discusses the issue of 'armed interference' in mining, the problem's pervasiveness, and the actors involved. Chapter 3 ('Insecurity in mining beyond direct conflict financing') broadens the scope of the analysis of mining and conflict by highlighting several issues and risks that are not directly linked to conflict financing in eastern DRC, but are related to structural forms of violence. Chapter 4 ('Responsible sourcing') shows how international concerns over 'conflict minerals' has largely driven mining reform and how these reforms still seem to be based on the direct link between mining and conflict, failing to integrate the broader risks discussed in Chapter 3.

Project outputs

Since 2009, IPIS has mapped more than 2,800 ASM sites in eastern DRC and collected primary data about the interference of armed actors, types of minerals, mineral pricing, worker demographics, trade routes, environmental issues, etc., in these locations. Within the framework of this project, the IPIS teams collected information on 814 artisanal mining sites between 2021 and 2023.⁵

4 Prior to 2021, USAID supported another large-scale mapping exercise by IPIS of ASM sites in eastern DRC, through the Responsible Minerals Trade (RMT) project. See for example IPIS website: <https://ipisresearch.be/publication/mapping-artisanal-mining-areas-mineral-supply-chains-eastern-drc/>.

5 For the collection of this data, IPIS owes a lot of gratitude to several technical services of the DRC Ministry of Mines, including the *Service d'assistance et d'encadrement de l'exploitation minière artisanale et à petit échelle* (SAEMAPE), the Mining Division, the Mining Cadastre (CaMi) and the Geological Service (*Service Géologique National du Congo*, SGN-C). They provide technical support, advice and share data with IPIS.

While several IPIS reports provide data analysis (see list of the reports below), broader field data are available online via the following resources that draw upon IPIS database of mining sites in eastern DRC:

- IPIS interactive [webmap](#);
- IPIS Open Data [Dashboard](#) on artisanal mining in DRC;
- A downloadable IPIS 'Open Data' [table](#);
- IPIS Responsible Mining [Scorecard](#) in eastern DRC.

Within the framework of this [project](#), IPIS wrote six reports based on the extensive field-research carried out by IPIS research teams, as well as by our partners:

1. Analysis of the interactive map of artisanal mining areas in eastern Democratic Republic of Congo – 2022 update, November 2022;⁶
2. Armed conflict, insecurity, and mining in eastern DRC: reflections on the nexus between natural resources and armed conflict, December 2022;⁷
3. Case study 1: *Armed groups, territorial control, land disputes, and gold exploitation in Djugu, Ituri, Democratic Republic of Congo*;⁸
4. Case study 2: *Securing Insecurity: Semi-industrial gold mining and violence in Mwenga, South Kivu, Democratic Republic of Congo*;⁹
5. Case study 3: *Roadblocks in Masisi and Walikale: Predation on movement in turbulent times*;¹⁰
6. Case study 4: *Increasing awareness of policy reforms on gender equality issues in ASM in eastern DRC: case study of the Numbi, Nzibira and Nyabibwe sites*.¹¹

Report 1 provides an interim analysis of the information that IPIS collected at the 450 artisanal mining sites visited between September 2021 and March 2022. It includes a general overview of the mining sites' main characteristics, including information on location, minerals, female workers' presence, and mercury use. Additionally, it provides an analysis on the security situation, state control, and challenges around mechanization. It discusses the methodology of data collection, the main challenges encountered in the field by IPIS' research teams, and the analytical tools used for data analysis. As data collection continued in 2022 and 2023, chapters 1 and 2 of the current report update this analysis. The methodology will not be repeated in this report.

Report 2 starts from the understanding that the concepts of 'mining' and 'conflict financing' have been closely linked in conflict analyses in eastern DRC over the past 20 years. The conflict, as well as conflict financing, has, however, changed considerably. It was, therefore, necessary to reconsider the concept of 'conflict minerals.' Based on existing literature and interviews with key stakeholders, report 2 analyzes how the link between 'mining' on the one hand and 'conflict' and 'insecurity' on the other hand, has changed. Additionally, it provides a more holistic analysis of the interplay between 'mining,' 'insecurity' and 'conflict financing' by considering a range of other issues that intersect with conflict financing.

6 Matthyssen K., Muller T. and Bulakali, N. Z. (November 2022), op. cit.

7 Matthyssen K. and Gobbers E., *Armed conflict, insecurity, and mining in eastern DRC: Reflections on the nexus between natural resources and armed conflict*, IPIS, December 2022.

8 Musamba J. and Gobbers E., *Armed groups, territorial control, land disputes, and gold exploitation in Djugu, Ituri, Democratic Republic of Congo*, IPIS, March 2023.

9 Wakenge C. I. and Matthyssen K., *Securing insecurity: Semi-industrial gold mining and violence in Mwenga, South Kivu, Democratic Republic of Congo*, IPIS, February 2023.

10 Schouten P., Murairi J., Kubuya S. and Leysen J., *Roadblocks in Masisi and Walikale: Predation on Movement in Turbulent Times*, IPIS, DIIS and ASSODIP, May 2023.

11 Bashwira N. M. R. and Akilimali B. M., *Increasing awareness of policy reforms on gender equality issues in ASM in eastern DRC: Case study of the Numbi, Nzibira and Nyabibwe sites*, IPIS, CEGEMI-UCB, May 2023.

In 2023, IPIS published four case studies (i.e., reports 3 to 6) that build upon the first two reports and dig into the relationship between ‘mining’ and ‘insecurity’. Each study focuses on a particular dimension of this relationship and, as such, illustrates the complexity and the need for a holistic approach towards ‘conflict minerals.’ Report 3 focuses on insecurity in Djugu territory (Ituri) and the role of gold in the local conflict dynamics. We will briefly discuss this report in section 2.3 on ‘Armed groups’. Report 4 analyzes the impact of the arrival of semi-industrial mining companies on the security situation in Mwenga territory. It illustrates how semi-industrial mining presents important risks for the local security situation without being directly connected to conflict (see section 3.2.2 on ‘Semi-industrial exploitation’). Report 5 analyzes the socio-economic and security impact of roadblocks in the territories of Walikale and Masisi (North Kivu). It also describes how roadblocks interact with mineral supply chains (see section 2.2.2 on ‘Roadblocks’). Finally, report 6 assesses structural factors that explain gender inequality in ASM in eastern DRC and the barriers that sustain these inequalities, including mining reform (see section 3.3 on ‘Gender and other forms of inequality’).

1. SCOPE OF DATA COLLECTION

With the support of USAID through its ILRG project, IPIS conducted monitoring missions to 814 artisanal mining sites between 2021 and 2023. As 195 of these sites were not active at the time of the visit, the following analysis is based on the 619 active sites of our sample, which employ an estimated 99,594 mine workers. For broader geographic coverage, we also provide figures and analysis for the 829 active mining sites that IPIS visited between January 2021 and April 2023, which include visits within the framework of other, non-USAID-funded IPIS projects.

The 829 active mining sites are found in Haut Uele, Ituri, Tshopo, the Kivu Provinces, Maniema, and Tanganyika (Figure 2). They employ an estimated 132,320 miners (Table 1). The mine locations are also shown on the IPIS interactive [webmap](#).

Selection of mining sites for visits¹²

The following methodology was used for selection of mining areas by our research teams. IPIS selects study areas based on several criteria, such as interesting new developments, time since the area was last visited, and whether other ASM stakeholders or (international) partners express an interest in a particular zone. In each area, teams visit as many sites as possible during their research trip, prioritizing the most productive mining sites. Research into conflict dynamics in remote rural areas inevitably entails risks regarding security, health, and safety. Nevertheless, some risks are unpredictable or beyond what can be reasonably considered as manageable. Consequently, certain mining zones could not be visited by IPIS teams, for example, because of insecurity in Ituri Province.

The high number of mining sites visited and the wide geographic coverage (see Figure 2) provide a unique insight into general trends related to mining and conflict in eastern DRC. Nevertheless, some figures remain primarily representative of the mining areas visited by IPIS teams, but do not necessarily reflect other mines in the country.

12 Matthyssen K., Muller T. and Bulakali N. Z. (November 2022), op. cit., pp. 14 and 22.

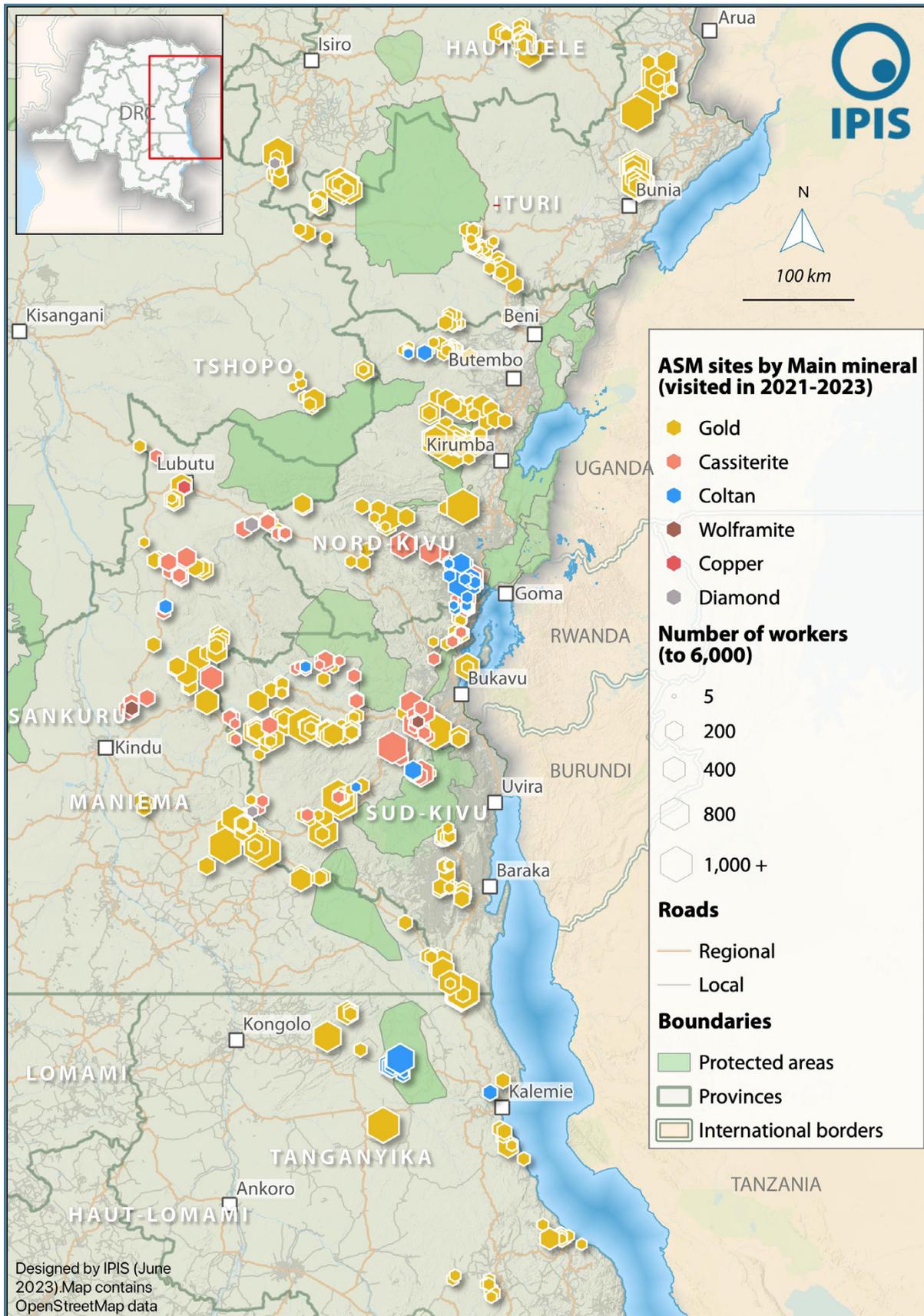


Figure 2: Map of mining sites visited by IPIS in eastern DRC between 2021 and 2023.

Most mining sites visited by IPIS are gold sites. Table 1 shows that 85% of the miners in the dataset (for 829 mines) work in gold mines, and Figure 2 shows that gold mines are omnipresent across eastern DRC.

Table 1: Type of minerals extracted at mining sites visited by IPIS between 2021 and 2023.

Mineral	# mines	% mines	# mine workers	% mine workers
Gold	670	81	111,987	85
Cassiterite	160	19	20,739	16
Coltan	66	8	10,219	8
Wolframite	18	2	2,159	2
Diamonds	9	1	693	1
Tourmaline	6	1	880	1
Other*	6	1	696	1
Total**	829**		132,320**	

* 'Other' include mines producing copper, mixed minerals, manganese and quartz.

** Some mines produce two types of minerals. The sum of the mines, and mine workers, for the different minerals is therefore higher than the figures reported in the row 'Total.'

After gold, the miners mostly extract the minerals commonly referred to as the 3Ts: tin ore (cassiterite), tantalum ore (coltan), and tungsten ore (wolframite). The differences between gold and 3Ts matter when analyzing the situation in the DRC ASM sector as gold is historically much more prone to smuggling and conflict financing issues. Additionally, over the past decade, 3Ts have been the object of considerably more formalization and 'responsible sourcing' efforts than gold. The associated text box provides a more detailed explanation of the difference between 3Ts and gold.

Gold versus 3Ts (excerpt from the 2022 IPIS report)¹³

Over recent decades, it has been an enormous challenge to channel mineral trade into legal supply chains, even more so for gold than the 3T minerals. Several factors explain this difference. Gold has a high value/volume grade, and as such high values of gold are easily hidden, transported, and smuggled. In DRC, informal gold traders are numerous, and they operate quite openly. Furthermore, gold is regularly used as a mode of payment ('barter trade') in some isolated areas with limited cash flows, which undermines official monitoring of supply chains. Both within DRC, as across the border, a wide range of stakeholders, including formal institutions, are involved in cross-border smuggling to Burundi, Rwanda, and Uganda.

Roughly estimated, 98% of artisanal gold is smuggled out of eastern DRC. The omnipresence of gold smuggling seriously undermines traceability, legal trade, responsible sourcing, and the accompanying initiatives that wish to tackle conflict financing. Legal production and trade of gold are not commercially viable under the current market conditions in eastern DRC, as legal traders cannot compete with gold prices from the informal market.¹⁴ The latter issue is also linked to the failing taxation system within the gold sector.¹⁵

This difference between gold and 3Ts is reflected in several themes covered by IPIS. The 'Responsible Mining Scorecard' (RMS) calculates scores of six key indicators for each mining site,¹⁶ including 'accessibility,'

13 Matthysen K., Muller T. and Bulakali N. Z. (November 2022), op. cit., p. 18.

14 This was one of the lessons learned from the organization IMPACT, as it has been implementing the *Just Gold project* for several years in the DRC. (Matthysen K. and Gobbers E. (December 2022), op. cit., p. 31.)

15 Matthysen K., Muller T. and Bulakali N. Z. (November 2022), op. cit., p. 18.

16 The calculation of scores draws upon the data collected in the field that are compared against predetermined criteria. The RMS is discussed in detail in an introductory report that can be consulted on IPIS' website: IPIS, *Responsible mining scorecard in eastern DRC*, August 2022 (<https://ipisresearch.be/publication/responsible-mining-scorecard-in-eastern-drc/>).

‘formalization’, ‘production’, ‘safety’ (i.e. health and safety)¹⁷, ‘security’ (conflicts, violence and illegal presence of armed actors)¹⁸, and ‘state presence’. The median score (Figure 3) shows clear differences between gold and 3Ts with higher scores for the latter, in particular for ‘formalization’ (-1 against 1, respectively), ‘safety’ (-3 against -2), ‘security’ (-3 against 3), and ‘state presence’ (-3 against 2). The results observed in Figure 3 are however influenced by local contexts as some other factors might also be at play here: for example, Ituri province holds many gold mines but no 3T mines. The high level of insecurity in Ituri over the past years negatively affects the median score of gold mines for the ‘security’ indicator.

