

# **Navigating obstacles, opportunities and reforms:**

*Women's lives and livelihoods in artisanal mining communities in eastern DRC.*

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This research was conducted under the auspices of the Graduate School Wageningen School of Social Sciences (WASS).

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## **Thesis**

submitted in fulfilment of the requirements for the degree of doctor  
at Wageningen University  
by the authority of the Rector Magnificus,  
Prof. Dr A.P.J. Mol,  
in the presence of the  
Thesis Committee appointed by the Academic Board  
to be defended in public  
on Wednesday 21 June 2017  
at 11 a.m. in the Aula.

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Navigating obstacles, opportunities and reforms: Women's lives and livelihoods in artisanal mining communities in eastern DRC.

245 pages.

PhD thesis, Wageningen University, Wageningen, the Netherlands (2017)

With references, with summaries in English, Dutch and French

ISBN: 978-94-6343-199-6

DOI: 10.18174/413901

# Acknowledgements

It has been a long journey since the day I started my PhD with an English course in Kampala. Then there was the first day I arrived in Wageningen, and now I have reached the last days of this process. I feel that an entire lifetime has passed, with so many experiences and different feelings. There are so many people who were part of this process that I would like to thank.

I would first like to thank my academic supervisors, Thea Hilhorst, Gemma Van der Haar and Jeroen Cuvelier. Thea, you were not only a supervisor but also a mother to me throughout this process. Your direction and pragmatism taught me to become a good researcher. Your enthusiasm was contagious, even on days when I could not bear to do more research. You taught me to translate my field experience into academic words and gave me new eyes and a new perspective. Gemma, I do not know how to thank you enough. First, during the process of conducting my PhD research, you noticed that I was afraid to take a purely sociological approach because of my background in economics, and your advice and comments helped me to reach this point with the thesis. I cannot forget to thank you for the time you devoted to me, especially towards the end of this process or when things were very urgent. That touched me deeply. Jeroen, you were my inspiration. Your academic drive and meticulous feedback have greatly inspired me and provided stimulation for my theoretical approach. To all of you, thank you for setting the bar so high for this thesis during all these years, and for helping me to appreciate a new angle for doing research. It has been both an honour and a great pleasure to learn so much from all of you.

I am very grateful for all the feedback I have received from other reviewers. In this regard, I would first like to thank the members of the thesis committee. I also want to express a great thanks to other professors in our programme: Koen Vlassenroot and Dennis Dijkzeul for your comments and assistance during group meetings. I would like to give a particular thanks to Jennifer Barrett, your help was just amazing. To Karen Busher and the anonymous peer reviewers who have provided substantial feedback on the chapters, thank you.

Next, I would like to thank all my colleagues from the Wageningen University Special Chair for Humanitarian Aid and Reconstruction (the department formerly known as Disaster Studies). My particular gratitude goes to Wendy Ömerköylü-van Wijk. Wendy, the amount of help you gave me cannot be overstated—it was not only about practical support, but more the

moral support from the beginning to the end. Without that, I would not be in this position now. Lucie van Zaalen, thank you for all of your practical support during that first and slightly confusing year in Wageningen.

Among my colleagues in Wageningen, I would like to give a special acknowledgement to the ‘village Congolais’—Gloria Nguya, Claude Iguma and Aembe Bwimana—for the time spent together, even during holidays, when the buildings were empty. Our academic and sometimes socio-political discussions on DRC were very fruitful. You were wonderful and always encouraged me to endure the tough times of concentration. I will not forget Jose Diemel and Bodille Arensman, who were also members of the ‘village Congolais’: Although you were not always at the office during those times, the support and friendship you demonstrated towards me were heart-warming.

To my senior colleagues and friends, Patrick Milabyo, Ninke Douma, Raimond Duijsens, Carlos Morales, Rens Twijnstra and Winnie Wairimu: With some of you, it was just an experience at a conference or a dinner at Thea’s house, but I spent a long time together with others, struggling through the PhD process.

To the members of the Wageningen community WhatsApp group (HAR WUR) and colleagues in other programmes, Gloria Nguya, Annessa Gita, Luna, Teddy Atim, Gayatri and Conny Formston: Thank you for all the chats and lunches, and for sharing good ideas back and forth.

I would also like to thank the Institut de Développement Rural (ISDR) in Bukavu for their collaboration during the PhD process. Thanks go especially to Professor Mashanda Murhega and Professor Pascal Isumbisho, as well as the new Director, Professor Bosco Muchukiwa.

Further, I am greatly appreciative for my colleagues and supervisors at the Université Catholique de Bukavu. I would not have been able to do this without you. For your continual moral and technical support, for always keeping your doors open to me and for your helpful advice, I thank you deeply. To the Department of Economy and Management, it was been a relief to have you behind me while I was doing this challenging work. Professor Ntagoma Jean Baptiste, thank you for your guidance and support during this process and for taking such an interest in my project. To the CEGEMI (centre de gestion minière), thank you to have create such a good environment around me.

My gratitude goes also to my research assistants in South Kivu, Manono and Kisengo: With all the interesting stories you shared and the critical eye you gave to my research, you made this research experience interesting and a pleasure. My words fall short to describe my gratitude for all the families who welcomed me into their homes during the fieldwork—especially in northern Katanga: Maman Nala (Kalemie), Papa IT (Kisengo) and Magistrat Paupol (Manono). People would think that it was unbelievable if they knew how, at every step of my research, there were people who would support me and become part of my family—It was just a miracle. Thank you all.

I would also like to express gratitude to the Search for Common Ground (SFCG) organisation for their technical support and for sharing their experience on gender in northern Katanga. Dirk J. Koch, when I first contacted you to introduce myself to the organisation and you proposed that I do an internship with you, I did not know how wonderful the experience would be over time. To all the staff in Kinshasa, especially Marcellin, who helped with contacts for flights, thank you. Many thanks to the team in Kalemie: Alfred, Flavienne, Nala, Rosy, Samy, Sylvie, Preso and Babou. Life with you was just wonderful.

Within the Ministry of Mining and the Ministry of Gender, Family and Children, I would mostly like to thank all of the officers at the local, provincial and national levels for their collaboration on my research and their support in giving me access to the mining sites, which can sometimes be difficult. In addition, my gratitude goes to the staff of iTSCi, especially in Nyunzu and Manono, during the time of the fieldwork.

To the people of Kamituga, Nyabibwe, Kisengo, Nyunzu and Manono, and especially to the women who contributed to this research, you were always ready to welcome me as a friend, a sister or a daughter. You shared with me more than simple data, but your entire lives. To the local women's organisations in the mining communities, please accept my immeasurable thanks.

I would like to give particular thank you to my father, Professor Bashwira Augustin, for his support and understanding more than ever during this process. Thank you to my sister and mother, Bashwira Jocelyne Furaha; my sisters, Solange Mubuya, Helene Bintu and Emmanuella Iragi; and my brother, Eric Assani, for what you have done for me and how you have endured my stress and bad character during this long process. I am also thankful to Guy Roger Rutega, Jean Dieudonne Kabembe and Michel Batumike for everything—The good you have shown me is immeasurable. Yves Gabriel, Daniel Veronique, Raphael and Marie

Louise, your love and hugs gave me so much support. I feel very fortunate to have all of you in my life.

To all my uncles, aunts, brothers, sisters, nephews, cousins and friends whose names are not mentioned here, you are acknowledged for your direct or indirect contributions to the achievement of this PhD project.



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# Acronyms and abbreviations

3T	Tin, Tantalum and Tungsten
3TG	Tin, Tantalum, Tungsten and Gold
AFDL	Alliance des Forces Démocratiques pour la Libération du Congo
ASM	Artisanal and Small-scale Mining
AMZ	Artisanal Mining Zones
ANR	Agence Nationale de Renseignements (National Intelligence Agency)
BGR	The German Federal Institute for Geosciences and Natural Resources (Bundesanstalt für Geowissenschaften und Rohstoffe)
CAMI	Cadastre Minier
CEEC	Centre d’Evaluation, d’Expertise et de Certification
CFS	Conflict-Free Smelter Initiative
CFTI	Conflict Free Tin Initiative
CIGLR	Conférence Internationale sur la Région des Grands Lacs
COMIKA	Coopérative Minière de Kalimbi
COMBECKA	Coopérative Minière pour le Bien-être des Communautés de Kalehe
CTC	Certified Trading Chains
DFID	UK Department for International Development
EITI	Extractive Industries Transparency Initiative
FARDC	Forces Armées de la République

	Démocratique du Congo
FDLR	Forces démocratiques de libération du Rwanda
GeSi	Global e-Sustainability Initiative
GAD	Gender and Development
GCP	Gender Country Profile
ID	Identification
IFIs	international Financial Institutions
ILO	International Labour Organisation
IMF	International Monetary Fund
IPIS	International Peace Information Service
ITRI	International Tin Research Institute
iTSCi	ITRI Tin Supply Chain Initiative
MONUSCO	Mission de l'organisation des Nations Unies et de Stabilisation du Congo
MMR	Mining Mineral Resources
NGO	Non- Governmental Organisation
NWO- WOTRO	Netherlands Organisation for Scientific Research-Science for Global Development
OCDE	Organisation de Coopération et de Développement Économiques
PAC	Partnership Africa Canada
PWYP	Publish What You Pay
RCD	Rassemblement Congolais pour la démocratie
RDC	République Démocratique du Congo
RENAFEM	Réseau National des Femmes dans les Mines
RINR	Regional Initiative on Natural Resources

SAP	Structural Adjustment Programme
SAESSCAM	Service d'Assistance et d'Encadrement du Small Scale Mining
SARW	Southern Africa Resource Watch
SEC	Securities and Exchange Commission
SFCG	Search for Common Ground
SGBV	Sexual and Gender-Based Violence
Sominki	Société Minière et Industrielle du Kivu
STAREC	Stabilisation and Reconstruction Plan for Eastern Congo
TIC	the Tantalum- Niobium international Study Centre
UNHAS	United Nations Humanitarian Air Service
UNGoE	United Nations Group of Experts
UNW	UN Women
WB	World Bank
WED	Women, Environment and Development
WID	Women in Development
WUR	Wageningen University and Research centre

# **Chapter I: General Introduction:**

## **Understanding women in the mining economy in eastern Democratic Republic of Congo**



## I.1. Introduction

Mining in the Democratic Republic of Congo (DRC), as in other countries, has generally been treated as a male affair. This, however, overlooks the fact that artisanal mining sites are key to the livelihoods of many women. Whether they fled from violence or were attracted by the opportunities of the booming mining towns, a significant number of women found a new home in these sites, developing a range of strategies to build a life. Looking more closely at the mining communities, it is clear that there are many women living and/or working there. Some of these women are engaged directly in mining activities (e.g. through panning, gridding, crushing or trading, or through owning a pit or a processing place). Others are indirectly involved in the mining industry (e.g. through restauranteering, selling diverse goods, administration, agriculture or prostitution).

The role of women in mining has increasingly been recognised in the academic literature, as well as by NGOs and government officials. However, especially in the context of DRC, women have generally been seen as a homogeneous group. It is the link between violent conflict and artisanal mining that initially brought women into the picture, as victims of sexual violence and slave labour (Cruz and Hintjens 2015; Free the Slaves 2013; Kelly 2015). Nevertheless, focusing on the mining communities, it becomes evident that women are not only victims. Rather, there is variation among the women living in the mining communities and working in mineral exploitation: Some of these women are able to occupy positions of power, whereas others are exploited. Women actively make their livelihoods in the mines, seeking to expand their room for manoeuvre<sup>1</sup> to forge a better living. These women's situation is very dynamic, as they may change their position over time. Likewise, women have to navigate economic and political changes in their environment.

Currently, the artisanal mining sector is subject to a number of reform initiatives. The most important of these initiatives concerns the adoption of a new mining code by the Congolese government. At international and regional levels, there is the Dodd–Frank Act, the Organisation for Economic Co-operation and Development (OECD) due diligence schemes, the International Conference of the Great Lakes Region's (ICGLR) certification mechanism,

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<sup>1</sup> 'Room for manoeuvre', an important concept in this research, refers to the amount of social space that actors have to move their projects or ideas forward (Hilhorst 2003).

the International Tin Research Institute (ITRI) Tin Supply Chain Initiative (iTSCi)<sup>2</sup> traceability system and the European Commission's pronouncement on conflict minerals. All of these initiatives share the aim of fighting the 'conflict minerals' situation, which arises when minerals are exploited in areas of violent conflict (Cuvelier 2013). In DRC, this mainly concerns tin (cassiterite), tungsten (wolframite) and columbite–tantalite (coltan) (collectively known as '3T'), as well as gold.

DRC's mineral sector has been at the centre of interest for many actors (e.g. international media, local and international NGOs, academics and different countries using these minerals in their industries) because of their concerns about the supposed link between artisanal mining exploitation and the long-term conflict in DRC. This link is often described as leading to human rights abuses and sexual violence. This thesis explores the 'on-the-ground' consequences of the broad ongoing reform policies aimed at restructuring the political economy of conflict in the DRC, with a particular focus on what they have meant for women.

Labonne (1996) has provided some fruitful assertions regarding the potential consequences of the mining reforms for women. She argued that, if it is well regulated, artisanal mining can improve women's opportunities for engaging in economic activities, as well as expanding their social roles. In the years following Labonne's work, however, less has been said about the role of gender differences along the supply chain. Policy makers and researchers have rarely acknowledged that women are part of the chain—even at the lower levels of mineral exploitation—so women's position has often been left out of the reform initiatives. It is only recently that interest in the position of women in mining has emerged, along with the increasing tendency to demonstrate women's importance in development issues.

This thesis drew upon ethnographic methods to 'zoom in' on the diverse and changing roles of women in artisanal mining. Over a 15-month period, the research was carried out at four mining sites: two in South Kivu (Kamituga and Nyabibwe) and two in northern Katanga (Manono and Kisengo). This fieldwork enabled me to recognise and unravel the complexities of women's lives in artisanal mining. Broadly, the study focused on addressing the following questions: How do women living and working at these mining sites make their living? What barriers and opportunities do they find? How are the current mining reforms affecting these barriers and opportunities? Why do some women do better than others, and what does this mean for the power relations among women?

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<sup>2</sup> iTSCi was started by the International Tin Research Institute (ITRI) in 2009. iTSCi is an initiative that makes it possible to determine minerals' origin and to document their trading chain using bagging and tagging procedures.

This chapter begins with the overall research question and the sub-questions of the thesis, followed by a brief presentation of the background of the research. The next section provides details on my theoretical approach, discussing the ideas of women and globalisation, and women and conflict using an actor-oriented approach. I then explain the methodological framework to clarify how I conducted the research. Also in this section, I also describe how the informants were selected and introduce the geographical areas of study. Finally, I end the chapter by outlining the subsequent chapters in this thesis.

## **I.2. Research questions**

This thesis aims to understand women's experiences in artisanal mining and to analyse the effects of national and international reform initiatives on women's position in the organisation of artisanal mining. Recognising that changes in the local population's behaviour are dependent not only on external interventions but also on these people's own actions as actors, it is important to consider the complexity of 'agency' in the choices people make in adapting their coping strategies. Consequently, the main question is as follows:

*How do differentially positioned women navigate and negotiate the transformation of artisanal mining in the context of the mining reforms in eastern DRC?*

To answer this general question, specific sub-questions were developed. The sub-questions have a dual focus: First, they examine the frame of the global initiatives attempting to formalise artisanal mining and how women negotiate their participation in the mineral exploitation. Second, they explore the role of women in local mining communities and how they navigate the local social structure. The answers to the sub-questions are used to structure the substantive chapters of the thesis.

1. How has the discourse on the supposed link between artisanal mining and sexual violence changed women's position in artisanal mining activities?
2. Why are women deciding to move to and settle in artisanal mining areas? What challenges do they face after arriving in the mining areas, and how do they cope with life there?
3. What kind of activities are women involved in at the mining sites, and what different combinations of livelihood strategies differentiate these women?

4. How has the formalisation process influenced the position of women and power structures at the local level?
5. How are local and international gender ideologies developing, and what are the implications for women's everyday dealings with access to the mining economy?

### **I.3. Background: Mining and mining reforms in DRC**

This section provides an overview of the main features of the DRC mining reform initiatives and the historical events related to these reforms. Further, it discusses the international pressures on DRC's mining sector following the conflict minerals discourse. Next, the section sketches the definition and structure of the sector at the micro level, identifying the institutions involved in the mineral exploitation. The section ends with an outline of the local actors in the mineral supply chain.

#### **11.3.1 Main historical events surrounding mining reforms in DRC**

This section focuses on broader historical developments around mining in DRC, especially concerning artisanal and small-scale mining. A large majority of the mined minerals in DRC are extracted by artisanal miners living and working in harsh conditions. Gold deposits are located throughout the eastern part of the country (the provinces of North and South Kivu, Maniema and Ituri, as well as North Katanga). A wide range of other minerals is found throughout the eastern, central and southern parts of the country. These minerals include copper, chromium, nickel, platinum, silver, diamonds, tin, coltan and wolfram. Artisanal mining production accounts for 90% of the country's mineral production and provides livelihoods and employment for roughly two million people (World Bank 2008). To better understand the developments in the mineral industry in DRC in recent years, it is necessary to examine earlier stages in the history of the artisanal mining sector.

In the Belgian Congo era, one of the pillars of the colonial economy was the industrial exploitation of minerals. This situation persisted during the first years of independence after 1960. Beginning in the 1970s, the neo-patrimonial policies of President Mobutu, mismanagement of the major mining companies and oscillating prices at the international market combined to produce a deep economic crisis. The Zairianisation measures nationalised all companies, plantations and other businesses owned by foreigners (Geenen 2011b, 2014a). Towards the end of the 1970s, President Mobutu, in response to the continuing economic

crisis, called upon citizens to ‘fend for oneself’ or ‘to cope’, which has also been called ‘*economie de la débrouillardise*’ or ‘Article 15<sup>3</sup>’ (MacGaffey 1991, 1986; Meditz and Merrill 1994).

