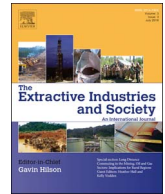




Contents lists available at ScienceDirect

The Extractive Industries and Society

journal homepage: www.elsevier.com/locate/exis

Original article

A miner's canary in eastern Congo: Formalisation of artisanal 3T mining and precarious livelihoods in South Kivu

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ARTICLE INFO

Keywords:

Democratic Republic of the Congo
 Artisanal mining
 Formalisation
 Armed conflict
 Political economy

ABSTRACT

Numerous initiatives are currently trying to reform eastern Democratic Republic of the Congo's (DRC) ill-reputed artisanal and small-scale mining (ASM) sector through formalisation, traceability, and certification of the region's trade in tantalum, tin, and tungsten (3T). While this ethically driven impetus derives from consumer pressure following numerous reports on the militarisation of the area's ASM sector and concomitant human rights abuses, the ability of the resulting initiatives to address these problems remains unclear. In this paper, we enhance long-term qualitative research with an experimental quantitative survey to generate insights into two questions: how has the formalisation of eastern DRC's resource markets, through traceability and certification, altered the socio-economic dynamics around artisanal mines and trading routes? What is its actual impact on the everyday life of miners, their families, and associated professions? Based on in-depth research in South Kivu, a pioneer case for traceability and certification of 3T mining, we demonstrate the ambiguous outcome of these reforms so far and analyse how they threaten an informal ASM sector already in jeopardy. In figurative terms, the artisanal miners themselves have become a proverbial 'miner's canary' whose livelihoods are increasingly under stress in sequence to formalisation efforts.

1. Introduction

In eastern Democratic Republic of the Congo (DRC), an area known for chronic instability and insecurity triggered by cyclical violent conflict (Stearns, 2011; Ndaywel è Nziem, 2009; Vlassenroot and Raeymaekers, 2004), debates in the past 15 years have orbited around the presumed role of tin, tantalum, tungsten (3T) and gold in the nurturing of violent entrepreneurs (Cuvelier et al., 2014a; Jackson, 2002; United Nations, 2001). Furthermore, a concomitant outcry through media and advocacy organisations since the early 2000s – epitomised by a campaign called 'no blood in my mobile' – further helped to trigger the still ongoing transformation of mineral supply chains in the frame of transnational regulation piloted by foreign and domestic governments as well as international industry.¹

Based on the premises of the 'greed hypothesis' (Collier and Hoeffler, 2002), whose claims have since been deconstructed by numerous scholars (Korf, 2006; Nathan, 2005; Cramer, 2002), initiatives to regulate the eastern DRC's mineral supply chains have increasingly gained traction. With intense debates asking whether or not such intervention can help to curb violent conflict (Cuvelier et al., 2014b; Autesserre, 2012; Johnson, 2013; Seay, 2012; Nest, 2011), little systematic attention has been paid to the specific conjunctures of 'conflict-free' sourcing schemes and local livelihoods of artisanal and small-scale mining (ASM) communities, despite the fact that the Congolese ASM sector sustains an estimated 200,000–550,000 workers and 1–4 million dependants (Hilson, 2016: 548; PACT, 2010: 6).² Instead, the focus of mineral reform mainly revolves around a push to eliminate – by way of formalisation – the perceived 'illegal', 'inefficient', and 'primitive'

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¹ Key examples include the OECD due diligence guidelines at <http://www.oecd.org/corporate/mne/mining.htm>, the ITRI Tin Supply Chain initiative (iTSCI) at https://www.itri.co.uk/index.php?option=com_zoo&view=frontpage&Itemid=60, and section 1502 of the US Dodd-Frank Act at <https://www.sec.gov/about/laws/wallstreetreform-cpa.pdf> (all accessed 30.06.16). The OECD due diligence guidelines provide "detailed recommendations to help companies respect human rights and avoid contributing to conflict through their mineral purchasing decisions and practices & rdquo iTSCI is a bagging-and-tagging system put in place by the international tin industry body ITRI, allowing for legal trade in 3T. Section 1502 of the Dodd-Frank Act requires companies registered on the US stock market to report on an annual basis whether their minerals have been sourced from the eastern DRC or neighbouring countries, and if so, whether or not they are financing conflict (see Radley and Vogel, 2015: 407).

² Discussing the Kivu provinces specifically, Geenen and Radley state that "using the World Bank's methodology of allowing five dependents per artisanal miner, we can project that approximately one to 1.75 million people are dependent on ASM for their livelihood in the Kivu provinces, or nine to 17% of the total population" (Geenen and Radley, 2014: 59).

<http://dx.doi.org/10.1016/j.exis.2017.09.003>Received 29 August 2016; Received in revised form 4 August 2017; Accepted 12 September 2017
2214-790X/© 2017 Published by Elsevier Ltd.

practices assumed to have constituted eastern Congo's ASM markets:

Official state policies, transnational governmental organisations, and international legal frameworks typically portray illegal activities as being bereft of moral value, economically inefficient, [...] and the expectations of modernity wrapped up with its social, political, and legal construction.

Panella and Thomas, 2015: 3.

Questioning certain industry³ and advocacy (Enough Project, 2014) claims, we argue that, intentionally or not, the incompatibility of ASM with corporate-regulatory structures prevents a purely positive impact of traceability and certification on local production and trade. In some cases, human rights violations and extreme poverty are perpetuated into the era of 'ethical sourcing' (Rothenberg, 2014). Moreover, the normative ideological idea to clean up the region's supposedly illicit mineral trade obfuscates the fact that local resource economies, in South Kivu like elsewhere in the DRC, are embedded in a fine-grained web of complementary relations and regulations (Geenen, 2011). This speaks to Panella and Thomas's claim that

[s]ocial scientific application of categories such as ethics and legitimacy can obscure the generally fluid movement of subjects and objects across networks of value and contexts of exchange.