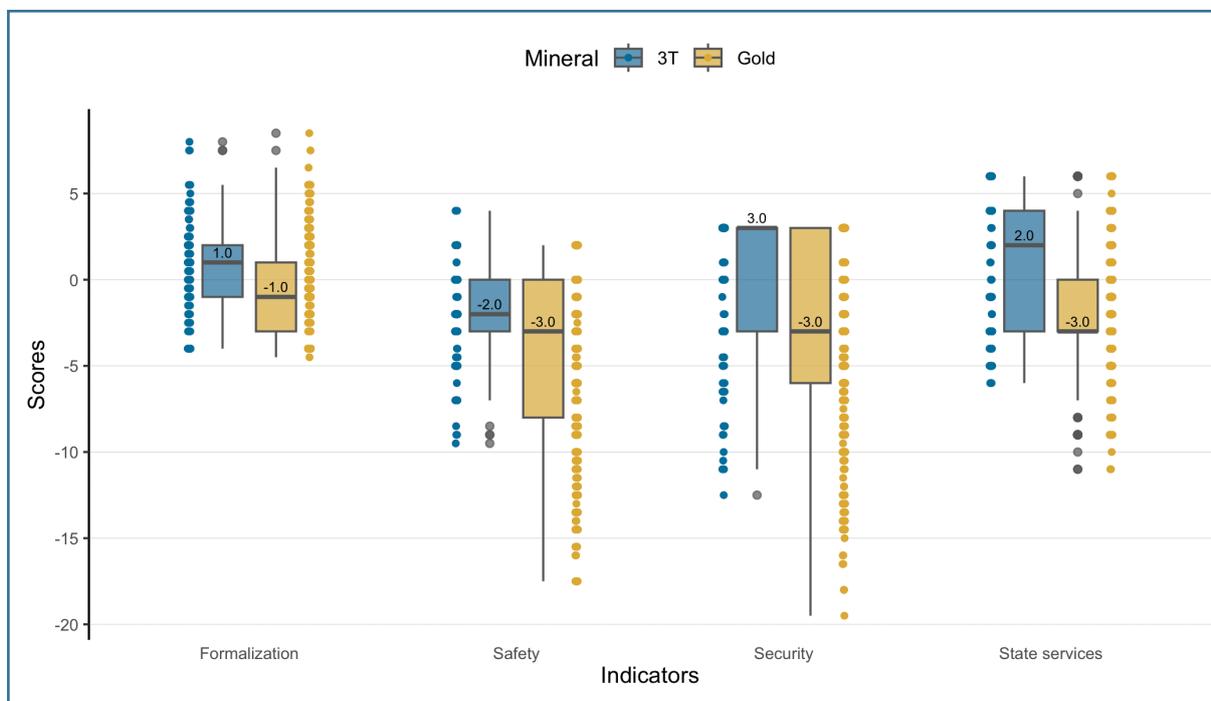


Figure 3: Distribution of scores for mines producing Gold (623 mines) vs. 3Ts (153 mines), 2021-2023 (boxplots).¹⁹ The dots correspond to the score of each gold or 3T site.

In 2022 (‘report 1’), for example, IPIS presented other mining site characteristics that seem to play an important role in security and levels of governance, including the mining site’s accessibility and productivity. Armed actors tend to prey more on the most productive and least accessible mines.²⁰

As the RMS scores above indicate, IPIS collected information on several other themes besides ‘security,’ such as government oversight and labor conditions. This report provides a general analysis of armed actors and security, but there is much more granular information behind these conclusions. More detailed data on the different mining sites can be consulted through the various tools that IPIS provides (see section ‘project outputs’).

17 The indicator ‘(health and) safety’ at the mining site mainly covers labor conditions, including questions on the use of personal protective equipment, reported number of wounded and fatalities, the presence of sanitary facilities (for women), the use and burning of mercury, child labor, and the depth of pits and galleries at mining sites. (Source: IPIS (August 2022), op. cit., p. 8.)

18 The ‘security’ indicator assesses the reported presence of non-state armed actors at, or around, the mining site, as well as illegal interferences of armed state security actors. Additionally, this indicator accounts for reported conflicts and violence at the site. (Source: IPIS (August 2022), op. cit., p. 8.)

19 Mines with both gold and one of the 3T minerals have not been considered for these boxplots.

20 Matthysen K., Muller T. and Bulakali N. Z. (November 2022), op. cit., p. 21.; Matthysen K. and Gobbers E. (December 2022), op. cit., pp 19, 43-45.

2. CONFLICT FINANCING AND ARMED INTERFERENCE IN ASM

Over the past twenty-five years, minerals have been important in conflict financing in eastern DRC. Around the turn of the century, the DRC was the scene of a regional conflict – as neighboring countries were involved in the Congolese Wars (1996-1997, and 1998-2003) – and conflict actors became increasingly economically motivated, notably by access to and control over natural resources.²¹

Although large-scale armed conflict over DRC's mineral wealth has decreased significantly over the past years, insecurity and armed violence have persisted in eastern DRC after the end of the Congolese Wars in 2003. IPIS data also shows that mining and mineral trade continue to play an important role in ongoing armed and unarmed conflicts in eastern DRC (section 2.1 'Armed interference').

Three overarching dynamics **directly link mining, conflict and insecurity**. First, at the local level, **conflicts over access to resources** remain common. IPIS research teams reported conflicts over the last six months at 30% of the mining sites (249 sites). This type of conflicts is not separately discussed within this report. An IPIS report from 2022, however, discusses them more in detail, and how they are interlinked with a range of local dynamics, including access to land, intercommunity tensions and governance problems.²² Second, over the past two decades, **self-defense groups** (Mai Mai, Nyatura, and Raia Mutomboki groups, for example) have mushroomed to protect local communities against external threats (including armed groups such as *Forces Démocratiques de Libération du Rwanda* (FDLR), and foreign business interests). These armed groups now use mineral resources, among other sources of income, to survive. Many originated from ideological disagreements, but, today, increasingly focus on rent-seeking activities (section 2.3 'Armed groups'). Third, **FARDC** (national army) units also interfere in mining, and in fact are the most commonly found armed actors in mine sites²³ (section 2.2 'FARDC').

While this report focuses on armed interference in mining and security risks related to the minerals sector, we want to underline some of the nuances and contextual information provided in previous IPIS reports: *Several additional factors play a key role in the survival of armed groups, including the national army's (FARDC) underperformance, failed disarmament, demobilization and reintegration (DDR) processes, social dissatisfaction, a lack of political will and rent-seeking behavior by conflicting parties. Additionally, armed groups have also developed alternative income strategies, including roadblock taxation, kidnapping for ransom, and illegal logging.*²⁴



Coltan mining site, Tanganyika, 2022.

21 Matthyssen K., Muller T. and Bulakali N. Z. (November 2022), op. cit., p. 21.; Matthyssen K. and Gobbers E. (December 2022), op. cit., pp 13-14.

22 Matthyssen K. and Gobbers E. (December 2022), op. cit.

23 Matthyssen K. and Gobbers E. (December 2022), op. cit., p 36.

24 Matthyssen K., Muller T. and Bulakali N. Z. (November 2022), op. cit., p. 21.

2.1. Armed interference

Despite the decrease in large-scale armed conflict in DRC, Figure 4 shows that ‘armed interference’ in the ASM sector continues unabated. About 52% of mine sites and 61% of all miners are still affected by the interference of armed actors (80,425 workers).

Armed interference in mining

‘Armed interference’ is the term used to describe all cases where a non-state armed group, an army unit, or an armed criminal network profits from mineral exploitation or trade through their physical presence in mining zones or through more indirect interferences. This includes activities such as (illegal) taxation of ASM stakeholders, (illegal) taxation of commercial goods at mining sites, establishment of trade monopolies at mining sites, pillaging of mining sites, and (illegal) pit ownership.²⁵

Figure 4 confirms that armed actors prey more on the most productive mines. The 52% of mines that are affected by ‘armed interference’ employ 61% of the miners. Consequently, we observe a negative correlation between the RMS indicators of ‘production’ and ‘security’.²⁶ This observation is also supported by anecdotal evidence as interviewees have reported that armed actors controlling an area pass by whenever a mine produces a lot of minerals. It is important to underline that miners do not simply accept these interferences. Whenever levels of extortion are perceived to be exaggerated, or when extortion involves high levels of harassment, miners tend to move to other sites to avoid this treatment.

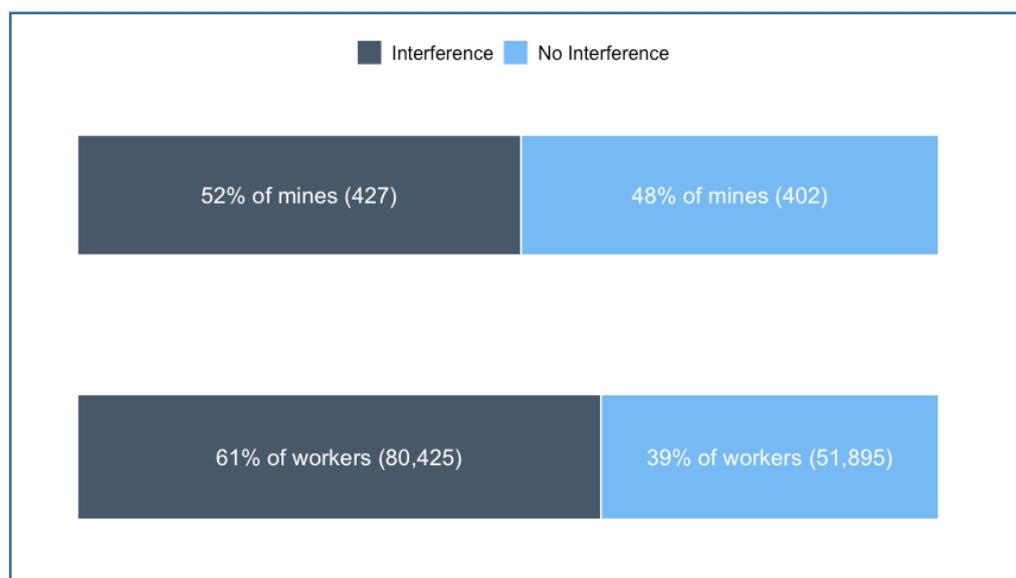


Figure 4: Interference of armed actors at mining sites in eastern DRC, 2021-2023 (829 sites).

Armed interference is linked to the underperformance of the DRC’s security apparatus. Table 2 shows that most ‘armed interference’ in the mines involves state security actors, including the police forces, national police (PNC) and the ‘mining police’ (PMH), and especially the national army (FARDC) who interfere at 37% of the mines. We will discuss interference by the national army under section 2.2 ‘FARDC.’ Taken together, the different armed groups interfere at 29% of the mines, which employ 42% of the mine workers of our sample (the armed groups are listed in section 2.3 ‘Armed groups’).

25 Ibid., p. 22.

26 A correlogram in report 1, revealed the negative correlation between ‘Production’ and ‘Security’ (i.e., Pearson corr = -0.24, P < .001, for gold sites). (Matthysen K., Muller T. and Bulakali N. Z. (November 2022), op. cit., pp. 43-45.)

Table 2: Armed interference, state vs. non-state armed actor, 2021-2023

Armed actors	# of mines	% of mines	# of mine workers	% of mine workers
FARDC	305	37%	55,814	42%
PNC	77	9%	18,178	14%
PMH	17	2%	6,151	5%
Local armed groups	242	29%	56,096	42%

The type of mineral matters when analyzing challenges and risks in the ASM sector. We mentioned in chapter 1 that 3T mines rate higher than gold mines for the indicator ‘security’ in our RMS scorecard (see also text box ‘Gold versus 3Ts’). Figure 5 corroborates these results by revealing that 62% of the gold miners are subjected to ‘armed interference’ against 49% of the 3T mine workers. The difference is even more prominent when considering the percentage of mines subjected to interference, with 55% of gold mines, against 35% of 3T mines.



Figure 5: Interference in eastern DRC by type of mineral, 2021-2023 (829 sites).

* Mines that hold both gold and at least one of the 3T minerals have been excluded from this figure.

IPIS data suggest that mining sites that are only accessible after several hours of walking are more susceptible to the interference of armed actors (Table 3). ‘Accessibility’ actually has a positive correlation with both indicators ‘security’ and ‘state presence.’²⁷ More focused research on this exact correlation is needed to explain this, but it seems safe to say that roads help to increase government monitoring and to decrease non-state armed groups’ interference in mining (and potentially economic activities more generally) in more remote areas.

Table 3: Armed Interference by accessibility of the mining site during the dry season (data from 619 sites).

Site is accessible ...	# of mines	% of mines	# of mine workers	% of mine workers
... by car or motor	37 (of 95)	39%	1,068	13%
... after less than 2 hours walking	96 (of 275)	35%	16,828	44%
...after more than 2 hours walking	160 (of 241)	66%	38,695	84%

27 Matthyssen K., Muller T. and Bulakali N. Z. (November 2022), op. cit., p. 44.

Figure 6 shows some of the clusters of insecurity ('Low-Low' category in dark blue) in eastern DRC based on the RMS indicator 'security.' While the map shows that insecurity in mining areas does not affect all the provinces in eastern DRC equally, we found cases of armed interference in each province. The following sections (2.2 'FARDC' and 2.3 'Armed groups') focus on several of these clusters. More information on the security situation across different geographic units can be found on each of the clusters of mines on the IPIS open data web page.²⁸

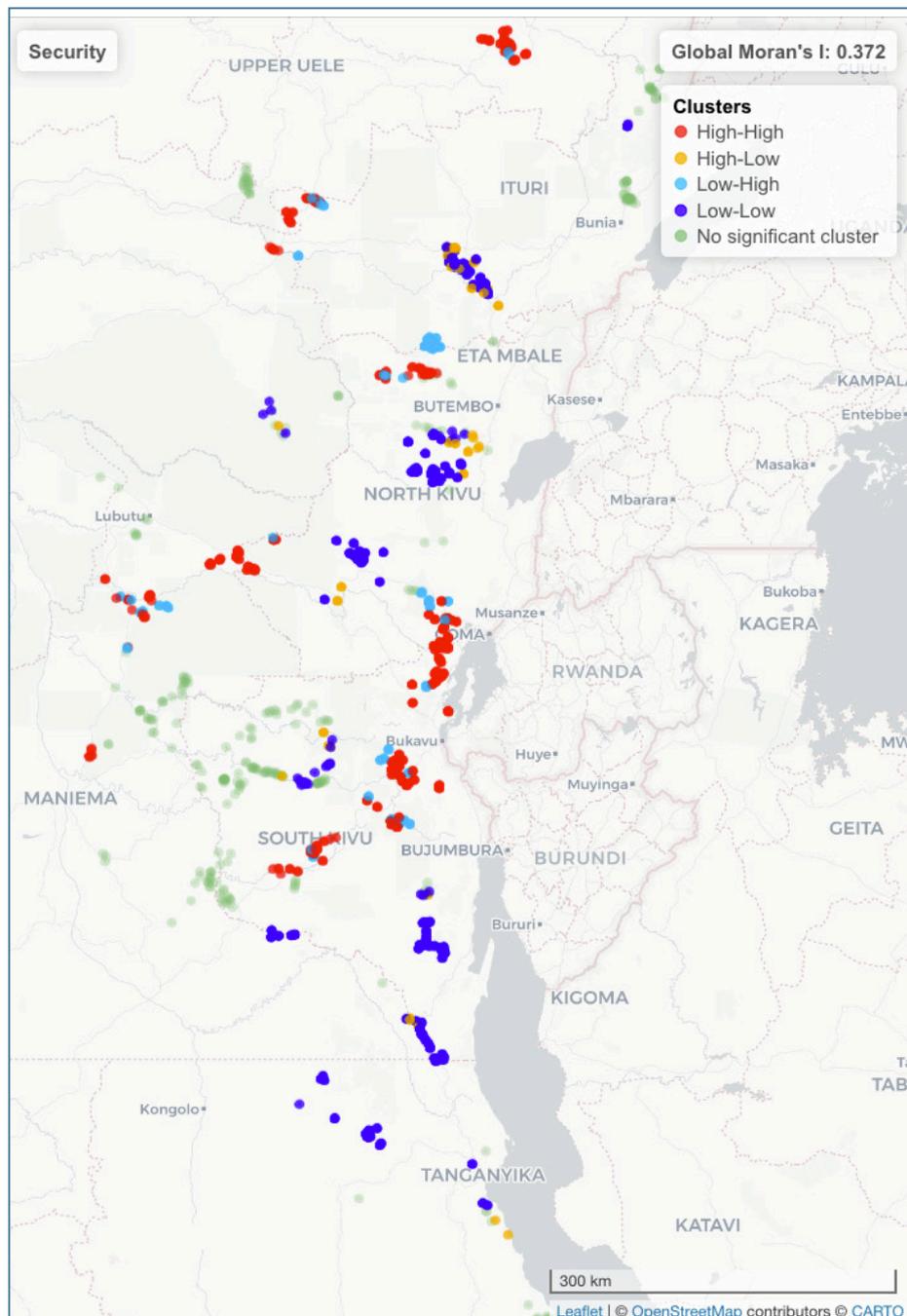


Figure 6: Map of Local Indicators of Spatial Association for score 'security' at and around ASM sites in eastern DRC based on data from 2021-2023.