From 1982–83 to 1986, Zaire was committed to the International Monetary Fund and the World Bank through a Structural Adjustment Programme (Mazalto 2008). Driven by these international bodies, the state had liberalised the mining sector, opening, for example, some mining concessions to artisanal miners. This phenomenon was gradually generalised to the entirety of industrial mining sites throughout the country. The sector initially attracted the former workers of the mining companies. As the economic and political situation worsened, the mining sector increasingly attracted people with different backgrounds, who engaged in unofficial (informal) economic activities, building new trade networks and smuggling minerals (MacGaffey 1991). According to a new law on liberalisation,<sup>4</sup> all Congolese citizens were allowed to possess and transport precious minerals (Geenen 2011b). As De Koning concluded, ‘during the 1980s artisanal mining became ever more important for people’s livelihoods as a result of the collapse of state mining enterprises and the formal economy as a whole’ (De Koning 2009: 3).

For over 20 years, DRC has been engulfed in wars (1996–1998, 1998–2003) and continuous insecurity. All of the wars began in the eastern part of the country and involved many of the neighbouring countries. The conclusion of the First Congo War marked the end of the 32-year reign of the late President Mobutu. In their attempts to reform the mining sector, the regime of President Kabila drew up several contracts just after the war. However, these contracts, which were developed in the form of economic partnerships (joint ventures), were seen to disadvantage DRC: The country was in a weak bargaining position, as DRC needed capital to sustain the new government’s political position (Geenen 2014a; Mazalto 2008). In 1998, President Kabila officially allowed the artisanal mining of copper, cobalt and other minerals.

An important moment for mining governance in DRC occurred in 2000, when the price of tantalum (columbite–tantalite, or coltan) reached its peak. Because of the good performance of technology, high sales of mobile phones and the demand for tantalum capacitors, the market value of coltan was at a record high. Although this time was relatively brief, the rush to the mines intensified in a spectacular manner, causing an urban exodus to the mining sites.

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<sup>3</sup> ‘Article 15’ or ‘débrouillardise system D’ (from *débrouillez-vous pour vivre*) refers to the resourcefulness that Congolese people must practice because of the failure of the state to provide for them.

<sup>4</sup> Ordonnance-loi n 82/039, 5 November 1982

### *1.3.1. Reforms and pressure around the mining economy in DRC*

Figure 1. DRC's mineral reserve



Source: <https://lospiegone.com/2016/11/06/il-congo-etnie-in-lotta-e-controllo-delle-risorse/> (consulted in March 2017)

Mining governance has always been a problem in DRC. Because of the complexity of the sector, it is clear that strategies aiming to improve its governance and to stabilise the conflict-affected regions should integrate various approaches in a coherent manner. A discussion of transparency in mining governance in DRC requires considering the specific organisations involved. For that reason, this section introduces some of the main programmes, which will be discussed in more depth throughout the thesis.

At the international level, attention for the issue of ‘conflict minerals’ grew beginning in the early 2000s, along with concerns about the long-term conflict and its relationship with artisanal mining exploitation. At that time, advocacy groups from the United States and Europe began to publish reports on the looting of DRC’s minerals, expressing their concern about the failure of the international community to prevent the conflict (Cuvelier, Van Bockstael, et al. 2014). This led to considerations of the ‘resource curse’ thesis in the case of

DRC (Cuvelier, Van Bockstael, et al. 2014; Geenen 2011b). This thesis fuelled concerns driving a UN Council resolution commissioning a Group of Experts (UNGoE) to produce reports detailing the relation between mineral resource extraction, trade, and the conflict. These links became public in the first report of the UN Panel of Experts (later replaced by the UNGoE) on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the DRC, published in 2001 (Pöyhönen et al. 2010). Recently, numerous initiatives have been put forward focusing on the link between conflict and mineral exploitation in DRC. This sets the stage for a wide range of efforts at the international, regional and national levels to improve DRC's mining governance. Effective mining governance is now more crucial than ever for the success of the ongoing 'resource minerals' initiatives.

In addition, at the international level, governments, NGOs (e.g. Global Witness, Enough project, International Crisis Group, Human Rights Watch, Oxfam, Pole Institute and International Alert) and companies began to think differently about their impact on 'conflict minerals', and they started to call for the intervention of the international community. An important moment for the artisanal mining industry occurred in 2010, when the OECD developed its due diligence guidance for conflict-affected and high-risk areas to help companies ensure that they were not financing armed groups (conflict) or human rights abuses by sourcing their raw minerals from risky countries (OECD 2011).

In the United States, a legislative process that began in 2008 resulted in July 2010 in the passing of the Dodd–Frank Wall Street Reform and Consumer Protection Act (Free the Slaves 2013). In its sections 1502 and 1504, the Dodd–Frank Act requires that all companies listed on United States stock exchange and involved in the trade of tin, tantalum, tungsten or gold from DRC or neighbouring countries apply due diligence in the supply chain (Matthysen and Montejano 2013). The consequences of this law, at local level, were catastrophic, leaving the local population deprived of significant livelihood options (Cuvelier, Van Bockstael, et al. 2014; Geenen 2011b; Schütte et al. 2013).

Although the Dodd–Frank law applied only to companies listed on the United States stock exchange, it also has implications for European industries using minerals as raw materials. In October 2010, the European Parliament passed a resolution along the lines of the Dodd–Frank Act. They requested that the European Commission consider their own version of the conflict minerals provision based on the experiences of the Dodd–Frank Act. In 2013, the European Commission expressed the intention to propose an initiative to introduce due diligence

requirements in the supply chain of minerals originating in conflict areas (Matthysen and Montejano 2013). In early 2014, the Commission presented a legislative proposal aiming to stop the financing of conflict minerals (Cuvelier, Van Bockstael, et al. 2014).

Companies using raw minerals from DRC have also elaborated initiatives related to traceability, certification and free trade. Conflict minerals projects for 3T mostly use iTSCi's mineral tagging-bagging to secure the chain of custody and due diligence systems that includes independent and third-party risk assessments and protection against human rights abuses including the worst forms of child labour (Greening 2012). ITSCi is a joint initiative between ITRI and the Tantalum–Niobium International Study Centre. iTSCi began with the implementation of a pilot project in June 2010 in South Kivu. The project aimed to demonstrate that companies can source minerals from DRC in accordance with legislation (Dodd–Frank Act) and international guidance (OECD guidance) through the use of joint programmes such iTSCi. This pilot project was suspended in 2010 because of a ban on mineral exploitation imposed by President Kabila. The project then restarted two years later in October 2012 at the Kalimbi mining site (iTSCi 2013). In Katanga Province, the situation was different: There was no ban, and ITSCi was implemented from the outset with funding from industry, such as Mining Mineral Resources (MMR) (Diemel and Cuvelier 2014). The iTSCi system consists of three elements: (a) data collection about the chain of custody (traceability); (b) risk assessments and (c) third-party audits (Manhart and Schleicher 2013). The system includes two categories of bar-code tags: the mine's tag (*tag creuseur*) given at the *point d'achat* (trading place) and a trader's tag (*tag négociant*) given at the *comptoir* (trading house). Each tag is attached to the bags of minerals at the appropriate point in the supply chain; this is known as the 'bag-and-tag' system (Manhart and Schleicher 2013).

At the regional level, in 2004, 11 member states established the ICGLR, allowing for a focus on the African Great Lakes Region as a whole instead of focusing on only one country (Manhart and Schleicher 2013; Pöyhönen et al. 2010). At the national level, the Congolese government was from the beginning sensitive to international policies on conflict minerals and their implicit link with the unending armed fighting and insecurity. The DRC government has implemented several initiatives to strengthen the governance of the 3T sector and to increase tax revenues. Specifically, these initiatives have included, for example, the *Programme de Stabilisation et de Reconstruction des Zones Sortant des Conflits Armés*, which is based on the DRC government's idea that the improvement of the security situation



in the eastern part of the country occurred because of a number of military campaigns against non-state military actors (Verbruggen et al. 2011).

Along with the growth of mining reform initiatives at the international, regional and national levels, programmes to fight human rights abuses and sexual violence also began to grow. This was the case especially in mining areas, in response to the supposed link established by the UN Panel of Experts report mentioned above. Later, although the link was somewhat nuanced, the tendency of armed groups to use rape and other forms of sexual violence reinforced the idea of the vulnerability of women living in mining areas. Several initiatives, including the OECD due diligence guidance, have therefore gradually incorporated a gender section into their programmes. From their beginnings, all of the international initiatives—to a greater or a lesser extent—mentioned a gender section in their programmes. However, this was usually included implicitly in a general environmental framework. With the pressure created by the discourse on sexual violence, a more visible engagement has been felt in multiple direct interventions in DRC.

Among the gender mainstreaming attempts observed, one stands out as particularly important. On the 15<sup>th</sup> and 16<sup>th</sup> of December 2011, the ICGLR passed a key declaration in its Fourth Ordinary Summit and Special Session held in Kampala (Uganda) under the theme of ‘United to prevent, end impunity, and provide assistance to victims of sexual and gender-based violence (SGBV) in the Great Lakes Region’ (ICGLR 2012). In Article 16, the ICGLR Secretariat sought to ‘strengthen the links between the Regional Initiative on Natural Resources (IRRN) and Regional Initiatives on Action against Sexual Violence and Gender-Based Violence in supporting Member States to integrate gender in national mining policies, and to encourage regional trade and cooperation for sustainable development of the natural resources sector’ (Hinton 2012: 6). Working with other organisations, such as the *Deutsche Gesellschaft für Internationale Zusammenarbeit*, the ICGLR also organises annual national conferences on the role of women in the mining sector. These conferences bring together civil society actors, government officials and female miners to identify problems and challenges, and to generate possible solutions.

At the national level, the PROMINES programme was implemented with funding from the World Bank and the United Kingdom Department for International Development (Pöyhönen et al. 2010). The project’s main objective was increasing mining production and added value. Under the PROMINES project and the overall programme of the World Bank, a component

on gender in the extractive industries has been initiated with the objective of contributing to the better understanding, recognition and visibility of the status of women in DRC's mining sector. To this aim, in September 2015, PROMINES organised the first national meeting of women in mining. Participants comprised all of the stakeholder actors: government officials, women miners, civil society actors, industry representatives and international actors.

For all of the mining initiatives, their effects on the position of women in the sector can be seen in terms of either inclusion or exclusion. More important has been their impact on local livelihoods. Likewise, the ban by President Kabila in 2010 must be kept in mind because of the harshness of the resolution and the impact it had on the local population. However, some scholars have argued that it would be erroneous to see the suspension of mining activities and its disastrous consequences as somehow the result of the Dodd–Franck Act (Pöyhönen et al. 2010). In September 2010, the Congolese Ministry of Mines announced President Kabila's decision to suspend the artisanal mining exploitation in the provinces of Maniema and North and South Kivu (September 2010–March 2011). Unintended consequences arose because of the lack of capacity of the government and state agencies to monitor the embargo: *Forces Armées de la République Démocratique du Congo*, which was supposed to secure the mining areas, in fact promoted clientelism, forum shopping (Geenen and Claessens 2011) and profit centres (Vlassenroot and Raeymaekers 2005).

The wide array of initiatives implemented in DRC, in itself, is noteworthy. However, some of these initiatives are redundant rather than complementary. Additionally, some aspects of these initiatives may give rise to tensions or contradictions (Cuvelier, Van Bockstael, et al. 2014). All actors agree on the necessity of fighting conflict minerals, but it is also important to consider the actors engaged in artisanal mining exploitation at the micro level. The following section examines the different actors present at the micro level of the artisanal mining sector.



Négociant's tag, Nyabibwe , 2013.



Mine's tag, Nyabibwe 2013.

### *1.3.2. Definition and structure of the artisanal mining sector in DRC*

There is no internationally agreed definition of artisanal and small-scale mining. Some authors follow recognised criteria to define artisanal areas according to features such as mine output, labour productivity, organisation of the enterprise and levels of technology (Hilson 2002). However, in general, artisanal mining refers to the activity of mining by individuals, groups, families or cooperatives with minimal or no mechanisation, often in the informal sector of the market (Hentschel et al. 2002). A number of governments have recognised the importance of the sector and set up legislation to formalise artisanal mining activities. Although these measures were encouraged by international financial institutions, the measures have been criticised on their implementation and because of their non-adoption by artisanal miners (Hentschel et al. 2002).

In DRC, artisanal mining is an important sector that accounts for up to 90% of the national mineral production according to a 2008 estimation of the World Bank (2008: 56). The 2002 Mining Code (a reform based on the collaboration between the World Bank and the Congolese government to improve the mining governance and attract external investment) provides a range of points legitimising artisanal mining activities and distinguishing them from both small-scale mining and large-scale mining. The Code deals with different matters, from prospecting to mineral extraction (D'Souza 2007). Here, artisanal exploitation is defined as 'any activity by means of which a person of Congolese nationality<sup>5</sup> carries out extraction and concentration of mineral substances using artisanal tools, methods, and processes, within an artisanal exploitation area limited in terms of surface' (Mazalto 2008: 65). This definition excludes government employees, civil servants and members of the armed forces, who are not eligible for any mining rights (De Koning 2011).

As noted above, the Mining Code distinguishes between artisanal and small-scale mining. It defines artisanal exploitation as any activity through which an individual of Congolese nationality extracts and concentrates mineral substances using non-industrial tools, methods and processes in an artisanal zone delimited on the surface and at depth up to a maximum of 30 metres. In contrast, the Code defines small-scale mining as any activity where a person engages in small-scale, permanent operations requiring a minimum of fixed installations and using semi-industrial or industrial processes in places where there is evidence of mineral deposits (Journal Officiel 2002).

The Mining Code provides for the creation of the mentioned 'artisanal mining zones' in places where 'the technical and economic factors fail to support industrial or semi-industrial operations' (Bashizi and Geenen 2015). The establishment of such a zone is by national ministerial order, after consulting the local Division of Mines and the provincial government. In these areas, diggers are required to obtain a 'digger's card' that must be renewed yearly at a cost of 25 USD, although Geenen (2012) found that the price is not fixed and depends on the negotiation power of each individual. These cards are valid only for a particular zone (World Bank 2008). Diggers who have acquired this identification should then be grouped into cooperatives and apply to the Minister of Mines for approval. This process was suggested as a means to provide the diggers with better technical assistance services, but also as a procedure for evolving from a temporary artisanal facility towards small-scale mining activities.

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<sup>5</sup> Law No. 007/2002 of July 11, 2002

Through the cooperatives, diggers can sell their minerals only to traders who have acquired a ‘negotiating identification card’ from the provincial governor and at the nearest *centre of négoce*. These traders (*négociants*) can then sell the minerals to official ‘buyers’, who own *comptoirs*. Bashizi and Geenen (2015) have asserted that the formation of cooperatives, though it was expected to facilitate ‘governance from below’, was actually more imposed policy from above and that the cooperatives still lack several features necessary for the proper coaching of diggers. This system was described in the Mining Code (2002) and the mining regulations (2003), but it was not until 2011 that most of the requirements were implemented in DRC to comply with the international requirements. Although the Mining Code requires each digger (*creuseur*) to obtain a mining title (identification card) before entering the mines, there are cases where the Mining Division (*Division des Mines*), aware that the miners could not afford to pay for these cards, agreed that the titles be assigned to the owner of the pit (Geenen 2011a).

Considering the national structure of artisanal mining governance, there are administrative officers from local to national level, as well as security forces (Wakenge 2014). At the top of the structure, the national Ministry of Mines is responsible for the artisanal and small-scale mining sector. The Ministry works with several agencies to ensure that all parts of the country are covered by its authority. These agencies include the *Cadastre Minier* (CAMI), which provides administrative and technical support to the mining sector regarding prospecting certificates, miners’ identification and lease requests, and the *Centre d’Evaluation, d’Expertise et de Certification* (CEEC), which works to evaluate and appraise minerals and to legitimise and monitor all stages of the process from the trading house to the export point with the aim of combatting smuggling. The *Service d’Assistance et d’Encadrement du Small Scale Mining* (SAESSCAM) is a technical branch of the Mining Division that was established in 2003. Together with the Mining Division, it tracks the flow of minerals from the pit to the *point d’achat* (see Figure 1). SAESSCAM also supports artisanal miners with technical assistance, health and safety advice, and social services.

Figure 2. Offices Involved in the mineral supply chain



Source: Author's composition

DRC has a dual legal system comprising civil and customary law, inherited from the colonial era. This is important, because, in addition to the system of legally recognised actors (see Figure 1), a range of other actors also intervene in the mining governance. Most of the artisanal mining exploitation in DRC is designated as informal in reference to commitments with non-state actors (Geenen 2014b). Considering the existence of institutional multiplicity (Van der Haar and Heijke 2013), it is important to be aware of the other actors seen as part of the governance of the sector, as well as the interrelations among them.

The existence of multiple institutions on which to rely can involve conflict, but it also potentially gives the local population room to negotiate institutional arrangements (Hilhorst 2013). People may, for example, simultaneously address state representatives, who issue mining licences; the customary chief, who gives the traditional rights to the land; military leaders (mostly at sites where the traceability process has not been implemented); local leaders; local miners' associations and NGOs. This type of context, where the situation is governed by multiple institutions, is known as 'legal pluralism' or 'institutional multiplicity'. In these cases, disagreement or competition among different structures of power is not always found; rather, multiple power structures sometimes coexist and may even be complementary (Van der Haar and Heijke 2013a). This idea is interesting in the context of DRC's mineral sector, as it explains how regulations are expressed through different sets of rules. As mentioned by Van der Haar and Heijke (2013a), the idea does not, a priori, privilege or dismiss any regulatory arrangements. The institutional multiplicity found in DRC's mining sector allows local actors to navigate between different institutional structures depending on their personal interests and power—a process known as 'forum shopping' (Geenen 2011a).