Panella and Thomas, 2015: 5.

We substantiate our argument by presenting how corporate and formalised ethical sourcing disintegrates existing complementarities of informal production networks and how their implementation has, for direct and indirect reasons, triggered stagnation and decrease of local prices. Based on extensive ethnographic research on eastern DRC's ASM sector over the past five years, as well as an exploratory quantitative survey carried out in the first half of 2016, we investigate how corporate claims to ethical and responsible mining are inserted into a shifting landscape of regulation. Currently dominated by ITRI's Tin Supply Chain initiative (iTSCi), an industry scheme run by a consortium of key tin producers (Radley and Vogel, 2015; Matthysen and Zaragoza, 2013), we assess how this shifting landscape reshapes local livelihoods.

The iTSCi system is a result of international requirements for companies to apply 'due diligence' when sourcing minerals from conflict-affected areas (following OECD guidelines), and is designed to provide proof of the origin and trading route of the minerals (following Section 1502 of the Dodd-Frank Act). It traces 3T minerals from pit to exportation, at which point regional certification takes over (Verbruggen et al., 2011). In putting plastic tags on the mineral bags, one at the level of the mines and one prior to transporting them to regional trading houses, and matching the respective information on logbooks, iTSCi aims at establishing a closed pipeline supply chain. The iTSCi system presents an externally induced, yet integral, part of a larger push towards ASM formalisation and the progressing enclosure of thus far decentralised local production networks that used to be organised in more fluid ways (Vogel and Raeymaekers, 2016; Mueller-Koné, 2015; Iguma, 2014).

Our analysis focuses on the impact of such formalisation through, but not entirely limited to, iTSCi traceability and ensuing export certification on ASM livelihoods and surrounding local economies. We assess the ways in which current developments across South Kivu Province (for more background see Vlassenroot, 2013) alter the socio-economic dynamics in different mining areas, and how this affects patterns of choice through which local producers (including miners, mining cooperatives and local traders) navigate their livelihood strategies (Geenen and Radley, 2014; Cuvelier, 2010). In our investigation into the socio-economic impact of ASM formalisation, we sketch artisanal 3T miners collectively as a 'miner's canary' under stress. Hence, we portray them as a potential indicator to policy-makers and

development practitioners regarding how local livelihoods around artisanal 3T mines evolve under the formalisation efforts encouraged and co-produced by mineral traceability and certification in eastern DRC.

In doing so, we focus on the potential perils this particular shape of formalisation can pose to longstanding local economic strategies that help large parts of the population to cope with volatile socio-economic environments in the absence of inclusive development and the persistence of protracted violence and displacement that reduced rural households' subsistence capacity. This helps us to both assess miners' agency and self-perception as well as to draw some wider conclusions relating to dynamics of legitimacy, governance and authority in a transforming ASM sector (see also Bierschenk and Olivier de Sardan, 2014; Meagher et al., 2014; Englebert and Tull, 2013; Raeymaekers et al., 2008; Rubbers, 2007; Lund, 2006).

After outlining our conceptual and methodological framework in the following section, we will introduce our three main study sites. We then subsequently present and analyse the combined results of our qualitative and quantitative research before establishing the five major dynamics at play. In the closing section, we summarise our findings and propose several conclusions to inspire future research.

2. Conceptual and methodological remarks

Recent research on socio-economic characteristics of resource extraction recommends the increased use of mixed methods to "take into account the full range of socioeconomic costs and benefits as well as power dynamics at multiple scales" (Gamu et al., 2014). Taking this into account, we designed an explorative survey exercise to complement our in-depth qualitative research and generate insights into two questions: how has the formalisation of eastern DRC's resource markets, through traceability and certification, altered socio-economic dynamics around mines and trading routes? And, bearing in mind the region's history of militarised mining and violent conflict, what is its actual impact on the everyday life of mining communities? In this essay, we define formalisation as the ensemble of deliberate policies, techniques and other undertakings to make people, things and actions in a given field legible to regulatory authority, including both state institutions as well as other actors that claim and acquire such authority, such as iTSCi.

In our analysis, we then match the long-term insights of our ethnographic work with preliminary findings established by survey work. Inspired by over 500 individual interviews and focus groups with multiple stakeholder groups held across different research projects stretching over six years and dozens of 3T mines in South Kivu, we developed an exploratory survey in French and Swahili, consisting of 30 items (see Annex I in Supplementary material). In three specific mining areas that are part of a wider research project, 125 randomly sampled participants responded to this exploratory survey, carried out subsequent to our ethnographic research to control for the respective qualitative data and to inquire if a different methodology would gather different results. The key criterion for random selection was that any respondent, in one way or another, was supposed to be part of the ASM sector of the site in which they participated in the survey. Hence, this includes miners, different kinds of subsidiary professions (washers etc.), local traders, cooperative agents, state agents linked to ASM, transporters, and businesspeople supplying the former. These were randomly selected as to their presence in the mining areas and their consent to take part. Given the limited number of respondents, we do not claim this survey to be statistically representative.⁴

⁴ While this sample could be considered a small large-N study, we do not claim it be statistically representative. Random sampling means every individual in the included fieldsites could participate: surveyors did not target any particular individual or group while in the field, rather they were instructed to have anyone respond to the questionnaire. Illiterate respondents were assisted by surveyors (this can represent a form of bias, but also excludes another form of bias, namely exclusion from the survey based on literacy).

³ See www.intel.com/content/www/us/en/corporate-responsibility/conflict-free-minerals.html, accessed 31.03.17.

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