Hotspots of insecurity correspond to category 'Low-Low' (in blue), areas of higher security level correspond to category 'High-High' (in red). Categories 'High-Low' and 'Low-High' are, respectively, mines with higher security near a cluster of mines with lower security level; and mines with lower security near a cluster of mines with higher security level (i.e., outliers).

28 IPIS [interactive webmap](#); IPIS Open Data [Dashboard](#) on artisanal mining in DR Congo; A downloadable IPIS ['Open Data' table](#).

2.2. FARDC

To fight armed groups and restore security, the FARDC has deployed units all over eastern DRC. However, the army's (under)performance and the undisciplined behavior by some of its soldiers and commanders have become crucial factors that instigate both insecurity and conflict financing. Army units regularly tolerate armed groups' presence, and soldiers have developed several illegal revenue-generating practices. These practices include roadblock taxation, racketeering and extortion in natural resources sectors, and operating as private security guards for mining operations.

2.2.1. FARDC interference in ASM

Table 2 in section 2.1. ('Armed interference') revealed that FARDC units are the armed actors that most often interfere in the mining sector. They interfere with 37% of the mining sites visited by IPIS since 2021, affecting the work of an estimated 55,800 mine workers (42% of the workers of our sample).

FARDC units interfere in mining in multiple ways. When deployed to provide security against armed groups, rank-and-file soldiers try to make a living by levying taxes on various (mining and non-mining) stakeholders. They often call these illegal levies "**effort de guerre**" ('war effort'). In some cases, army officers develop **private business interests** in mining and mineral trade, for example, by owning mining pits or crushing machines. They may also organize fraud, for example, by facilitating tax exemptions. Furthermore, mine owners often organize a collection at the site to contribute to the FARDC's so-called 'military protection,' even without direct armed presence at the site. In some cases, FARDC units organize 'Salongo,' i.e., one day of (**forced**) labor per week for the account of the military. Finally, increasingly semi-industrial gold mining companies are hiring FARDC soldiers as **private security guards**.²⁹

The revenues generated by some FARDC units can explain their lack of progress in combatting armed groups in eastern DRC. The continued presence of armed groups can 'legitimize' the army unit's deployment, allowing them to take advantage of the situation to develop their economic activities through, for instance, interference in mining. Multiple examples exist of FARDC and nearby armed groups that coexist and have arrangements to divide revenues from the local mining business.³⁰ IPIS reported, for instance, that "... the FARDC was no longer actively fighting Mai Mai Malaika (late 2021 in Kabambare territory, Maniema province). On the contrary, both actors were heavily involved in the mining sector, taxing production and trade, both at the mining sites and at several roadblocks. There were even reports of blunt collusion between the two actors to continue profiting undisturbed from the gold sector."

Even though the issue of 'armed interference' by FARDC units is a structural problem within the FARDC, an army officer asked to remain cautious with the phrasing 'militarization'.³¹ During an IPIS restitution meeting in November 2022, this officer explained that only 'undisciplined' units of FARDC illegally interfere in the mining business and not the 'FARDC' itself, as an institution.³² Other participants, on the contrary, contradicted this statement, claiming that many soldiers interfere in mining with the approval of their hierarchy.³³ Other participants in the restitution meetings touched upon the responsibility of other stakeholders, including mining cooperatives, companies, state agents, and customary chiefs who regularly turn to armed security actors to protect their personal interests. For example, in the Penekusu-Lusenge area (south-west of Shabunda territory), state mining agents demanded FARDC units to intimidate miners and enforce tax collection. Figure 7 illustrates the extent of the 'armed interference' by FARDC units and shows that it affects the whole eastern DRC.

29 Matthysen K. and Gobbers E. (December 2022), op. cit., p. 20.; and Matthysen K., Muller T. and Bulakali N. Z. (November 2022), op. cit., pp. 23-24.

30 Matthysen K. and Gobbers E. (December 2022), op. cit., p. 20.

31 Militarization of mining sites: this term is used to point out that an armed group or army unit controls a mining zone, either through permanent presence or regular visits. Militarization often, but not always, implies armed interference. Source: Matthysen K., Spittaels S. and Schouten P., *Mapping artisanal mining areas and mineral supply chains in Eastern DR Congo: Impact of armed interference & responsible sourcing*, IPIS, April 2019.

32 FARDC officer at an IPIS restitution meeting, Bukavu, November 2022.

33 Civil society representative at an IPIS restitution meeting, Goma, June 2023.

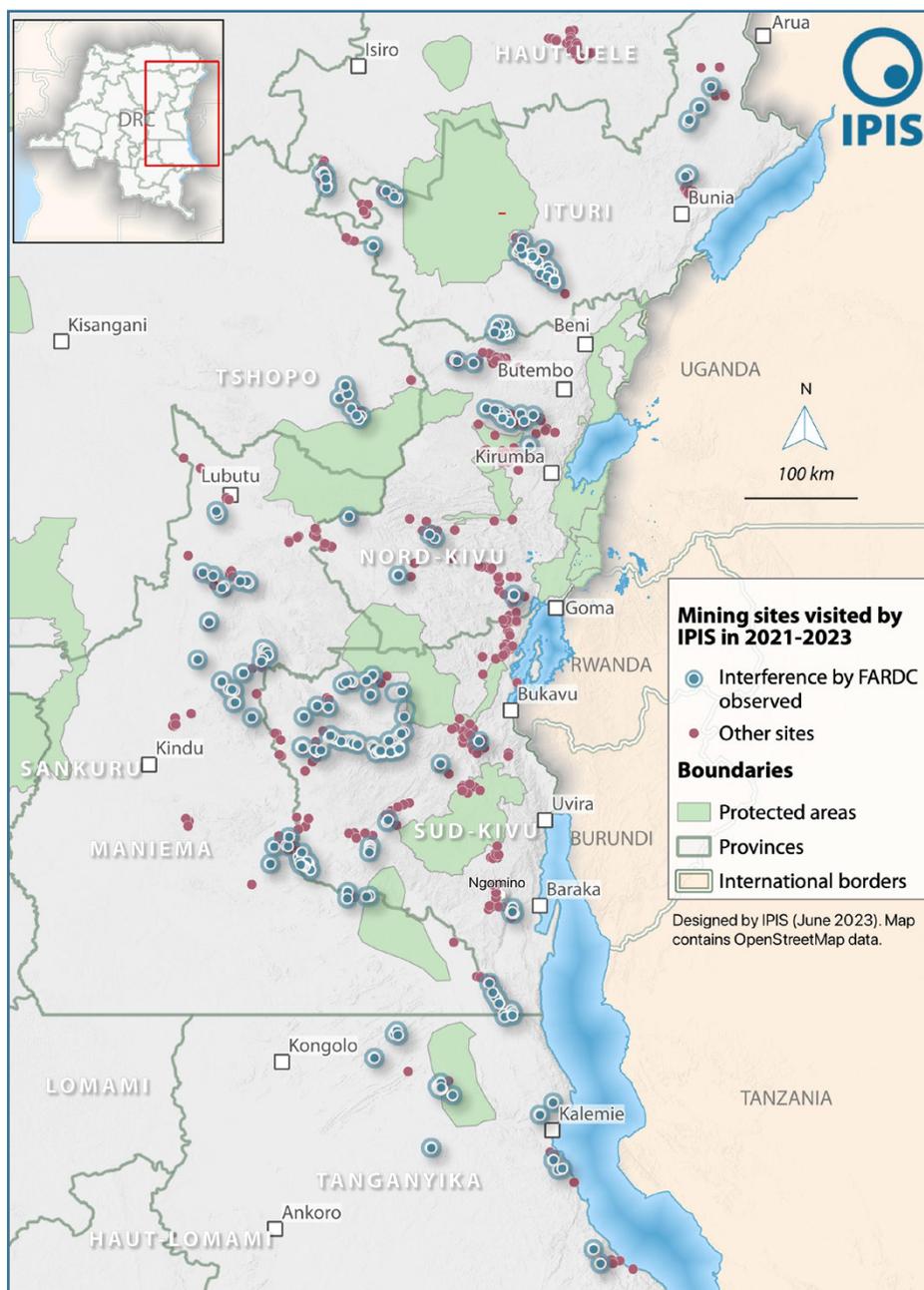


Figure 7: Map of mining sites with interference by FARDC units, 2021-2023.

2.2.2. Roadblocks

The widespread problem of misbehavior by FARDC units at roadblocks (i.e., checkpoints along the road that officially need to regulate traffic, ensure security, and levy taxes – see text box for more details) is an issue that drew significant attention during IPIS restitution meetings in eastern DRC.³⁴ It is a significant source of extortion affecting local communities and mining stakeholders, and it infringes on mineral trade, including efforts to carry out responsible supply chains.

34 IPIS organized a restitution meeting in Bukavu, November 2022. Additionally, IPIS also organized a restitution meeting for the local multi-stakeholder committee in Walungu and Shabunda territories: <https://ipisresearch.be/feedback-session-sharing-the-results-of-the-data-collected-in-walungu-south-kivu/>.

Early 2023, IPIS organized a study on roadblocks in the territories of Walikale and Masisi (North Kivu province) to analyze the political economy of roadblocks, and their relationship with the mining sector (see text box). The report noted that the national army is the leading actor operating roadblocks: 48 roadblocks (or 44% of the total number in the two territories) are associated with the FARDC.³⁵

Roadblocks study in Walikale and Masisi territories, North Kivu

Congolese travelers are familiar with roadside bribes, an effect of the pervasiveness of roadblocks on Congolese roads for at least two decades. While the establishment of checkpoints should reinforce state control, many Congolese have decried the dark side of roadblocks, including the systematic extortion of passersby, exorbitant transport prices, encroachments on the liberty of movement and trade, and human rights violations.

Past research efforts by IPIS, the Danish Institute for International Studies (DIIS), and the *Association pour le Développement des Initiatives Paysannes* (ASSODIP) have demonstrated that the control of road traffic is a significant factor in conflicts in the DRC and that the road space is among the sources of illicit wealth accumulation by various state and non-state actors. This phenomenon is reflected in the omnipresence of roadblocks.³⁶

In 2023, ASSODIP and DIIS mapped 110 roadblocks: 84 in Masisi and 26 in Walikale. On top of that they also mapped 40 roadblocks along the national road linking Walikale with Bukavu, in South Kivu.

The roadblocks report lists a wide range of roadblock operators,³⁷ but the FARDC remains the leading actor. *“It seems that every military position, however temporary, is instantly transformed into a point of extortion. This mode of operation, where military deployment is contingent on decentralized taxation, appeared in the 1980s.”*³⁸

Furthermore, the report also provides an overview of the impact of roadblocks on the perception of security, commodity prices, freedom of movement, and human rights violations. Finally, it discusses the impact of recent security developments on the landscape of roadblocks in North Kivu, including the multiplication of armed groups, the state of siege, the Mouvement du 23 mars (M23) resurgence, and the counter-offensive against M23.



Roadblock held by traffic police in Mushaki, Masisi territory (North Kivu), December 2018.

35 Schouten P., Murairi J., Kubuya S. and Leysen J., *Roadblocks in Masisi and Walikale: Predation on Movement in Turbulent Times*, IPIS, DIIS and ASSODIP, May 2023.

36 Schouten P., Murairi J. and Kubuya S., *“Everything that moves will be taxed”: the political economy of roadblocks in North and South Kivu*, IPIS, DIIS and ASSODIP, November 2017.

37 Schouten P., Murairi J., Kubuya S. and Leysen J. (May 2023), op. cit., pp. 8-10.

38 Ibid. (May 2023), op. cit., p. 8.

Additionally, the report highlights the important impact of the phenomenon of roadblocks on the mineral supply chains: "...16% (18) of the roadblocks identified are located along roads used primarily for mineral extraction. But minerals can also be taxed along other roads..."³⁹, "... minerals are taxed at 50% of all roadblocks identified in this study."⁴⁰ It is, however, noteworthy that this does not only concern FARDC roadblocks, as other actors also levy taxes on mineral trade.

Moreover, since artisanal mining often involves significant movements of goods (e.g., consumer goods for mining communities) and people, including artisanal miners and (mineral) traders, the erection of a roadblock is attractive for reasons other than the direct taxation of minerals. Indirect taxation at roadblocks especially affects gold, a high-value, low-volume commodity. As gold is easy to conceal and, therefore, difficult to tax directly, traders and artisanal miners are more likely to be taxed at barriers to access the mines.

2.2.3. The case of Shabunda

The territory of Shabunda (in South Kivu province) illustrates the scale of the problem of misconduct by FARDC units and the fact that a lower intensity of conflict does not automatically lead to less armed interference.

Between 2021 and 2023, IPIS noted a decreasing number of mining sites affected by rebel groups in Shabunda territory, compared to previous studies. While in 2019, many of Shabunda's mines were affected by Raïa Mutomboki rebels,⁴¹ over the past two years, the security situation has been relatively calm, and Raïa Mutomboki has hardly been observed in the mines.

Unfortunately, the level of armed interference by other actors remains high. In most cases, FARDC units simply took over the armed groups' illegal practices. For example: *"The mining sites Umoja/Mosoko and Nyakwagiagia/Kambanyama (south-west Shabunda) used to be controlled by the Mai Mai Malaika, who levied a tax of five grams of gold per month. When the FARDC pushed back the Malaika rebels from the zone, it retained the system of illegal taxation, levying five grams of gold per month for two years."*⁴²

Between August and September 2022, IPIS researchers visited 28 gold mines along the Ulindi river in the heart of Shabunda territory. They counted an estimated 6,700 artisanal miners in this area and 69 dredges⁴³. Interviewees explained that before 2019, the zone was entirely under Raïa Mutomboki control. At the time of the study, the rebel group was no longer active in the area as the FARDC was in control.

However, due to local bandits, the owners of the dredges and mining sites engaged FARDC soldiers to secure their operations. In exchange, the soldiers received a weekly remuneration of about 60,000 FC (US\$30) per week per dredge and mining site. Additionally, each miner had to contribute 1,000 FC (US\$0.5) per week. Thus, FARDC units might collect up to US\$5,900 per week at these 28 sites. This amount does not include any penalties imposed on people they arrested.

The FARDC had also erected eight roadblocks along the road leading up to Kamituga (the major gold trading hub in the area). Traders of consumer goods between Kamituga and Ulindi are often paid in gold and thus are an attractive target for robbers. In exchange for securing the road, travelers had to pay 1,000 FC (US\$0.5) at each FARDC roadblock. However, interviewees suspected these soldiers to be direct or indirect accomplices of these robbers.

39 Ibid., p. 10.

40 Ibid., p. 11.

41 Matthysen K., Spittaels S. and Schouten P. (April 2019), op. cit., pp. 16-17.

42 Ibid., p. 35.

43 Dredges are rafts carrying equipment that allows the alluvial sediments to be sucked or dug up by a tube or a chain of buckets. Dredges are notorious in DRC for high gold production levels, which are hardly monitored by the state. They also have a considerable impact on the river ecosystem, and the water quality.

In total, 65% (90 out of 139) of mining sites visited in Shabunda are subjected to illegal taxes from FARDC and PNC. These 90 sites employ 86% of the miners (an estimated 16,485 out of 19,130 workers).

As such, Shabunda offers a good example of FARDC soldiers' behavior in eastern DRC's mining sector. While there is a decrease in (non-state) armed group activity, they are being replaced by FARDC soldiers levying taxes at roadblocks and mining sites. Furthermore, they act as security guards for local mining operations while at the same time being suspected of collusion with non-state armed actors.

2.3. Armed groups

Most non-state armed groups in eastern DRC started as local self-defense groups. They were created for ideological or security reasons, often in support of specific ethnic communities, claiming to defend these communities' rights/claims (in the context of perceived social injustice, land claims, etc.) and to protect them against "aggressors" – other armed groups or ethnic communities that are perceived as a threat to the own community. The abundance of mines (especially gold) provides economic opportunities for these armed groups to finance their armed activities and their survival.⁴⁴ The Kivu Security Tracker (KST) analyzed the current landscape of armed groups in eastern DRC, concluding that the conflict is characterized by fragmentation, resulting in more than 120 different armed groups. It indicated that the extraction of natural resources and local security concerns are important factors for the survival of these armed groups in eastern DRC and the "inertia of the conflict".⁴⁵

In 2023, IPIS produced a report on two non-state armed groups active in Djugu territory (Ituri province), notably the *Coopérative de Développement Économique du Congo* (CODECO) and the group of self-defense militias called *Jeunesse/Zaire' (Groupe d'autodéfense Zaire)*.⁴⁶ The case study provides a detailed discussion of how these groups were established for ideological and security concerns and progressively acquired a taste of the financial opportunities that gold mining offers (see text box).