In the case of DRC, institutions can be classified into different categories. First, there is a kind of contradiction between customary law and statutory law regarding the ownership of the right to access or control mineral resources: State authorities provide official licenses for exploration or exploitation, but there is also a need for the endorsement of the customary authorities.

Second, the long period of economic hardship has resulted in the creation of another type of institution. The survival system in DRC has led people to enter into 'system D' (*débrouillez vous pour vivre*, 'Article 15'). This applies not only administrative workers at higher levels, but to all kinds of people. The notion of resourcefulness (*débrouillardise*) always refers to a lack of choice and the deficiency of other possibilities, alternatives or contingencies likely to

enable a population to live better. In DRC, the concept of ‘Article 15’ dates back to the 1980s, when the average civil servant (state official) was unable to live on their wages. Currently, the wars have damaged all of the existing infrastructure in the country—notably, agricultural service roads, hospitals and health centres (MacGaffey 1991)—causing the idea of ‘Article 15’ to spread to all segments of the population and increasing the size of the informal sector. To meet their basic needs, public servants had to engage in activities in both the public and the private sectors. Additionally, as the formal sector was no longer able to provide labour for a great number of people, many ended up in the informal sector. This creates power imbalances, with people relying on networks that are sometimes characterised as corruptible or criminal (De Koning 2011; Stearns et al. 2013).

Finally, international actors are key agents in the mining initiatives to ‘clean up’ the mineral supply chain. This category is also part of the governance system and has created an extra arena where people interact regarding the issue of mining governance. Following Hilhorst (2013), in this thesis, I include international aid organisations and their interventions in the local governance landscape, because they are supposed to merge into the societies and become embedded in the local realities. The relevant international institutions include government agencies, intergovernmental organisations, corporate associations of industries, international NGOs working with Congolese institutions, local or national NGOs, and economic actors taking part in the implementation of the international effort on conflict-free minerals.

This section has shown that, from the 2002 Mining Code to the most recent reform attempts, DRC has continually depended on external help for the structure of its mining sector, alongside the multiple existing institutions already in existence. It is also necessary to be acquainted with the actors who are able to promote the integration of women or deny their access to mineral exploitation, thus influencing women’s position.

### *1.3.3. Actors in the mineral exploitation supply chain at the micro level and implications for women*

This section sketches the actors involved in DRC’s artisanal mining supply chain and examines these actors’ place in women’s position at the local level (from the pit to the *comptoir*).

Although artisanal mining is considered a chaotic, illegal and criminal sector, it still has its own organisation on the ground (Bashizi and Geenen 2015; Geenen 2014a). Matthysen and Montejano (2013) have pointed out that the opacity of the sector is far from chaotic. In reality, although the image of mining in DRC is strongly related to conflict, my view aligns with Fisher's (2008) argument that issues such as mineral resources exploitation, the claims of the local population, the relationships between different actors and how mining activities embody local knowledge and practices do not depend on the level of conflict or the political situation. Rather, these things can be considered features common to the sector, across contexts. Efforts to improve the living conditions and the position of women must reflect this reality in the implementation of reform initiatives.

Global descriptions of the implications of women in the mining sector paint a picture of mining communities that are diverse, dynamic and distinctive. These accounts portray women living in these communities as tending to engage in certain specific roles, although the women are described as homogeneous and unique as a group (Hinton et al. 2003). More specifically, women engage in activities that are directly or indirectly related to mineral exploitation. These activities range from digging to trading the minerals. However, as Hinton et al. (2003) noted, women are more frequently associated with the processing phase of mineral exploitation, and their activities are rarely associated with the digging. For that reason, women are seldom identified as miners (Susapu and Crispin 2001).

A deeper look at the practice in mineral exploitation in DRC reveals that the configuration of actors identified by the Mining Code is far more complex than what is written in the text, and the power relations among these actors may differ considerably depending on which mineral is being exploited and on the existing social networks. The sector itself has roots in production and trade patterns that are, in reality, quite structured, although they include multiple intermediaries. One artisanal pit (shaft) is generally composed of a team of 10 to 20 people.

From the stage of prospection, 'sponsors', who can also be *négociants* or traders, pre-finance artisanal mining projects and may later benefit from a monopoly on buying the minerals. As was mentioned above, at the beginning of the mineral supply chain, there are the diggers, who extract the minerals manually with the use of simple tools. They then deliver the minerals to a *négociant*. However, looking more closely at this point in the chain, there are a great number of intermediaries working between the diggers and the traders. These intermediaries may or



may not be considered diggers themselves. In underground mining, intermediaries are responsible for taking the minerals from the one who found them to the one who transports them outside the pit.

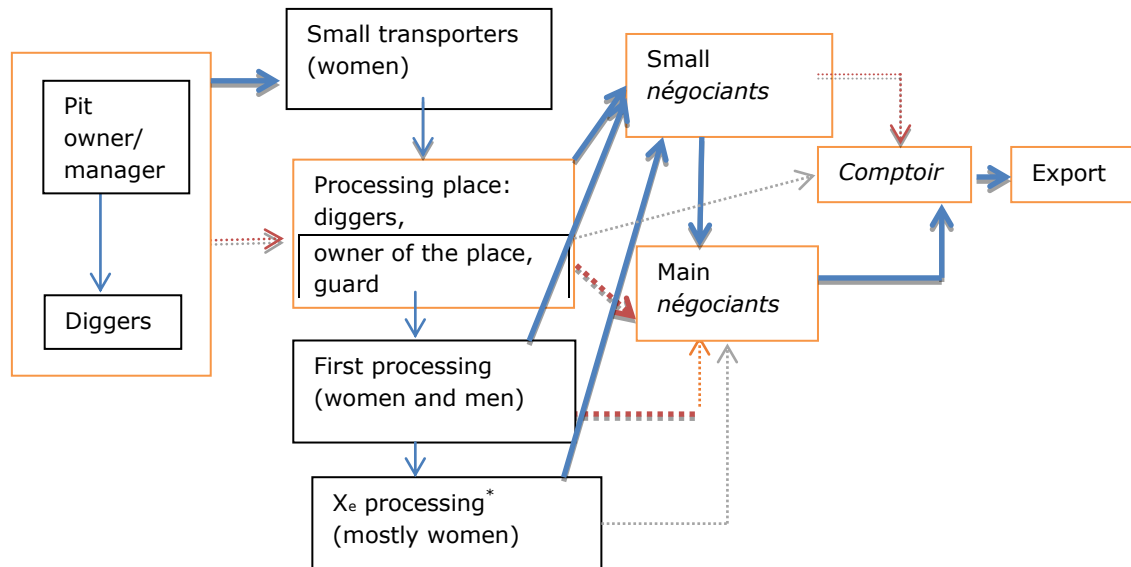
In many local cultures, women are not allowed to work underground, because their presence there is considered to be bad luck for the mineral production. In some cases, women cannot even go into the mining site during their menstrual period. However, because of the conditions of hardship in DRC, in some artisanal mining sites, there are women who do the work of transporting the mineral outside the pit from where it is extracted (underground). The owner of the processing place (who may be a man or a woman, but who is usually the wife of pit owner at the same site), known as the *loutrier* in Kamituga or the *kinambist* in Nyabibwe, hires a guard to provide security for the production. This guard receives part of the minerals tailings left over at the bottom of the artisanal tank.

After processing, when there is implementation of iTSCi project, the minerals are supposed to be packed into bags and sealed with the mine tag by SAESSCAM officers, under the requirements of the iTSCi system (the bag-and-tag system). After buying the minerals, traders carry them to the official trading centre (*comptoir*). At the *comptoir* point, the seal of the mine tag is removed. The minerals are then sorted, processed and sealed again with a *comptoir* tag by the Mining Division officers. When this process is complete, the mineral is analysed by the CEEC and ready for export to the world market.

The bargaining power of diggers is very low. Because of a shortage of money and to ensure a regular cash flow, diggers are usually compelled to sell their products as quickly as they acquire them, either at the pit (for a lesser price) or at the *point d'achat* (for a better price). The profit from the production is divided between the diggers and the pit owner. At some mining sites, half of the profit goes to the pit owner and to repay all of the expenditures made during exploration, and the other half is divided among all of the diggers. In other cases, one-third goes to repaying these expenditures, one-third goes to the pit owner and one-third is equally divided among the team (Geenen 2011a). At other sites visited, different arrangements about this division were made. Verbal agreements made between the pit owner and the diggers or between the pit owner and the sponsors sometimes resulted in disputes. Pit owners sometimes suddenly modified the terms of these agreements after the mineral vein had been reached by increasing the level of expenses. When the pit owner is a woman, she has to

work with a manager, who goes into the pit and supervises the work being done underground on her behalf.

Figure 3. Basic configuration of actors involved in the mineral exploitation



Source: Adapted from Mukotanyi (2011) and Geenen (2011a).

\*  $X_e$  denotes the many layers of processing ( $X_1, X_2, \dots, X_e$ )  
 → Subcategory of intermediary; → usual transaction; → unusual transaction; → most unusual transaction

Without taking into account the full diversity of mineral exploitation or the complexity of intermediaries at some mining sites, Figure 2 provides an illustrative overview of the configuration of actors involved in artisanal mining in DRC. Referring to Figure 2, the most unusual transactions are found mostly at the gold mining site, where the *comptoirs* are in the mining town and can accept even small quantities of gold. No traceability system has yet been implemented for gold, and the bag and tag process is not in use, in Kamituga.

In analysing the relationships among local actors, it is important to acknowledge the crucial nature of property rights, which determine who has access and how that access is maintained. Considering the priority given to industrial mining by the Mining Code, local miners are working in a context of uncertainty about their access to the mining sites. These miners are trying to obtain and secure their access by addressing different institutions, which often overlap (i.e. forum shopping). Building on the description of the background of the research described in this section, the following section will develop the theoretical approach to the study.

## **I.4. Theoretical perspectives on women and mining**

In recent years, a number of studies have explored and discussed women's position in the mining industry, with the aim of challenging the hegemonic masculinity of the sector (Lahiri-Dutt and Macintyre 2006). Worldwide, women comprise up to 30% of the artisanal mining workforce and are involved in several activities, ranging from labour-intensive mining methods to the processing phase of mineral exploitation (Hinton et al. 2003). In the case of DRC, Hayes and Perks (2012) have mentioned that women in artisanal and small-scale mining communities are doubly at risk, because they are living in places emerging from war or armed conflict and because they are often engaged as informal workers.

This thesis first builds upon arguments from the global development literature, combining globalisation and actor-oriented theories to understand the place of women in the broad picture of mining governance in eastern DRC. In doing so, this work ties in with a number of theoretical debates, including those related to 'women and conflict/post-conflict' (where women in DRC are still described as facing the worst situation) and 'women and mining' (where mining is considered part of a global phenomenon that includes relations between the local and the global markets, as well as reforms taken at international and regional levels). This section will enrich these debates by taking an actor-oriented approach and considering the agency of the involved actors.

### ***I.4.1. The women–mining–globalisation nexus***

This thesis considers mining communities to be arenas where the global and the local interface. Women's engagement in mining is a relatively new phenomenon to explore, as mining has been considered to be an essentially masculine world. According to Lahiri-Dutt (2015), the process of feminisation of the mining industry results from a number of driving factors, ranging from the increasing informality of mining activities to the emergence of a number of initiatives on mainstreaming gender into the sector. However, women's role in mineral exploitation is often not recognised or recorded because of the informal nature of their labour in artisanal and small-scale mining (Lahiri-Dutt 2008). Lahiri-Dutt (2012) has further argued that, to recognise women's agency in the mining industry, one must step beyond the discourses of victimhood, investigating the benefits of mining activities for local

communities and seeking to understand how the ‘poorest’ women manage to survive after reforms destroy all other livelihood means.

It is my hope that this thesis will contribute to ongoing efforts to extend the existing literature on mining and to make analyses of women in mining fit the reality of local–global relations. The body of work pursuing these aims views artisanal mining as a globalised and gendered workplace, where local concepts of gender roles conflict with imported values and reproduce or change in many ways (Lahiri-Dutt and Macintyre 2006). This thesis follows Lahiri-Dutt’s theoretical framing, working with her ideas in the case of DRC. I expect this approach to add to the debate, because of the conflict-affected nature of this research setting.

Although the position of women in the mining industry is still underestimated and has been overlooked by the mining reform initiatives, women are increasingly recognised as actors who engage in mining, mostly driven by poverty (Hinton et al. 2003). Existing work has provided a general overview of women working in small-scale artisanal mining in Africa, Latin America and Asia (Eftimie et al. 2012; Heemskerk 2003; Hinton et al. 2003). An estimated 30% of the world’s artisanal miners are women, and they engage in a variety of activities (Hinton et al. 2003; Werthmann 2009; Yakovleva 2007).

One way of looking at the nexus between women, mining and globalisation is by considering the literature on women, environment and development (WED); ecofeminist literature; and recent literature considering women in development and gender in development in the mining sector (Lahiri-Dutt 2011b, 2015). Indeed, it is important to conceptualise mining within the broader literature on the environment, although this point is usually forgotten. Most work on natural resources or environmental resources focuses on forests, land, climate change, water and agriculture. Another category of literature related to the topic explores natural resource-based livelihoods such as fishing (Lokuge and Hilhorst, forthcoming). I seek to incorporate mining within this category. I uncovered several similarities in the issues women faced because of their invisibility in the fishing and mining sectors. First, in both sectors, production and overexploitation are dominated by men and are part of policy agendas. For this reason, less research has focused on the processing sector, which is made up predominantly by women. Second, studies of both sectors that are meant to be gender-neutral are often gender-blind, failing to grasp the big picture of challenges in the sector.

Another example of failure in the attempt to include women in policy programming is the women in development (WID) perspective in natural resource management, which tried to

apply the approach in already-designed activities and without analysing the different roles men and women play in the sector (Ndungo et al. 2010). Thus, Lahiri-Dutt (2011a: 3) has noted that the WID approach allows the mining sector to ‘incorporate’ women through an ‘add and stir’ project that does not address gender needs and interests per se. Lahiri-Dutt (2011a) went on to explain that gender and development (GAD), in contrast to WID, is significant when gender is integrated in the extractive industry for two reasons: First, this facilitates critiques of the development process by highlighting how capitalist mining adversely impacts both the productive and the reproductive lives of women. Second, in this school of thought, gender is seen as a dynamic social construction. This creates space for understanding differences within the community and allows for the creation of new and different identities for women.

In existing work with a focus on globalisation, women are perceived as facing a double-edged sword in the process of globalisation. On the one hand, it opens new economic opportunities (e.g. for work and new forms of markets), reduces gender inequalities and creates greater personal autonomy for women (Vijaya 2014). Globalisation has allowed the empowerment of local women in developing countries through international NGOs who have struggled to achieve equality in leadership and wages, as well as more equitable treatment of women (Dibie 2009). On the other hand, globalisation has also increased inequality, insecurities and risky environments for women. This growing body of literature has become polarised, expressing positions that globalisation has either negative or positive effects on women. However, in the case of mining, Lahiri-Dutt (2006a) has noted that it is now generally agreed that the context is more complex and requires a deeper analysis.

In the mining literature, the neo-liberal impact of the global expansion of mining on women has mostly been described as negative (Eftimie et al. 2012; Hinton et al. 2003). Mining is not perceived as purely locally situated. Rather, mining also includes relations between the local and the global, with even rural and remote areas being in contact with and influenced by the global market. This literature has reported the fact that women have been excluded from mining employment, suffered poor working conditions and had fewer opportunities compared with men, and mining has been discussed as having a negative effect on the social and family lives of women (as wives) (Lahiri-Dutt 2008; Lahiri-Dutt and Macintyre 2006). The discrimination that women face in the mining environment is usually culturally based, involving traditional taboos (Hayes and Perks 2012; Heemskerk 2003). Considering the multiple barriers to women working in artisanal mining, it is also important to consider ideas

about inclusion/exclusion and access to mineral resources, referring to the process through which certain groups are excluded from or marginalised by social, economic and political development (Carr and Chen 2002).

Similarly to the GAD approach—which is concerned with women and diversity, especially in terms of race and ethnicity (Lahiri-Dutt 2011a)—a recent body of work by contemporary feminists has highlighted the necessity of going beyond the structuralist idea of roles and exploring multidimensional subjectivities (Douma and Hilhorst 2012). This approach calls for the reconsideration of gender and for looking at other kinds of social differences and axes of power, such as race, sexuality, class and place, within the practice of development (Elmhirst and Resurreccion 2008). This literature is also related to what other feminist scholars (such as Butler 1990) have called intersectionality.

The significance of taking this approach in the analysis of women and mining in DRC is that the changing conditions surrounding mining bring into existence different categories of social change, including those linked to gender (Elmhirst and Resurreccion 2008). Mining can be considered as part of the globalisation engine that creates new forms of socioeconomic relations through international laws and requirements, such as the mining reform initiatives examined in this thesis. In the case of DRC, changes are also brought about by the conflict situation: The attention for these issues has grown continually since 2001, and security issues are now being included in development work (Cruz and Hintjens 2015). The following section will provide some insight on this situation and on the relation between women and conflict.

#### *1.4.2. Women, conflict and social change*

In this section, I briefly review general ideas about women and conflict, taking the special case of DRC to support the understanding of the present situation of women in artisanal mining. It is important to locate the understanding of gender dynamics and relations in the post-conflict context of the mining sector in DRC, considering that, for multiple reasons, the conflict often affects gender roles and gender relations (Turshen 2016).

Throughout this thesis, the effects of war on women are considered to be multiple and complex. Previous work has treated mining sites as particularly unsafe for women, but I aim to look at mining as a gendered mix of opportunities and vulnerabilities (insecurities) at the mining sites. These sites sometimes offer a certain degree of security—or, at least, that is

what women hope to find there. In past work, the examination of the effects of war on women in DRC has been narrow, looking only at sexual violence. In this thesis, I aim to incorporate a more differentiated treatment of the security effects of war on women, as well as examining the economic effects and shifting economic opportunities.

