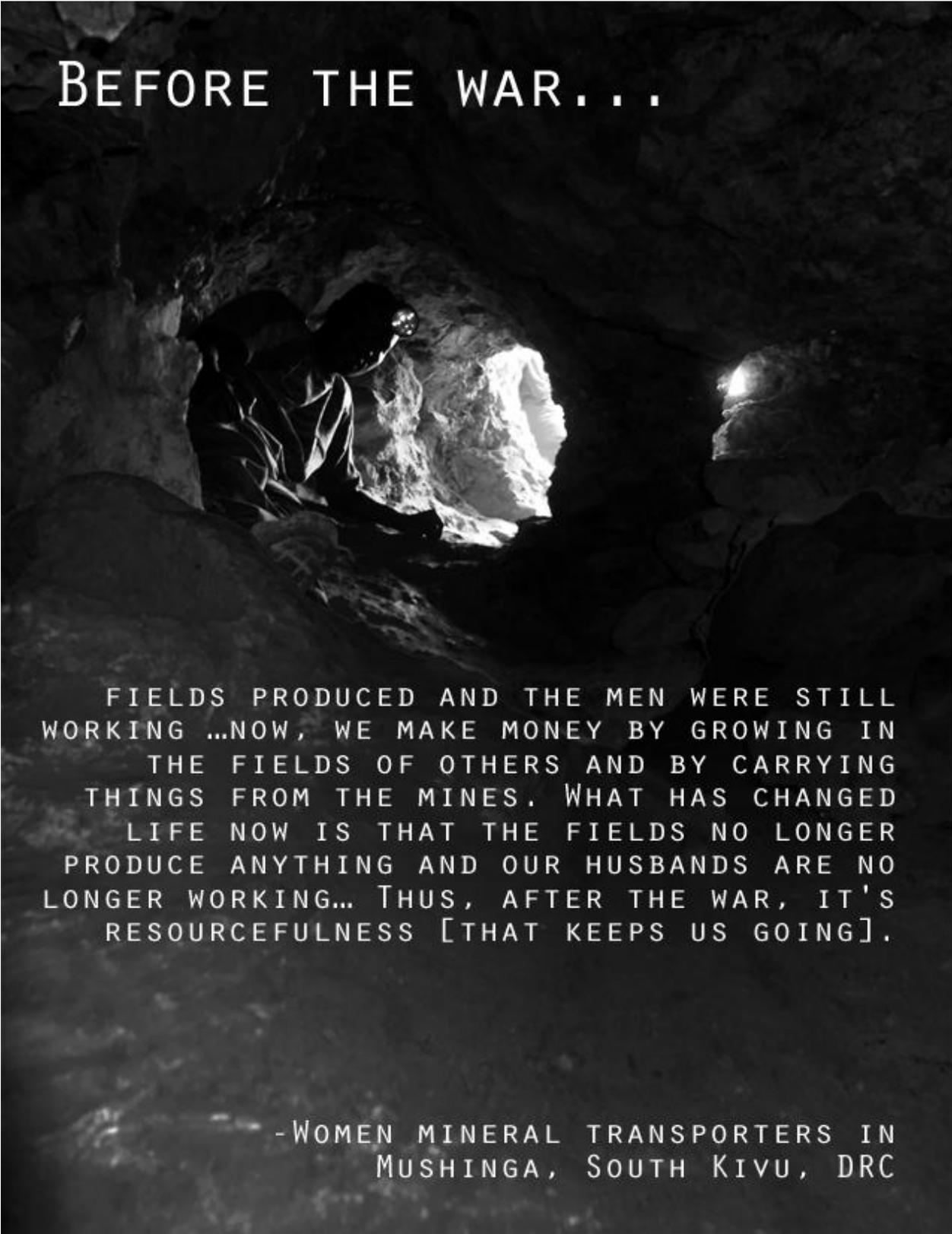


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# BEFORE THE WAR...

FIELDS PRODUCED AND THE MEN WERE STILL WORKING ...NOW, WE MAKE MONEY BY GROWING IN THE FIELDS OF OTHERS AND BY CARRYING THINGS FROM THE MINES. WHAT HAS CHANGED LIFE NOW IS THAT THE FIELDS NO LONGER PRODUCE ANYTHING AND OUR HUSBANDS ARE NO LONGER WORKING... THUS, AFTER THE WAR, IT'S RESOURCEFULNESS [THAT KEEPS US GOING].

-WOMEN MINERAL TRANSPORTERS IN MUSHINGA, SOUTH KIVU, DRC



Executive Summary .....	5
Results at a Glance .....	7
Introduction .....	8
Project Description .....	9
Methodology .....	9
Second phase of data collection .....	10
Data Analysis.....	10
Limitations.....	10
Results .....	10
Recommendations.....	31
Annex 1. Qualitative Data Collection in Walungu and Kalehe.....	32
Annex 2. Description of Field sites.....	33
Walikale (pending).....	33
Kalehe.....	33
Walungu .....	34



Cassiterite dries in the sun in the town of Nyabibwe, Kalehe Territory

## Executive Summary

There are few things that evoke such passionate and divergent reactions as the issues surrounding gender, conflict and mining in eastern Democratic Republic of the Congo (DRC). At once reviled by international advocacy organizations and celebrated by local communities, mining is viewed as both the scourge and savior of a region wracked by decades of violence. This report will look at artisanal and small-scale (ASM) mining in North and South Kivu – two of the most conflict-affected provinces in the DRC. By taking a human rights-based approach, this project aimed to examine issues specifically relating to gender, militarization of the extraction process and free and equal participation in political, judicial and economic systems. By speaking with a wide variety of actors who live and work in these communities, we attempt to identify issues that are common to mining-affected areas. While this report attempts to distill universal themes from the qualitative research, there are geological layers of complexity in these systems that no one message can easily capture and no one solution can easily address.

With the advent of the wars in the mid-1990s, the primary economic systems in eastern Congo, notably agriculture and small trade, began to fall apart. As active hostilities stretched into decades of insecurity, displacement, crop viruses, the threat of sexual violence, and constant danger of looting and predation by armed groups lead to a disintegration of agricultural economies.

Mining emerged as one of the only viable ways to earn money – a system remarkably well-adapted to the new realities brought by conflict. Mining towns, defined spaces that could be controlled and secured by an armed group or branch of the national army, became attractive places for vulnerable populations seeking security and economic opportunity. Unlike agriculture, mining accommodates displacement and poverty; it is a quick-turn-around system that gives you cash in hand. Exploitation of minerals became increasingly entrenched as a primary source of income for many, and along the way shaped social, economic, and political structures.

While nearly all of the research participants in this project acknowledged the exploitative nature of mining and the vastly unequal distribution of profits, they also overwhelmingly perceived it as beneficial to their communities. Participants extolled the virtues of this industry as a desperately needed source of income. They also, however, described the debt bondage and misery of hard labor, sometimes portraying mining-associated work as “slavery.” Dualities like these riddle this topic, making it difficult for policy makers, governments and international organizations to understand how to intervene.

While women are vital actors in mining communities and fill a variety of roles, they are also among the most vulnerable to sexual and economic predation. Women and other disenfranchised populations are generally relegated to marginal support roles – from running restaurants and transporting materials, to participating in transactional sex. The more profitable jobs are kept for men.

In many sites, women come from other areas seeking work. They arrive in a mining site with no social networks, peer support or other resources to help them in their new surroundings, leaving them particularly vulnerable to exploitation. Drug and alcohol use is described as being rampant in mining towns and inside the quarries themselves. The effects of substance abuse are an increase in violence and a breakdown in the social fabric of their villages. Participants often described the mining lifestyle pulling apart traditional family structures. Men “disappear” into mining areas and build new lives. While money exists around the mines, little of these profits seem to make it back to hungry children and sick family members back home.

People spoke particularly about HIV/AIDS as an emerging threat which the nearly non-existent health infrastructure in these areas is not equipped to handle. Close quarters and hard labor mean that other health issues, including physical trauma, diarrhea, tuberculosis, respiratory infections, malnutrition, and malaria are rampant.

Participants in the research depicted how power structures and access to quarries were changed by war. While discussions generally framed issues in terms of pre- and post-war eras, they also made it clear that conflict is ongoing and continues to shape the daily realities of life in eastern Congo. The link between political authorities in mining towns and armed groups or the national military has been widely documented in existing literature. In communities visited throughout the course of the study, armed group control was present and powerful, but also well hidden. Militarized regulation of mines is not overt or physical, but realized through links to powerful cooperatives, customary authorities, and taxation.

These nexi of power go largely unchecked since the same authorities with political clout dominate the justice system. While human rights abuses in mining towns are legion, rampant corruption in both state and non-state institutions severely restricts access to any form of redress. Those most vulnerable to human rights abuses, such as orphans, widows, sex workers, and displaced persons, are also those least able to access traditional and formal justice mechanisms.

In the absence of courts and tribunals, capable national human rights institutions or ombudspersons, participants in the research said they relied on each other and small associations as the most neutral and capable parties for bringing some level of justice in their communities. Active systems of associations were in fact present in every site, speaking to an enterprising spirit and desire for more inclusive political engagement. People often self-organized to promote a common profession, cause or interest. However, these groups lack the financial means, human capacity and political influence to make sustainable change. Often people in associations were ignorant of the rights they have under national and international law. In particular, ignorance and misconceptions about the new mining laws are widespread. As a result, measures purporting to be based in the new legal code are used to further consolidate privilege in the hands of those who have always profited. This especially evident in the continued marginalization and exploitation of women and children. Education around mining code and rights of those in mining towns would have great power, particularly if this is coupled with strengthening the capacity of local associations so they can continue to advocate for their own rights. Organizing to create more effective unions and associations, while promoting grass-roots inclusive economic cooperatives offers an intriguing opportunity for improving life in mining towns.

In the following sections, we will examine these issues more deeply using the voices of communities to better understand the complex realities of mining areas.