The report summarizes the link between gold mining and conflict as follows: "... unlike the conflict in Ituri during the second Congolese war (1998-2003), ... the current conflicts seem to be much more rooted in a complex web of long-standing community grievances about real or perceived social inequalities, unequal access to land, and political power distributions that are perceived as unfair. Gold mines, or other natural resources, are not the primary causes of the present-day conflicts but are crucial assets in the survival strategies of armed groups who continue to destabilize the province."⁴⁷

Armed groups, territorial control, land disputes, and gold exploitation in Djugu, Ituri

In late 2017, almost fifteen years after the end of the second Congolese war and after several years of relative peaceful coexistence, inter-communal tensions flared up again in Ituri province. Violent incidents between members of the Hema and Lendu communities provoked the beginning of a new cycle of deadly violence.

In 2022, IPIS collaborated with Josaphat Musamba⁴⁸ to investigate the link between the exploitation of gold and the current conflict in Ituri. By zooming in on Djugu territory (located in the center of Ituri, see Figure 8), this report provides a detailed description of local conflict dynamics, and analyzes the drivers of the armed groups CODECO and its factions, as well as its adversaries of *Jeunesse/Zaire'*.

44 Matthysen K. and Gobbers E. (December 2022), op. cit., p. 16.

45 Kivu Security Tracker (KST), *The Landscape of Armed Groups in Eastern Congo: Missed opportunities, protracted insecurity and self-fulfilling prophecies*, February 2021, p. 8. KST is a joint project of the Congo Research Group and Human Rights Watch.

46 Musamba J. and Gobbers E., *Armed groups, territorial control, land disputes, and gold exploitation in Djugu, Ituri, Democratic Republic of Congo*, IPIS, March 2023.

47 Musamba J. and Gobbers E. (March 2023), op. cit., p. 7.

48 Josaphat Musamba is a researcher at the Bukavu-base Groupe d'Études sur les Conflits-Sécurité Humanitaire (GEC-SH) and a PhD Student at Ghent University.

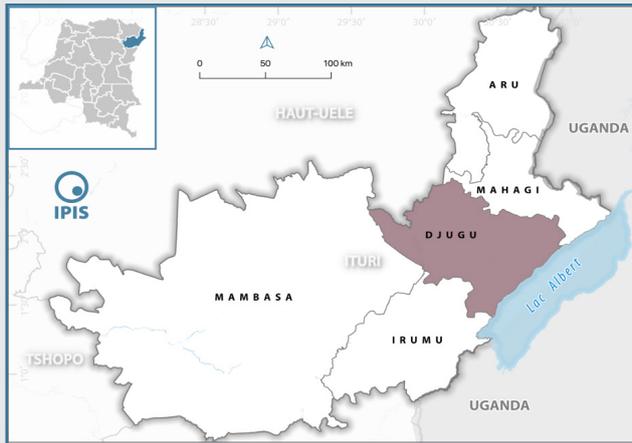


Figure 8: Djugu territory in Ituri province.

The origins of the conflict in Djugu traces back to the twentieth century when competition over access to land and customary power led to fierce intercommunal tensions. Hostilities in Djugu-Ituri started in 2017-2018 in agricultural and livestock farming areas where few mining sites are located and only moved towards gold mining zones at a later stage (2020-2021). As the conflict persisted, armed groups gradually moved into Djugu's mining areas, making gold mining a critical factor in the political economy of the armed conflict as an increasingly important source of financing.

The United Nations Group of Experts even reported that the control over mining sites around Mongbwalu, one of the gold-richest mining areas in Djugu and even in the whole of eastern DRC, was an important reason for CODECO's territorial expansion in 2022.

The report summarized the main findings as follows:⁴⁹

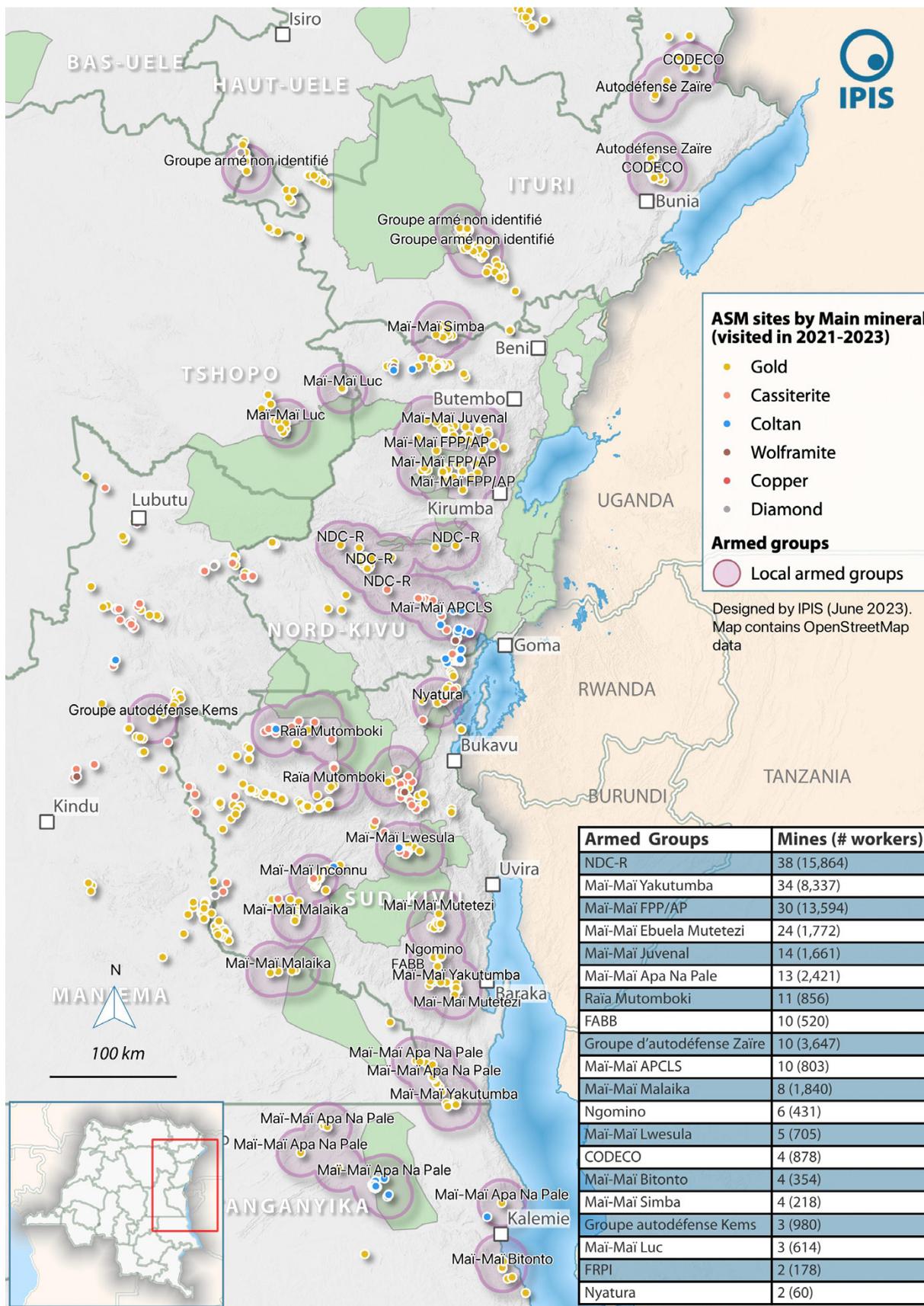
- Gold is not the root cause of the current conflicts in Ituri, but is nevertheless an important asset in the survival strategies of armed groups;
- Unaddressed historical grievances about social inequalities and land rights have contributed to long-lasting divisions between communities, which eventually deteriorated into inter-community violence;
- The Congolese government's response to the violence, namely imposing martial law, did not restore peace and stability in Ituri province. To build sustainable peace, the government must deal fundamentally with the issues underlying people's grievances.

The security dynamics explained above and the role that gold (and, to a lesser extent, 3T minerals) plays in the survival of CODECO and Jeunesse/'Zaire' are illustrative for many of the armed groups profiting from mineral trade in eastern DRC. The interaction between local communities' security and socio-economic concerns, the role of local (customary) authorities, failure of disarmament, demobilization, and reintegration (DDR) programs, and the opportunities for revenue from gold, as described in detail in our report on Djugu territory⁵⁰ are recurring for many, if not most, of the armed groups in eastern DRC, albeit for each case with its specific characteristics.

The list of armed groups interfering in eastern DRC's mining business is long. Figure 9 lists the armed groups that IPIS teams observed at the mining sites they visited. This is not a comprehensive list, as it only includes the sites visited by IPIS. Nevertheless, it provides an idea of the high number of armed groups of all sizes in the mining sector, and it shows most of the groups that are well-known for 'conflict financing' from the mineral trade.

49 Musamba J. and Gobbers E. (March 2023), op. cit., p. 9;

50 Musamba J. and Gobbers E. (March 2023), op. cit.



ASM sites by Main mineral (visited in 2021-2023)

- Gold
- Cassiterite
- Coltan
- Wolframite
- Copper
- Diamond

Armed groups

- Local armed groups

Designed by IPIS (June 2023).
Map contains OpenStreetMap data

Armed Groups	Mines (# workers)
NDC-R	38 (15,864)
Mai-Mai Yakutumba	34 (8,337)
Mai-Mai FPP/AP	30 (13,594)
Mai-Mai Ebuela Mutetezi	24 (1,772)
Mai-Mai Juvenal	14 (1,661)
Mai-Mai Apa Na Pale	13 (2,421)
Raia Mutomboki	11 (856)
FABB	10 (520)
Groupe d'autodéfense Zaire	10 (3,647)
Mai-Mai APCLS	10 (803)
Mai-Mai Malaika	8 (1,840)
Ngomino	6 (431)
Mai-Mai Lwesula	5 (705)
CODECO	4 (878)
Mai-Mai Bitonto	4 (354)
Mai-Mai Simba	4 (218)
Groupe autodéfense Kems	3 (980)
Mai-Mai Luc	3 (614)
FRPI	2 (178)
Nyatuta	2 (60)

Figure 9: Map of armed groups interfering at ASM sites, 2021-2023 (829 sites).
We use a 20km buffer zone around mining sites where the armed groups are present to show their potential area of influence.

IPIS teams have collected details on these groups' activities, especially how they interfere in mining and individual mining sites (242 sites, see Table 2, section '2.1 Armed interference'). The armed groups mentioned in Figure 9 are described below, but the limited scope of this report does not allow for an in-depth discussion of each of them. More information from IPIS data can be found through the interactive webmap,⁵¹ or by using one of IPIS 'open data' tools.⁵²

The low number of IPIS visits to sites affected by **CODECO** rebels (Figure 9) is due to difficulty of safely accessing parts of Djugu territory. IPIS visited gold mines around Djalasiga (Mahagi territory in Ituri, see Figure 10) as the security situation in Djalasiga town is relatively calm. Still, the security situation was volatile further south-east, around Berunda and Kandoy (also in Mahagi territory). There is a permanent threat of attacks and pillaging by CODECO rebels from the area of Katanga (Mahagi). In May 2022, for example, CODECO attacked the gold mine Shaba, looting shops, burning down miners' houses, and killing 15 people.

In these areas, the local population mostly relies on **Jeunesse/'Zaire'** for protection. Around Shaba, for example, **Jeunesse/'Zaire'** organizes patrols for which they collect money from the miners every two weeks. Most of the **Jeunesse/'Zaire'** fighters are local community members, and many of them are miners. They work in the mines and mobilize whenever there is an imminent security threat. While they collaborate with FARDC, the rebels' presence scares mining state agents, making it impossible for these agents to visit the gold mines and to monitor mining activity in the area.

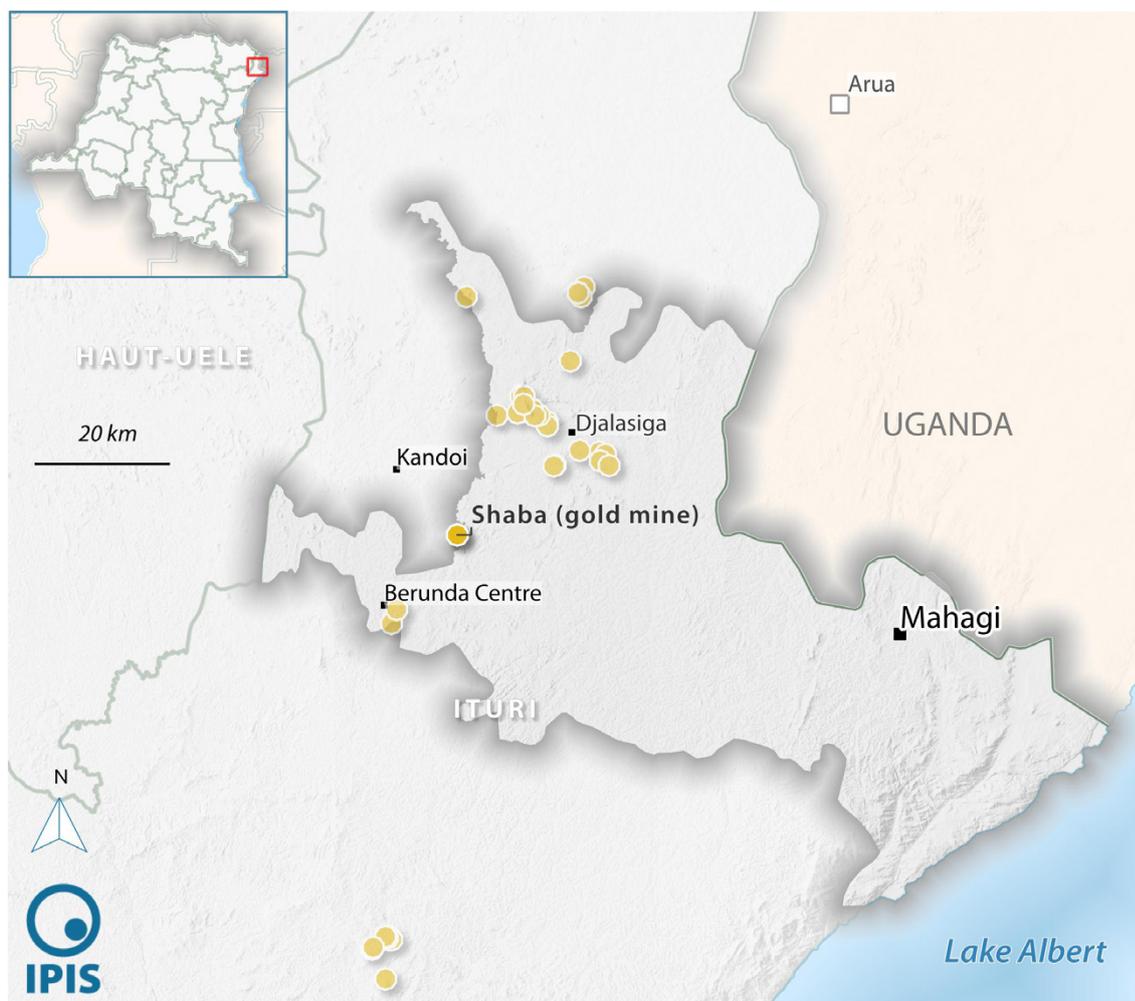


Figure 10: Map of gold mines visited in Mahagi territory (Ituri province).

51 <https://ipisresearch.be/mapping/webmapping/drcongo/v6>

52 <https://ipisresearch.be/home/maps-data/open-data/>

The army was actively fighting **Mai Mai Luc**, or *Union des Patriotes, pour la Libération et le Développement* (UPLD) in 2020, in the south of Bafwasende territory (Tshopo province). However, during IPIS mine site visits in late 2021, this was no longer the case. The two parties respect the river Loya as the limit between their respective zones of influence. Mai Mai Luc controls the area to the east of the Loya river and levies a range of illegal taxes on roadblocks, passage of the river, artisanal mining, trade, and poll taxes.⁵³ The 2022 report also discusses the revenues from gold exploitation by **Mai Mai Juvenal** and the *Front Patriotique pour la Paix-Armée du Peuple (FPP/AP)*, which is commanded by Kasereka Kasyano Kabidon (or Kabido), in the south of Lubero territory (North Kivu). The latter is one of the strongest groups in Lubero, and controls many gold mines in the area of Kanyatsi-Mbwavinwa-Pitakongo-Bunyatenge.