Here, the idea of conflict refers to El-Bushra's (2000: 67) definition, which envisages conflict as emerging from a complex process and advocates understanding conflict in relation to its historical antecedents and moving towards a variety of potential outcomes. According to El-Bushra, conflict is conceptualised as being included in the process of social change and adaptation to the global environment. It may be understood as the disintegration of social relations, facilitating the emergence of new opportunities, where marginalised and powerless groups sometimes find room for manoeuvre. In the same vein, Hilhorst (2013: 9) has argued that the concept of conflict implies a break of the social order, but, at the same time, is also marked by processes of continuity and re-ordering. Conflict seems to include both disruption and opportunities that explain different responses of the people affected.

Reports and academic work often refer to sexual violence in DRC only as it relates to armed groups, when gender roles become particularly problematic during the conflict. However, sexual violence also resonates with previously existing gender hierarchies within the local gender ideology, where women are considered to be the property of their husbands. Cultural norms on gender cast the provision of sexual satisfaction to men as a natural duty of women, rendering women subjugated and submissive in both the private and the public arenas (Dolan 2010). This was expressed by Meyer (2011:113) as:

... The conflicts in the DRC can be closely linked to the use of sexual violence. This sexual violence reinforces the norms of hegemonic masculinity which are constructed and exploited by and through military institution (both formal and informal), and also exploit core social theme of honour, shame, family and identity... (Cited by Freedman 2015, 41)

Since 1996, in DRC, the ongoing armed conflict referred to as 'Africa's World War' (Dijkzeul 2015) has been closely associated with sexual violence against women and girls as a strategic weapon of war used to destabilise, destroy and dominate entire communities (Bartels et al. 2010; Bartels et al. 2013; Lake 2014). During the Second Congo War (1998–2003), as many as 20 armed groups operating in eastern DRC were known to rape women (Bartels et al. 2013). This situation has resulted in the image of women being relegated to victimhood in relation to sexual violence and human exploitation (Douma and Hilhorst 2012; Free the

Slaves 2013). During these periods of conflict, a discourse on sexual violence building on a narrative reducing the phenomenon to rape and its relation to the conflict became prevalent in the media and among international NGOs (Douma and Hilhorst 2012). Although the Second Congo War officially ended in 2003, insecurity and factions of armed groups continued to be found throughout the eastern part of the country. In 2006, a new law on sexual abuse and violence (Law 06/018 of 20 July) was introduced in DRC. This law raised the age of majority of girls from 14 to 18 and established severe custodial punishments for perpetrators (Dolan 2010).

The wars and the associated looting also led to the loss of employment for several men and women, a rural exodus and increases in poverty. In addition, cultural beliefs and the impact of wars and conflicts on female bodies in eastern DRC drew attention at international, regional and national levels. Initially, beginning in the 1990s, this attention was on the issue of sexual violence. More recently, issues related to women's empowerment and leadership have been given more attention.

Around 2010, the issue of sexual violence in DRC and the international response to this reached a peak. At the beginning of the year, in April 2010, Margot Wallström, then the UN's special representative for sexual violence in conflict, dubbed DRC as the 'rape capital of the world' because of the number of cases of sexual violence registered (Bashwira et al. 2013). In mid-2010, this assessment was confirmed by the incident in Luvungi, when armed groups began to use massive rape to gain acceptance of their political claims (Douma et al. 2016). Following this incident, the amount of funding allocated to these issues in DRC rose drastically, creating an unprecedented enthusiasm among both local and international organisations (Douma and Hilhorst 2012; Douma et al. 2016).

Although this enthusiasm for fighting sexual violence was widespread throughout eastern DRC, the rural areas were the most affected by the violence. In these very remote areas, segments of armed groups continued to cause torment, looting and killing local people. The link between this violence and mining exploitation was established, because the mining was thought to fund armed group and allow them to maintain their control over resources and the surrounding population. However, Autesserre (2012) has mentioned that the relation made between long-term conflict, artisanal mining exploitation and sexual violence is overly simplistic, confirming the thesis of other authors arguing that the conflict in DRC did not result only from the presence of minerals (Beneduce et al. 2006; Cuvelier, Vlassenroot, et al.



2014; Geenen 2011b, 2012; Geenen and Radley 2014; Matthysen and Montejano 2013). As noted by Freedman (2015:41), the causes of DRC's conflict are numerous, complex and interconnected. Apart from natural resources, factors such as foreign aggression, ethnic tensions, local land disputes, poor governance, corruption and the ongoing impact of colonialism and decolonialization play a role.

Unfortunately, the large international attention focused on sexual violence in DRC had several negative side effects. Among other things, for their own safety, the implementing organisations (international and national) focused on areas that were reachable instead of those in the most need of intervention. There were also problems of overlapping datasets and false reports (Douma et al. 2016). Dijkzeul (2015) observed that NGOs working on the issue of sexual violence are part of a network of actors with diverse economic and political interests. Dijkzeul went on to state that these NGOs are characterised by dynamic adaptation when trying to improve their work over time, the instrumentalisation of some organisations by others and the use of dual involvement strategies in the sense that they influence and are influenced by the political economy of war and the aid industry.

In addition to the above analysis, most literature on mining in DRC perceives women living in the mining areas only as victims. Several reports have discussed problems related to extreme poverty and violations of the rights to health (especially reproductive health), drinking water, food, security, education and decent housing. Additionally, the poor working conditions have been described as close to those of slavery, and the problem of sexual exploitation (mostly limited to rape, forgetting other forms of violence) has been highlighted (Free the Slaves 2013; Kelly 2015; Mbambi and Kandolo 2016).

Some work on DRC's mining sector has considered the mining community to be homogeneous—composed of people who all have the same needs and the same problems (Hayes and Burge 2003; Perks 2011; Tsurukawa et al. 2011). Other research and NGO reports have focused on the link between armed conflict and mining, as well as the failure in governance (Cuvelier 2010; Geenen 2012; Vlassenroot and Raeymaekers 2003). Little specific attention has been given to women as actors in artisanal mining. These women's realities have hardly been considered in conceptualisations of the gender issue, despite the fact that they carry the bulk of the economic burden and responsibility for their families.

Although it is obvious that the armed conflicts have created a cycle of gender-based violence and increased marginalisation of women, some women enter mining seeking security (Geenen

and Custers 2009), and others use mining to improve their position (Fisher 2007). As Dolan (2010) reported, the role of sexual violence in mineral exploitation and trade is complex and dynamic. People experiencing the globalisation measures implemented in the mining areas already have systems of cultural, ethnic and gender norms and discourses that they can use to navigate through their situation, sometimes creating room for manoeuvre. To understand this situation, it is necessary to appreciate the existing connections between globalisation and women and between conflict and women in DRC's artisanal mining sector.

This thesis seeks to understand how this complexity can be reflected in the case of women living in the artisanal mining areas, where the image of the vulnerable Congolese woman coexists with these women's struggles to provide for their families, with some of them being the head of household or solely responsible for their family's survival. I follow El-Bushra (2000), who incorporates the concepts of identity and agency in her analysis of gender and conflict to understand the nature of violence and actors' varying responses. It is clear that women, in a period of conflict, do not have unidimensional experiences (Jacobs et al. 2000) and that they use their agency to strategize to create viable and satisfying lives for themselves in the context of changes in the configuration of social roles and relationships. The strategies used for dealing with the situation may differ between women, creating or amplifying differences among women in mining.

Indeed, it is very problematic to see women involved in mining as a homogeneous group, regardless of their occupation, choice or motivation, and to conceive of them as equal victims of mining. Doing this ignores the exclusion of some categories of women (e.g. prostitutes and migrants) from the 'mining community' (Mahy 2011). Looking more closely at the heterogeneity among women in mining, Eftimie et al. (2009) have argued that the negative impact of the burden felt from mining activities is experienced differently by different women in the community. However, as many critics of the concept of intersectionality have underlined, applying this concept in the analyses of women in mining appears too broad and does not capture differentiation within sub-factors or consider the agency of actors. Therefore, to grasp the essential nature of women's position in mining, it is preferable to consider diversity rather than intersectionality. Diversity includes many features differentiating women without requiring a particular way of considering these differences. It shows how women use their agency, given the limited livelihood options they may have, which may restrict their room for manoeuvre.

Whether it results from armed conflicts or structural causes (e.g. women's low socioeconomic status, traditional culture or less political representation), sexual and gender-based violence remains a problem that has been increasingly gaining the attention of the international community. In their attempt to improve the conditions of women, it is important for policy makers to reconsider programmes working towards empowerment and women's leadership, thus reconsidering women's position in the public domain rather than only in the private sphere.

Dibie (2009) reported that, in most African contexts, in both the private and the public sectors, women's marginalisation is based on two gender ideologies: one related to the state-promoted gender identity, which implies that there is no economic necessity for women to engage in income-generating activities and the other based on the perception of women as a vulnerable and isolated group. As noted by Davis et al. (2014: 3) in their 2014 gender country profile report for DRC, the dominant image of women portrays them as poor and powerless victims, conceiving of them, in contrast to other citizens of the country, as 'objects of charity and not as rights holders'. This idea is also reflected in the tendency of the government and NGOs focusing on sexual violence (since the 1990s) to stress palliative rather than preventive measures in the fight this problem (Davis 2014). Women's participation in the political sphere is also still very low, despite DRC's ratification of multiple related international laws (Observatoire de la Parité 2016; Odimba et al. 2012). These measures are usually lacking in implementation or are altered among beneficiaries. Further, women's economic involvement remains very marginalised and confined to the informal sphere. Additionally, the level of control over resources and revenue is highly disparate between rural and urban women (Meditz and Merrill 1994; Ministère du Genre 2011; Newbury 1984). This situation resulted in discourses that have been translated into policies and reforms at both national and international levels, including several UN Security Council Resolutions (1325, 1820, 1889, 1888 and 1960), which consider violence against women to be a serious threat to peace and security.

However, as is the case in many parts of rural Africa, women in DRC—despite often being cast as victims—occupy a central place in the economic life of the countryside. Most women engage in small survival activities for their families and participate in the informal economy (Hilhorst and Bashwira 2014). Some use transactional sex either for survival or as a strategic opportunity, depending on their social and economic position (Formson and Hilhorst 2016). Nevertheless, most academic research and reports still focus on women's vulnerability and

poverty, ignoring the existence of diversity among women and the fact that some Congolese women have succeeded in life and are well positioned in business, academics, public administration or the government. Further, previous work has given little consideration to how international dynamics and global trade relations may influence local gender relations and gender-based violence.

In DRC, hundreds of people, about 20% of whom are women, make their living either directly or indirectly from mining. Women in the mining areas struggle to survive and to provide a livelihood for their families in this masculine world (Hayes and Perks 2012). They engage mostly in sorting, grinding and transporting the minerals, but they are rarely (or not at all, depending on the region) allowed to perform underground jobs. The discovery of deposits of minerals leads to the emergence of new communities surrounding the mines and the creation of many other opportunities, where women perform multiple jobs directly or indirectly related to the mining activities.

My overall approach to this research involves looking at women as actors in globalised mining sites. I combine different schools of thought to examine whether or not the reform initiatives have changed women's position in the mining sector. The following section elaborates on the actor-oriented perspective that guided the research.

#### *1.4.3 The actor-oriented approach*

Taking an actor-oriented perspective provides an interesting starting point for explaining 'differential response to similar structural circumstance' (Long 2003: 13). In this approach, social actors are not seen as passive recipients of external interventions. Rather, they are agents able to use strategies and information when dealing with local or outside actors and institutions. This situation is translated into the topic of the thesis through the examination of the role of the mining reforms, which are implemented mostly by external organisations assumed to be helping the Congolese government.

Following Long's (2003) argument, it is recognised that changes in the local population's behaviour depend not only on external effects, but also on the actions taken by the local people as actors. This understanding leads us to consider 'agency' in the choices that people make regarding coping strategy adaptation and negotiation. Thus, this approach to the research acknowledges that, in many ways, women involved in mining are not passive. Rather, they make choices (about moving, settling and selecting their livelihood options)

based on different situations, which also constitute the basis of differentiation among these women. This approach provides space for any social actor to have room for manoeuvre, criticising the linearity in thinking and in theorising the process of development (Hebinck et al. 2001).

Considering the interest of this thesis in building on the diversity of social life and change in the mining structure, the concept of agency will be central in the development of my analysis. Originating in the social constructionist school of thought, agency implies that actors are not passive agents or victims of social change, but are actors who may shape, inform and act upon structures or institutions, affecting the actions and outcomes (Hilhorst et al. 2010; Long 2003). The ideas of process and practices are essential in the concept of agency, as they determine how arrangements and ordering are achieved and constructed in social relations (Long and Ploeg 1989).

Inspired by Sen's (1985, 1992, 1999) concept of agency and Long's (Long 2003) ideas about the analysis of social actors within an arena, my analysis attributed agency to social actors as a starting point. In that sense, I combined the views of two different schools of thought on agency: Long (2003: 16) draws on Giddens' approach, where agency is defined as the capacity to interfere in the flow of events. Sen (1992: 56) defines agency as 'what a person is free to do and achieve in pursuit of whatever goals or values he or she regards as important'. The concept also implies the process and practices through which arrangements and ordering are constructed. I have looked at agency in the case of particular women in the mining areas. In addition, I follow the suggestion of Samman and Santos (2009: 5), based on previous work, that the focus on agency emerged in opposition to top-down approaches to development. A focus on agency conceives of the individual as capable of bringing about change in their own life through individual and/or collective activity.

In this thesis, instead of focusing the research on women's vulnerability and the inequality between men and women (which is already a nonhomogeneous phenomenon composed by collection of disparate and interlinked problems), I will focus on differentiation among women and consider both the vulnerability and the agency that characterise these women. This approach is clearly the most appropriate, following all of the international and national discourses on conflict minerals and their relation with sexual violence in DRC. In addition, in his work, Sen (1985, 1999) has stressed the importance of capabilities, defining what people are actually able to do and to be. He further noted that the inequality between men and women

makes women frequently exhibit ‘adaptive preferences’ that are adjusted to their second-class status (Sen 1999).

As was acknowledged above, the situation around women’s vulnerability and the discrimination they face is complex, especially in a post-conflict situation such as DRC. It is difficult to uncover women’s agency in a patriarchal culture, particularly in the case of the mineral sector, which is known to be highly masculine. I chose to take the angle of considering women who make choices and have personal interests in the mining activities as full agents. This is not to underestimate the atrocities of the wars and massive rapes or to ignore the level of poverty and discrimination, especially in the rural areas. Rather, this approach allows for the understanding that women are not a homogeneous group composed of a single category of actors. Without romanticising the situation, I aim to present another aspect of the picture of women in the mining community.

The thesis also draws on interface analysis, which identifies discontinuities in interests, values and power, as well as what these entail for negotiation, accommodation and the struggle over definitions and boundaries (Hebinck et al. 2001). This approach will help in understanding the mining areas, which are places where multiple interests are present (e.g. global–local, traditional–formal, men–women and patron–client).

In this work, I have understood agency as the possibility of going beyond the existing roles open to men or women. People are shaped by their situations, which affect the process through which roles are changed, shaped and constructed. It is important to understand the concept of agency as composed of two different (but complementary) repertoires: social navigation and social negotiation. In this work, I draw on both concepts, without presenting them as completely separated. Both concepts are derived from the actor-oriented literature. Negotiation, which is more strategic and discursive than navigation, assumes that actors have a certain room for manoeuvre regarding the structural features around them. Navigation is used to discuss other aspects of agency—especially as they relate to insecurity—and denotes situations where room for manoeuvre seems extremely limited and where people seek ways into a complex, institutional environment that is itself changing.

More specifically, I approached social navigation following Vigh’s (2009: 419) definition of the term as referring to ‘how people act in difficult or uncertain circumstances and in describing how they disentangle themselves from confining structures, plot their escape and move towards better positions’. This concept is useful in understanding social relations in the

mining community and how women act and adjust their strategies based on their experience, imagination or anticipation of social forces (Vigh 2009).

Rather than considering relations between men and women in the mining community, this research focuses on the relations among women. Part of this focus involved examining the existing diversity among women, who, again, are not a homogeneous group. Some women are able to find or create more room for manoeuvre for themselves.

Relatedly, the concept of agency refers to both power and diversity. Saying that agency is multidimensional implies that it can be exercised in different spheres, domains and levels of societal structure (Samman and Santos 2009). In other words, women's roles in mining cannot be read and understood only from their direct involvement in mining. Indeed, women's positions are more holistic, and their agency may comprise strategic action directed at different spheres, including their roles in the family, the community and the mines. Further, women's different positions do not occur in a vacuum: Certain people are empowered in relation to others with whom they interact—by creating new opportunities, resisting manipulation, gaining knowledge of the law or even making use of social networks.

The concept of social negotiation is understood more in the sense of relations between women and institutions. If certain social relations can be traversed through navigation, others must be directly confronted and therefore negotiated—this is often the case with institutions. Negotiation is socially constructed, as women use their agency to negotiate different discourses and institutions. In that sense, one aspect of my approach to agency in this thesis derives from Long's view on negotiation. Long (2003) discussed social interfaces where negotiations are sometimes carried out by individuals who represent particular constituency groups or organisations such as institutions. Here, I use this idea to examine what happens at the interface between women and (local) authorities, an important context in which ideas about gender roles are negotiated.

Social negotiation comes into this research mostly around women's access to the mineral exploitation as it is connected to institutions. Because artisanal mining in DRC has long been (and still is, in some parts of the country) in the informal sector, along with its link with the presence of armed groups and the institutional multiplicity and forum shopping that characterise the mining structure, my interest is in understanding how discourses in different arenas (international or local) shape women's inclusion in or exclusion from artisanal mining activities.

## **I.5. Methods**

This thesis is about the changing position of women in artisanal mining communities in eastern DRC. The research focus was on artisanal mining areas, which are arenas of encounter between the local and the global. Focusing on these arenas makes it possible to understand the dynamics of the interaction between the global market and locally situated women at different sites in DRC.