## Results at a Glance

Human Right or Gender issue	CEDAW provision	Summary of Research Finding
<b>Gender-Based Violence (GBV)</b>	General Recommendation No.19 by CEDAW committee, specifically on GBV	While women were vital actors in mining communities and filled many roles, they were also among the most vulnerable to sexual and economic predation. Rape was described as commonplace in mining towns. Many women spoke about engaging in transactional sex out of desperation, a profession that placed them at an increased risk of experiencing rape and other forms of abuse. Sex workers were often migratory and without social or financial support. Sexual predation by armed men was also described as a concern, although it was generally less pressing than the everyday violence and abuse that women suffered as a result of living in mining towns.
<b>Discrimination</b>	Art. 11: Discrimination in the field of employment, i.e. opportunities, equal remuneration, treatment, etc.	The majority of actors directly involved in the extraction of minerals at mining sites were described as extremely poor and vulnerable. The ideas that mining offers quick cash and that there is no requirement of land ownership or residency appealed to the most marginalized populations. While mining jobs are theoretically open to everyone, actually acquiring work was dictated by one's ability to pay for access to the mines. Women and other vulnerable populations were generally relegated to marginal support roles in mining towns. For women, transactional sex was often their only means to gain an economic foothold in mining towns. Vulnerable populations, including children, women, the landless and the very poor, reported high levels of economic and sexual predation in mining towns.
<b>Right to Health</b>	Art. 11(f): Right protection of health and safety in working conditions Art. 12 Art. 14.2(b): Access to healthcare, i.e. available, affordable, full information	Health problems were summarized into three categories: poor labor conditions; poor structure of mining tunnels; and public health problems, such as poor hygiene and high levels of infectious disease. The scarcity of public health facilities in mining areas, such as toilets, clean water supply, waste systems, and primary care services, combined with close quartered living conditions, led to a high prevalence of diarrhea, tuberculosis, respiratory infections, malnutrition, and malaria. Sexually transmitted infections, including HIV/AIDS, were also a significant and worsening problem.
<b>Access to Justice/ Remedies and Accountability</b>	Mechanisms/institutions that effectively address the nature of the harm caused by discrimination in the field of economic, social, and cultural rights. Institutions include courts and tribunals, administrative authorities, national human rights institutions, and/or ombudspersons, which should be accessible.	Mining communities in South Kivu stated that rampant corruption in both state and non-state institutions severely restricts access to justice. For the majority of participants, demands for justice after suffering human rights violations were, at best, unrealistic and, at worst, dangerous. Those most vulnerable to human rights abuses, such as orphans, widows, sex workers, and displaced persons, were also those least able to access traditional and formal justice mechanisms.
<b>Right to Participation</b>	Art. 7 (b&c) Art. 14.2(a): Right to meaningful participation in formulation of policies Art. 14.2(e): Right to organize self-help groups and cooperatives in order to obtain equal access to economic opportunities in all community activities	Local, provincial, and regional actors compete for resources and control in mining towns. Highly restricted access to political participation and widespread discrimination were the norm in all communities sampled. While marginalized groups were often allowed to self-organize and form associations to promote a common profession or interest, they lacked the financial means, human capacity, and political influence to make sustainable change.

## Introduction

Recent studies in the DRC tend to focus on human rights abuses or on the status of women,<sup>i</sup> however few investigations examine the link between mining and sexual violence. There is a dearth of research specifically into the gender dimensions of artisanal and small-scale mining (ASM) as a means to economic security for both men and women. Further, there has been insufficient analysis of the real and potential threats to women’s human rights in the artisanal mining sector in DRC. Once these threats are identified, governmental and other partners can be informed as to protective and restorative actions they can take to assure the rights of vulnerable groups within mining communities.

With improved understanding of the vulnerabilities, opportunities, and human rights threats facing women in conflict-affected small-scale mining areas, governmental and NGO partners can be better informed both how to prevent violations of rights, as well as how to promote rights and improve economic and social outcomes for women and communities. The ASM sector has been noted as a significant element in the ongoing conflict in DRC, with particularly negative implications for women, but also has the potential to lead to considerable economic gains. These are complicated, nuanced issues that must be understood more carefully in order to ensure the rights of women, while also promoting the potential for economic security and social development for mining communities as a whole. In order to undertake this work, the World Bank used a human rights framework, specifically structuring the research questions around relevant articles outlined in the Committee on the Elimination of Discrimination against Women (CEDAW) Convention. These are outlined below and provide the structure for the “Results at a Glance” section above.

Table 1.

<b>Human Right and Gender Issue</b>	<b>CEDAW Provision</b>
<b>Gender Based Violence</b>	General Recommendation No.19 by CEDAW committee, specially comments on GBV
<b>Discrimination</b>	Art 11. Discrimination in the field of employment: i.e. opportunities, equal remuneration, treatment etc)
<b>Right to health</b>	Art 11 (f) and (Right protection of health and safety in working conditions,) Art 12 &14.2(b) Access to healthcare i.e. available, affordable, full information)
<b>Access to justice/ Remedies and accountability</b>	Mechanisms/institutions that effectively address the nature of the harm caused by discrimination in the field of economic, social and cultural rights. Institutions include courts and tribunals, administrative authorities, national human rights institutions and/or ombudspersons, which should be accessible.
<b>Right to participation.</b>	Art 7.b&c Art 14.2(a) and (e) (Right to meaningful participation in formulation of policies), 14.2 (e) Right to organize self-help groups and Cooperatives in order to obtain equal access to economic opportunities in all community activities.

## Objectives of the Research

To address existing gaps in knowledge relating to the AMS sector in South Kivu, and to ultimately identify interventions that might be incorporated into the PROMINES project, this study will focus on gender and human rights in artisanal and small-scale mining areas in the Kivu regions of DRC. The objectives of the study will be to:

- (i) Identify the key gender dimensions of ASM in the Kivus, particularly in terms of how conflict exacerbates or changes what is already known about the gender dimensions of ASM and to understand the human rights issues facing women;
- (ii) Identify specific sources of gendered vulnerability to human rights abuses within AMS communities and identify ways to address these vulnerabilities;
- (iii) Identify methodologies of resilience or positive coping in communities.



## First phase of data collection

*Focusing the research question and building an evidence base*

In the preliminary phases of establishing the project, local partners facilitate introduction to the following actors in each field site: town administration officials; customary chief; women's group leaders; leaders of economic cooperatives; religious leaders; key actors in mining process. Not all of these actors were accessible in each site; rather this list provided a guide for thinking about the types of players that could be sought out in each context. In initial interviews, the research team requested referrals to other stakeholders involved in the process who could continue to inform the research.



A gold miner grinds the earth he has brought out of the quarry in Walungu

## Second phase of data collection

*Targeted questioning and site-specific dynamics*

Building on the results from phase one, this work further explored gender roles; abuse and protection issues including sexual violence; the structure of the mining industry especially as it relates to discrimination and participation; and ways that conflict has affected the mining industry. Often, this phase of work followed directly on the first phase, however in some cases this occurred during a second trip to communities.

## Data Analysis

All focus groups were attended by at least one moderator and one note-taker. Taking notes from the interviews, rather than recording and transcribing the interviews and focus groups will allow for near real-time collation and analysis of the data.

Team members generated codes first independently then refined them collaboratively; this process allowed them to identify key unifying themes, explore complexities in the narratives, and generate hypotheses where appropriate. Codes identified as important by two team members defined categories; consistent variations within a category were captured as subcategories.

## Limitations

There are a number of challenges inherent in a project like this. Artisanal mining communities are often remote and difficult to access. Mining is a dynamic process, so quarries active during the data collection phase may have closed and new ones may have opened. This fluidity can change the types of answers we collect during the work. Indeed, the concept of “artisanal and small-scale mining” is remarkably diverse. Gold, coltan, cassiterite and tantalum all have different extraction processes and supply chains, and mining processes for each mineral have many steps and contributing players. For this work, we chose to focus on the initial stages of the extractive process: the on-the-ground miners in communities and the surrounding economic and social systems. We did not confine ourselves to looking at one particular mineral. Instead, in collaboration with the World Bank and local organizations, we chose active mining sites and examined the minerals being exploited in those areas.

Current global mining dynamics can also influence research results. For instance, mineral prices were notably low during the data collection. This became an issue that participants mentioned often. High prices might have elicited different responses about challenges in communities. Highly localized factors can also influence results. For instance, one site (Nyabibwe) had largely suspended mining activities as some of the main quarries transitioned to mechanized water pumping. As a result, many research participants talked about this issue and the impact of the work stoppage. This may not be an important or salient finding in the future when work resumes.

Insecurity is a constant challenge. At the heart of the project is a goal of understanding the militarized nature of these communities – a particularly sensitive issue in an unstable environment. The research team had to

suspend activities before reaching the third field site (Walikale) because of activity by the M23 rebel group. In addition, armed group control, like the concept of mining, is heterogeneous. As discussed in the results section, there are various ways that armed groups interact with and control mining communities. Militarization, therefore, is not a single concept, but rather occurs to varying degrees and through different control modalities in each place.

Fear that mines would be shut down and livelihoods lost because of negative reports from this project was another problematic issue. Despite working with trusted and long-established local partners, and repeatedly explaining the academic nature of the work, these concerns persisted to varying degrees on each axis. They were most pronounced in Nyabibwe on the Kalehe axis. Nyabibwe has been the target of a great deal of attention from the national government, multinational entities working on mining issues and NGO initiatives. As a result, there is awareness of sensitivities around women and children working in mines and great concern about the international perception of mineral exploitation. In sites on the Walungu axis, these issues were much less pronounced and people talked more frankly about women's and children's roles in the mines. Despite these challenges, the results of this project did triangulate in on important themes. Across highly diverse populations and very different contexts, certain problems seemed universal.



## Results

### The Crucible of Conflict: A Coevolution of Mining and War

Mining is described as a lifeline and vital source of income in the sites visited for this study. In the devastation wrought by war, older economic systems that used to support the population slowly succumbed to decades of violence, displacement, agricultural decline, and constant danger of looting and predation by armed groups. Mining emerged as one of the only viable ways to earn money. Exploitation of minerals became increasingly entrenched as a primary source of income, and along the way shaped social, economic, and political structures. While communities in this project emphasized the importance of mining profits in their towns, they clearly outlined the detriments as well. The mining system is described as inequitable to the point of being predatory, dangerous, violent, and deeply entrenched in existing power dynamics.

A man mines cassiterite in a quarry near Nyabibwe, Kalehe. However, it is a system well adapted to conflict. The communities in this project described how, before the war, the primary economic activities were farming and raising livestock. Unfortunately, these systems were some of the least suited for survival in war. Perhaps the most obvious factor in the destruction of the agricultural system was displacement. Farming and to some extent raising animals, by definition, requires you to stay on the same land for harvest cycles. During the war, communities almost universally described widespread displacement. In previous HHI research, a survey conducted throughout North and South Kivu found that over 90% of respondents reported being displaced during the conflict and roughly one-third reported ongoing displacement. In some cases, forced population movement seemed to be a deliberate tactic to destabilize societies creating a “domino effect” of movement from one town to the next. As a medical provider in Mulamba described:

These men [the Hutu militia] exploited our land and exploited our people, and used our labor to feed themselves. This created a domino effect as people decided to flee one militarized place to go to another. Now, the people that took flight left their homeland. This meant they had no land of their own anymore and nothing to eat. The native population became the slaves of those in uniform. The men in uniform exploited the earth and used the local population to work. After exploiting the people like this, they forced out other people from other places, so soon no one had anywhere to farm.