In 2021, the entire border area between the territories of Walikale, Masisi, Ruthuru and (southern) Lubero (all in North Kivu) was marked by violent clashes between several armed groups, including both factions (Bwira and Guidon) of *Nduma Défense du Congo – Rénové* (NDC-R), the *Alliance des patriotes pour un Congo libre et souverain* (APCLS), Nyatura Abazungu, and FPP/AP, as well as the military.⁵⁴ Alliances tended to shift, sometimes driven by opportunism, such as economic interests and access to gold mines. Previously, there was fierce fighting between NDC-R and Kabidon's FPP/AP rebels over control of gold mines near Bunyatenge (Lubero).⁵⁵ In May 2022, however, all of these armed groups came to a truce, agreeing not to attack each other in order to fight against M23.⁵⁶ The latter had been out of sight for almost a decade after its defeat in 2013. In late 2021, they ramped up attacks again and took control of large parts of Rutshuru territory, and in 2022, even a part of Masisi territory (North Kivu). So far, M23 fighters have not been involved in mining, as the areas under their control do not hold a lot of mining sites.

NDC-R rebels have been harassing the *groupements* of Utunda, Ihana, Kisimba and Usala (in Walikale territory, north of the national road between Mpopi-Ruvungi-Kibua) for many years. They prey on the local population and are heavily involved in the area's gold business. IPIS visited dozens of mining sites where the NDC-R faction commanded by Guidon interfered directly and indirectly in the gold industry.

In general, the group has permanent representatives in the most important mines under its control (in Walikale territory, north of Mpopi-Ruvungi-Kibua). In the less productive ones, it sends weekly delegations to collect taxes. State actors are absent from these sites, except in Matungu (see text box) and Bukacha, where FARDC and NDC-R elements live next to each other.

NDC-R levies taxes on mining and non-mining activities at all of the mining sites and their surroundings. All adults are obliged to pay the '*ration militaire*' and the '*effort de guerre*'⁵⁷ (each 2,000 FC, or US\$1) monthly, for which they receive a token ('*jeton*') as proof of payment. In some sites (for example Ikere), the collection of these taxes is managed by the mine manager, who sells the tokens. The rebels regularly check whether people hold a valid '*jeton*.' Anyone caught without it is subject to imprisonment, physical punishment (whipping), and a 20,000 FC (US\$10) fine. When some pits are very productive, an additional levy called '*savon militaire*' is charged.

Additionally, at several sites (e.g. Titi, Mafofoki 1, Bukacha, and Beteli) rebels have established a checkpoint at the entrance of the mine or the miners' camp, where people pay 1,000 FC to enter or leave. Traders pay a levy for the consumer goods they carry with them. At times, the movement sends its gold buyers to the mines, prohibiting other buyers from buying gold and imposing a *de facto* monopoly until its traders run out of money. Finally, at some sites, rebels (or their relatives) monopolize the trade of consumer goods such as alcohol, cigarettes, flour, or cannabis.

53 Matthysen K., Muller T. and Bulakali N. Z. (November 2022), op. cit., pp. 27-28.

54 UN Group of Experts, Final report of the UN Group of Experts on the DRC, 10 June 2021, S/2021/560, p. 2, § 46.

55 Matthysen K., Muller T. and Bulakali N. Z. (November 2022), op. cit., pp. 28-30.

56 FPP/AP only joined the coalition in July 2022 (UN Group of Experts, Final report of the UN Group of Experts on the DRC, 16 December 2022, S/2022/967, § 65-66).

57 Vogel C. N. describes how armed groups often use euphemisms to refer to their taxes, such as *effort de guerre* ('war effort') or *lala salama* ('sleep safely'). (See: Vogel C. N., *Conflict Minerals Inc.: War, profit and white saviourism in Eastern Congo*, 2022, p. 196).

Matungu gold mine, Walikale territory

NDC-R Guidon lost control of Matungu, one of Walikale territory's biggest gold mines, in October 2020, after several months of violent clashes with NDC-R's Bwira faction. The latter enjoyed the support of FARDC troops.⁵⁸ Guidon unsuccessfully tried to regain control over the mine in 2021 through clashes with the FARDC.⁵⁹

On 23 March 2023, following the entente between armed actors in Masisi-Walikale against the M23 invasion, NDC-R Guidon arrived again in Matungu. Reportedly, they first claimed to be merely passing through but gradually settled. They started levying the so-called *effort de guerre* and selling consumer goods such as cigarettes, cannabis, and alcoholic beverages, a business over which FARDC elements until then held a monopoly. The local mining cooperative organized a meeting between the FARDC and NDC-R, and both parties can now extract illegal revenue in and around Matungu. The climate is, however, very tense, and it remains to be seen how long this cohabitation will last.

While the security situation is relatively calm in Maniema, compared to the other eastern provinces, IPIS also encountered a few armed groups there extracting revenues from the mining sector. Especially in the territory of Kabambare, the security situation is difficult. The mines around Salamabila are all affected by the interference of **Mai Malaika** and the FARDC. Mai Mai Malaika became very active around 2018, when it violently resisted the industrial miner Banro's activities in Namoya and Salamabila. In late 2021, the FARDC was no longer actively fighting Mai Mai Malaika. On the contrary, both actors were heavily involved in the mining sector, taxing production and trade at the artisanal mining sites and several roadblocks.⁶⁰

Furthermore, IPIS researchers encountered a few mining sites along the Logolo river (notably Musafiri 1, Tobala, and Tchamakala) in the northeastern part of Kailo territory that are affected by a self-defense group of a few dozen people commanded by a former FARDC commander called "Kems." He reportedly created this group to resist the establishment of the Lomami National Park in the border area between the provinces of Sankuru, Tshopo, and Maniema, as it jeopardizes local communities' poaching activities.

IPIS research teams found the mineral trading hubs of Nzibira, Luntukulu, Nyamurhale, Mukungwe, Tubimbi, and Kaziba, in Walungu territory (South Kivu) were relatively calm. IPIS observed a decreasing number of sites suffering from the interference of **Raia Mutomboki** rebels compared to research before 2020. The rebel commander Maheshe has, for example, disarmed. Nevertheless, a few sites on the border with the chiefdom of Nindja (Kabare territory) were occupied by Raia Mutomboki commanded by "General" Lukoba. At the Lubimbe and Kanosho gold mines, pit bosses pay the rebels 1 gram of gold per week. Furthermore, at the Lukoma mine, the rebels levy 10% of cassiterite production, and traders must pay 10% of the value of the goods they supply to the mine. Mineral traders pay 10,000 FC (US\$5) per 50kg bag they transport. Additionally, the rebels also create some insecurity in the surrounding villages. There are concerns over the contamination of 'clean supply chains,' as Lukoma's cassiterite is reportedly tagged as if it originated from the validated Kachuba and Muhinga mines.⁶¹ There is a mineral traceability scheme in place, that labels minerals at mining sites that are considered free from armed interference, in order to reassure downstream supply chains actors that their minerals are not affected by human rights violations. In section 4.1 'Contamination of mineral supply chains,' we will provide more details on such schemes, and their challenges.

58 UN Group of Experts, Midterm report of the UN Group of Experts on the DRC, 23 December 2020, S/2020/1283, § 25-28; UN Group of Experts (S/2021/560), op. cit.; Matthysen K., Muller T. and Bulakali N. Z. (November 2022), op. cit., pp. 30-31.

59 UN Group of Experts (S/2021/560), op. cit., §55.

60 Matthysen K., Muller T. and Bulakali N. Z. (November 2022), op. cit., pp. 35-36.

61 IPIS, *Cartographie des sites miniers dans l'est de la RDC: Walungu territory, Fiche d'information*, October 2022 (<https://ipisresearch.be/feedback-session-sharing-the-results-of-the-data-collected-in-walungu-south-kivu/>).

In Itombwe forest, Mwenga territory, the **Mai Mai Lwesula** (a group descending from the former Mai Mai Kapopo) regularly passes by the mining sites to levy illegal taxes, especially at the cassiterite mine of Zombe, which has been very productive lately. Pit bosses pay 5,000 FC each (US\$2.5) per month, each of the 500 miners pay 2,000 FC (US\$1), and each trader pays 2,500 FC (US\$1.25).

One of the most insecure areas in eastern DRC is in the **highland region of Fizi, Uvira, and Mwenga** territories (South Kivu). Since 2019, intercommunity tensions have quickly deteriorated, resulting in violent conflict involving several armed groups and a humanitarian crisis. Several issues, such as access to land and resources and local power struggles, pitted these communities against each other. Conflict further escalated as several national and regional dynamics have emerged, including a national political crisis and regional tensions between Burundi and Rwanda, who have been accused of supporting highland-based rebel groups.⁶²

IPIS teams visited mining sites along two main axes in the Minembwe highlands, notably Kipupu-Mikenge in the north (on the southern edge of Itombwe forest) and Minembwe-Rugezi-Kabandja in the south (see Figure 11). The armed groups **Mai Mai Mutetezi (or Mutetuzi)**, **Gumino** and **Force Armée Biloze Bishambuki (FABB)** (see text box) are heavily involved in the area's gold mines, both for revenue generation as well as for the protection of mine workers against other armed groups.

Armed groups involved in Minembwe's intercommunity conflict

Along Kipupu-Mikenge, there seems to be significant ethnic segregation. People from the Banyamulenge community are not allowed to pass by checkpoints established by Mai Mai Mutetezi (a Babembe armed rebellion commanded by General Ebwele Kibukila), and people from the other communities are in turn refused passage through the checkpoints established by Gumino, the Banyamulenge armed group, commanded by the former FARDC Colonel Michel Rukunda, who is also known as Makanika.

The axis Minembwe-Rugezi-Kabandja is primarily controlled by the FABB (*Force Armée Biloze Bishambuki*), commonly called the Bishambuke, which is led by the self-proclaimed general Ngoma Nzito Kalembe Delphin. Despite the presence of this group, the population of Rugezi and Kabandja still fears attacks by Banyamulenge rebels. As Gumino's 'territory' starts a few kilometers from Rugezi, only mining sites further away, such as Safienko and Kaza Roho, are safe from their incursions, with mines closer to the front line, such as Bigaragara, suffering the full impact.

The Mai Mai (Ebuela) Mutetezi control several mines at the Kipupu-Mikenge axis (see Figure 11), especially close to Kipupu, where they operate freely due to the absence of the FARDC. Only once a week, at the Kipupu market day, does the FARDC provide an escort for the traders, to avoid a standstill of the economy and to discourage an attack on these traders as this could initiate a new cycle of violence. Traders have to pay a levy in exchange for the escort, and the soldiers establish a roadblock at the entrance of the village on Kipupu market day. The FARDC has a permanent presence only in Mikenge, a village between the different fighting communities. On the Mikenge market day, every Thursday, they escort Banyamulenge traders who come from Minembwe. Furthermore, Mai Mai Mutetezi members have also been observed digging in the mines around Mukera.

62 UN Group of Experts (S/2021/560), op. cit., §132; Verweijen J., Twaibu J., Ribakare M., Bulambo P. and Kasongo F. M., *Mayhem in the mountains: How violent conflict on the Hauts Plateaux of South Kivu escalated*, Insecure Livelihoods Series, CRG, GEC-Sh, GIC, April 2021.

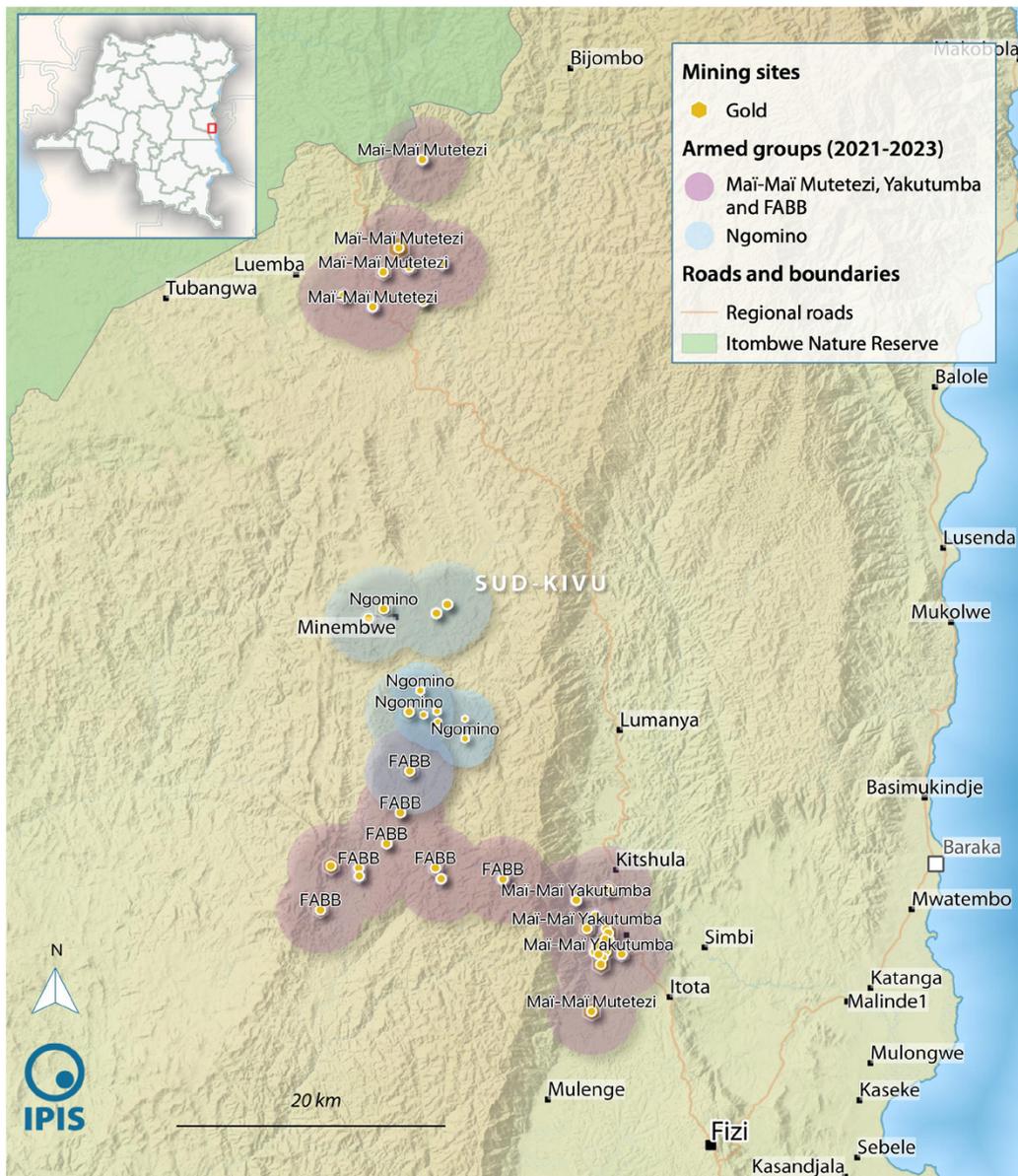


Figure 11: Map of mining sites in the Minembwe highlands, 2021-2023.

On the Rugezi-Kabandja axis, the security situation is challenging due to the FARDC's absence. The mines close to Gumino's area of operation have largely been abandoned by the miners (Bigaragara, Namulombwe, and Kahila). Further south on the Rugezi-Kabandja axis, FABB has a tighter control and levies a range of taxes, including on the gold mining sector.

Local communities in the province of Tanganyika continue to suffer from the consequences of inter-ethnic violence between the Bantu and Twa communities in 2016 and 2017. During site visits in 2021 and early 2022, IPIS observed residual effects of armed mobilization on the mining sector. The territories of Kalemie and Nyunzu continued to struggle with security issues. In all the visited territories, notably Kalemie, Nyunzu, and Moba, IPIS teams observed the interference of armed men in the mines, in particular rebels and ex-combatants of the **Mai Mai Apa Na Pale** and **Mai Mai (Éléments) Bitonto**.⁶³

63 Matthysen K., Muller T. and Bulakali N. Z. (November 2022), op. cit., pp. 37-39.

In late 2022, the situation was relatively calm around the mining sites visited in Nyunzu territory (Tanganyika province). Mai Mai Apa Na Pale's commander 'General' Mundus allegedly reached out to Bitonto to cease hostilities to unite against the M23 threat. Even though Apa Na Pale militiamen had reduced acts of violence such as robberies, hold-ups, looting, and killings, at the time of new mining site visits in Nyunzu territory in late 2022, they were still present with weapons. Due to the relative calm, populations were returning to their villages (e.g., Kahendwa), and miners and traders were returning to the mines, including those under Apa Na Pale control near Kisengo (e.g., Tuluga) and Cadeza.