This work is part of a larger programme funded by NWO–WOTRO Science for Global Development, a division of the Netherlands Organisation for Scientific Research (NWO) focusing on the global issues of sustainable development and poverty reduction. The programme ‘Down to earth: Governance dynamics and social change in artisanal and small-scale mining in DRC’, aimed to understand the ordering of processes in mining sites in Katanga and South Kivu, as well as how these have been affected by initiatives taken to reform artisanal mining. In addition to this project on women, the programme included three other projects: two doctoral studies and one postdoctoral study on mining governance in DRC from local to international level. These projects included researchers from the Global North and from DRC.

For several reasons, the research in this broader programme chose to focus on iTSCi in 3T mines, primarily in Katanga Province. One reason iTSCi was selected is that it is an intervention planned at international level to be implemented in a systematic way in conflict-related areas. Additionally, at the beginning of the research programme, iTSCi was the most expanded initiative in eastern DRC. Thus, it provided an interesting angle for investigating the impact of the reform initiatives. Additionally, the overall research programme focused on 3T mining, which has been the most associated with violence, long-term conflict, sexual violence, human rights abuses and bad governance in eastern DRC (Garrett et al. 2009; Garrett and Mitchell 2009; Kelly 2015; Pöyhönen et al. 2010). The specific task of my part of the research programme was to investigate how the reform of 3T mining is associated with changes in the position of women in artisanal mining areas.

### ***I.5.1. Methodological choices***



I defined mining communities/centres as places where mining is socially constructed, mining activities are organised, and related activities such as agriculture or business are conducted. These can be either mining camps or urban centres near the mining exploitation. In this study, I focus on women living and/or working at the mining sites ('women at mining'), in contrast to the approach of focusing only on women who are directly involved in the mining activities ('women in mining'). This choice was intentional: It aims to understand the categories of women involved directly or indirectly in the mining activities and to go beyond looking only at women's economic involvement in the mines.

The initial aim of this research was to examine an almost new field of study, as knowledge on the issue is limited, especially as it applies to DRC during a period of reconstruction after the armed conflict. The thesis analyses the effect of the reforms to DRC's artisanal mining sector with a focus on women. In this analysis, it aims to take women out of the confining space of victimhood and to examine what it means to live in the mining areas, understanding that women make up a heterogeneous group, with some better off than others.

To achieve these research aims, it was necessary to understand the fundamentals of women's work and lives in the mining centres. For that reason, I used qualitative methods to enrich the existing knowledge on the mining centres and to observe the effects of the reform initiatives on individuals. Neuman (2011) has noted that qualitative approaches are best for examining social processes and cases in their social context and for studying interpretations or meanings within specific sociocultural settings. Although qualitative methods may appear to be 'soft', intangible and elusive, these methods actually examine motifs, themes, distinctions and perspectives more accurately than would other approaches (Neuman 2011).

My research follows an ethnographic tradition, where the researcher collects as many details and as much data as possible through watching, listening and asking questions. As noted by Marcus (1995), ethnography focuses on the everyday, creating intimate, face-to-face knowledge of communities and groups. Following this tradition allowed me to gain a better understanding of the structure and the place of women in the mining communities, as this study is among the first explorations of the issue of women in mining in DRC. To achieve this same understanding, it was also important to consider multiple research sites. For studying local change in culture and society, single-sited research is no longer considered relevant (Marcus 1995). Thus, this study is a multi-sited ethnography, which is 'a mobile ethnography'

that ‘takes unexpected trajectories in tracing cultural formation across and within multiple sites of activity’ (Marcus 1998: 80).

In addition, although I initially intended to conduct quantitative research using structured questionnaires, I found myself completely engrossed in the ethnography and identified some of the issues discussed by Stacey (1988) when questioning whether there can be a feminist ethnography. My research does not exclusively follow a feminist perspective, but I did draw heavily on feminist approaches to understand women’s lives in the mining areas. Stacey (1988) argued that, first, feminist ethnography takes an approach that is contextual, interpersonal, and related to the concrete realm of everyday life and human agency. Second, ethnographic methods put a much greater focus on one’s research ‘subjects’, with whom this approach calls for collaboration, and human relationships are built between the researcher and these ‘subjects’. However, Stacey (1988) also described contradictions that may arise between the feminist principle of equality and ethnography’s tendency to mask a form of exploitation between the two parties (the researcher and interviewee). First, during the research process, the lives, loves and tragedies that the informant shares after a long-term relationship with the researcher is built are used as data by the researcher. Second, the research product, which is made up entirely of interpretation and narratives, is a written document that serves the purpose of the researcher. The same situation has been described by Lahiri-Dutt (2006b), who also highlighted the power relations between the researcher and the informants. She also acknowledged the importance of the subjective position of the researcher for understanding identity in the mining culture, as informants are aware of the status of the researcher and may use it to differentiate themselves from the researcher, who is considered an outsider. This will be analysed in more depth in the section on ethical issues.

Based on this methodological background, I chose to undertake my research in two provinces (South Kivu and Katanga), selecting two sites in each province (Nyabibwe and Kamituga in South Kivu and Manono and Kisengo in Katanga). This decision was made to allow me to gain a broader idea of the lives of women in the mining centres and of the effects of the reform initiatives on women’s position in the mining structure.

### *1.5.2. Justification for site selection: the geographic setting of the research*

Women involved in DRC’s mining sector find themselves at the interface of two main dynamics that had to be examined when selecting the research sites. First, it was important to

understand the work, lives and perspectives of women in the mines. Second, it was necessary to understand the position of these women during the mining reform initiatives in DRC. The aim of understanding the particular processes of women's lives and livelihoods in the mining communities required a search for those sites with the most significant female presence in artisanal mining. It was also necessary to select sites where the iTSCi initiative was already being implemented. I was able to find almost no sites that had both of these characteristics. (Only Manono met both criteria, but this site did not initially provide a good representation of the situation, considering the differences in the implementation of iTSCi in the provinces South Kivu and Katanga). I then decided to select two sites within each province: one that was identified as a pilot site for the iTSCi system and one site with the largest female presence in the mining centre. Because the selection was done in this way, studying these sites will also help to identify aspects of women's lives and livelihoods that vary either with the level of women's presence or with the implementation of the iTSCi programme.

Table 1. Distribution of research sites by the presence of women and the iTSCi system

Province	Mining site	Level of women's participation in the mining	iTSCi system implementation
South Kivu	Kamituga	High	No
South Kivu	Nyabibwe	Low	Yes
Northern Katanga	Manono	High	Yes
Northern Katanga	Kisengo	Low	Yes

Source: field research

In the initial conception of the 'Down to Earth' programme, this research was envisaged as being conducted only in South Kivu Province. However, because of security problems in that province and the experience of some colleagues, the entire programme was moved to Katanga Province. 'Down to Earth' also had the goal of tracing the effects of the iTSCi system at all levels of implementation. At the start of the research period, iTSCi was implemented in four provinces: Katanga, South Kivu, North Kivu and Maniema. To remain as close as possible to the 'Down to Earth' research programme, I opted to conduct my research in South Kivu and North Katanga (see Table 1). Based on my preliminary research, which involved telephone and Skype discussions, I ultimately chose the iTSCi pilot zones of Nyabibwe (in South Kivu)

and Kisengo (in North Katanga), as well as the sites with the most women working in the supply chain (Kamituga in the South Kivu and Manono in North Katanga).

### *1.5.3. Study design and methods*

This multi-site case study was conducted in several phases. In my first year in the PhD programme, while writing the proposal, I was gaining a broader view of the mining sector in DRC and of the reform initiatives. A very detailed contact list was elaborated by the researchers working with the ‘Down to Earth’ programme, and I made contact via telephone and Skype with international and national actors involved in the mining reform initiatives.

Using the ‘Down to Earth’ contacts, I was able to create a list of the different actors concerned with the problem of women in DRC and with gold mines, and I was already in touch with these actors before going into the field. These early contacts were mainly through Partnership Africa Canada, the ICGLR and Pact Congo. Through my contacts with these organisations and through reading articles and reports on the mining sector of DRC, I was able to get a first impression of the structure of the artisanal mining activities and the place of women in it, as well as a general idea of the various mining reforms that have taken place in DRC in recent decades.

Initially, I decided to follow two different trends for my thesis research: I wanted to follow the iTSCi initiatives and to analyse a great number of women working in the mineral exploitation. To achieve these aims, the first steps were to map out potential mining sites where I could find the greatest number of women working in mining and to seek out related studies on which my own research would build.

My field research began in March 2013 in South Kivu. The contacts I made at that time were very friendly and helpful. In Nyabibwe, these contacts included the chief administrative officer of the centre, representatives of the Mining Division, representatives of the National Intelligence Agency, traders, diggers, diggers’ wives, and female miners. My initial idea of the main actors in the sector and the problems they encountered was of great help, but it did not seem to be sufficient for understanding the place of women in mining communities. For this, I needed to make another exploratory visit to a site with a larger number of women (Kamituga) and to try to understand how they lived and their perceptions of working in the mine. This took place in May 2013.

After these two exploratory visits, I prepared a survey questionnaire to allow me to study the different categories of people I had met. I then continued to make intermittent trips from Bukavu to the mining areas. These visits lasted from one to two weeks each, depending on the level of safety and the amount of data I was able to collect. This phase of the research was conducted from May to November 2013.

From January to August 2014, my search moved to North Katanga, where I first settled in the city of Kalemie. From there, I made contacts with the leadership of Search for Common Ground (SFCG, an NGO also known as *Centre Lokole*), who had authorised me to do a professional internship in their gender department for the duration of my research. This collaboration had several advantages: First, there were benefits from the security point of view. My association with this NGO allowed me to be recognised among the local, international and administrative bodies present at the mining sites and thus to come into contact with synergies and associations dealing with women's issues. This partnership also allowed the NGO to make air transport requests on my behalf to UN agencies such as (*Mission de l' Organisation des Nations Unis et de Stabilisation au Congo* (MONUSCO) and the UN Humanitarian Air Service. This was of great help because of inaccessibility due to insecurity. The town of Manono was accessible only by air because of safety concerns while the armed conflicts raged all around the zone. Second, collaborating with the gender section of SFCG allowed me to acquire more knowledge about the implementation of gender programmes and to be integrated into several outreach and awareness activities, learning first-hand how this concept is received, understood and lived by the local populations.

At all of the sites visited, the services of a research assistant were of critical importance for the completion of the research. In the province of South Kivu, because the various mining centres were generally accessible, we used the same assistant, who had a good knowledge of several local languages but was not overly familiar with the study sites. In Katanga, the problem of access to the sites necessitated the use of SFCG's contacts, and it was not possible to employ the same assistant across the sites. The different educational levels of the assistants and their limited experience with the methods and tools used required providing a short training session and explaining the guide before the start of each fieldwork period.

The presence of these research assistants was of great help for two main reasons. First, there were security benefits of having a research assistant. Being a single woman in a mining centre attracts many questions and creates misunderstandings, with researchers sometimes being

mistaken for prostitutes because they often live alone and in a hotel (or even with a family). In this situation, the research assistants acted as real bodyguards against people expressing the wrong kind of interest in seeing a single woman walking around. Second, the research assistant also helped gain another perspective on the mining community: In cases where the research assistant was not familiar with the area, the fact that he sometimes went out late at night and approached the diggers often allowed me to make good contacts with them. Additionally, in cases where the assistant was chosen from the mining area, he would tell me about the customs of the community. He would also share his own impressions of the interviews. Thus, it was sometimes possible to know that an interviewee should be contacted again on the basis of this new information.

During my stay in North Katanga, not being familiar with the surroundings and having a lot to learn about the way of life in the communities to be studied, I chose to live with host families in Kalemie, Manono and Kisengo. I was usually put in touch with these people through either social contacts or former academic colleagues. Sometimes, as was the case in Kisengo, several families opened their homes to me because I belonged to the Catholic Church.

### *Sampling*

The identification of research participants varied depending on the site. At the beginning of the fieldwork, it was very difficult to know how to proceed to conduct this research. In my selection of interviewees, there was no attempt to follow the logic of representative sampling. Rather, I moved closer to those people who showed interest in my research and who were prepared to participate in an interview. Still, as my disciplinary background was more quantitative than qualitative, I initially faced challenges related to knowing how to carry out a completely qualitative study. Thus, both quantitative and qualitative methods were used in the research, although most of the work through the end of the fieldwork was qualitative.

After several participants had been interviewed, snowball sampling was used to select additional participants. Through discussions with various administrative actors and others involved in the supply chain, I was able to identify people who were considered important figures regarding women's position in the sector. I then contacted these people, who, in turn, introduced me to others like themselves (Creswell and Miller 1997). Finally, the information gathered from interviews with the different groups of participants was triangulated, with multiple sources of data coming from the different categories of actors.

The sampling for the focus groups was accomplished with the assistance of the local women's mining associations (in Kamituga) or of influential local women (in Nyabibwe, Kisengo and Manono). They succeeded in mobilising the other women and encouraging them to participate in the discussions. The participants in these groups were chosen with care, and the women were grouped into different categories of workers found in the mining areas. In total, there were four focus groups in Kamituga, four in Manono, four in Nyabibwe and two in Kisengo.

### *Data collection techniques*

To collect the data for this research, multiple techniques were used:

Meetings with officials and key informants: Some of these meetings were recorded, whereas others were not, based on the preference of the interviewee. The interviews conducted with administrative officials and other actors indirectly involved in the supply chain, such as doctors, directors of the mining centres, and priests or pastors of the main churches, were very useful for the research. However, for the most part, interviews with actors outside the mining administration—including the interviews conducted in the cities of Kinshasa and Lubumbashi—were used only to triangulate the information obtained from other sources. The interviews in this category allowed me to gain an initial understanding of women's place in the eyes of those who are supposed to implement the reform initiatives and grant women access to the mining sites. These interviews also allowed me to understand the relationships between the female leaders and the administrators. Additionally, the administrators were able to recommend female leaders as research participants and introduce us to these women. The first contact made with the administrative officials also allowed me to be recognised by the administration and to have freer access to the mining centres, after gaining the officials' approval. I interviewed a total of 18 administrative staff members, including those at the four studied mining sites and additional representatives in the cities of Bukavu and Kalemie.

In sites such as Kisengo, Manono and Nyabibwe, the numerous contacts made with the iTSCi teams were crucial for understanding not only the differences in the implementation of the reforms between South Kivu and Katanga, but also the relations between the various actors. These contacts also allowed me to triangulate the collected information, as their views represented a (partial) outsider's perspective.

Individual Interviews allowed for the investigation of people's attitudes, beliefs and experiences. Two types of individual interviews were conducted: those with key respondents

(administrative officials, doctors, priests and community leaders) and those with people in the community. For the interviews with community members, as was noted earlier in this chapter, the study initially intended to collect quantitative data in addition to the qualitative data. In each mining area, people were selected for interviews based on their willingness to participate and their interest in my research, as mentioned above. In these interviews, I spoke with both men and women. Women were the focus of the research, and I spent the majority of my time with them, but I also interviewed men to get an idea of their perceptions about the presence of women in the mines and about the prospects they see for these women. I was then able to use these men's responses to triangulate the responses obtained from women. In addition to those involved in the supply chain, people who were more involved in agriculture, commerce or the service sector (e.g. health care workers, teachers) also participated in this research. Table 2 presents the interview participants' basic characteristics.

Table 2. Gender and main livelihood activities of the interview participants

		Activities				Total
		mining	farming	business	services	
sex	female	80	29	52	23	184
	male	90	14	21	15	140
Total		170	43	73	38	324 <sup>6</sup>

Source Field research Using SPSS 22.

Focus groups: The focus groups generally consisted of 4–10 participants, with some groups having up to 15 participants. Usually, when too many people wanted to participate in a group, they were divided into two groups. The main topics discussed during the focus group sessions were the constraints and opportunities that women face in the mining sector, future prospects and whether there is differentiation among women living at the mining sites. For the most part, guides were prepared in advance with the most relevant questions for the different sites. However, it was also important for the discussions to be specific to the particular mining area and group, and to take into account discrepancies in the problems and structure of values and actors involved.

Observation and field notes: Observation was the most used technique for understanding the different sites, the structure of the supply chain and the involved actors, the tools used, the division of labour and women's place in the big picture. Field notes and photos taken of the different sites were used to supplement the other data collected.

<sup>6</sup> Fifteen interview participants did not report their main livelihood activity clearly. These people were involved in many activities and could not choose one as primary.



### *Data analysis*

Analysed data included the typewritten field notes, interview notes and transcriptions (of the interviews that were audio recorded). All of these data types were analysed systematically. Part of this work was done while I was still in the field, and additional work was completed after I had left the field and had time to reflect and gain another perspective on the situation.

The analysis also used NVivo qualitative data analysis software to work systematically with identified themes and concepts. Unfortunately, technical problems that threatened to delay the work excessively meant that most of the data analysis had to be completed using Microsoft Word and Microsoft Excel. Those data that could be processed quantitatively were compiled and transferred to SPSS 20. In the analysis stage of the work, I continued to use the help of a research assistant for coding the data and transcribing the field notes.

### *Ethical considerations*

This research has followed the normally accepted guidelines for scientific research involving human participants. Ethical considerations include the following:

*Power dynamics between the researcher and the researched:* In most of eastern DRC, Swahili (my mother tongue) is the most commonly spoken language. However, this language has some variations from one region to another, and it is possible that people from another region may not understand the message I (as the researcher) intended to convey. For this reason, research assistants from the local population assisted me in establishing a clear connection with the interviewees.

Second, being an educated women was an opportunity as well as a barrier in terms of the rapport between myself and the interviewees. Having this position opened the possibility of gaining access to administrative officials and speaking openly with them when discussing the issue of women. However, it was a barrier regarding how the women themselves saw me: as an outsider who could mock them because of their disadvantaged situation. It was only after I had spent some time in the community that some of these women chose to approach me and talk to me as a friend. In these cases, it was difficult to know how to consider the information I got from them: Were these things told to me in confidence, or are they data? To maintain the strength of my research, some of these things were used in the analysis, but always keeping the ethical guidelines in mind.