To add insult to injury, plant viruses ravaged the agricultural sector during the war, and continue to make farming unviable in many areas. “Mosaic” is a virus that affects a number of staple crops in DRC, including beans, cassava, and bananas. Discussions of crop virus most commonly arose in the Walungu area where the population heavily relied on agriculture before the war. Miners’ wives from Mulamba described, “Before the war, we farmed, we raised animals and did small commerce. Now, people don’t have work anymore. We try to farm but the fields don’t give any more because of mosaic. So we eat only with great difficulty. The beasts were taken, pillaged so there is nothing left to do.” Women working in the mines in Mushinga echo this narrative:

Before the war, the fields produced and the men were still working on the plantations because the latter existed. Now, we make money by growing in the fields of others and by carrying things from the mines. What has changed life now is that the fields no longer produce anything and our husbands are no longer working. The land became infertile because of the mosaic.

Farming also means that your entire stock of wealth – your crops – is visible and easy to loot. People described going to harvest their crops only to discover that armed groups had already come and picked the field clean. Livestock are also highly visible and easy to steal. In societies where wealth is often kept in highly visible goods rather than money, looting is easy. Community leaders in Mushinga described the transition away from agriculture spurred by the conflict:

Before the war people had money, thanks to the soil, also to agriculture. It’s not everyone who used to go to the mine of Mukungwe because people were otherwise occupied. Some would leave to go to Fizi, Walikale, Lugushwa ... to sell the products of our soil and in exchange they would return with money to support their families. And so the community benefited. In addition, there was livestock like cows. We could usually raise large and small livestock but this has all been looted during the war, and that’s where the poverty began.

Even for those who could still farm, the insecurity on the roads and dissolution of local produce markets meant that farmers couldn’t engage in trade. Agricultural commerce largely ceased and roads became impassible due to crumbling infrastructure and insecurity, eventually leading to a disintegration of markets. A community leader from Mushinga described how this drove people to mine, “After the war, people find it very difficult to find money. Commerce is very weak, it’s hard to say ... that’s why people now usually going to Mukungwe quarry [to mine], where they are able to find money with difficulty.”

Comparison of agriculture (pre-war income generation) to mining (post-war income generation)	
Agriculture	Mining
Slow return on investment	Cash in hand when minerals are found
Requires travel on roads to access markets to turn goods into cash (or trade for other goods)	Markets ( <i>comptoirs</i> or <i>negociants</i> are in place)
Wealth is highly visible and difficult to protect (field full of crops)	Wealth is in the form of cash payment, easier to protect and conceal
Requires access to land and long-term commitment	Requires small start up costs, either through gifts or transactional sex
Requires specialized knowledge, often passed down through generations	Requires little or no specialized knowledge
High perceived risk of looting and sexual violence from militarized armed groups	High perceived risk of injury from dangerous work, risk of sexual violence

The fear of sexual violence during conflict was specifically cited as a reason that people ceased farming. These results are similar to those found in a previous HHI project surveying six communities in North and South Kivu. Women in the mining town of Nzibera described how rape in particular affected farming, “If people

went to their farm, they can get raped or even gang raped, because we think if we say ‘no.’ they will kill us.” A young woman in Nzibera explained, “There is lots of hunger here. But if you have been raped on your farm, you will never return, and the farm will just die.”

While mining activities existed before the war, they were largely described as haphazard, individually owned operations. People noted that mines were accessible but not particularly appealing since there were better options for making a living. There were fewer conditions on being able to enter mines, and, without the involvement of military and state actors, communities profited more directly from mineral exploitation. Miners in Mulamba described this:

Also before the war, people mined minerals in the forest without difficulties and we benefited and got money... Now, we only mine minerals only because there is no more farming, and no more way to raise animals.

In other cases, participants noted that local big men controlled mines and profited off of those who didn’t own land or were migratory workers. However, the majority of the population didn’t seek work in mines since they had other options:

Before the war, the mines were owned by the administration of the territory, the chief of the group, and the person who owned that particular hill or the customary chief... People would take a little on the side secretly sometimes and the people that mined paid taxes. It didn’t benefit the population at large. During this time, those who owned the mines still used people for manpower (main d’oeuvre) because there are no machines. Before the war, the people who worked in the mines were those who didn’t have their own land, people who had sold their fields, people who came from far away, or mendicants –those who had nothing. So, before the war, people who were the chiefs of the hills got rich off of the work of those who had nothing.<sup>1</sup>

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*There is lots of  
hunger here. But if  
you have been  
raped on your farm,  
you will never  
return, and the farm  
will just die.*

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All focus group discussions illustrated how power structures, roles in mining towns, and access to quarries were changed by war. While participants generally framed things in terms of pre- and post-war eras, they also made it clear that conflict is ongoing and continues to shape the daily realities of life in eastern Congo. They particularly noted how the conflict changed power structures, community allegiances, and labor practices in mining areas. Armed groups fought for control of land traditionally ruled by customary authorities. As militias proliferated during the war, towns became battlegrounds for groups looking to consolidate power and find profits to keep them going. Nzibera miners described this dynamic, saying:

Yes, mining has changed because of war. Now, for example, some mines are controlled by FDLR so you can’t access these areas. Things changed ... it is because of war, because of war people couldn’t access certain areas... We are very close to where [there is] mining, but you won’t arrive because you will get stopped by the FDLR. Today there isn’t mining much because of FDLR presence.

As the war ended and people returned home, issues over land rights persisted. Insecurity continued to restrict many from accessing their farms. A healthcare provider in Mulamba summarized what it was like in his community:

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<sup>1</sup> Healthcare provider Mulamba

After the war, those who took flight came back, but they had to re-find their place in the community. They had *nothing*, no seeds, no hoes, no shovels, no money and no jobs. They lived like displaced people. They had nothing, not even fields. These people had trouble reintegrating and poverty was at the heart of this.

To begin farming again you need, most importantly, land. But you also need equipment, seeds, a family structure (since mining roles are often split between different members of the household), and enough money to survive while your crops mature. Deep insecurity continues to persist, making people wary of farming. In Nyabibwe women described this fear as an on-going deterrent to resuming agricultural activities.

During the war things changed, if you tried to go to the farm they would rape you, take your things, the biggest consequence of war is that it locked people in, there was no freedom to move to different areas to sell your goods or to look for work... After the big war still things remain difficult, people tell you there is peace and that it is OK to go to the farm, but when you go, if they don't kill you they will rape you, so now we still are scared to go do different activities.

In addition, people noted that markets and roads are still closed due to violence, so people are unable to sell the goods they cultivate. Participants repeatedly described how reduced access to farms led to the rise in the prominence of mining in many areas. With a dearth of livelihood options and corruption in the mining sector, women transporters from Mushinga portrayed the general post-war feeling among mining communities, "thus, after the war, it's resourcefulness [that keeps us going]."

Mining towns – defined spaces that can be controlled and secured by an armed group or branch of the national army – became attractive places for vulnerable populations seeking security and economic opportunity. It is safer to be in a place controlled by an armed group than in a disputed or unprotected area. Despite this, the very forces that claimed to provide security also ruthlessly robbed miners and other vulnerable groups of any profit they made. Miners in Mulamba noted that, "Now, when you go mine, the military take everything on the road and the price of minerals is very low and unstable."

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*Everyone has adapted to the mining society now, we can't get back to framing.*

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Older participants in this researched express a deep longing to return to social systems that were organized around agriculture instead of mining. They described the time before the war as a golden age, which while it still had problems was characterized by peace and modest prosperity. People could farm, raise animals, and access local markets. People were invested in the land and had a sense of belonging to a place. The younger participants in this research often couldn't remember life before conflict, and looked upon farming as an outdated and unviable way to make a living. The young women in Nyabiwe highlight this, saying, "We could do any work but farming, I could never farm!! Everyone has adapted to the mining society now, we can't get back to framing. When you are 14 and 15 years old you start activities that revolve around mining, small *mafuta*, little things..."

### **Salvation and Slavery – Distribution of profits in mining towns**

While nearly all participants acknowledged the exploitative nature of mining and the unequal distribution of mining related profits, they overwhelmingly perceived it as beneficial to their communities. For many, such as the young men in Mushinga, mining allowed them to feed their families and maintain their communities:

This mine has become our farmland, our mother, and our greatest resource. It is the lifeblood<sup>2</sup> of our economy. Today, mines are feeding all of the Kivus in particular and Congo in general. Now, we lament that white people (Banro) bought this mine [their own mining concession]. If this is the case, how we are going to live, how are

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<sup>2</sup> literally lung - 'poumon'

we going to eat, how will we send our children to study? This is the great difficulty that we have.

Due to the perception that mining towns offer opportunity for relatively quick profit, whether in the mines or in associated industries, the sector tends to attract those who are desperate and have no other means of survival. Vulnerable populations quickly become concentrated in these areas, causing informal economies to spring up around the mines. These small businesses are set-up to provide a variety of services, including food, alcohol, sex, and drugs to miners and others who are often far from home. The result is that mining towns often develop a unique set of socio-economic and political structures that grow and change along with fluctuating production levels and the winds of local and regional politics.

People invoked the concept of slavery when referring to those who work in the mines, but equally as clearly acknowledged that the profits from mining can be a blessing for communities. Dualities and seeming contradictions like these riddle mining-related issues, making it difficult for policy makers, governments and well-intentioned foreigners to understand how to intervene in the mining process.

Irregular payment of salaries, fraud, theft, and disenfranchisement led many young workers in the mines to fall into debt bondage. When they do not make enough profit to cover their bills, they put food and rent on credit. Widespread use of drugs, prostitutes, and alcohol, contributes to the accumulation of debt. Miners are forced to work until they pay off their bills. However, many note they are simply unable to do this, and staying in mining long enough to find profit means they accumulate more expenses, locking them in a vicious cycle. Like others interviewed, a healthcare provider framed such debt accumulation as a form of slavery:

Many young people work one day and don't get anything. They go into debt to live. If they don't make any money one day, they buy groceries – a bit of flour and vegetables – on credit. They live to pay their debt and to accumulate more debt. Something that obliges you to stay but doesn't pay anything – that is a form of slavery.