In conclusion, more than 120 armed groups operate in eastern DRC. Most started as local self-defense groups, created for ideological or security reasons. Local conflict is often rooted in a complex web of long-standing community grievances, social inequalities, access to land, and political power distributions, which interact with national and regional dynamics (e.g., failed DDR) as illustrated by the conflict in the highland region of Fizi, Uvira, and Mwenga territories, in South Kivu.

The abundance of mines, next to a range of other sources of revenue, provides economic opportunities for these armed groups to finance their armed activities and their survival. This leads to a situation where 29% of the mines (which employ 42% of the mine workers in our sample) are affected by the interference of non-state local armed groups. Over time, (gold) mining and mineral trade has become increasingly important for many of these groups, which is illustrated by the case of CODECO and Jeunesse/'Zaire' in Ituri.

Economic opportunities increase opportunistic behavior by conflict actors in eastern DRC. It is remarkable to see how armed groups continue to skim off profits from the mining sector in some areas, while the FARDC seems to tolerate these practices (E.g., Mai Mai Luc in Bafwasende territory, Tshopo). In several cases, both the FARDC and the Mai Mai groups are preoccupied with their economic interests, rather than fighting each other, and at times even have agreements over the distribution of revenues at gold mines (E.g., Kabambare territory, Maniema).

3. INSECURITY IN MINING BEYOND DIRECT CONFLICT FINANCING

The previous section discussed how armed actors in eastern DRC continue to skim off revenue from the mining sector, and the larger local economy around the mining sites. While large-scale armed conflict over DRC's mineral wealth has decreased significantly over the past twenty years, natural resources, and particularly minerals, continue to play an important role in the perpetuation of conflict and insecurity in eastern DRC.

Conflict dynamics and conflict financing, however, are complex and multidimensional. In 2022, IPIS reported on a wide range of issues that interact with natural resources, which should be analyzed to understand the role of natural resources in conflict and develop more efficient policies to deal with resource-related conflicts and insecurity. These issues include landownership and access to land, intercommunity tensions and their historical roots, failing DDR programs, and long-lasting governance issues such as elite capture, underperforming corrupt state services, and faltering mining sector formalization processes.⁶⁴

IPIS' research came across several issues and risks that are not directly linked to conflict financing in eastern DRC but rather are related to structural forms of violence and may represent important security risks. These include the omnipresence of former rebels (section 3.1), the rush on DRC's mineral resources by (semi-industrial) business enterprises and the regional market (section 3.2), gender inequality and other forms of discrimination (section 3.3), and governance issues including the existence of 'networks of predation' (section 3.4). In eastern DRC's difficult security situation, these problems contribute to future conflict risk.

64 Matthyssen K. and Gobbers E. (December 2022), op. cit., pp. 23-35.

3.1. Former non-disarmed rebels

Many mining zones in eastern DRC have a long history of armed mobilization. In the past decades, the Congolese government has made several attempts to set up DDR programs to dismantle non-state armed groups and to facilitate the return of former rebels to civilian life, but unfortunately, all of these have been largely unsuccessful. Many local armed groups are present in the eastern provinces, active or dormant, some interfering in mining, some not. Many miners are former combatants, but in many cases, militia members navigate continuously between civilian and combatant life. This concept is called ‘circular return’ by Vlassenroot et al. (2020).⁶⁵

For example, when IPIS visited gold mines along the Ulindi river (Shabunda territory) in September 2022 the area was relatively secure, and Raïa Mutomboki no longer controlled the mines. Many young people who used to be members of the rebel movement became diggers. People complained that these youngsters retain the militia spirit, and some former rebels continue to hide weapons. As Raïa Mutomboki’s armed rebellion has dwindled in the area, the movement has dismantled its roadblocks and stopped looting and extorting mines. But, its former rebels have reinvented themselves as ‘volunteers,’ so-called ‘Rastas’, maintaining the local roads in the area and insisting on payments from all passersby in exchange.

In 2022, IPIS also reported on the relatively calm situation around the mines of Moba territory (Tanganyika). *“... many of the miners are former members of the Mai Mai Éléments. In 2019, there have been some symbolic activities to lay down arms, but a wider disarmament has never happened. At the site of Kakuma, an agent of Service d’assistance et d’encadrement de l’exploitation minière artisanale et à petit échelle (SAEMAPE) explained how risky such a situation can be. He had been threatened to death by some former militia members over taxation efforts and accusations of witchcraft that allegedly caused gold production to decrease.”*⁶⁶

In the context of eastern DRC, with numerous conflicts over land, access to minerals, or (customary) power, regularly linked to intercommunity tensions, the risk of a re-mobilization of these former combatants is always present.

3.2. Rush on resources

The regional dimension of conflict in eastern DRC has gradually decreased over the past fifteen years as the scale of foreign armed groups, or armed groups supported by neighboring countries, has diminished. Nevertheless, the conflicts in eastern DRC continue to be related to regional issues, such as refugees and security concerns. Additionally, the armed group M23 re-emerged in North Kivu in 2021, reportedly with the support of Rwanda. And in South Kivu, some other groups, such as the Burundian *Résistance pour un État de droit au Burundi* (RED-Tabara), keep operating.

The relationship between mining, conflict, and insecurity, holds an important regional – and even international – dimension: neighboring countries continue to facilitate the smuggling of illegally exploited natural resources in eastern DRC (section 3.2.1), and (foreign) companies rush to exploit mineral resources in DRC while neglecting the environmental and social impact of their activities (section 3.2.2).

3.2.1. Regional and geopolitical competition

The regional mineral supply chain – from the mines, through border towns and regional trading hubs, to the international market – is an important factor when analyzing the role of mining and the persistence of insecurity. Both within DRC, and across the border, a wide range of stakeholders, including formal institutions, are involved in cross-border smuggling to Burundi, Rwanda, and Uganda.⁶⁷

65 Vlassenroot K., Mudinga E. and Musamba J., *Navigating social spaces: Armed mobilization and circular return in eastern Congo*, *Journal of Refugee Studies*, 33, 4 (2020), 832-852.

66 Matthysen K., Muller T. and Bulakali N. Z. (November 2022), op. cit., pp. 38-39.

67 Ibid., op. cit., pp. 31-32.

Over the past years, Uganda and Rwanda have competed to become the main gateway for Congolese gold to the world market. This competition is part of larger regional geopolitics and regional economic integration. Eastern DRC is an important marketplace for its neighbors for agricultural products, consumer goods, and services. Uganda boosted its gold exports between 2014 and 2019, in collaboration with Alain Goetz's African Gold Refinery (AGR), which was granted the privilege of 0% export tax by Ugandan president Museveni. Rwanda has also steadily increased its gold export volumes since 2017. In June 2021, Rwanda and DRC signed a collaboration agreement between the Congolese state mining company SAKIMA – which holds numerous mining concessions in the Kivu provinces – and the Rwandan refiner Dither, which has allegedly frustrated Uganda.⁶⁸

This deal was suspended mid-2022 after the DRC accused Rwanda of backing the M23 rebellion. Instead, in December 2022 Kinshasa signed an agreement with the United Arab Emirates (UAE), which included the establishment of a Congolese-Emirati joint venture, branded **Primera Group Limited**, constituted of Primera Metal DRC and Primera Gold DRC. The DRC declared that Primera Gold DRC aims to formalize the mining and trade of artisanal gold, and to prevent illegal gold export to Rwanda and Uganda.⁶⁹ Initially, there was some cautious optimism around the establishment of Primera Gold DRC, as, after no more than six weeks, it had already managed to export 207 kg of artisanal gold from South Kivu, while the province had only exported 34 kg of artisanal gold for all of 2022.

However, questions have been raised on the favorable gold export tax (0.25%) granted to Primera Gold DRC. While this is quite a common practice in the region (see, for example, above AGR's 0% export tax in Uganda), not all gold exporters in DRC are granted the same privilege, which would have incentivized all of them to boost official exports. Civil society actors fear that this **de facto monopoly** will push other supply chain actors further into the illegal gold trade, and as a result, have a counter-productive effect.

Additionally, on 1 May 2023, soldiers carried out an anti-fraud operation at the premises of several Bukavu-based *comptoirs*. They seized gold, dollars, and computers, and arrested more than twenty people.⁷⁰ While some civil society organization (CSO) actors applauded the government's efforts to fight fraud, they also declared that the level of power display was exaggerated and that it was unacceptable that the authorities allowed the filming of the detainees. France 24 reported that this heavy-handed operation was quite convenient for Primera, as the *"the quantities of gold processed by the company have increased significantly since then."*⁷¹ Primera Gold DRC, however, reiterated that it had nothing to do with this operation, and claimed that it had been victim of a campaign to discredit its reputation since January 2023.⁷²

Furthermore, questions have been asked about the **source of Primera's gold**. Even though they present these efforts as fighting fraud and promoting ethical business, *"Primera Gold is suspected of taking over illegal gold export circuits and institutionalizing them on behalf of the state ..."*⁷³ The UN Group of Experts fears Primera Gold DRC might become a channel for laundering illegal gold because several of the company's suppliers are known to source from illegal gold sites.⁷⁴

Thus, it seems Primera Gold DRC will further consolidate informal gold mining and trade in eastern DRC. As such, these developments do not seem to promote due diligence along DRC gold supply chains. On the contrary, it appears to be driven mainly by business and geopolitical concerns.

The DRC's agreement with the UAE also goes beyond Primera Gold DRC. UAE is allegedly interested in mining permits in the former Katanga province. Africa Mining Intelligence referred, for example, to "PE

68 Matthyssen K. and Gobbers E. (December 2022), op. cit., pp. 31-33.

69 Africa Mining Intelligence, *Abu Dhabi's grand gold and coltan designs in the DRC*, 6 April 2023.

70 France 24, *RDC: sur la piste de l'or «propre» dans une région de conflits*, 19 May 2023.

71 Ibid.

72 Primera Gold DRC SA, *Communiqué de presse réagissant à la campagne visant à salir l'image de marque et la crédibilité de Primera Gold DRC SA*, 2 May 2023.

73 Africa Mining Intelligence, *Abu Dhabi's grand gold and coltan designs in the DRC*, 6 April 2023.

74 UN Group of Experts, *Final report of the UN Group of Experts on the DRC*, 13 June 2023, S/2023/431, pp. 3-4, § 174.

591, a promising permit covering the Kalukundi industrial copper and cobalt mine in Lualaba province, which Abu Dhabi is particularly keen on.”⁷⁵

The above illustrates how local and regional (and even international) dynamics interact, driven by international competition over supply chain security.

In this regard, the current international demand for critical minerals for the energy transition (such as copper, lithium, nickel, cobalt, and rare earth elements) presents a risk that needs to be carefully managed to avoid negative impacts on the population of DRC. For example, at SAKIMA's concessions PE 71, 74 and 2597, located in the *groupements* Utunda and Wasa (Walikale territory, North Kivu), monazite is extracted at several artisanal mining sites. Monazite contains several rare-earth metals, which makes it very interesting given the development of new technologies for the energy transition. Kibara Minerals reportedly buys most of this production as it signed an agreement with SAKIMA, allegedly granting it a monopoly on the acquisition of monazite on PE 71. The **geopolitical importance** of monazite was highlighted by Auxico Resources, a client of Kibara's monazite exports. In an interview in early 2023, its former CEO Frederick Kozak said that Auxico is “the only company in the world selling monazite that is not controlled by China ...”⁷⁶ Such eagerness from (foreign) supply chain actors to source from eastern DRC needs to be carefully managed, as it could potentially negatively impact local governance, social peace, and the environment. The next subsection (3.2.2 ‘Semi-industrial exploitation’) illustrates these risks and the potential impact on the security situation in the fragile context of eastern DRC.

3.2.2. Semi-industrial exploitation

An increasing number of **(foreign) business enterprises** are rushing into the risky investment environment of eastern DRC looking for mineral resources. Such operations have often been a **source of tension** that can result in additional insecurity and violence. Several mining companies have faced violent and armed resistance over the last decade. In the cases of Leda Mining and Banro Corporation in South Kivu, armed groups have even interfered: threatening and attacking these companies,⁷⁷ and kidnapping their employees.⁷⁸ Attacks against companies are not just acts of banditry but are rooted in the deeper socio-economic situation and can sometimes be politically motivated.⁷⁹

To understand the impact of semi-industrial (more mechanized than artisanal)⁸⁰ gold mining on local conflict and security dynamics, IPIS collaborated with Professor Claude Iguma Wakenge (*Institut Supérieur de Développement Rural de Bukavu*, ISDR-Bukavu) to write an in-depth case study on Mwenga territory (South Kivu province), where several Chinese and Congolese companies have established semi-industrial operations since 2017 (see text box).⁸¹

The study explains how these **companies** have developed a set of **opaque strategies** which do not respect mining law and regulations governing the mining sector. These strategies include: (1) partnership agreements with mining cooperatives that serve as fronts for the companies; (2) neglect of legal obligations; (3) protection by military actors who provide shelter against government control; and (4) acquiring the support of a vast predatory network involving state, customary and military authorities at

75 Africa Mining Intelligence, *Abu Dhabi's grand gold and coltan designs in the DRC*, 6 April 2023.

76 Interview with Frederick Kozak, CEO of Auxico Resources Canada at the time of the interview, <https://www.youtube.com/watch?v=7D0qYSWiAlg> (interview no longer online, last accessed on 24 March 2023).

77 de Brier G., *Analyse de conflit et cartographie des acteurs dans le Sud Kivu et l'Ituri*, April 2021, IPIS, p. 30.

78 Reuters, *Gunmen kidnap two workers at Banro Corp east Congo mine*, 28 July 2019.

79 Matthysen K. and Gobbers E. (December 2022), op. cit., p. 9.

80 The Congolese mining legislation requires small-scale mining operations to apply for a PEPM (Permis d'Exploitation de Petite Mine). A small-scale operation is characterized by: an investment that varies between US\$100,000 and US\$2,000,000; the exploitation of the mineral deposit has a lifespan of less than 10 years; the operations need a certain level of mechanization. Source: Règlement Minier, Décret n°038/2003, article 204.

81 Wakenge C. I. and Matthysen K., *Securing insecurity: Semi-industrial gold mining and violence in Mwenga, South Kivu, Democratic Republic of Congo*, IPIS, February 2023.

various levels. It illustrates the notion of political scientist Pierre Englebert that “as in colonial days, Congo is still understood more as a resource to be plundered than as a state to be built.”⁸²

The report concludes that these practices **result in long-term security risks**, as semi-industrial mining becomes a significant source of predation, social destruction, and conflict, and it further undermines (mining) governance in eastern DRC.

Securing insecurity: Semi-industrial gold mining and violence in Mwenga, South Kivu⁸³

The report analyzes the impact of semi-industrial gold mining companies on security, focusing on the companies’ interactions with local mining operators, local populations, and militias in Mwenga territory.

Conflicts in Mwenga surrounding access to gold already date back to 1997. Still, it was only a few years ago (2019) that the international mining company Banro Corporation ceased its mining activities in the area due to violence against its employees. At the same time, however, gold mining by semi-industrial companies – often operating with Chinese capital – increased significantly with the arrival of actors such as Congo Blueant Minerals SARL and Société Orientale Ressources Congo SARL.

To keep up their operations, companies rely on the support of a vast network of actors helping them navigate the gold mining sector and its stakeholders. The report lists and describes the role of these stakeholders, such as state mining services, local authorities, traditional chiefs, FARDC soldiers, and civil society.

Since these companies’ arrival, local populations, civil society, and state authorities have complained, amongst other things, of (1) a lack of respect for the “*cahier des charges*” developed by local communities, (2) the value of compensation, and (3) the impact on the environment (see for example Figure 12).