Third, at the beginning of my research, especially in North Katanga, there were large problems with gaining the trust of the women and men participating in the research. They were convinced that I was a member of an NGO. Some remained convinced of this position. Others, after spending time with me, came to understand that I was conducting academic research, or, even without understanding the issue being researched, helped me as a friend.

Fourth, during my stay in North Katanga, I lived with host families from the local community. Spending time with them and discussing many subjects also created a dilemma in terms of whether what they told me was told in confidence or could be considered data.

*Informed consent:* When I approached an interviewee, I made sure to explain the purpose of my research and that my findings would be used for academic purposes. Nevertheless, because of the low levels of education of my interviewees, most thought that I was an agent of either a new mining company or an international NGO.

*Sensitive topics:* Very sensitive topics, including experiences of sexual violence and kidnapping, as well as sensitive issues with the mining governance, were approached with great caution, whether it was me or a research assistant bringing up the topic.

*Confidentiality:* The identities of all of the interviewees was kept strictly confidential. Their real names were usually not included in the transcribed notes. To follow the logic of the work, I kept a separate file linking the symbols or pseudonyms used in these materials to the actual participants. The real names of the interviewees were not included in the presentation of the research findings.

## **I.6. Introduction of the research sites**

The research took place at four mining sites in eastern DRC (see Figure 3): two in South Kivu (Nyabibwe and Kamituga) and two in Katanga (Kisengo and Manono). This section provides a narrative introduction to the selected mining sites to develop the necessary geographical background on the investigated locations. The section also describes the implementation of the reform processes and the conflict situation in each area to clarify the context and history that shapes women's lives and livelihoods, as will be elaborated in the subsequent chapters.

### *1.6.1. South Kivu*

#### *Nyabibwe (Kalimbi site)*

Nyabibwe is an urban mining centre that has been recognised as having undergone a strong economic, political, spatial and socio-demographic transformation. This transformation is closely linked to the history of the mining of cassiterite in Kalimbi, which is located approximately five kilometres from the mining centre of Nyabibwe. Nyabibwe is in the territory of Kalehe, in South Kivu Province. It is part of the Mbinga North and the chieftaincy of Buhavu. This centre is located on the border of the provinces of South and North Kivu, and several of its businesses, such as hotels and restaurants, initially aimed to serve traders travelling between Bukavu and Goma. Later, the centre developed because of the mining boom from 2000 to 2001. Currently, the centre hosts almost 200,000 inhabitants, whose demographic composition reflects significant ethnic diversity; represented ethnic communities include the Hutus (mainly Rwandophones), followed by the Tembo, Havu, Tutsi and other groups. There are also smaller numbers of people from other ethnic groups found in the two surrounding provinces.

The operation and development of Nyabibwe centre has witnessed a succession of events since 1973, when the mine was operated by a Belgian mining company (SEREMI). The centre of Nyabibwe was developed by the *Bashamuka* (dignitaries) of the customary chief of the chieftdom of Buhavu (Cuvelier 2013). In 1985, the mining exploitation became much more industrial because of the intervention of the French Mining Company of Goma, but this did not last because of a drop in the price of cassiterite on the international market of (Büscher et al. 2014). Upon the departure of this company, the mining operations were placed in the hands of a local chief, who had close relationships with the customary authorities. At the Kalimbi site, artisanal mining is subdivided between two wells (Kuwait and T20), and the miners are divided into two main mining cooperatives: The first of these is *la Coopérative Minière pour le Bien-être Communautaire de Kalehe*, which was led by a landowner, Mr. Chirimwami. The second cooperative is the *Coopérative Minière de Kalehe*. However, there is a rivalry between these two cooperatives, following the lines of the complex relationship between artisanal mining, ethnic identity and ownership rights in Kalimbi territory (Bashizi and Geenen 2015; Büscher et al. 2014; Cuvelier 2013).

Later, another company came into play, the Canadian company Shamika Resources, which acquired a research permit in 2007, but never entered into exploitation phase, due, among other things, to the strong protests of the diggers and to the mistrust of administrative authorities.

Following the implementation of the iTSCi system and the strong regulation imposed on agricultural products, a mining camp was created near the Kalimbi site. This mining camp, known as Kanaba, houses not only diggers, but also most of the prostitutes in the area during periods of high production. Like all mining camps, Kanaba is run by a camp chief and a *mère-chef*: These two actors represent the camp authorities, handle entrances to the camp and resolve quarrels that can occur within the camp. It is only the diggers with their families in Nyabibwe who go back and forth between the centre of Nyabibwe and the mining site; new entrants coming to the area to work in the mine settle directly in Kanaba.

### *Kamituga*

Kamituga is a mining centre located in Mwenga territory in the South Kivu Province. In Kamituga, thousands of people extract gold deposits using different methods (pit and opencast exploitation). At 180 km from Bukavu city, a gold town has been created, and approximately 200,000 people live there, performing different activities related to the existence of the gold mines. Vlassenroot and Raeymaekers (2003) have described Kamituga as in between the urban and the rural because of the mining centre's strong contacts with global actors.

Although some households depend on agriculture, much of the local economic activity is centred on the exploitation of its mineral-rich soil. Since the discovery of large deposits of alluvial gold in the early 20th century, the Kamituga region has attracted the attention of many. Alluvial gold has been occasionally mined since 1924. Shortly after independence in 1960, the profits generated by this exploitation of local natural resources gradually decreased. This decline was caused in part by the instability of the global mineral market, but political instability and the inefficiency of the administrative system also contributed. In the late 1970s, this growing economic crisis forced many (Belgian) investors to restructure their activities. In March 1976, this restructuring process led to the establishment of the Mining and Industrial Corporation of Kivu (SOMINKI), a 'joint venture' consisting of nine mining companies controlling 72% of the local concessions—the other 28% being held by the government of

Zaire. Shortly after its creation, SOMINKI began building local infrastructure and providing social services to the major mining sites (including Kamituga). For the economic activities of Kamituga, the economic crisis had two important consequences: The shareholders of SOMINKI began to look for potential buyers, and the industrial mines were gradually taken over by individual artisanal miners.

As is the case for other parts of the Kivus, the Congolese conflict that began in October 1996 had a considerable impact on the economic and social fabric of Kamituga. The most immediate and visible effect of the war was the armed struggle for territorial control of this region. In October 1996, the Congolese Rally for Democracy (*Rassemblement Congolais pour la Démocratie*, RCD) rebel movement succeeded in consolidating its control of the urban centre. While this military presence allowed the urban population to live in relative security, the surrounding rural areas continued to suffer from incessant attacks and increasing rates of banditry.

The Kamituga site is well known as having the largest number of women workers—both along the mineral supply chain and directly in the mines—engaged in the extraction of gold using artisanal methods in South Kivu. Civil society actors (such as SARW<sup>7</sup>, Justice for All, and RIO<sup>8</sup>) have described how life in the Kamituga mines has experienced social disruption, leading to the high number of women involved in mineral exploitation.

### ***1.6.2 Katanga***

#### ***Manono***

Manono is a mining centre in the current province of Tanganyika (in northern Katanga). It is located between Kalemie and Lubumbashi (480 km from Kalemie and 636 km from Lubumbashi). Manono centre as well as all of the surrounding sites are characterised by soils rich with the vestiges of past industrial mineral exploitation, allowing for productive alluvial exploitation. Manono is made up of a population of about 265,800 inhabitants, who make their living through a combination of mining, business, agriculture and fishing. Significant reserves of coltan and cassiterite were discovered in the area as early as 1932. Until 1960, Geomines was the company extracting cassiterite in the Manono territory. After being

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<sup>7</sup> Southern Africa Resource Watch

<sup>8</sup> Réseau d'Innovation Organisationnelle

developed in an artisanal way and controlled by the colonial power, industrial exploitation began in Manono in the 1960s. This lasted until 1995, when Zaire-Etain, the only locally based extractive mining company, ceased its operations (De Koning 2011). This company had employed a large number of local people possessing the required skills and qualifications. When the men worked for this company, their families received food rations each Saturday. In addition to the other benefits granted by the company, the salary was ample.

After the decline of Congo-Etain in 1995, artisanal miners began digging in Zaire-Etain's abandoned concessions. Since that time, the mineral trade was largely informal. As was the case in other parts of the country, this situation was very quickly linked to successive wars in the region: the liberation war with the entry of the AFDL (*Alliance des Forces Democratiques pour la Liberation du Congo*) in 1997, and the war of aggression with the RCD soldiers in 1999. Before the 1999 war, there was only one remaining vestige of the Congo-Etain society—one vast site that was subdivided into three zones: Djibemde (South), Ngobo (East) and Dragon (East). After the wars (especially the second one), many houses were demolished and burned, and Manono has remained like uninhabited bushland. It was at this time that the few people who remained in the centre learned to mine coltan and cassiterite, largely thanks to the presence of Rwandans and people from the Kivu provinces.

iTSCI arrived in Manono in stages. This began with an experimental stage in 2010, with the objective of providing technical support to the services of the state, but this turned out to be a serious failure, with many falsifications of documents. In 2011, iTSCI brought back the traceability system, and the site was certified and validated in response to external pressures against conflict minerals. Traceability schemes were then instituted so that not only was the origin of the minerals known, but it could also be certified that these were not conflict minerals (linked to the presence of armed groups).

Although figures have varied, by the end of 2014, the Kalemie SAESSCAM office estimated that approximately 8,000 artisanal miners, four mining companies and nine trading houses were established in northern Katanga. In the case of Manono, diggers do not possess digger's cards because they perform their mining activities in the concession of Congo-Etain, which only issues identification cards to merchants. In terms of the industrial situation, Manono has gone from Zaire-Etain to Congo-Etain, which later became Cominière. Then, at some point before the field research period, it would seem that a new company (MANOMINE) began to

show interest in recovering the installation of Cominière. Some cooperatives (COMIDEK<sup>9</sup>, COMIPRUK<sup>10</sup>, MCSD<sup>11</sup> and COMITU<sup>12</sup>) have artisanal mining zones but do not exploit them, preferring to work with the trading houses (*comptoirs*) such as MMR, Chemaf, *Mines d' Afrique* (Minaf) and *Groupe de Bonne Confiance* (GBC). In some areas, MMR works more like a semi-industry than a processing entity. This is the case in Katonge (located approximately 195 km further north in Manono) and in other regions of Tanganyika, such as Malemba, Nkulu and Kisengo.

### *Kisengo*

Kisengo (115 km from Nyunzu centre, which is 180 km from Kalemie) is a coltan mining site located in Nyunzu territory in northern Katanga. It is in the current province of Tanganyika, which shares a border with the province of South Kivu. Although traditionally agrarian, Kalemie and Nyunzu have a long tradition of both farming and mining activities. Prior to mining, many farmers harvested great quantities of maize, cassava and cotton. Until the mid-1990s, Domain Agriculture and Livestock—an enterprise created in the 1980s by Abdoul Sahel, a Greek trader established in Kalemie—sourced farming crops in Nyunzu. Along with farming, mining activities have also been carried out since the late 1920s (Weyn 2010).

Founded in 2007, the Kisengo mines are among the largest mines of coltan in Nyunzu territory (De Koning 2010). The discovery of coltan deposits and the enthusiasm of external traders for this village gave the former traditional chief the idea of separating the village from the mining centre. This resulted in the mining centre being closer to the main road. Although this decision drew some resistance from the village's people, today they speak of this chief as 'a visionary'.

In March 2009, with its head office in Lubumbashi, MMR was the first trading house to sign a five-year contract (Nº 06/1331/CABMIN/MAF/KAT/2009) with the provincial Katangese government for this part of Katanga (Wakenge 2014). This gave MMR a privileged position in the mineral trade and also reinforced the company's exclusive rights to purchase minerals from many sites in northern Katanga, usually in collaboration with the mining cooperative *Coopérative des Artisans Miniers du Congo*.

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<sup>9</sup> COMIDEK: *Cooperative Minière et de Développement du Katanga*

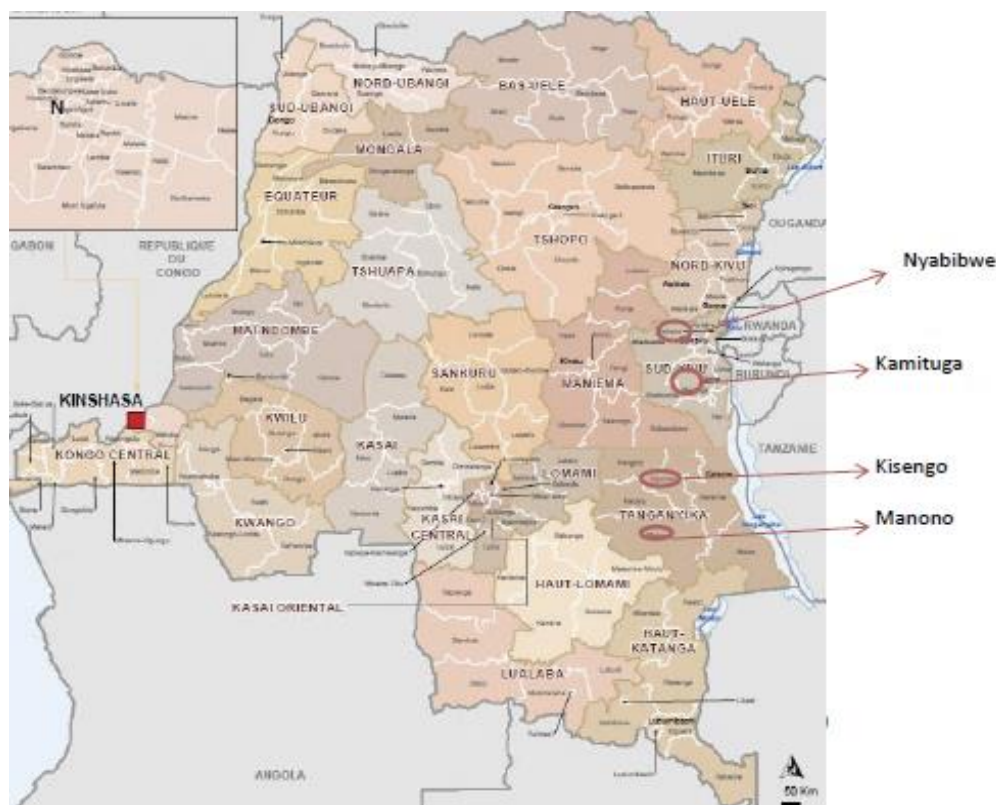
<sup>10</sup> COMIPRUK: *Cooperative Minière pour la Promotion Rurale du Katanga*

<sup>11</sup> MCSD: *Mouvement Chrétien de Soutien et de Développement*

<sup>12</sup> COMITU: *Coopérative Minière Tuungane*

In 2011, the site was validated, and it now works under the requirements of the iTSCi traceability process. Currently, the concession has a contract registered under the MMR that is operated partly by using the artisanal mining labour force and partly as a small mechanised mine.

Figure 4. New provinces in DRC and selected sites



Source: <https://www.acaps.org/country/drc> (consulted January 2017).

## I.7. Outline of the thesis

The main body of the thesis is organised around five main chapters covering the main themes of access to resources, diversity and power relations. The first and last of these chapters focus on relationships between institutions, reforms and the position of women in the artisanal mining sector, which is represented in the theme of access to resources. The middle of the thesis analyses women's everyday lives in the mining community, represented by the themes diversity and power relations.

Chapter 2 is a background chapter, defining the problem that will be discussed throughout the thesis. This chapter makes it clear that, while mining is an important source of income for



many individuals, the supposed link between artisanal mining and armed conflict and its impact on sexual violence and human rights abuses have profoundly influenced the position of women in the sector by excluding some of them and leading others to create alternative solutions for accessing the mines.

Chapter 3 examines the motivations that led women living and/or working in the mining areas to migrate and settle there. The chapter also describes the challenges faced by women working in mining activities and details how some of them are able to navigate this environment and find room for manoeuvre.

Chapter 4 focuses on women's livelihoods in the mining areas. The chapter begins with a description of women's different activities that are directly or indirectly related to mining. The chapter then presents identified themes that explain what differentiates these women.

Chapter 5 explains the existence of 'big women' in the mining areas. In existing work on the mining sector, much has been said about the presence of 'big men', but there have been no reports about the existence of female counterparts. This chapter focuses on one of the study sites and analyses the power struggle between two women to understand how different institutions manage to legitimise one power over another.

Chapter 6 returns to the relationship between women in mining with the mining administration to understand the administration's reactions to women's presence in the mines. The chapter considers international ideologies (conflict-related and gender mainstreaming) and the persistent local gender ideology, exploring which of these ideologies has more influence over the administrators in terms of granting women access to the mines.

Finally, Chapter 7 concludes the thesis.

# **Chapter II: Not only a man's world: Women's involvement in artisanal mining in eastern DRC**

This chapter has been published as:

Bashwira MR, Cuvelier J, Hilhorst D and Van der Haar G. 2013. Not only a man's world: women's involvement in artisanal mining in eastern DRC. *Resources Policy*, 40: 109–116.

## Abstract

Artisanal mining is a key source of livelihood in the eastern part of the Democratic Republic of Congo, an area mostly known for its chronic instability and violent conflict. Although men make up the majority of the artisanal mining population, mining is also central in the livelihoods of many girls and women. In this chapter, we take issue with the fact that the current emphasis on conflict-related sexual violence to women has obscured the role of women in artisanal mining. Furthermore, we criticise the tendency to promote women's departure from the mining sector, which has been presented as the best strategy to protect them against the threats of sexual violence, exploitation and oppression. We argue that, given the lack of viable alternative livelihoods in eastern DRC, policymakers should invest more time, energy and resources in trying to understand and to strengthen women's positions in the mining sector itself.