Repeatedly, participants portrayed how power holders in the mining industry make the vast majority of profit, while on the ground laborers make barely enough to survive. Widespread corruption and fraud in the mining industry exacerbates this inequality. Miners in Nyabibwe pointed out that;

Even when things were good and we were mining a lot, we got nothing, it's always the big men who own the mine who profit, if you have your own minerals and can't explain where they came from they will take it from you

Young women from Nyabibwe reaffirmed this, describing a hierarchical system of profits that leaves miners out, "Not everyone gets the benefit of being in the mine, the miners don't get benefit, the ones that profit are the ones [who own] the holes."

Despite the consensus that distribution of mining profits is extremely unequal, all participants still thought mining was beneficial to their community. Miners, businessmen, and restaurant and bar owners alike described how when the mine was producing there was an increase of cash flow in their communities, something they termed the "circulation of money." Women who sell goods at the market or run restaurants benefit from these cash flows, as do construction workers who see a rise in construction needs as profits from the mine flow back into town. As miners from Nyabibwe explained:

When there is movement in the mine, money is in circulation, for example, the big man will then build a house, giving work to construction workers, then the small miner will be able to go to the market and buy things, giving money to those who sell at the market – this is the circulation of cash.

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*This mine has become our farmland, our mother, and our greatest resource. It is the lifeblood of our economy.*

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Women traders in Mushinga described a similar phenomenon, saying:

Oh yes everyone here enjoys (profits), in one way or another, from the activities in the mines of Mukungwe. This site is really profitable to everyone – it takes care of us, it nourishes us. For example we sellers of merchandise wouldn't make it if the mine didn't produce. There is no life here without the Mukungwe mine. It's truly this mine that takes care of us here – it's what takes care of us!

When speaking about issues related to power structures and distribution of profits, communities repeatedly brought up how war has changed local economies, increases reliance on mining. As traditional economic systems fall away, mining continues to circulate visible profits in communities. No matter how unequally distributed, participants in this project noted the benefit of this system. To further examine how ASM communities are structured, the following section will examine which actors are directly involved in the mining trade.

### **Actors in the Process - “All kinds of people live in mining towns”**

The majority of actors directly involved in the extraction of minerals at mining sites are described as extremely poor and vulnerable. The idea that mining offers quick cash and that there is no requirement of land ownership or residency is appealing to the most marginalized populations. Youth in the mining town of Mushinga described the type of people that sought work in mines, “It is the poor, the diminished who have nothing else to do, who go to mine to look for money, to get enough to pay their children's school fees.” For orphans, widows, ex-combatants, and uneducated youth, the promise of quick cash leads them to mining towns. Many also come from broken homes where they struggle to find the means to feed their children, as miners from Nzibera pointed out, “Those who go to the mines are the women who don't have any husbands or families, hunger too is what makes the women go to the mines.”

While in theory mining jobs are open to everyone, work is dictated by your ability to pay for access. In order to join a mining team, you must offer a goat, crate of beer, or money. Family or political ties also facilitate access. For women, transactional sex is often their only means to gain an economic foothold in mining towns. Women might have to trade sex for any number of reasons: to be allowed to open a small restaurant, to gain patronage for their bar; to become the “favored” beer seller in a mining tunnel. Many women said often they had to exchange sexual favors simply to keep clientele at their restaurant or small business, offering themselves in exchange for customer loyalty.

The role one gets in a mining town is largely determined by one's financial means, political power, and voice within the community. Wealthy individuals, frequently with the backing of an armed group or the national army, control the trade and make the most profit. Poor, marginalized populations supply the labor, seeing little if any profit at the end of each day. Miners from Nyabibwe described the large range of actors at play:

There are all kinds of people that live in the mining areas – there are transporters, porters, miners, clearers, people who bring tools, those who bring sand out and into the river, prostitutes, restaurant owners, businessmen, many different players involved

While there are many ways one could theoretically becoming involved in the mining trade, individuals were frustrated their options are almost entirely dictated by their gender, age, and socio-economic status. The following sections will provide a brief overview of the types of roles available to those in mining towns. The roles of women will then be further discussed to examine the role of gender in mining towns.

#### *Transporters*

Transporters are among the most vulnerable of those who work in the mining community. They are charged with bringing raw material, often earth or stones, to the next step of processing after the mine. In the case of

gold or cassiterite, this means bringing earth and stones to the nearest river, where the material is pounded into dust, washed, and the minerals are separated from waste. Caught by definition between two worlds –the mines and their next destination – they do not have a voice or stake in either. Transporters stop near the mines only long enough to receive their load of raw earth, and when they reach the river or village, they are paid and sent on their way. While some of those in the mining process have been able to form cooperatives, transporters say that they are too transient and too disempowered to get access to existing cooperatives, or to form their own.

The work they undertake is literally backbreaking. While transporting seems like a task that would be undertaken by young men, it is often the elderly, women and children do this work, since this is one of the most abusive and least profitable jobs to have. A community leader in Mushinga described the hardship:

These carriers/transporters of minerals have many problems. They carry things beyond their weight for very little money, you will find for example a woman who carries 50kgs or 60kgs for 4000 francs<sup>3</sup> at a distance which occupies the whole day, the cost of life is very hard, when along the way she takes a glass of banana juice (*kasiksi*), she buys flour, which costs 1000 francs ... and what you see it is very little money!

In many of the sites, particularly in Walikale, transporters were elderly women widowed during the war. Too old to run restaurants or engaging in the sex trade, they are left to take whatever tasks no one else will undertake. As one female transporter in Nyabibwe said:

It is the women who do the transport and carrying of bags, but they do so while suffering because they are often deceived on the weight of the bags. For example they can be told the bag is 50kg when it is really 70kg, this makes women sick and suffer physically.

Many of these female transporters suffer prolapses and severe gynecological problems as a result of the strain on their bodies. One female transporter describes, “Pregnant women often had children aborted because of that, carrying too heavy of bags.” Both male and female transporters suffer hernias, trauma to their upper bodies due to the heavy loads they carry, and extreme pain. Since transporters are paid by weight, there is an incentive to take increasingly heavy loads beyond what one person is able to safely carry.

### *Miners*

The only prerequisites to being a miner are fitness and strength. Having one’s own tools – hammer, awl, flashlight, and shovel is helpful but not required. The foreman, or head of team, represents a more senior role which is usually filled by men with family connections or enough cash to rent or buy access to a quarry. Regardless of their roles, miners collectively cite that they saw very little profit after all of the expenses and taxes they have to pay. A complex system of taxation relentlessly diminishes cash-in-hand profits. As one miner describes:

The miners are also impoverished, the *negociants* are the ones who are really in control, the miners work 24/7 but they don’t get anything, they have to then pay for food, for rooms, materials, to patrons, then the miners don’t get what they deserved in terms of work.<sup>4</sup>

Participants said that men often rotate and change roles on a daily basis, for example one day guarding a tunnel and the next acting as a conductor. By spreading different tasks across members of the team, they ensure each person has an opportunity to spend time looking for minerals in the tunnels. Miners in Walungu described the different roles:

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<sup>3</sup> Roughly 4.50 USD currency

<sup>4</sup> Site

We have head of the teams, those that guard the tunnel, assistant of the head of the team, the conductor, the person who guides people into the whole, and the one that takes out and cleans sand.

While the majority of participants either deny children's presence in the mine or avoid talking about it for fear of backlash, those that do explain how children fill a variety of roles in the mining process. The chief nurse in Mulamba describes,

Children transport the broken earth and do the actual mining. Girls and boys do this and they don't study as a result. You can see them walking by with bags of cassiterite on their heads. Carrying heavy packages is why we see a lot of trauma, especially of the thorax, here.

Participants in the research also describe how children are also cheated by adults. Even if they are able to successfully navigate the numerous barriers and access the mines, they may be cheated of their hard-won pay. As miners in Nyabibwe describe, "If they [children] actually find cassiterite it's fine, they can work, but then they get ripped off by adults, so usually it is not even worth it for them."

#### *Comptoirs and Negotiants*

Miners point to the top of the division of labor, namely *comptoirs* (loosely translated as counters or accountants) and *negociants* (merchants or traders), as those who truly profit. Participants in the research noted that powerful and wealthy individuals in Goma and Bukavu are generally *comptoirs*, buying minerals from mining towns and exporting them from the Congo. Most saw this step as being the most lucrative in the entire process. *Comptoirs* usually purchase their minerals from *negociants*, relatively well-off men living in mining communities with enough influence and cash to purchase or secure minerals from local mines. *Negotiants* are seen as those who profit most after *comptoirs*. Female transporters in particular describe *negociants* as those who really run mining operations, since they have immediate control over the purchase of minerals and greater on the ground visibility than *comptoirs*. As one woman notes, "*Negotiants* are the bosses, they bring some money there and buy kilos, then they call the women there to help carry bags. Payment will depend on how wealthy the *negociant* is."

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*[We must] show people the value of women, that they are people here, they shouldn't be worked like animals, they are humans, respect their rights, they are like slaves, used like tools, something we throw around like dirt and just throw to the side.*

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While *comptoirs* and *negociants* are at the top of the mineral trade, the control of day-to-day mining operations is generally run either by powerful cooperatives or traditional authorities. In areas where cooperatives are present, they often fight for control over mines.

Congolese law for artisanal miners requires that cooperatives are created in order to control mineral exploitation. In the sites surveyed for this project, however, cooperatives still do not exist. Instead, customary authorities run the day-to-day operations, influencing which *negociants* and *comptoirs* buy from the mine. One hold supervisor from Maholi mine explained that, "almost all of the miners are from the village here, only a few from Bukavu. The Mwami<sup>5</sup> is the one that controls all of this". Other power holders in communities will be further discussed in the section "Power Structures and the Political Economy of Mining Towns."

#### ***Women in Mining Towns***

While women are vital actors in mining communities and fill a variety of roles, they are also among the most vulnerable to sexual and economic predation. Women and other vulnerable populations are generally relegated

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<sup>5</sup> Traditional king

to marginal support roles – from running restaurants, transporting materials, to participating in transactional sex, while more safe and profitable jobs are kept for men. One woman described women’s various functions in mining towns, “There are women that clean and sift sand, others do restaurants, bars, and others are prostitutes.” The leader of a sex worker’s association in Nyabibwe summarized the situation saying, “[We must] show people the value of women, that they are people here, they shouldn’t be worked like animals, they are humans, respect their rights, they are like slaves, used like tools, something we throw around like dirt and just throw to the side.”