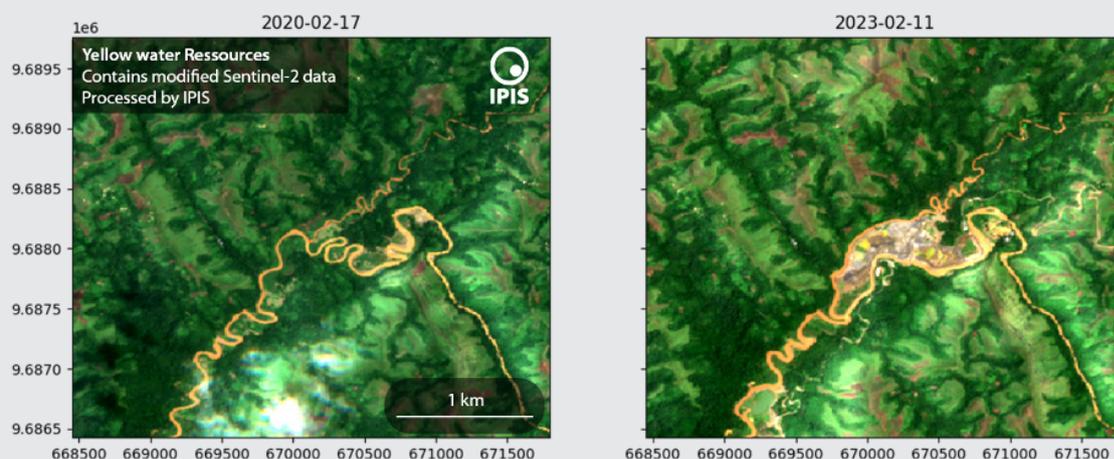


Figure 12: Satellite image illustrating how Yellow Water Ressources (sic.) diverted the river Lwindi between 2020 and 2023.

The Mwenga case study is an illustrative example of practices related to semi-industrial exploitations **all over eastern DRC**:

82 Englebert P., *Democratic Republic of Congo: Growth for All?*, Johannesburg: Brenthurst Working Paper 6/2014, 2014, p. 3.

83 Wakenge C. I. and Matthysen K. (February 2023), op. cit.

- In 2022, IPIS reported several examples in **Haut-Uele** and **Maniema** provinces, where frustrations around semi-industrial activities were a source of tension. It involved the companies Mango Tree, Stelac, Société Minière de Lubutu (SOMIL), Tongli Resources, Tshisangama Simeon Mining (TSM) and a range of local mining cooperatives.⁸⁴
- Section 2.2.3 ('The case of Shabunda') discussed the high number of dredges along the Ulindi River, in **Shabunda** territory. Their operators rely on FARDC soldiers to provide protection in exchange for weekly remuneration. Interviewees from the local communities also expressed a high level of distrust against the workers of the dredges. Most of them come from other provinces, and they are perceived as former rebels who continuously fight.
- In early 2023, IPIS came across several semi-industrial operations in **Kailo territory (Maniema)**, notably near the villages of Musafiri and Katobo. In Musafiri, local populations have resisted the start of gold exploitation by "manual dredges" on the Lugulu River since late 2022. And in Katobo, local communities reject the practices of the company Etoile d'Orient. The latter company's research permits cover most of Ulindi River in the territory of Kailo. The population claims that the company has already been extracting gold for two years, allegedly with the support of some authorities, but has not yet invested in the community's "*cahier des charges*" (a set of commitments by the mining company, established in collaboration with the local communities, for the implementation of community development projects)⁸⁵. Consequently, the customary chief reportedly suspended the company's activities until it starts making some of the demanded local investments, such as the rehabilitation of the Katobo-Balendelende-Kalima road.
- The security situation in Nyunzu territory (Tanganyika) was relatively calm in late 2022. Kisengo has become more secure because of the ceasefire between Mai Mai Apa Na Pale and Bitonto (see section 2.3 'armed groups'), but also due to the higher number of state security actors in the area since the renewed arrival of the company Mining Mineral Resources (MMR). Miners, however, complained about the company, claiming that MMR does not live up to promises it had made regarding miners' payment and that miners face intimidation and even imprisonment if they protest. Civil society actors have also accused the local sectoral chief of using some of the company's funds for local development for his personal benefit.⁸⁶ For this reason, many miners are reported to have left Kisengo to go and work in Tuluga, a mine controlled by Mai Mai Apa Na Pale, expecting to earn more there.



The company Etoile d'Orient operating on its Research Permit 15015, March 2023.

84 Matthysen K., Muller T. and Bulakali N. Z. (November 2022), op. cit., pp. 45-49.

85 Afrewatch, *Guide d'élaboration du cahier des charges dans le secteur minier en RDC*, 2020, p. 6

86 Radio Okapi, *La société civile de Nyuzu dénonce la mégestion de l'argent de la redevance minière*, 27 March 2023.

These cases involve social discontent, and some clearly illustrate how this could easily become more general insecurity as people turn to (state or non-state) armed actors for protection. The arrival of these semi-industrial actors also exposes challenges with regard to local (mining) governance. Strong governance is needed to regulate these extractive operations and to foster peaceful coexistence between semi-industrial operators and local populations.

3.3. Gender and other forms of inequality

Mining involves a wide range of players, both men and women. While **male actors largely dominate ASM**, the sector remains an **important source of revenue for many women**. Women can be directly involved in mining, most often transporting and processing minerals. An estimated 5% of the mine workers (4,907 of 99,594) in the IPIS sample are female. But, more commonly, women participate indirectly by providing auxiliary services such as food preparation, transportation of consumer goods or water, and shopkeeping in mining communities.

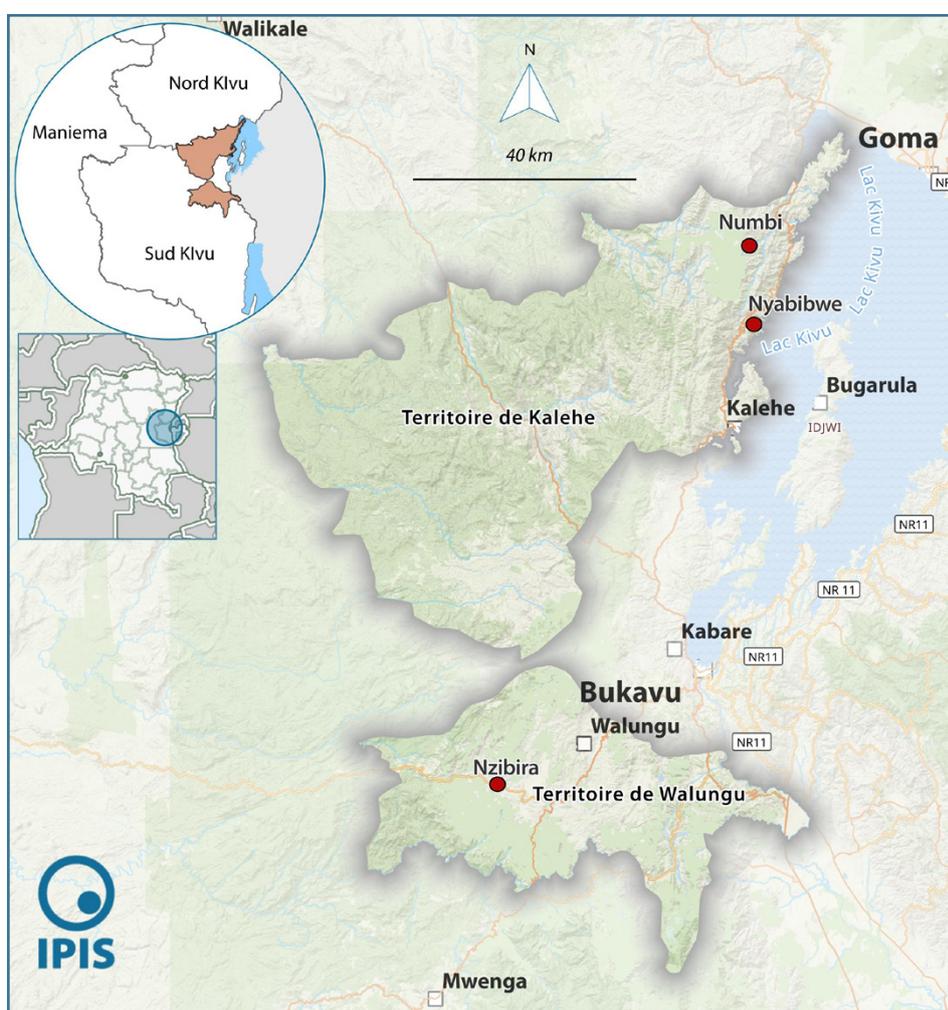


Figure 13: Location of Numbi, Nyabibwe and Nzibira in South Kivu province.

ASM is, however, characterized by gender inequality and inequality in decision-making across the supply chains. Gender-based violence is also prevalent with prostitution being common in many of the mining camps. As IPIS wanted to highlight structural forms of violence in the ASM sector, it collaborated with Professor Marie-Rose Bashwira Nyenyezi (*Centre d'expertise en gestion minière/Université Catholique de Bukavu, CEGEMI-UCB*). Her study analyzed the structural factors that explain gender inequality in ASM in

eastern DRC and the barriers that sustain these inequalities, including regulation. The research focused on the cases of Numbi and Nyabibwe (in Kalehe territory) and Nzibira (in Walungu territory; see Figure 13).⁸⁷

The underlying **causes of gender inequalities** are rooted in the working conditions of the ASM sector and the security situation in many rural areas, as well as social norms and taboos surrounding the presence and work of women. These factors act as barriers for women to access more strategic, managerial positions in mineral supply chains (for example, in mining cooperatives or state institutions) and result in women only working in low-paying jobs, such as transporting, washing, crushing, grinding, and sorting minerals. More specifically, Bashwira observed the following obstacles for women: sexist judgments against women miners; social and cultural considerations regarding women; insufficient financial resources for women; a lack of institutions for the advancement of women; and discrimination against women in governance institutions.⁸⁸



Women doing alluvial mining.

The report also analyzed the **impact of policy reform**, including formalization, traceability, and responsible sourcing initiatives promoting due diligence. These reforms (and in particular ‘responsible sourcing’) have, on the one hand, decreased extortion of ASM stakeholders and gender-based violence in the mining sites covered by these initiatives. On the other hand, these reforms have often neglected broader issues of gender equality and social inclusion (GESI) in artisanal mining. Responsible sourcing initiatives have consequences that may be experienced differently depending on gender.⁸⁹ Consequently, the research revealed that formalization and responsible sourcing (particularly traceability) have negatively impacted women’s involvement in mining and their income. The initiatives, for example, pushed women further into informality, as women miners are often unable to pay for the required administrative documents, or fees to mining cooperatives, due to limited financial means. This results in the development of fraudulent strategies, and dependency on more intermediaries, to access revenue-generating activities in the mining sector. This situation further reinforces their fragile position.⁹⁰

While the analysis above mostly focuses on gender inequality, IPIS researchers also observed **other forms of discrimination and inequality**. Access to natural resources in eastern DRC depends on several other factors and characteristics, such as, for example, ethnic allegiance. Since 2010, artisanal miners in DRC have been obliged to group themselves in mining cooperatives. Several of these cooperatives are organized along ethnic lines, such as COMICHA and COMINYA in Buhavu chiefdom (Kalehe territory). COMINYA, reportedly the oldest cooperative, protects the interests of the Havu community. However, more Rwandan-speaking refugees have arrived in the area and begun mining around Nyawarongo. They have established the cooperative COMICHA to protect their interests, which created tensions with COMINYA.⁹¹ This illustrates how other social constructs, such as ethnicity, impact access to resources and could potentially create tensions. It urges ‘responsible sourcing’ policies and initiatives to develop more comprehensive conflict-sensitive approaches.

87 Bashwira N. M. R. and Akilimali B. M., *Increasing awareness of policy reforms on gender equality issues in ASM in eastern DRC: Case study of the Numbi, Nzibira and Nyabibwe sites*, IPIS, CEGEMI-UCB, May 2023.

88 Bashwira N. M. R. and Akilimali B. M. (May 2023), *op. cit.*, pp. 19-20.

89 *Ibid.*, p. 7.

90 *Ibid.*, pp. 21-25.

91 Matthyssen K., Muller T. and Bulakali N. Z. (November 2022), *op. cit.*, p. 33.

Another example comes from Shabunda territory, where social tensions exist between Barega and Bashi over resource access. The latter originate from the eastern parts of South Kivu but mainly control gold trade in the area, including Shabunda. Several Bashi traders have been victims of robbery and violence. In September 2021, two Bashi traders were killed near Mungembe allegedly because they had not respected the local ritual practices of the Barega community.⁹²

3.4. Mining governance

ASM governance is challenging in eastern DRC. While the legislation recognizes ASM, efforts to bring ASM activities into legal compliance have been slow and limited. Most ASM actors work informally, and state actors cannot monitor the sector. Nevertheless, efforts to increase formalization have been made, such as establishing mining cooperatives, deploying state agents in mining areas, and implementing responsible sourcing efforts.⁹³

So far, these initiatives have had limited success as the sector struggles with a wide range of structural governance issues, such as the non-payment of state agents and the misconduct of some (individual) agents; a lack of incentives for ASM stakeholders to work formally; and the informal sector already being well-structured and built around an extensive network of actors and institutions who work between the legal and informal sector:

- While state agents of the Ministry of Mines are present at 77% of the mining sites that IPIS visited (475 of 619 sites of the current project), people usually consider them as ‘exploitive’ rather than ‘supportive.’ **Complaints about state agent behavior** are common. IPIS teams registered complaints at 72% of the mines where state agents are present (342 of 475 mines). Complaints most often include illegal taxation but also issues around state agents developing their own stakes in mining or intimidating miners to enforce the payment of (illegal) taxes.
- Formalization is also hampered by well-established informal governance systems. Artisanal mining in DRC is characterized by **‘legal pluralism,’** *“which is the coexistence of different normative systems and different norm-producing authorities. These authorities include the state (and its services), customary authorities, local communities, economic actors, and increasingly responsible sourcing initiatives coordinated by various international actors. To acquire access to the mines, people have to deal with various authorities, including: state representatives, military leaders, local leaders, associations and cooperatives. All of these actors levy official and non-official taxes. It should also be noted that legal authorities are not always the ones that are perceived to be the most legitimate ones by local stakeholders.”*⁹⁴
- Section 3.2.2 (‘Semi-industrial exploitation’) explains, for example, how semi-industrial gold miners operate under the auspices of **informal, powerful networks that enable predatory behavior** against local populations. Such networks involve state authorities, heads of the mining administration, the military and police, and customary authorities. It is thus challenging to tackle this climate of predation.⁹⁵

In sum, an analysis of ‘conflict financing’ and the role of the FARDC and armed groups presents only a partial picture of the issues at stake. Armed interference and extortion of ASM stakeholders must be understood within this broader context of systemic corruption, ‘legal pluralism,’ and a ‘climate of predation.’

92 Ibid., p. 34.

93 Matthysen K., Muller T. and Bulakali N. Z. (November 2022), op. cit., pp. 39-41.

94 Ibid., p. 41.

95 Wakenge C. I. and Matthysen K. (February 2023), op. cit.

4. RESPONSIBLE SOURCING

Numerous governmental, international, and private initiatives have been launched since 2008 to formalize DRC's artisanal mining sector and to promote more responsible sourcing practices, i.e., supply chains that do not contribute to conflict, human rights violations, or other risks such as money-laundering and bribery. These initiatives include traceability schemes that are designed to verify the origin of bags of minerals,⁹⁶ due diligence initiatives that oblige companies to assess the risks along their mineral supply chains,⁹⁷ and certification mechanisms that certify that the exploitation of mineral exports has respected a set of minimum standards.⁹⁸ Many of these initiatives focus on breaking the link between conflict and mineral extraction.

Responsible sourcing initiatives discourage armed interference in the artisanal mining sector,⁹⁹ but a wide range of challenges persist. Further progress has been minimal over the past few years, and mainly observed in the 3T sector, which represents no more than an estimated 20% of the ASM sector in eastern DRC (Table 1 in Chapter 1). It could also be considered the 'low-hanging' fruit, as the 3T sector has traditionally been less prone to conflict financing than gold.¹⁰⁰ The overall impact on security and armed interference in mining is disappointing: 61% of the artisanal miners in eastern DRC are still affected by the interference of armed actors (Figure 4, section 2.1 'Armed interference').

IPIS researchers noted that traceability works well in several of the areas that we visited, such as the territories of Walungu (South Kivu) and Nyunzu (Tanganyika), and contributes to security and lower levels of extortion. Nevertheless, in all these areas, contamination of mineral supply chains persists.