## II. 1. Introduction

In 2010, Margot Wallstrom, the UN Special Representative of the Secretary-General on sexual violence in conflict, described eastern DRC as the 'rape capital of the world'.<sup>13</sup> This focus on rape as a weapon of war has combined with the international attention for 'conflict minerals', producing a global discourse that closely associates mining and sexual violence. Highly influential American organisations such as the Enough Project and the Eastern Congo Initiative claim that the problem of sexual violence in eastern DRC can only be solved if the Congolese government and the international community take measures to stop the illegal exploitation of minerals in the Kivu region (Prendergast 2009; Seay 2012). This chapter seeks to unpack this image and to question the now widespread conviction—shared among policymakers, advocacy groups and humanitarian agencies—that mining and sexual violence are two sides of the same coin. The problem of sexual violence in DRC is a very serious one, and sexual abuse is prominent in mining areas. However, we argue that a one-dimensional emphasis on rape risks obscuring the complexity of gender dynamics in the artisanal mining areas in eastern DRC. Policymakers have, at least until very recently, failed to consider the possibility that, even in war zones such as eastern DRC, ASM may constitute 'an economic stepping stone for women' (Labonne 1996). Women's reasons for spending their lives in and

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<sup>13</sup> Margot Wallstrom, UN Radio, 6 August 2010.

around the mines are not taken seriously, and their direct and indirect roles in the artisanal mining industry are systematically being ignored.

Our argument is developed as follows. First, we will demonstrate how the link between mining and sexual violence has been constructed, with women becoming depicted as vulnerable and as victims to harassment, exploitation and sexual violence. In the second part of the chapter, we will show that this view has shaped policy interventions in specific directions. International and national initiatives to reform the Congolese artisanal mining sector have gone hand in hand with attempts to promote women's exit from artisanal mining. In the third and final part of the chapter, we will argue in favour of a critical and more nuanced perspective on women's involvement in ASM, drawing inspiration from the growing body of literature on this topic in other parts of the world. We will contend that encouraging women's departure from ASM in eastern DRC is a questionable strategy. Instead of focusing on the creation of alternative livelihoods, we argue that policymakers should invest more time, energy and resources in trying to understand and to support women's strategies to make a living in the mining sector.

## **II.2. Framing the conflict in the Kivus: Mining, sexual violence and women's vulnerability**

In the DRC, the number of people working in artisanal and small-scale mining is high. According to a 2008 World Bank report, 500,000 to 2,000,000 Congolese are directly involved in the artisanal extraction of minerals, with artisanal mining making up the largest segment of the country's mining sector and accounting for approximately 90 per cent of the total mineral production (World Bank 2008: 56).

The Kivu provinces, situated in the eastern part of the country, are gradually changing from being a region dependent on agriculture into a region dependent on resource extraction (Garrett et al. 2011: 26). While it is true that various types of minerals have been mined for a very long time (MacGaffey 1991: 62–63; Van Acker 2005: 84), the recent wars in the Great Lakes region have constituted a watershed in the Kivutian mining history. Deprived of other sources of revenue as a result of the ongoing violence,<sup>14</sup> and encouraged by rising metal prices on the international market, thousands of people have started digging for coltan, cassiterite, gold and wolframite by artisanal means (Jackson 2002: 523).

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14 Living standards dropped to a dramatic low during the second Congolese war. At the end of 2000, for instance, the majority of the population in North Kivu lived on approximately US\$ 0.20 per day (HRW 2002: 18).

Artisanal mining areas in eastern DRC have witnessed high levels of volatility and violence. Since 2001, successive panels of experts of the United Nations have documented the looting of natural resources by armed groups and their strategies to turn mining and mining-related activities into sources of income to finance their war efforts (see e.g. UN 2012). For their part, NGOs and human rights groups such as Human Rights Watch, Global Witness, International Peace Information Service and Southern Africa Resource Watch have exposed and condemned the brutal attacks and atrocities against civilians living and working in or near artisanal mines.<sup>15</sup> In recent years, a number of US-based advocacy organisations have become very vocal and dominant in the debate on the relationship between natural resource exploitation and armed conflict in the Kivus (Seay 2012: 9) and have related it directly to sexual violence. By far the most successful and influential among these is the Enough Project, a non-profit organisation co-founded by John Prendergast, a human rights activist who has served as the director of African affairs in the Clinton's administration National Security Council and who continues to be regularly invited to testify on the Congo crisis before various committees of the American Senate. In April 2009, Prendergast published a strategy paper—‘Can you hear Congo now? Cell phones, conflict minerals, and the worst sexual violence in the world’- in which he argued that Western consumers were partly responsible for the continuation of armed violence in eastern DRC, as their electronic devices contained minerals originating from Congolese war zones and sold on the world market by Congolese warlords and their allies. In the same paper he also claimed that there was a direct link between natural resource exploitation and sexual violence:

Our insatiable demand for electronics products such as cell phones and laptops is helping fuel waves of sexual violence in a place that most of us will never go, affecting people most of us will never meet. [...] sexual violence has become a tool of war and control for the armed groups in Congo on an immense scale. The Congo war has the highest rate of violence against women and girls in the world, and reports indicate that hundreds of thousands have been raped, making it the most dangerous place in the world to be a woman or girl (Prendergast 2009: 1).

The New York Times Magazine described Prendergast as ‘America’s most influential activist in Africa’s most troubled regions’ (The New York Times 5 December 2010). This was demonstrated in August 2009, 4 months after the publication of Prendergast’s strategy paper, when Hillary Clinton paid a visit to the cities of Goma and Bukavu in eastern DRC. During

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<sup>15</sup> In July 2009, for instance, the London-based non-profit organization Global Witness released a report in which it denounced the devastating consequences of the militarization of mining in the Kivus. The report found that state and non-state armed groups ‘have (...) used violence and intimidation against civilians who attempt to resist working for them or handing over the minerals they produce’ (Global Witness 2009: 5).

the visit, the then Secretary of State echoed the Enough Project's discourse on natural resources and gender-based violence, stating that 'women [...] are being turned into weapons of war through the rape they experience' and expressing her intention to 'address the root causes of the conflict, including the trade in minerals such as cassiterite and coltan' (Reuters 2009). Clinton pledged 17 million US\$ in American aid to help solve the problem of sexual violence in eastern DRC (The Associated Press 2009). Perhaps the strongest indication of the Enough Project's influence on US policy towards the DRC was its successful lobby, in 2010, for American legislation concerning so-called 'conflict minerals', that is, minerals originating from conflict zones in Africa's Great Lakes region.<sup>16</sup>

Free the Slaves (FTS), America's largest anti-slavery organisation, has joined the Enough Project in its protest against the harsh working and living conditions for women in the mining areas of North and South Kivu. It has similarly claimed a direct causal relationship between natural resource exploitation, armed violence and sexual abuse. In a research report published in June 2011, FTS used an activist discourse similar to that of the Enough project, stating that 'buyers of goods like cell phones, cars, and light bulbs unintentionally fuel the conflict and underwrite modern slavery and the worst sexual violence in the world' (Free the Slaves 2011: 6). According to the report, there are several forms of modern slavery in Congo's artisanal mines, some of which are particularly targeting girls and women. The research conducted by FTS' Congolese partner organisations revealed evidence of girls and women being forced into commercial sexual exploitation, and of women falling victim to kidnappings and sexual slavery at the hands of armed groups or being forced into a variety of 'marriages' or forms of 'cohabitation' with men (ibidem: passim).

European NGOs have added to the image Western policymakers have of the conflict in eastern DRC. Among them, Global Witness has undoubtedly had the greatest influence. This organisation played a leading role in the fight against conflict diamonds in countries such as Liberia, Sierra Leone, Angola, Ivory Coast and the DRC, and has a solid reputation, building its campaigns on thoroughly investigated and well-documented research reports. Global Witness has been painting a very grim picture of daily life in Congo's mining areas. Most of its reports have exposed mining-related human rights abuses in a general way and have not specifically focused on gender issues, but one publication does have a section focusing explicitly on sexual violence. This report, 'The Hill belongs to them' (2010), contains a

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16 On 21 July 2010, President Obama signed the so-called Dodd-Frank Act. Section 1502 of this act requires publicly trading companies to report to the Securities and Exchange Commission (SEC) and on their websites whether they buy so-called 'conflict minerals' from the DRC or its neighbors (Seay 2012).

discussion of a four-day long rebel attack on Luvungi, a village in the territory of Walikale, where, in August 2010, a very large number of people were raped. Referring to the findings of a UN Joint Protection Team, which visited Luvungi shortly after the attack, Global Witness claims in the report that there was a clear link between the struggle for minerals in the area and the mass rape by armed combatants:

The most affected village – Luvungi, where over 103 people were raped, was a major target because it is a mining hub, the report (of the UN) noted: ‘its closeness to gold mines (0.7 km north of Luvungi) made it the most lucrative of targets as most of the victims raped and looted were miners and traders (Global Witness 2010: 9).

Although, over the years, controversy has risen over the exact number of victims, the motives of the attackers, and the circumstances in which the village dwellers were assaulted (see Heaton 2013), Global Witness' reading of the Luvungi incident goes largely unchallenged by the broader public. Luvungi continues to be presented as a textbook example of rape being used as a weapon of war, and is put forward as the proof par excellence of the intimate connection between conflict minerals and sexual violence.

The main Congolese voice on the matter is that of Denis Mukwege, the Congolese gynaecologist running the Panzi hospital in Bukavu. He has played a crucial role in shaping the international community's image of the position of women in the conflict in eastern DRC. Mukwege is now widely known as the ‘rape surgeon of the DRC’. Together with his colleagues at the Panzi hospital, he has treated approximately 30.000 rape victims since the end of the 1990s, efforts that have not only earned him several rewards as well as a nomination for the Nobel prize for peace in 2009 (BBC 2013), but also a number of enemies: in October 2009, he narrowly survived an assassination attempt by a group of gunmen in his home in Bukavu. International media frequently contact Mukwege for interviews, and he is often invited to international forums, where he addresses the precarious living conditions of women in the Kivus. Mukwege's message in these interviews and talks bears strong similarities to those of the NGOs discussed earlier on in this section.

In sum, as Autesserre has rightly remarked, the dominant narrative on the conflict in eastern DRC is that the primary cause of the violence is the illegal exploitation of natural resources, while the main consequence is the sexual abuse against women and girls (Autesserre 2012: 204). This one-dimensional representation of the causes and consequences of the conflict in the Kivus has had far-reaching consequences, one of which is the privileging of sexual

violence in interventions. As Douma and Hilhorst have observed, there is an ‘increasing commercialization of sexual violence, where sexual violence is considered a business for agencies and individuals’ (Douma and Hilhorst 2012: 12). The number of organisations working on sexual violence has risen spectacularly, while the amount of aid money allocated to sexual violence assistance has become very high in comparison to what is spent on other issues such as security sector reform and education (ibidem: 9). In the following section of our chapter, we will show that the abovementioned dominant narrative on the Congolese conflict has also had a strong impact on the initiatives to reform the Congolese mining sector.

## **II. 3. Mining reforms and gender**

The emphasis on 'conflict minerals' in readings of the conflict in eastern DRC has motivated efforts to increase the transparency and improve the governance of the artisanal mining sector. The assumption is that mining reforms will cut armed groups off of their principle course of revenue forcing them to abandon the armed struggle. The Congolese government has joined hands with a wide range of international institutions and companies operating in the region to make mineral commodity chains more transparent and preventing the ‘conflict minerals’, mainly tin, tantalum, tungsten and gold, from entering international markets (Garrett et al. 2010; IPIS 2011). What is interesting for the purposes of this chapter is that some of these mining reform initiatives have implications for women’s position and their involvement in artisanal mining activities. In the following sections, we will discuss three key issues, namely (i) the promotion of alternative livelihoods for women, (ii) the introduction of protective legislation with discriminatory side effects, and (iii) the lack of recognition of women’s roles in ASM.

### ***II.3.1 Encouragement of livelihoods outside of ASM***

The reform initiatives in the artisanal mining sector in eastern DRC have been developed in tandem with efforts to support women to leave the mining industry and develop alternative livelihoods. One of the organisations working along these lines is the American non-profit corporation Pact, which has been directly involved in the reform of the Congolese mining sector. In the provinces of Katanga, South Kivu and Maniema, Pact has contributed – in close cooperation with local NGOs - to the implementation of a traceability mechanism developed



by the tin industry. The mechanism, which is called the ITRI<sup>17</sup> Supply Chain Initiative (iTSCi), is focused on the so-called 3Ts, i.e. tin, tantalum and tungsten. The overall aim of the iTSCi initiative is to avoid the sale of minerals originating from conflict zones on the international market. In addition to assisting the Congolese authorities in implementing the iTSCi mechanism, Pact has also engaged in a partnership with the Bukavu-based *NGO Observatoire Gouvernance et Paix* (OGP) to develop a number of joint initiatives to improve the position of women in artisanal mining areas in South Kivu. At the time of writing, the most important project targeting women is the WORTH programme, which has been launched in both North and South Kivu.<sup>18</sup>

The WORTH programme had already been launched in other settings. Pact had previously introduced it in countries such as Cambodia, Myanmar, Nepal, Ethiopia, Kenya, Madagascar, Swaziland, Tanzania, Uganda and Zambia. In the DRC, the WORTH programme was first introduced in the Katanga province in 2006 (Hayes and Perks 2012). The overall objective is aimed at enabling women ‘to become social activists, social entrepreneurs, and effective leaders who bring about change in their communities’.<sup>19</sup> This is done in different steps. In the beginning of the programme, women receive training in functional literacy and saving. They learn the basics of reading and writing, and set up saving cooperatives in small groups of 20 to 25 members. In the next phase, the women learn how to make loans to one another, charge interest, and track repayment. The money from the loan-fund, which is entirely generated through the women’s own savings, ultimately allows them to start their own businesses and become entrepreneurs.<sup>20</sup> By introducing the WORTH programme in the artisanal mining areas of eastern DRC, Pact wants to stimulate women to develop alternative livelihoods, away from mining. The rationale behind the project is that, as women acquire a number of basic skills, this can help them leave the mining sector and find other income-generating activities.

Pact’s WORTH programme empowers women, puts them in the position to gain a greater level of financial autonomy and to develop better management skills, and it promotes female solidarity. Moreover, the start-up costs of the project are very low and it is genuinely community-driven. The problem with the programme is, however, that the assumption that women are better off outside the mining sector is untested. In our opinion, additional research is necessary to find out whether women are indeed better off outside of mining.

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17 ITRI is a non-profit organization defending the interests of the tin industry. Its head office is in Hertfordshire (UK).

18 Interview with OGP in Bukavu, March 2013. Interview with Pact in Bukavu, March 2013.

19 ‘*Women transform society*’, Pact Worth program. Document received from Pact staff, 29 March 2013.

20 Ibidem.

### *II.3.2 The negative side effects of protective legislation: the exclusion of pregnant and breastfeeding women from ASM*

One of the key components of the process of mining reform has been the division of artisanal mining sites into different categories. Since February 2012, mining sites in the provinces of Katanga, North Kivu, South Kivu, Maniema and Orientale have received green, yellow or red labels depending on the degree to which the social and security conditions in and around the mines meet the standards. These standards have been set by the Organization for Economic Cooperation and Development (OECD) and the International Conference on the Great Lakes Region (ICGLR), the two leading international organisations in the promotion of traceability mechanisms and the establishment of norms for due diligence. According to Congolese law, only minerals originating from mines with a green label may be traded and exported to foreign countries. Every year, the Congolese Ministry of Mines sends out so-called Joint Assessment Teams (*équipes conjointes*), composed of representatives from the different institutions involved in the governance of the artisanal mining sector, to evaluate the situation in the different artisanal mining sites included in the mining reform. The assessments allow the Ministry to keep track of changes and to update the classification of mines into green, yellow and red categories: some mines may lose their status as a ‘clean mine’, while others may go from a red to a green label.<sup>21</sup> What interests us here is that one of the conditions to receive a green label is that there should be no pregnant women working in the mine. Pregnant women are not allowed to take part in the exploitation nor commercialisation of minerals.<sup>22</sup>

At first sight, it may seem a good idea to keep pregnant women away from the mines. Certain mining and mining-related activities pose serious health risks. Gold amalgamation through the use of mercury is probably the best case in point. While this technique is very popular among artisanal miners because it is cheap, quick and highly effective (Hinton, Veiga and Beinhoff 2003: 617), research has shown that mercury vapour, which is released during the process of amalgam decomposition, can be dangerous for both artisanal miners and people working and living near gold shops. Furthermore, when metallic mercury is discharged into the environment, it can be transformed into methylmercury, which is particularly harmful to pregnant women. As Hinton, Veiga and Veiga point out, ‘methylmercury is easily transferred

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<sup>21</sup> Ministerial Decree of 29 February 2012, fixing the procedures for the qualification and validation of mining sites in the gold and tin trading chains in the provinces of Katanga, Maniema, North Kivu, South Kivu and Orientale Province.

<sup>22</sup> Ibidem: article 9.

from women to the foetus, with effects ranging from sterility and spontaneous abortion, to mild to severe neurological symptoms' (Hinton, Veiga and Veiga 2003: 109).

Having said this, the protective legislation introduced in the DRC has the negative side-effect of leading to the complete exclusion of all pregnant women from ASM, regardless of the type of work they do and the circumstances in which they carry out their activities. Particularly disturbing is that there have also been reports of local-level public servants misinterpreting the law (either deliberately or inadvertently) and preventing also breastfeeding women from taking part in ASM. While we agree that the health hazards associated with the use of mercury are such that the Congolese government should do everything it can to prevent the presence of pregnant women at artisanal gold mining sites where the use of mercury has been reported, and to encourage mining communities to switch to safer and healthier gold extraction techniques, in our opinion, it is unnecessary and counterproductive to impose a general ban on the involvement of pregnant women in all mining and mining-related activities. To the best of our knowledge, the trading of minerals such as cassiterite, wolframite or coltan does not pose any health risks. The same holds true for other activities such as sifting or cleaning minerals or mediating between mineral buyers and artisanal miners. In the manner it is currently being applied, the protective legislation runs the risk of doing more harm than good. Instead of serving as an instrument to protect women miners' health, it is currently being abused as a tool to consolidate the male-dominated nature of the ASM industry in eastern DRC. As such, it is a good illustration of Lahiri-Dutt's warning that 'popul(ar)ist and universalist conceptions of femininity and womanhood tend to normalize contested gender roles through protective legislation that operates against women's interests' (Lahiri-Dutt 2013: 224).