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*There is sexual violence of every quality and kind here in Nyabibwe). When god built the mine here, he knew that rape would be there as well with the mine.”*

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Ignorance and misconceptions about the new mining laws are widespread, particularly pertaining to the roles rights of women in mining communities. People generally think the new mining code bans women from working in or near mines. This allows those who don’t want women to have access to real employment to use a legal excuse for marginalizing women. In fact, the mining code allows women to work in all aspects of the mining sector, but does prevent pregnant women from engaging in hard labor.

Measures purporting to be based in the new legal code are used to further consolidate privilege in the hands of those who have always profited. Education around mining code and rights of those in mining towns would have great power, particularly if this is coupled with strengthening the capacity of local associations so they can continue to advocate for their own rights. Organizing to create more effective unions and associations, while promoting grass-roots inclusive economic cooperatives offers an intriguing opportunity for improving life in mining towns. Women described feeling taken advantage of because they

lack of representation in decision-making bodies. Even miners describe how women are taking advantage of:

If [a woman] does a restaurant, men eat and say they will pay later, but they never pay...Women also get all of their things stolen from them as well...Sometimes men sleep with them and then when they are done, they wont pay them anything.<sup>6</sup>

Running a restaurant, engaging in sex work, and transporting materials are by no means mutually exclusive roles. Instead one leads to, or requires, doing another. Many women spoke about being compelled to engage in transactional sex simply to survive. Often, this is because they do not have husband or other male relative to bring income home, so they are forced to fend for themselves. Women in Nyabibwe explained, “When I was carrying bags and fetching water so that my children could eat, it then turned into prostitution because they (men) say they have no money to pay me. I have to carry bags and sand because I don’t have a husband to do anything.” They went on to describe how giving sexual favors is one of the only ways to get patronage for small jobs in mining towns:

People also make women have sex with them by saying that if you don’t sleep with me you wont get to keep carrying bags, he tells his friends not to work with her because she refused to have sex with them. People do the prostitution so that they can get other work. You are selling yourself, tiring yourself to get some money for your children.

This quote illustrates the close links between economic and sexual exploitation. Women described how they aren’t paid or a underpaid for the work they do; are sexually harassed or raped while working; beaten; and forced to perform sexual favors in order to get clients or employment. Miners, women and community leaders all described the importance of women being forced to exchange sex simply to be able to engaging in other economic activities. Miners described how:

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<sup>6</sup> Nyabibwe miners

Women are also beaten out there [near the mines], especially those at restaurants. Another issue is that men will only buy things at a someone's store if they are *their* women, so in order for a women to get clientele she needs to start sleeping with people, [then she] gets unwanted pregnancies.

If women refuse to perform sexual favors or attempt to protest their treatment, they are threatened or excluded from the mines. Young sex workers in Nyabibwe said simply, "If you refuse them (sexually), they will tell you if you return again to the area they will kill you."

All actors interviewed in this project, wives of miners, community leaders, miners and women working mining communities spoke frankly about the sex trade in mining towns, painting it as widespread and commonplace. As one man said, "The *soko* (market) of the prostitutes is the mining quarry." It is so commonplace, in fact that miners described how women could be seen climbing up towards the mines with their mattresses on their backs:

It is [the prostitutes'] territory there [in the mines]. That is the main work there, actually. Once the movement in the mining area starts again, for example, you will see women climbing up towards the mines with their mattresses, and while you may think they are soldiers wives they are really prostitutes.

Exchanging sex for goods is one of the only ways women can make money to keep themselves and their families fed. The existence of prostitution was overwhelmingly mentioned in connection with poverty. Miners wives interviewed in the worn of Mulamba speak openly about prostitution in the town where their husbands work, "Yes – it [prostitution] exists because of poverty. Around the mines, women prostitute themselves to get money that them miners give them and because otherwise they wouldn't have anything to eat." Community leaders in Mushinga elaborated:

Yes, there are "loose women" here with their children. There are no women in the mines that belong to a particular person – so every woman belongs to the whole world. These women [in the mines] don't work. They just wait until the miners find money and them come sleep with them, that's their work. A man who gets ten dollars will go eat with five of the dollars and give five dollars to a whore and go spend the night with her. And that's how life continues.

Young women spoke about the slippery slope that brings them into sex work, "It [sex for money] will happen and you won't even know, all of a sudden you just find yourself with a man so that you can survive. Oftentimes we don't tell anyone else about it because we are embarrassed...It just happens."

In many sites, sex workers came from other areas. They arrive in a mining town with no social networks, peer support or other resources to help them in their new surroundings. Women may also migrate from mining town to mining town looking for a better situation. Miners emphasized the transitory nature of the work, saying "There are also many prostitutes from all over, Uvira, Bukavu, they here when there is action (movement) here. They call their friends, everyone comes, we don't even know their faces." As the leader of a sex worker's association explained:

It depends, some women come for 5 months, get tired, go to a different mine. Some have kids here they become permanent here... [There is] movement – activities involving money, commerce – their bodies are their business. [They go to] Misisi, Moroc, Walikale. They are used to moving to different places for money.

Because engaging in sex work, these young women may not be welcomed into their home communities once they leave due to the stigma attached to sex work and having a child out of wedlock. This means that once women begin engaging in sex work in mining towns, they may have no choice but to continue, continually

traveling to look for those areas with the most profitable quarries, and by association men with disposable income.

Possibly because the “choice” to engage in sex work is often made out of desperation and the conditions are so coercive, participants in the research saw sexual violence and transactional sex as closely linked. While rape was often defined as forcing a woman to have sex against her will, people also noted that there were other ways women were raped. For instance, if a sex worker is not paid for her services or if a man and woman didn’t agree to a price before the man forced a woman to have sex with him. As one miner described, “The meaning of rape is to take someone by force and even if you haven’t already agreed to do it you make them have sex with you, this is a common thing in our area.” Female transporters reinforced this, saying, “When a man is drunk he can also rape a woman without have a conversation, and even if it looks like prostitution, it is rape. This happens a lot of time to prostitutes.” One young miner simply stated, “*Ya kila qualite na aina iko hapa nyabibwe* . (There is sexual violence of every quality and kind here in Nyabibwe). When god built the mine here he knew that rape would be there as well with the mine.”

Men also noted that is a woman’s fault is she is raped, and that women can avoid this by not dressing provocatively or getting themselves into dangerous situations. The onus for combatting rape was put squarely on women’s shoulders. A group of young miners explained:

How can we fight rape? It is a personal decision. You [a woman] must protect yourself, if you don’t expose yourself in front of a man they cannot rape you... Here there is more sexual violence because there are rebels up high in the mountains, that is why it is here. But the real reason there is rape is here is because the women expose themselves and comport themselves in a certain way.

These kinds of attitudes illustrate the gross inequality that women face on a day-to-day basis. Excluded from power structures and decision-making structures, the only thing they are perceived to be responsible for is the violence that is perpetrated against them.

In multiple cases, the issue of rape is specifically associated with soldiers and armed men. People speak of miners raping by promising money and not paying. In contrast, soldiers are described as engaging in the forms of militarized rape that have become common as a result of conflict in DRC. These attacks may occur on roads and in fields. Miners in Nyabibwe noted, “Soldiers are the ones who are used to raping people... but it is usually driven by a gun, if people went to their farm they can get raped or even gang raped, because we think if we say no they will kill us. But it is not that common among us civilians.” Women transporters described how, “Is it here – yes when there is war –Ntaganda, Nkunda – their soldiers rape IDPs, then others keep the practice going.” The leader of the sex worker’s association in Nyabibwe said, “Soldiers they usually don’t pay for sex, sometimes demobilized soldiers as well, but even miners themselves, many don’t pay for sex after they do it.” Rape is often associated with the use of drugs and alcohol, which are widespread in mining towns. In the next section, we will examine how young people look upon mining towns as a kind of “Pleasure Island”. However, like this fictional retreat, they often come to learn that the reality is far from their glamorous perception and that it can be harder to leave than to enter.

### **Pleasure Island and Petri Dish - “All the divertissements you can imagine exist there”**

Here we will examine how the nexus of drugs, alcohol, sex work, sexual and physical violence and easy cash change families and societies in these areas. Throughout focus groups, parents explain how children are drawn to the mines, drawn by the lure of money, sex, and drugs . A community leader in Nyabibwe explains how,

When the mining area is active, when someone has 15 years, boys and girls, the miners come down into town to drink lots of beer, those kids will have that sentiment to go into the quarry because they see people with beer, drugs, and money. They see it as a better lifestyle. The kid sees money and doesn’t study anymore, the 15 year old may even like his family, but then money is more important.

Drug and alcohol use is described as being rampant in mining towns and inside the quarries themselves. The effects of substance abuse are an increase in violence and a breakdown in the social fabric of their villages. Miners say drugs are used to dull the suffering they experience while mining. Alcohol and drug abuse allows them to go deep into the earth with less fear, and makes many more able to fight off competition when needed. The chief of the village of Mushinga noted, “Regarding alcohol, oh! la la! there is so much in these neighborhoods, it is also the problem, really! There they take the hemp, strong liqueurs, Sapilo, Life Force with 45% alcohol which is equal to the amount of 9 bottles of beer primus, Kanyanga<sup>7</sup> in any case these drugs ... really ... who could be successful in changing this? ... It is these same drugs that cause a man to be able to forcibly at a woman on his shoulders and rape her.” Miners in Nyabibwe relate alcohol abuse to fuel for vehicles, saying;



Alcoholic “energy drinks” are commonly consumed around mines. The small clear bottle pictured here has as much alcohol as the nine beers lined up behind it.

The majority of people use beer and drugs. Lots of people drink beer and smoke pot as “their fuel”, to go down the mine – drugs and beer help you to not be scared anymore, to make you strong, and to give you the ability to scare other people off from there so they don’t take your things.

For many respondents, drugs also offer a respite from a harsh reality, helping them to temporarily forget traumatic experiences and poverty. Miners also acknowledge that alcohol abuse is perhaps the greatest cause of sexual violence and other forms of violence against women. Many participants in the research drew a clear connection between drugs and alcohol and sexual violence and physical abuse of women. Young women in Nyabibwe explain how, “Those who do drugs and drink, no matter what, they will hit you very hard and rape you, if you don’t agree with what they tell you to do.” A healthcare provider noted, “There are also cases of sexual violence in these settings there, because usually after consuming these drugs these diggers force women to sleep with them, to rape women.”

In addition to creating an atmosphere rife with violence and abuse, drugs and alcohol are depicted as eating into the small profit that miners make, creating tension and conflict at the domestic level. In an already unstable and unpredictable industry, drugs and alcohol create another barrier towards economic stability for many vulnerable populations. As women in Nzibera say, “people drink instead of helping their family.” Community leaders in Nzibera elaborate on this, noting:

Women don’t mine, but men do, when the men get one kilo they can sometimes eat well, but sometimes the men just go drink, then violence enters the household, as this creates conflict at home because men wasted money on beer and they don’t have enough profit.