4.1. Contamination of mineral supply chains

'Contamination' of mineral supply chains occurs when they contribute to conflict-financing (e.g., supporting armed groups), serious human rights abuses, or fraud. The OECD due diligence guidance provides a good overview of such risk in its annex II.¹⁰¹ It is important to realize that due diligence for responsible supply chains should be perceived as an ongoing process for companies and that incidents and risks along supply chains are inevitable. Nevertheless, IPIS research teams observed a number of incidents and challenges that were omnipresent.

First, illegal taxation at **roadblocks** affects mineral supply chains (see section 2.2.2, 'Roadblocks'), including those covered by responsible sourcing initiatives. Nzibira, for example, is an important trading center for 3T supply chains covered by traceability of the International Tin Association's (ITA) Tin Supply Chain Initiative (iTSCi). FARDC and customary authorities, however, demand levies from all passersby at the roadblocks they established around Nzibira.

96 The iTSCi Programme for Responsible Mineral Supply Chains is the most important one in eastern DRC. The International Tin Association (ITA)'s programme iTSCi monitors mineral supply chains in eastern DRC. It implements traceability by providing labels to Congolese state agents, so that they can tag 3T mineral production at the mine site and along the trade route to verify the origin of the minerals further down the chain. Furthermore, it also implements related activities to monitor the supply chains, including incident reporting, risk management, etc. Besides iTSCi, there are other smaller traceability initiatives such as Better Sourcing Program (BSP), which also operates in the 3T sector. Traceability implementation in the gold sector is much more challenging because of the nature of gold production and trade. Nevertheless, the DRC government launched a gold traceability system, called 'Initiative pour la traçabilité de l'or artisanal' (ITOA).

97 The best known is the due diligence guidance from the Organisation for Economic Cooperation and Development (OECD): OECD, *OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas: Third Edition*, 2016.

98 For example, the Regional Certification Mechanism (RCM) of the International Conference on the Great Lakes Region (ICGLR), or the Certified Trading Chains (CTC) programme of the German Federal Institute for Geosciences and Natural Resources (BGR).

99 PRG, IPIS, SFR and Ulula, *Evaluating Due Diligence Programs for Conflict Minerals: A Matched Analysis of 3T Mines in Eastern Congo*, Los Angeles/Antwerp, November 2020.

100 Matthysen K., Muller T. and Bulakali N. Z. (November 2022), op. cit., p. 51.

101 OECD (2016), op. cit.

Second, **inaccurate tagging practices**¹⁰² create substantial risks for structural contamination of mineral supply chains. IPIS researchers regularly observed the tagging of minerals at trading hubs far away from the actual mining site. One of the principal explanations for these unauthorized practices is that traceability largely relies on state agents to implement the tagging process of minerals. In 2022, IPIS provided the example of Ntufia (in Maniema Province) to illustrate the loopholes in traceability. *“iTSCi agents pass by Ntufia’s SAEMAPE officers once or twice a month to collect the documents containing all information on the mineral bags and their tags. These SAEMAPE agents however rarely visit the actual mines (The low frequency of mining site visits by state agents is a general problem in eastern DRC,¹⁰³ due to a lack of staff, accessibility of mining sites, and insecurity). The miners take their production home in the evening, and mineral traders buy in the miners’ camp. Once traders have acquired a sufficient volume, ready for export, they will call on the SAEMAPE agent to come over to label the mineral bags. SAEMAPE agents, and consequently iTSCi, have no actual oversight on production at the level of the mines.”¹⁰⁴*



Artisanal miners carrying bags of gold ore, Tanganyika, 2022.

Many stakeholders confirmed that **minerals from mines controlled by armed actors easily enter the so-called ‘responsible supply chains.’** For example, at and around the Lukoma mine (Walungu territory), Raïa Mutomboki rebels levy taxes on cassiterite production and mineral trade. These minerals are reportedly tagged under the name of the validated Kachuba and Muhinga mines.¹⁰⁵ Several stakeholders stated that the tagging practices in Nzibira enable this contamination.

Around Kisengo (Nyunzu territory, Tanganyika) traceability has been revived with the return of the company MMR. Its arrival positively impacted local security in 2022, following the increase of state security agents accompanying MMR. Local interviewees, however, claimed that minerals from mining sites occupied by Apa na Pale (see section 2.3 ‘armed groups’), such as Tuluga, continue to make their way into the responsible supply chains.

This research has not been conducted specifically to evaluate the impact of responsible sourcing. Nevertheless, anecdotal evidence regarding inaccurate tagging practices, loopholes in traceability, and contamination of supply chains is omnipresent. These are not surprising conclusions, as ASM stakeholders in DRC have been drawing attention to this for many years. IPIS has also reported on these practices in previous reports.¹⁰⁶ This report merely confirms that there are more structural problems concerning ‘responsible sourcing’ in eastern DRC.

102 ‘Tagging’ is the sealing and labelling of mineral bags at the level of the mining site and trading hubs by state agents, with labels provided by the international traceability schemes.

103 Matthyssen K., Muller T. and Bulakali N. Z. (November 2022), op. cit., p. 41.

104 Matthyssen K., Muller T. and Bulakali N. Z. (November 2022), op. cit., p. 43.

105 IPIS, *Cartographie des sites miniers dans l’est de la RDC: Walungu territory, Fiche d’information*, October 2022 (<https://ipisresearch.be/feedback-session-sharing-the-results-of-the-data-collected-in-walungu-south-kivu/>).

106 See for example: Matthyssen K., Spittaels S. and Schouten P. (April 2019), op. cit., pp. 50-52.

4.2. Structural issues with responsible mineral sourcing

Mining reform, and responsible sourcing initiatives in particular, face structural challenges that undermine their efficiency. We will discuss them one by one in this section.

First, **traceability's credibility relies on state agents**. In several cases, however, these state agents appear to be 'capitalizing' on the system, notably, by selling traceability scheme tags to traders. Participants in IPIS' restitution workshops linked this observation to state agents being deployed without any financial support. One participant said: "*The goat grazes where it is tied.*" Additionally, these agents rarely visit the more remote sites, preferring to stay in the larger urban and commercial centers. Consequently, they often monitor mineral trade at the houses of mineral traders instead of monitoring production at the mine level. A SAEMAPE agent explained that insecurity is one of the main reasons state agents are often not eager to enter the mines.¹⁰⁷

Another structural challenge is the impact of mining reform, including responsible sourcing initiatives, on **access to resources**. Physical and social access to resources is important in several conflicts in eastern DRC.¹⁰⁸ Mining reform has created additional barriers to access resources for most stakeholders (such as higher costs, more administrative requirements, and the obligation to work within a cooperative's framework), increasing socio-economic inequality. Mining reform and responsible sourcing have often been beneficial to local elites, but further weakened the position of ordinary artisanal miners.¹⁰⁹ In section 3.3, we have explained how it also affects gender inequality.

Third, responsible sourcing initiatives have often used **exclusionary strategies**, while long-term peaceful solutions require inclusive approaches. These exclusionary strategies operate by attempting to cut 'illicit' local traders out of mineral supply chains, as they allegedly extort miners and channel 'conflict minerals' into mineral supply chains. This approach reveals a misinterpretation of the local context. Vogel and Musamba (2017), in contrast, describe the important role many of these actors play. For example, local mineral traders are "brokers of socio-economic life in North and South Kivu" as they manage to access isolated mines to buy minerals and provide consumer goods in a context of poverty, insecurity, corruption, and lack of governance.¹¹⁰ Cutting out such vested economic interests from the mineral supply chains undermines the chances of success of responsible sourcing. Moreover, it increases the likelihood of additional conflicts. A more inclusive strategy inevitably starts with the mapping of key ASM stakeholders for each geographic area of intervention, as power balances tend to vary in different regions. This should be followed by a consultation process that enables all stakeholders to raise concerns and expectations. Engaging with a wider array of ASM actors along the supply chain is needed in order to effectively exert positive influence over the ASM sector, including the actors that are perceived to promote informal mining and illegal mineral trade.

Next, the narrow focus on conflict minerals has resulted in a neglect of the **development potential** of ASM. Responsible sourcing efforts, and mining reform more in general, have had no real impact on local development. Miners claim it has not brought them any additional revenues. In combination with increasing levels of socio-economic inequality, it raises the question of the **sustainability of mining reform and responsible sourcing**, and to what extent the principle of 'Do No Harm' has been considered. Wakenge (2020) states that mining reform has created new types of conflict or revived conflicts in some cases, which he defines as "reform conflicts." Competing claims between mining cooperatives, for example, are ubiquitous.¹¹¹ (Since 2010, artisanal miners in DRC are legally obliged to

107 IPIS restitution workshop, Bukavu, 29 November 2022.

108 Matthysen K. and Gobbers E. (December 2022), op. cit., p. 29.

109 Ibid., p. 29.

110 Vogel C. and Musamba J., *Brokers of crisis: the everyday uncertainty of Eastern Congo's mineral négociants*, Journal of Modern African Studies, 55, 4 (2017), 567-592.

111 Matthysen K. and Gobbers E. (December 2022), op. cit., p. 28.

work in a cooperative.)¹¹² Another example is the disagreement between the company Société Minière de Bisunzu (SMB) and the iTSCi traceability scheme.¹¹³

A CSO representative even questioned the intentions of responsible sourcing: “If the traceability systems were really ‘moral’ they would work together to combat fraud, and not tagging minerals from each other’s concessions.” Many responsible sourcing systems have been around for many years, and several participants in IPIS restitution meetings complained about the **poor performance of the initiatives currently implementing responsible sourcing**. CSO actors claim that since 2010, no proper and transparent evaluation of these systems has been organized. An **in-depth evaluation** of the work and results of these systems, (co-)managed by different DRC stakeholders (state, economic, and CSO actors, national and local) is therefore direly needed.

Finally, some **in-country structures to promote responsible sourcing** have become too politicized, notably managed by politicians. For example, in South Kivu the provincial multi-stakeholder committee to monitor the mining sector (*Comité Provinciale de Suivi*, CPS) was inactive in 2021 as the Provincial Minister of Mines did not call for a new meeting, and discussions on the use of development funds in the Basket Fund¹¹⁴ blocked further activities or investments of the CPS. Several CSOs and mining cooperatives also reported that they feel a strong resistance to express themselves frankly in the CPS meetings, as politicians dominate them. Similarly, local committees (*Comité Locale de Suivi*, CLS) are allegedly entirely controlled by local chiefs or administrators. Additionally, CLS structures struggle to find sufficient finances, which undermines its members’ strong and active participation. Those managing to hold regular meetings are reported to have become merely routine structures lacking a solid dynamic to fight fraud and insecurity. Finally, communication between the local and the provincial structures is minimal.¹¹⁵

To conclude, responsible sourcing efforts and formalization in general, should try to build upon existing modalities within the ASM sector (actors, associations, and trade networks) to realize incremental change instead of enforcing newly designed technical solutions on ASM stakeholders for short-term impact. Such incremental change is most effectively achieved through participative strategies, including more participative CPS/CLS meetings and evaluation processes (which also require support to different ASM stakeholders: CSO, economic, and state actors); strong involvement of state mining agents in design and on the ground implementation of responsible sourcing efforts; and support to local CSOs to freely operate and hold other actors accountable for violations of responsible sourcing practices.

Additionally, responsible sourcing efforts should proactively assess the local development impact of their interventions. First, this requires a strong understanding and risk management of impacts on the socio-economic situation of individual ASM actors and mining communities in order to avoid local distrust. Second, more efforts to promote local development (e.g., establishment of local development plans or support of local stakeholders to engage in CPS/CLS discussions on investments of tax revenues from ASM) would help to increase incentives for local communities to engage with responsible sourcing.

112 Arrête ministériel n° 0706/CAB.MIN/MINES/01/2010 du 20 septembre 2010 portant mesures urgentes d’encadrement de la décision de suspension des activités minières dans les provinces du Maniema, Nord-Kivu et Sud-Kivu.

113 Matthysen K. and Gobbers E. (December 2022), op. cit., pp. 19 and 35.

114 The Basket Fund had been established for investments in local development, and was fed by a levy on mineral exports.

115 Matthysen K. and Gobbers E. (December 2022), op. cit., pp. 30-31.

CONCLUSION

Minerals, particularly gold, continue to play an important role in conflict financing in eastern DRC. While large-scale armed conflict over DRC's mineral wealth has decreased significantly over the past twenty years, there are three primary links between mining and conflict. At the local level, conflicts over access to resources between various stakeholders remain common. Second, many small self-defense groups use mineral resources (among other revenues) to survive. And third, FARDC units are the most prominent armed actors interfering in the mining business.

IPIS data reveal that 61% of the miners are subjected to the interference of armed actors. After more than 15 years of mining reform and 'responsible sourcing' efforts to address conflict financing, this is a disappointing result.

This report argues that the limited impact is to a large extent because 'responsible sourcing' is based on an outdated analysis of conflict financing. Over the past two decades, the conflict in eastern DRC has evolved, and so has the link between 'mining' and 'conflict' – and 'insecurity' more generally. New types of conflict linked to mining have occurred, and more (and sometimes different) actors are involved. This is why Wakenge (2020) stresses the need to deconstruct the notion of 'conflict minerals' and redefine this concept.¹¹⁶ 'Conflict minerals' is no longer just about armed groups selling minerals or skimming off profits from the mining business to finance their activities. Two important factors need to be recognized to make responsible sourcing efforts and mining reform more effective: notably the complexity of local conflict dynamics and the security risks related to mining beyond direct conflict.

First, conflict dynamics are complex and multidimensional. Various other issues interact with natural resources, including access to land, intercommunity tensions and their historical roots, failing DDR programs, and long-lasting governance issues such as elite capture, underperforming corrupt state services, and faltering mining sector formalization processes. They should be considered to understand and resolve resource-related conflicts.

Second, the report expanded on several other issues and risks that are not directly linked to conflict (financing) in eastern DRC but are related to structural forms of violence and may represent important security risks. These include the omnipresence of former rebels, the rush on DRC's mineral resources, gender inequality (and other forms of discrimination), and governance issues, including the existence of 'networks of predation.' This list is not complete, and mining stakeholders are concerned about other challenges they face every day, such as labor conditions, health and safety, social security, remuneration, etc. In eastern DRC's post-conflict situation, such problems risk contributing to future conflict.

IPIS proposes the need for a more integrated analysis of 'mining,' 'insecurity,' and 'conflict financing' for responsible sourcing efforts to become more effective. Such an analysis does not focus solely on the direct benefits of mining to conflict actors but untangles the link between mining and other local conflict dynamics such as land conflicts, intercommunity tensions, and socio-economic inequality. Additionally, it tries to understand mining-related tensions and conflict more broadly and is not restricted to armed conflict. In the fragile security situation of eastern DRC, tensions and conflict over access to resources must be carefully managed as they present real long-term security risks. This report illustrated how social tensions over newly arrived (foreign) companies can lead to violence, how corruption and governance issues maintain a climate of predation and social discontent, and how neglect of former combatants frightens ASM stakeholders.

116 Wakenge C. I., *Prédation et violence à huis-clos: Artisanat minier et dynamiques des conflits à Fizi, Kalehe et Shabunda (Sud-Kivu, RD Congo)*, October 2020.

Understanding this complex web of conflict drivers and mining-related risks when designing responsible sourcing efforts will surely improve their conflict sensitivity. More in detail, conflict-sensitive approaches begin with identifying a wide range of ASM stakeholders and consulting them during the design and implementation of responsible sourcing efforts. During implementation, participation of different local stakeholders (CSO, economic- and state actors) in meetings, implementation, and evaluations is important. IPIS observed firsthand, during a few restitution meetings (at the level of local territories), the effectiveness of well-organized participative meetings in encouraging different stakeholders to raise and discuss issues promoting more responsible supply chains from the bottom-up.

Conflict sensitive approaches should also avoid exclusion of actors that are often perceived to promote informal business (such as mineral traders, traditional authorities, etc.), as exclusionary strategies threaten vested economic interests, which undermines the chances of success of responsible sourcing, and increases the likelihood of additional conflicts. Finally, they should incorporate a deep understanding of the local socio-economic realities and social context as past reforms have often neglected issues of gender equality, social inclusion, and discrimination. Policy initiatives risk pushing vulnerable groups (based on gender, ethnicity, income, political power, etc.) further into informality and increasing their dependency on other ASM actors, which further reinforces their fragile position. More conflict-sensitive approaches will lead to less tension around implementing these initiatives and contribute to a more sustainable impact.

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