Mining communities, even those within a day or two walk of a village can become a black hole; Women say their husbands leave and are gone for months. Some never return while others leave for long periods of time without sending news (or money) back to their families. Miners may establish new homes or start new families in mining town. The chief of Mushinga noted, “So too the fathers abandon their families and will remain in

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<sup>7</sup> A locally made liquor

the same mine for a year and will be with loose women.” He went on to explain how, “The young [men] also do not marry as young or as soon as they used to. They arrive in the mine, they use prostitutes and forget to come back to get married ...”

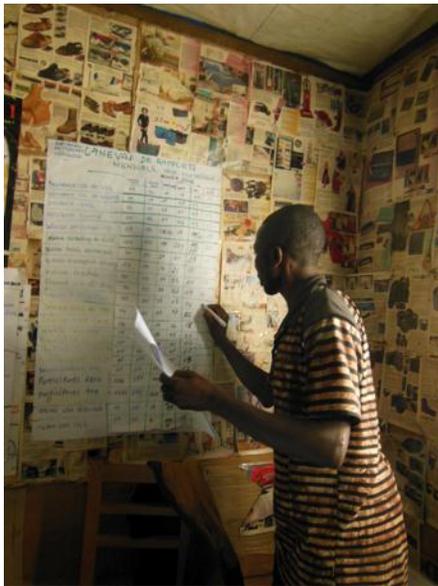
Participants often described the mining lifestyle pulling apart traditional family structures. Men “disappear” into mining areas and build new lives. While money exists around the mines, little of these profits seem to make it back to hungry children and sick family members. Instead, miner’s profits often seem to “spend their money and sex on beers, then they don’t have any more money.”<sup>8</sup> Community leaders in Nzibera noted, “There are many problems for women – men sell minerals, get money, use it all for beer, wont bring it to home, children and women sleep with hunger even though the man was able to get money.” As a healthcare provider from Mulamba said, “Many of the sick [in our hospital] are women who have been abandoned. Their husbands stay in the mines for months on end or disappear completely. The husbands find money and women in the mines, they set up a new life and never come back.” Female transporters in Nyabibwe reinforced this, saying, “It appears as if it is the women and children who suffer the most because even if your man gets money he can use it all on prostitutes in the mining areas, and this causes *ukosefu*<sup>9</sup> and diseases for women.”

The issues of sexually transmitted diseases was cited by a number of participants in the research. It was described as an inevitable by-product of miners’ lifestyles:

There are loose women who have a lot of sexually transmitted infections like gonorrhea, STIs too ... We diagnosed HIV cases and then we help them with advice for them to live responsibly with their disease.<sup>10</sup>

People spoke particularly about HIV/AIDS as an emerging threat, “Before the war we didn’t even know what rape was. Rape came with the war, now rape is the habit, any man can come into the neighborhood and say ‘I want this woman’ and then he takes her. HIV/AIDS wasn’t known about before.” However, STIs and other health issues associated with mining often go unaddressed due to poor healthcare infrastructure in these areas.

## Health



A local community social worker updates statistics on cases of women who report sexual violence.

Health problems in mining towns are broken down into three categories by participants; poor labor conditions; poor structure of mining tunnels; and public health problems such as poor hygiene and high levels of infectious disease. The scarcity of public health resources in mining areas, such as toilets, clean water supply, waste systems, and primary care facilities, combined with close quartered living conditions, leads to high prevalence of diarrhea, tuberculosis, respiratory infections, malnutrition, and malaria. These problems are consistent across all the sites visited. Sexually transmitted infections including HIV/AIDS are also described as significant problems, although people have such poor access to healthcare that these conditions often are not officially diagnosed. The head nurse in Mulamba describes the biggest health issues facing his community:

There is a lot of kwashiorkor, and it is more common in the mining areas. There is a lot of HIV/AIDS, poverty leads women to exchange sex. There are also sanitary problems and many accidents and blunt trauma from landslides and rockfalls. There is tuberculosis in the mines. Close to the

<sup>8</sup> Quote from young sex workers in Nyabibwe

<sup>9</sup> Deep poverty

<sup>10</sup> Healthcare provider Mulamba

mines, we see cholera, amoebas, diarrhea, measles, and typhoid. People in the mines drink river water, which is very dirty. There is no clean water in the mines

Lack of access to health care due to financial or geographical obstacles exacerbates these issues. Many participants explain how pursuing health care is not an easy choice. Miners in Mulamba illustrate the sacrifice it often takes to get medical treatment;

When people need care, they are transported to the nearest health center. They must sell their fields or goats to pay for healthcare. They can't make enough to pay for care from the mines. They don't have a "cushion" of money. There is malnutrition, there are no houses where you can really rest, take care of yourself; there is no clean water to drink or bathe; no toilets.

The head nurse in Mulamba goes even further, saying many must choose between eating and going to the health center, and that such barriers to health services leads many to put their faith in prayer, or magic over health care;

You will see that in one family, if someone falls sick, the little they make is not enough to pay [for healthcare]. Many people die because their family decides to eat rather than to pay the clinic fees for one person. This is because of the kind of poverty we live in. People say that health problems are a result of witchcraft. They pray instead of getting care.

All actors present in mining communities without exception emphasize the need for improved public health infrastructure and access to health facilities in mining areas.

### **Power Structures and Political Economy of Mining Towns**

While political economies of mining communities vary significantly across the study sites, there are also commonalities across the contexts where mining is the principle economic activity. Research participants portray how a variety of local, provincial, and regional actors compete for resources and control. However, the level of government control, extent of the regulation by mining cooperatives, and presence of the national army and other armed groups contributes to unique political economies in each area.

Highly restricted access to political participation and widespread discrimination are the norm in all communities sampled. Vulnerable populations, such as women, the elderly, the poor and landless, children and the handicapped (to name a few) are almost never represented in political decision-making. This reality means the majority of the population is denied the right to participate in the formulation of local policies and decision-making. Power rests primarily with a small group of older males. While marginalized groups are often left free to self-organize and form associations to promote a common profession or interest, they lack the financial means, human capacity and political influence to make sustainable change. Entrenched power structures, firmly in control of local economies, ensure that this cycle of disenfranchisement continues – realized through unequal distribution of mining profits and the exclusion of vulnerable groups from decision-making processes.

#### *The "Wakosefo" and "Wafupi" - Vulnerable populations*

This finding begs the question of who are those groups that are defined as "vulnerable" by communities? Research participants describe women, children, and displaced persons as the most vulnerable in mining communities. In communities where money is often seen as a condition for having power, and vice versa, lack of representation of women and youth in power structures continues to restrict their social and economic mobility. In focus groups, participants drew this connection between money and power through descriptions of their own identity. In Kiswahili, the word "*ukosefu*" means poverty, or wanting. This word captures more than just material destitution, but a sense of disconnect from all social as well as financial opportunity. Participants in the research, especially young women, describe themselves as "*wakusefu*" – those who lack, the

impoverished. Women and other who felt disenfranchised from the process also described themselves as “*wafupi*” – short or little people.

Participants frequently said “*hawatuoni sisi wafupi*”, they (big men, powerful people), don't “see” us short people (the impoverished, marginalized populations). They often used the two words together to emphasize their point - they don't see us short, poor people. (*wafupi, wakosefu*).

In describing the most vulnerable, participants cite widows and single mother households, orphans, and renters (those without their own land) as the most exposed to exploitation and discrimination. Women traders in Mushinga spoke to some of the factors of that contribute to vulnerability:

We can say that the women in this community are those who are most vulnerable because they have no shops, no money, and they carry heavy loads long distances for very little money. Life is really difficult for them. There are also children who do not study because they do not have the money.

Men are traditionally in charge of all household assets and finances, so widows and women whose husbands left home to mine report feeling very little control over their economic status. This is cited as one of the reasons women might then seek work in the mines themselves – to regain a sense of agency and to find a way to make money in the absence of income from a male head of household. Young male miners agree that gender was a major factor in vulnerability. Since young men feel as if they are part of another marginalized and exploited group – youth – they seek to frame their plight through a gendered lens. The common perception is that rape of women is the only issue that attracts international NGOs and humanitarian assistance. This leads many men to express themselves as if they were also victims of such violence. As illustrated by this quote from a young miner “Young women the most vulnerable people here, although young men are also ‘raped’ in the sense that they have no work, no opportunities, they have their small money stolen from them. In that sense they are raped<sup>11</sup>.”

The displaced are also some of those with the most restricted opportunities. Miners in Nyabibwe described how, “IDPs suffer the most, they have no way to get anything, they can’t pay for homes, food, school, IDPs are more vulnerable than *autochthones*<sup>12</sup> definitely.” Having land is directly tied to vulnerability in the study sites. Miners and others explain that given the unpredictable and unstable nature of mining work, where salaries are erratic and debts high, those who do not own land are often most vulnerable to the vacillations of the mining market and the luck of finding minerals. Having access to land, which one can rent or return to is a vital “cushion” against economic shocks. Displaced persons or others forced to rent land or shelter are often kicked out of their homes for failure to pay rent, moving from town to town in order to survive. While there is general agreement on which segments of the population are the most vulnerable, they excluded from the formal economic and political landscape.

### *Representation*

Research participants overwhelmingly state that vulnerable groups in mining communities are not represented in power structures. This results in an aura of secrecy around the decision-making, which in turn creates mistrust. Local authorities, mining cooperatives, and armed groups, are all seen as part of the same entrenched system. Participants express a common perception of local political economies as rampant with corruption and nepotism. Miners from Nyabibwe state, “It is a secret of the cooperatives how they work, there are many meetings they do that they don’t invite people, we don’t know how it really works inside.”

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<sup>11</sup> Site

<sup>12</sup> Those originally from the area – “locals”

This disconnect between those with and without power creates a sense among vulnerable groups that they hold little agency, and that everyone must look out for themselves. Young women in Nyabibwe illustrated this phenomenon, saying, “Leaders don’t care about people, they only care about themselves, mines are like the market, everyone does their work, but no one cares about others.” This lack of social cohesion is not surprising since mining towns draw people from many areas seeking economic opportunity. Rather than having a static population that has cemented trust and social bonds over generations, it is a fluid society defined by the search for opportunity.

The biggest population group in mining towns is undoubtedly youth. Young men and women, often uneducated, are drawn to mining areas for a variety of reasons. Despite making up the majority of the labor force, they are rarely represented in political processes that greatly impact their lives. Miners in Nyabibwe speak of failed promises, conflict between leaders, and exclusion of youth and women from leadership positions, “They don’t put any youth in their groups, youth aren’t represented, they just promise people over and over again, leaders are politicians, and they don’t always understand each other, which can lead to fighting. Women also aren’t included.”

#### *Mining Cooperatives*

According to the DRC mining code, in order for a group of artisanal miners to exploit an area with semi-industrial equipment, they are required to form a mining cooperative. In Nyabibwe, a site targeted by a variety of mining reform initiatives and mineral tagging schemes, mining cooperatives are visibly present and powerful. These cooperatives represent traditional power structures, reinforcing discriminatory gender roles and formalizing the exploitation of vulnerable populations in the mining process. While respondents generally think that the aim of these groups should be to modernize the mines and increase profit, they frequently feel left out of these processes. Female transporters in Nyabibwe discuss their exclusion from cooperatives;

We don’t know how they operate because they don’t involve us, they don’t care about us mama transporters, that is why these days there is no one work available, and while we are suffering they don’t care. These groups are mainly made for men, not us women.

In areas where cooperatives do exist, membership or affiliation with one is often mandatory to work in a mining area. In Nyabibwe, conflict between two major cooperatives has erupted into violence, and communities cite their lack of cooperation as an obstacle to development. However, community opinion of

#### CASE STUDY: ASSOCIATION OF THE “FREE WOMEN” IN NYABIBWE

In Nyabibwe, a respected woman, Mama Angelique\* who had worked herself in the mines for years was asked by a local leader to help address the fact that many young women were flocking to the town to become prostitutes. She described, “That was why with *chef de poste* came and said we need to look after [these young women]. Let us pick one woman to look after them, the beaten, raped. I was selling beer up at the mine, they picked me because I was serious and was able to look after them.” As an active mining center, women came long distances because of the perceptions that miners had money to spend. The influx of these women was taxing the nearly non-existent town infrastructure. For instance, the local hospital was becoming overwhelmed as women who did not have the money to pay for vital health services for themselves and their children would wait to seek care until their medical problems were extremely advanced. Then, they would have default on their bills.

Mama Angelique, with the critical support of local leaders, established an informal association of sex workers. Each member contributed a fee of five dollars, which was later used to support member’s health care bills or to get them out of jail. The leader of this association described this process;

*[A member] will pay some small money to enter the association, it will stay in the mchango (pot of contributions), many of them will have a children without a dad so this money helps them get health support, and other support when they are sick or have problems.*

Women who became a part of this association describe it as one of the most important factors in allowing them to access healthcare, withstand financial shocks and receive peer-support. This intervention was achieved with no outside financial input. The combination of political will, dynamic individual change-makers and social organization helped address some of these young women’s most pressing problems. The young women in the association didn’t want to be called prostitutes, so they described how they want to call their association, “The Association of Free Women.”

\*Name changed for confidentiality

cooperatives is not all negative, with some examples of positive collaboration between cooperatives benefiting communities cited. Young women in Nyabibwe noted that, “Sometimes the cooperatives work together, for example they might all put money together and buy a machine, and in that sense they help bring benefits to other people.” Even though cooperatives provide occasional support to the mining processes in a way that can benefit vulnerable communities, the main fora for marginalized people in mining towns are small associations.

#### *Associations*

Excluded from participating in local policymaking and distribution of mining profits, many residents of mining communities turn to associations as the only fora where they can be heard. Women in Nyabibwe describe how associations give them a united voice and opportunities to pool their resources to protect against financial shocks:

These [associations] unite women who don’t have any options in life, “*wafupi?*” – women who can’t be seen or heard – get together, they can put in money together and give out small loans. For us *wafupi*, what should we do? There is no place else to go.

The most common types of association are those for community development, loans, or those that act as a type of union of professional workers. Miners, masons, carpenters, and farmers frequently form associations in order to both modernize their trade and limit their exploitation by those in power. Women and youth groups are also prominent in most communities. Youth in Mushinga describe the types of associations in their community and the benefit they brought to the population:

Yes there are associations here at home: MED (mothers engaged for development) APPP, PADI, LDF, CRIS D’AFRIQUE, RECOPE, which are involved in agriculture, carpentry, child protection. These associations are beneficial to the community because the population works with them and likes the reasons these associations exist in our population.

Access to these associations does not generally require any financial contribution. One must simply be a member of the relevant profession or be willing to work for the community. Some of the most effective associations, however, do indeed charge a membership fee, although this fee is often flexible and waived if necessary. While associations have limited impact due to a lack of resources, they are largely seen as the only opportunity for vulnerable groups to speak up for their interests.

#### *Armed Group Control*

The link between powerful groups in mining towns and armed groups or the national military has been widely documented in existing literature. In communities visited throughout the course of the study, armed group control is present and powerful, but also well hidden.

Militarized control over mines is not overt or physical, but realized through links to powerful cooperatives, customary authorities, and taxation. The a healthcare provider in Mulamba explains this invisible control:

Now, in the mines, some of the mines are still run by armed groups, even if it is not visible. They run things through taxation. Of the mines, at least seven [of the eleven] are occupied by the government – police or military.

Taxation takes place in a variety of forms, including granting access to mines for a certain time per week to armed groups or the national army. In Walungu, a local overseer discusses how, in order to keep his mine operational, he is forced to give the FARDC one hour per week of access to mines, “Every Saturday for one hour the FARDC are allowed to go up to the mine and can get all of the profit, they don’t actually mine but they make the profit [of those who do mine] for that one hour.” This tradition of “*salongo*” or “community service” has a long history in DRC. In various forms, armed groups have put civilian populations to work in

mines and take the profits. The same healthcare provider described how this was done during the height of the conflict:

But during the war, armed men threw out the traditional leaders and took over. They forced all of the people to work in the mines using threats. The armed men distributed the hills like candy; ‘you get this, you get this.’ The armed group imposed salongo. There were those who left because of the salongo and took refuge in another place. Soon, people were no longer aligned with where they came from. Such as someone leaving Madaka takes refuge in Mushinga. That was how the abandonment of the land was perpetuated.

In addition to illegal taxation, participants widely agree that the presence of armed groups in certain areas effectively restricts access to mining areas and the movement of minerals to the market. This control of critical roads is a powerful way to regulate the flow of minerals and profit. Young women in Nyabibwe state:

Before the war – people were doing good mining, many different mines, men were going there to mine, there were no rebels on the road to block them and bother them, but since war came many mining areas are controlled or blocked off by rebels.

Community leaders in Nzibera add that, “There were more mines before the war, and [now] people can’t get out to the good mines because they are controlled by armed groups, so there is not as much access.” Power holders in mining communities are often forced to forge alliances with armed groups or the national army in order to ensure security at their mine. While this often costs them a certain cut of their profit, it is a necessity in the chaotic environment of rural eastern Congo. Being protected by one armed group can be a deterrent for predation by others.

Modalities of Armed Group Control	
“Community Service”	Imposing forced work, either for long amounts of time or more subtly by mandating that profits won on certain days or at certain times go to the armed group
Taxation	Ensuring a portion of the profits go the armed group operating in the area
Control of roads and trade	Constraining access to and from mining towns, guaranteeing that all profits coming in and leaving an area can be accessed
Direct control of mines	Taking charge of certain mines and manage all aspects of its operation
Security	Providing protection against other armed group and external threats for a fee

### Justice and Mediation

Mining communities in South Kivu state that rampant corruption in both state and non-state institutions severely restricts access to justice. For the majority of participants, demands for justice after suffering human rights violations are at best unrealistic and, at worst, dangerous. Those most vulnerable to human rights abuses, such as orphans, widows, sex workers, and displaced persons, are also those least able to access traditional and formal justice mechanisms. Indeed, there is a perception that those responsible for justice are some of the worst perpetrators of human rights abuses themselves. This leads to a pronounced lack of confidence among communities in available mechanisms for seeking and receiving justice.

Women bear the brunt of this discrimination – traditional gender imbalances in Congolese society are acutely realized in the justice sector. Female transporters from the mining community of Mushinga framed restricted access to justice as part of a larger picture of gender discrimination and corruption in their communities:

Women are despised here – people don't want women asserting their rights. However, we would like to see an organized structure to defend women's rights here in our community. Some of these structures do exist but they are very discriminatory, because one cannot help you if you have no money or if you don't have influence in the organization.

Justice is therefore viewed as largely a transactional affair. Women and other vulnerable groups lack representation in influential organizations, so their only access points become cash, material goods, or sex. Mechanisms or institutions that effectively address the nature of harm caused by discrimination in the field of economic, social, and cultural rights simply do not exist for the majority of people living Artisanal and Small-Scale Mining (ASM) communities in South Kivu. Instead, paths to justice are seen as confusing, intimidating, and predatory.

State mechanisms are largely disengaged from the judicial process due to corruption and frequent implication in human rights abuses themselves. Participants describe the pre-requisites in gaining access to these structures: money and influence. These create greater separation between state mechanisms and the communities they are meant to serve. Young women in Nyabibwe described the importance of cash in getting assistance from authorities if you have a problem in the mines:

There are also security people there [in the mines], but they can help you only if you have money, if you don't there is nothing. Even if you get help in the first place from an authority, if someone comes with more money your dossier gets put to the ground. Here there are no rights for women or anyone else - money is what determines all.

Lacking both money and influence, vulnerable groups have no choice but to look at the concept of justice as hopeless and resource draining. Further compounding this lack of confidence is the fact that agents of the state are often seen as the biggest perpetrators of human rights violations in mining areas. Miners in Nyabibwe stated:

In order to get your rights back if you had a problem you have to go to the big men, but then the problem is that they are often the same ones that stole from you – this means that if your rights are violated it's almost impossible to get them back, if he has good will he can give it back, if not, it's not possible.

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*We see that the government doesn't follow-up on anything related to the rights of people (human rights) because it will look like a rebellion against them, meaning that if you follow-up a lot on one of your problems, the problem won't die, but you will.*

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Thus, bringing one's problems to authorities can expose people to more challenges than if they had stayed silent. Young women stated that fighting for their rights could expose them to both domestic consequences (anger from spouse) and threats from those in charge. In Nyabibwe, women described the resulting justice-seeking fatigue, "We also feel tired because we have been stolen from so many times and now there is nowhere to go to work, our rights are also always violated, if you follow-up on this you will be seen as an enemy of the group in charge."

In addition to stigma from the community or those in power, participants also stated that they fear government retaliation for speaking out about human rights abuses. Female transporters from Nyabibwe described the seriousness of this threat:

We see that the government doesn't follow-up on anything related to the rights of people (human rights) because it will look like a rebellion against them, meaning that if you follow-up a lot on one of your problems, the problem won't die, but you will.

Participants described how women are often prevented from seeking justice not just due to a lack of faith in the system, but also intimidation and harassment from perpetrators. Men use their economic power over women to deter them from seeking justice. Women are frequently told that if they complain about abuse they will never get a job again in or around the mine, leaving those with no viable economic alternative few options but to drop their case.

#### *Traditional Justice and Mediation*

Customary structures for resolving disputes and delivering justice, while still often corrupt and reinforcing of discriminatory gender roles, were portrayed as slightly friendlier to vulnerable groups than state institutions. However, participants noted that this changed with the conflict and that these structures are not as effective as they once were, since armed groups often purposefully killed or forced out community leaders during the conflict. Before the major wars of the 1990s, communities often sought justice through *bashamuka*, local wise men trusted by the community to make relatively fair decisions regarding community and family level disputes. Community leaders in Mushinga reflected on this process:

Before everything [the conflict], it was first of all the mature or wise people of the neighborhood who did reconciliation. We call them the “deans” or wise people (*bashamuka*) and if you still couldn’t fix the problem, you go to the justice, which is to say to the tribunal by way of the police. It’s like that that men resolved their problems here in our village. Other ways of resolving problems is through mediation. We call the two concerned parties and look at how to reconcile the problem by showing them the possible routes to a solution. If they accept – that’s it. The problem is resolved. If not, they go to the leaders of that area like the *chef de centre*, *chef de localité*, *chef de groupement*. Women solved their problems in the same way as men.

With the conflict came displacement and the separation of families and communities, frequently leading to a breakdown of the social fabric in villages across eastern Congo. As security improved and people returned home, mining towns became attractive places for vulnerable groups and those having trouble regaining rights to their land to seek employment. Due to the large presence of “outsiders” in mining communities, traditional and customary systems of justice became less effective and able to solve disputes and offer justice.

#### *Resiliency in the absence of the state*

The vast majority of participants of focus groups and interviews in two mining sites in South Kivu expressed a feeling of hopelessness when discussing justice. The common saying was that the best way to get justice was to forget about their problems and move on. When probed about last resorts to solving their problems, miners in Nyabibwe said, “The only thing to do is to stay quiet and forget about it...People get solutions by just leaving their problems behind, because there is no way you will actually just get a solution.”

In the absence of courts and tribunals, trusted administrative authorities, and capable national human rights institutions or ombudspersons, participants said they relied on each other and small associations as the most neutral and capable parties for bringing some level of justice. For instance in Nyabibwe, the association of the “free women,” led by a respected woman in the community, assists members of the group if their rights are violated. While she admits that her own authority is limited due to her gender, coming together provides support to an otherwise extremely vulnerable population. If one of them is harassed or arrested by the police, the group will often pool together money, made from membership fees, in order to pay for her release. Due to the absence of effective state and non-state actors to assist vulnerable groups access justice, women and youth are increasingly relying on each other to resolve disputes and seek justice to the extent possible. In the next section, we will suggest recommendations to address the issues that emerged from the research.

## Recommendations

- Advance peace and security - these were seen as vital prerequisites for building equitable and sustainable economic systems;
- Support steady employment. This was seen as the most important solution to many problems mining communities face, from improving access to healthcare to reducing violence against women;
- Assist women access jobs other than sex work;
- Address corruption and fraud in the mining sector resulting from increasing efforts at government regulation of this industry;
- Provide technical assistance in the modernization of ASM;
- Engage in education around mining code and rights of those in mining towns;
- Strengthen the capacity of local associations to advocate for their own rights;
- Promote grass-roots inclusive economic cooperatives;
- Assist communities to better understand the world mining market and reasons for price fluctuations;
- Provide basic water and sanitation facilities in mines, such as latrines and clean water
- Improve healthcare, with a focus on addressing infectious and sexually transmitted diseases

## Annex 1. Qualitative Data Collection in Walungu and Kalehe

<b>Walungu Axis</b>		
<b>Buy -in Phase</b>	<b>Key Informant Interviews</b>	<b>Focus groups</b>
Provincial authorities "Groupement" authorities "Centre" Authorities Health center staff	Chief of nursing at Mulamba Health Center Chief of Center, Mubumbano Chief of Center, Mushinga	Women transporters of minerals Women traders in village Male community leaders Men in the community (miners, tradesmen) Service providers and community activists

<b>Kalehe Axis</b>		
<b>Buy -in Phase</b>	<b>Key Informant Interviews</b>	<b>Focus groups</b>
Provincial authorities "Groupement" authorities "Centre" Authorities Local intelligence organization Mining cooperatives	Leader of women's sex work association Leaders of mining cooperative	Women transporters of minerals Women sex workers Male miners Men in the community (tradesmen) Service providers and community activists

## Annex 2. Description of Field sites

### **Walikale (pending)**

Approximately 40 percent of North Kivu Provinces 2010 total revenue came from the Bisie mine located 45kilometers from the town of Walikale. From 1976-1995 the Bisie mine was managed by a partly state-owned company SOMINKI. Cluff Minin (U.S. owned) and Canadian Banro Corporation formed SAKIMA and co-owned the site from 1995 to 1998 when the President dissolved the partnership. ASM continued on a smaller scale and in 2006 two Goma based companies, Mining and Processing Congo (MPC) and Bangandula Mining Group (GMB), vied for control of the site. MPC won out, using GPS to prove that Bisie was outside of GMBs jurisdiction. In 2007 Bisie was declared illegal due to non-compliance with the Mining Code of 2003. Bisie is currently controlled by the non-integrated 85<sup>th</sup> brigade of the FARDC; the area is highly militarized, there is a large ex-combatant population in the mine that adds to the “volatile security situation.” The 85<sup>th</sup> brigade imposes illegal taxes and fees on mineral exports and trade routes, greatly diminishing the wages of miners who earn US\$5 on a good day. 1 kilogram of cassiterite from Bisie is sold at US\$1.50-3, compared to US\$5 before the ban, and US\$20per kg at other mines. Miners work with rudimentary tools and dig 150 meters into the mountain, far past the “safe” distance of 30 meters. A 45 kilometer walking path connects Bisie to the town of Walikale. From Walikale small planes fly the minerals to Goma and reload with supply and food on the return trip. Bisie and the two supporting villages, Manoire and Marojé, have an estimated population of 10,000 people: 30% female, 70% male, 20% are younger than 10 and 20% are between the ages of 10 and 18. Though there are rivers and cultivatable soil around Bisie 95% of the food is imported, resulting in inflation and dependency on imports. Like many mining communities alcoholism, crime, drug abuse, prostitution, malnutrition, and poor health are common and there is no access to clean water, sanitation, health care services, adequate shelter, electricity or schools. From July 30 to August 2 2010, a mixture of FDLR, Mayi Mayi and CNDP combatants raided 13 villages within the Walikale territory, looted 946 homes, and raped 303 people. As of April 2011 Global Witness reported a decrease in the military presence at Bisie. However, Mai Mai armed forces have had an increased presence since mass rapes in July and August of 2010.

### **Kalehe**

Detailed history on Kalehe, a territory in South Kivu Province, proves difficult to find. Around 1994-1995 Jean-Pierre Ondekone, a Rwandan chef in Goma, and his armed forces began crossing the border into DRC and taking control of mines. Fieldwork interviews with the rural population of Numbi in August of 2001 spoke to the abandonment of agriculture and cattle raising that resulted from the quick cash appeal of mining. Large plots of grazing land have been destroyed by mining and the local population does not have a good relationship with the mine owners because the community is not benefiting from the mineral wealth extraction. In 2006, around the same times as in Walike, FARDC armed forces took control of the mines. It’s estimated that 75% of the FARDC revenue was made from illegal taxes. 1kg of cassiterite could be sold for US\$4.00-4.50 and miners could make up to \$12 on a productive day. Since 2008 Shamika, a Canada based company as owned Kalehe and conducted research on previous ASM sites and other potential mineral deposits. SHamika found that 10 tons of tin a week had previously left the “traditional” mine and resources were extracted from other sites around Nyabimbwe. The Kimia II operation of January 2010 got rid of FDLR forces in Kalehe and Congolese armed forces replaced their presence. When Global Witness was in the Kalimbi mine in Nyabibwe in April of 2011 the FARDC was present, sometimes working through proxies or dressed in civilian clothes. In a February 2012 MONUSCO mission

forces affiliated with the FDLR, Mai Mai Nyatura and Mai Mai Kichiriko were reported in the area. Fieldwork interviews with the rural population of Numbi in August of 2001 spoke to the abandonment of agriculture and cattle raising that resulted from the quick cash appeal of mining. Large plots of grazing land have been destroyed by mining and the local population does not have a good relationship with the mine owners because the community is not benefiting from the mineral wealth extraction.

### **Walungu**

Information on Walungu proves the most difficult to find and what can be found are mostly reports of pillages and rape conducted by armed military forces. Walungu is 40 kilometers from Bukavu and is approximately the size of Rwanda. Before the civil war in the 1990's the towns revenue and production was focused on agriculture and livestock, which has seen been abandoned for mining or stolen/destroyed in raids. There are several international programs working with Walungu: the Mugangu Foundation is constructing schools across the Walungu territory, the UNDP began the second phase of a poverty reduction program in 2010, which focused on bringing basic social services to the area, and an organization called Nabuur is helping purchase livestock and train locals in how to care for and breed the livestock, along with revitalizing farming in Walungu. Several mines sites were found: Karhembu is a tin mine, Mukungwe, which was taken over by armed forces during a raid in March 2008, has approximately 200 child laborers, Kanyola mine experienced a massacre of 27 people in May of 2007 that is attributed to the "rastas," whom the FDLR claims no affiliation with. These mines are all exploited and controlled by the FDLR. Much displacement occurred in 2006 as violence in the area escalated. Civilians in surrounding towns walk up to 2 hours to Walungu to spend the night with friends or in the church in the hopes of avoiding a military raid back home. The 17<sup>th</sup> and 33<sup>rd</sup> brigades of the FARDC have been in the area. The Canadian company Banro Corporation began industrial gold mining in Twangiza in 2011 (Twangiza is in South Kivu, it is difficult to determine it is in the Walungu territory more specifically).

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<sup>i</sup> Bibliography, Human Rights in the ASM Sectors of Katanga and the Kivus, NTF-DRC project, World Bank