### *II.3.3 Lack of recognition of women's involvement in ASM: the case of the shashulere in Nyabibwe*

In Nyabibwe, a mining town in the territory of Kalehe in South Kivu, a group of women known under the name of *shashulere* or managers<sup>23</sup> plays an important role in the local mineral trade. The *shashulere* act as intermediaries between, on the one hand, mineral buyers or *négociants*, whose warehouses are located in the centre of Nyabibwe, and, on the other hand, artisanal miners or *creuseurs*. When *négociants* want to acquire a certain amount of minerals, they provide the *shashulere* with enough cash to go to the mine and make the

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<sup>23</sup> There are also men working as *shashulere* or managers, but, in Nyabibwe, the majority is made up of women.

purchase.<sup>24</sup> In exchange for their work as intermediaries, the *shashulere* receive 5 US\$ from the *négociants*.

Despite their crucial role in the local commodity chain, the *shashulere* have great difficulties maintaining their position. By far the biggest challenge is the lack of recognition by the public services that monitor the mining sector and supervise the implementation of the mining reform initiatives. The *shashulere* are not officially registered nor recognised. The mining authorities refuse to consider them as a legitimate group of participants and stakeholders in the commodity chain. Their activities are considered illegal and their involvement in the local mineral trade is blamed for the continuation of various types of fraudulent practices, including the trading of minerals outside of the official circuit. The current emphasis on transparency and traceability does not favour them.

As a result of the lack of official recognition, the *shashulere* have great trouble defending their interests when they run into a dispute with one of the *négociants* or with a group of artisanal miners. Unlike the other (predominantly male) participants in the local mining business, they cannot ask for assistance from the two mining cooperatives (COOMBECKA and COMIKA), who are charged with the daily management of the mine and who have their own mechanisms and procedures to deal with work-related problems and disagreements. Nor do the *shashulere* have the possibility of filing a complaint with the police when they fall victim to theft or other types of abuse.

Nevertheless, despite their vulnerability and marginalisation, the *shashulere* have developed several strategies to make the best of a bad situation. First of all, in 2010, they created their own organisation called the *Association de Mamans Chercheuses de la Vie* (AMCV, Association of Mothers Looking for Life). AMCV, which is led by the 46-year old spouse of a Nyabibwe-based farmer, currently boasts a membership of 50 people. The organisation has been officially registered at the provincial level, and has been equipped with a clear structure in order to convince the outside world of the seriousness of its intentions.<sup>25</sup> Secondly, the *shashulere* have forged strategic alliances with a number of powerful players at different political levels. While, at the provincial level, they have managed to receive symbolic support from Governor Cishambo,<sup>26</sup> at the level of Nyabibwe, they have found a powerful ally in the

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24 The *shashulere* pay for the transport of the mineral bags from the mine to the warehouse of the *négociant* in the centre of Nyabibwe. At the time of our research in Nyabibwe, the transport price paid by the *shashulere* amounted to 1.94 US\$ per 50 kg bag of minerals.

25 Apart from a management committee, there is also a group of special advisors, an internal police force, and a coordinating committee.

26 According to several of our informants in Nyabibwe, the governor sent a letter to the President of the *femmes shashulere*, expressing his support for their cause.

person of a member of the local landowning elite.<sup>27</sup> Finally, realising that the outlawing of their activities by the mining authorities constitutes a serious handicap to their activities, the *shashulere* have also tried to negotiate their way into the formalisation process. In March 2013, they sent a letter to the Mining Division (*Division des Mines*) with a remarkable request. Arguing that they did not have enough money to pay for an expensive mineral buyer permit (*carte de négociant*), they asked permission to work in groups of 3 people and to jointly buy 1 artisanal mining permit (*carte de creuseur*), which was less expensive and which would allow them to operate in a legal and transparent manner.<sup>28</sup>

The case of the *shashulere* offers a good illustration of the fact that there is a strong tendency to ignore or downplay the involvement of women in artisanal mining and mining-related activities. Although the *shashulere* play a key role as mediators between the diggers in the mine and the mineral buyers in the town centre, they have been forced to continue operating in the shadows. Unlike the other actor groups in the local mining business, they have not been invited by the mining authorities to attend information sessions about the process of mining reform and neither have they been given the opportunity to express their opinions about it. The case of the *shashulere* also shows that the reform initiatives threaten to make it even harder for women to gain and maintain foothold in ASM. The Congolese mining authorities are under increasing pressure from the international community to make sure that people working in the local mining industry comply with official regulations concerning mineral sales and that they also have the necessary permits. Given the high costs of these permits, it is becoming harder and harder for women to continue their activities, especially since they often have only limited access to credit. Finally, the example of the *shashulere* demonstrates that women are prepared to make considerable efforts to stay in the business, calling the overall assumption that women are better off outside mining, into question.

## **II.4. Fostering futures for Congolese women in artisanal and small-scale mining (ASM)**

The Democratic Republic of Congo is not the only place in the world where women's employment in ASM is being discouraged and frowned upon, and where female workers in

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<sup>27</sup> The person in question is an official member of the *Association de Mamans Chercheuses de la Vie*. In Nyabibwe, he has the status of a *mushamuka*, that is, a person who has received a portion land from the *mwami* or customary chief and who has the right to grant portions of this land to third parties in exchange for the payment of a customary tax.

<sup>28</sup> Letter from AMCV to the *Chef d'Antenne Minière* (Mining Division) in Nyabibwe, 23 March 2013. At the time of writing, it is unclear how the authorities have reacted to this request.

the ASM industry suffer from various forms of marginalisation, oppression and exclusion. Although ‘artisanal mining communities [...] vary from culture-to-culture, region-to-region and mine-to-mine’ (Hinton et al. 2003: 163), and although there is a large variety in terms of the levels of female participation in ASM and the types of work carried out by women (Hilson 2002: 6–7; Hinton et al. 2006: 209; Van Hoecke 2006), it is safe to say that, almost universally, female participants in ASM run a very high risk of being discriminated because of their gender. In many countries around the world, women have great difficulties working in ASM due to the existence of cultural and social taboos, discriminatory mining legislation, limited access to credit, a lack of education and technical knowledge, patterns of gendered labour division, and women’s domestic work burden, amongst other things (Absi 2002; Hinton 2011; Moretti 2006; Yakovleva 2007: 31). Moreover, there is often a huge wage gap between men and women (ILO 1999), and women are frequently at the bottom end of the sector’s hierarchy, carrying out subordinate work (Dreschler 2001: 6).

Given the wide variety of problems women are likely to encounter while working in ASM, it needs to be asked what the most appropriate strategies to improve their condition are—from a policymaking point of view—. As we have already explained, one strategy – the one followed in eastern DRC - has been to encourage women to leave ASM with a view to developing alternative livelihoods. The rationale of this approach is that, since ASM only offers short-term income-generating opportunities and does not appear to contribute to long-term economic empowerment, women should be assisted in developing exit strategies (Heemskerk 2003; Perks 2011; Yakovleva 2007).

In spite of its popularity among policymakers, the alternative livelihood approach has received a considerable amount of criticism in academic circles. First of all, the approach has been criticised for being unrealistic and impractical, for not (or not sufficiently) being attuned to local political-economic realities, and for underestimating people’s eagerness to become and remain active in ASM. Critics have argued that it is naïve to believe that policy interventions can bring a stop to people’s involvement in mining and mining-related activities. In many countries plagued by economic crisis, political instability or conflict (or a combination thereof), there are simply no better alternatives. People often make a strategic choice to live and work in an ASM area (either temporarily or on a more permanent basis), either because they consider it to be their best option in terms of access and remuneration, because it allows them to diversify their livelihoods, because it enables them to supplement or replace their farming incomes, or because it offers them the opportunity to build up a starting

capital for a business of their own (Banchirigah 2008; Hilson and Banchirigah 2009; Panella 2005; Siegel and Veiga 2010; Tschakert 2009).

A second point of criticism vis-à-vis the alternative livelihood approach concerns its failure to take into account so-called exit barriers, in other words, factors that prevent people from leaving ASM. Research has shown that artisanal miners often find it difficult to leave the mines because they want to recover the money they have already invested in their mining operations (Banchirigah 2008), or because they are trapped in what Noetstaller has called a 'cycle of poverty', a predicament generated by, amongst other things, the use of inappropriate technology, low returns, limited investment capacity, and difficulties to get access to loans or credit. As a result of the latter factor, they frequently have no other option than to approach actors higher up in the commodity chain such as national or foreign mineral buyers, from whom they contract inequitable loans, which are hard to reimburse (Noetstaller 1996, discussed in Banchirigah and Hilson 2010: 167) and which may therefore give rise to the emergence of long-lasting debt relationships (Geenen 2011c: 433–434; 437–439) and systems of debt bondage (Maconachie and Hilson 2011: 295).

As we have already pointed out earlier in this chapter, the economy of the Kivus has traditionally been centred on agriculture. Before the war, the large majority of the population in the countryside of North and South Kivu derived their income from agriculture (Pottier & Fairhead 1991; Van Acker 2005). However, nowadays, due to the high levels of insecurity in many parts of the Kivus, it has become increasingly difficult for the local population to practice agriculture. People experience great difficulties getting access to their fields, while they also have a hard time transporting their agricultural produce and taking it to the markets for sale (Global Witness 2012). Cattle owners have seen their stocks diminish or even disappear as a result of massive thefts and lootings by armed groups, but also as a result of the increasing impossibility to cure cattle diseases (Cox 2011: 237–238). Two other factors threatening to undermine the future of agriculture in the Kivus are the declining soil fertility and the rising tenure insecurity. More and more land is showing signs of what Cox has described as 'profound post-war exhaustion' (Cox 2011: 245, quoted in Geenen 2013: 7). Farmers in the Kivus lack the necessary resources to deal with the problem of insufficient soil fertility. Most of them do not have access to improved crop varieties, manure or mineral fertiliser (Pypers et al. 2011: 77). Land tenure insecurity is also in large part responsible for the precarious situation of farmers in the Kivu region (Vlassenroot 2012).

Given the lack of alternative livelihoods in the Kivus, we believe that it makes more sense to address the predicament of women in eastern DRC's artisanal mining areas by taking the latter's agency seriously and by helping them to strengthen their position in the mining sector itself. We concur with Mahy when she remarks that it is high time to move beyond the stereotypical portrayal of the female inhabitants of artisanal mining areas, as either one homogeneous group of people who are all 'equally the victims of mining and its resultant market for commercial sex', or as being divided into two categories, namely, on the one hand, 'opportunistic (migrant) sex workers' and, on the other hand, 'chaste, ignorant and passive (indigenous) community women' (Mahy 2011: 50, 61). Instead, Mahy argues, scholars studying women's involvement in ASM should try to develop, 'a far more real picture of diversity, opportunism and agency' (ibidem: 61). It is important to be aware of the fact that, in ASM areas, many different groups of women can be found, with different backgrounds, positions, interests, objectives and desires, and also with different levels of financial resources, social capital, skills and spaces of manoeuvre (Bryceson et al. 2013; Werthmann 2009).

As a first step, it is of vital importance to develop a better understanding of what motivates women in eastern DRC to work in ASM, and to take a close look at the meanings they give to their work, their needs and interests, their perceptions of their own working and living conditions, their ideas about the political economy of Congo's artisanal mining industry, their opinions about other possible sources of income, their views on gender relations in and outside the mining sector, and, finally, their thoughts about ways to improve their positions in ASM.

Secondly, the example of Mongolia (Purevjav 2011) has shown that adopting a gender mainstreaming approach with regard to ASM can greatly contribute to the empowerment of women in the sector and can also lead to higher levels of gender equality. It is of vital importance that the Congolese government investigates and monitors the effects of the ongoing mining reform initiatives on women's positions in the artisanal mining sector, and that it assesses not only how these initiatives affect women's capacities to earn a living but also how they impact on gendered power relations and existing structural inequalities between men and women.

## **II.5. Conclusion**



This chapter started with a presentation of the dominant discourse on the ongoing crisis in eastern DRC, which claims that mineral exploitation and sexual violence in the area are inextricably connected and have had such dramatic consequences for the local population that they deserve to be prioritised in policy interventions of both the international community and the Congolese government. In his testimony before the Subcommittee on African Affairs of the American Senate, Mvemba Phezo Dizolele, a Congolese academic, has expressed his regret over the fact that ‘this narrative has now become the standard perspective through which Americans view Congo, and most NGOs, activists, academics and policymakers build their efforts around this prism’ (Dizolele 2011). In the second part of this chapter, we have shown that, as a result of this dominant perspective on the conflict in eastern DRC, policymakers at the international and national levels have tended to look for ways to promote women’s exit from ASM. Women are stimulated to look for other sources of income outside the mining sector and are negatively affected by protective legislation. Women’s roles in the artisanal mining industry are being downplayed and overlooked. The third part of the chapter has questioned the viability of the alternative livelihood approach in eastern DRC. We have argued in favour of a different way of dealing with the predicament of women in the artisanal mining sector in eastern DRC, which consists, first, of gaining a better understanding of the involvement of different kind of women in the world of ASM and what ASM means to them, and, second, of applying the principles of gender-mainstreaming to the various mining reform initiatives.

We would like to end with remarking that there are some signs that things are slowly moving in the right direction. First of all, at the time of writing, the Congolese government is preparing the launch of RENAFEM (*Réseau National des Femmes dans les Mines*), a nationwide network of women working in the mining industry, which is funded by DFID and the World Bank. Although it is impossible to predict whether and to what extent the creation of this network will actually contribute to the improvement of the working and living conditions of Congolese women in ASM, it is encouraging that two prominent members of the donor community are promoting a new perspective on women’s involvement in the sector and are putting pressure on the Congolese government to bring a halt to the discrimination, exclusion and marginalisation of women miners. Another sign that things may be changing for the better is that, in February 2013, at the International Conference on the Great Lakes Region (ICGLR), the Ottawa-based Carleton University and the NGO Partnership Africa Canada (PAC) jointly hosted a workshop in Bujumbura to set a research agenda on women,

girls and artisanal mining. This shows that there is a growing awareness of gender issues in debates on resource governance in Africa's Great Lakes Region. Furthermore, it also suggests a growing recognition of the importance of research-based policy.

Despite these promising developments, however, there is still a long way to go. Not only is research on women's involvement in the Congolese artisanal mining sector very costly and time-consuming, it also remains to be seen whether the Kinshasa government will succeed in coordinating the implementation of the various gender initiatives and whether it has the willingness and capacity to raise awareness on gender issues among the different actor groups in the mining industry.

# **Chapter III: Necessity or choice: Women's migration to artisanal mining regions in eastern DRC**

This chapter was drafted together with Van der Haar G.

The chapter has been accepted - with minor revisions - for publication in a special issue on gender and artisanal and small-scale mining in sub-Saharan Africa of the *Canadian Journal of African Studies* as:

Bashwira MR and Van der Haar G. Necessity or choice: Women's migration to artisanal mining regions in eastern DRC.

## Abstract

At a time when discourses on artisanal mining in the Democratic Republic of Congo are mainly concerned with questions of reform, its impact on the local population, and women's options to *exit* mining, there is a need to understand the reasons that lead women to move to and install themselves in mining centres. Migration flows into the mining areas are related to insecurity, but this is only part of the story. Motivations to migrate into the mining areas have long been described only in terms of 'push' and 'pull' factors. This study fills a gap in the existing work on women's mobility decision making by analysing women's decisions to settle in artisanal mining centres in eastern Democratic Republic of Congo (in North Katanga and South Kivu). The main research questions are as follows: Why do women migrate to the mining areas? In women's own perspectives, why do they stay there, and what are the challenges when they decide to stay? The analysis examines push and pull factors but also considers the concept of social navigation. The study demonstrates that there are multiple, interrelated reasons to migrate and to install oneself in mining areas. Push and pull factors have merged over time and resulted in complex motives. This chapter adds to the understanding of how women create new sources of revenue and seek, with varying levels of success, to mitigate situations of vulnerability.

**Key words:** motivation, migration, mobility, social navigation, women, artisanal mining, violent conflict, eastern DRC

## III.1. Introduction

Throughout history, the discovery of minerals has been associated with significant demographic growth in areas that were formerly rural and scarcely populated (Bryceson and Mwaipopo 2010). In different parts of Africa, artisanal and small-scale mining (ASM) has attracted considerable numbers of people, contributing to significant spatial and social transformations (Hayes and Wagner 2008). In eastern Democratic Republic of Congo (DRC), mobility flows have resulted in a process of 'mining urbanisation' and the emergence of 'mining boomtowns'. Alongside the original inhabitants (natives) are people ranging from internally displaced persons (IDPs) fleeing from violence in other parts of eastern DRC, to those seeking economic opportunity (Bryceson and Jønsson 2010; Büscher et al. 2014). This has included men and women of different ages.

Previous research on mining areas worldwide (Cuvelier 2014; Geenen 2011b; Nyame and Grant 2007; Grätz 2014) offers different explanations as to why people migrate to these areas, emphasising different push (people come not out of choice but out of necessity) or pull (people hope to get rich quickly) factors. Migration patterns in mining areas also need to be understood in the historical context (Büscher et al. 2014; Cuvelier 2014) and taking into account the complex nature of ASM, which may be seasonal or permanent depending on the setting and involve shock-push (when diversification is fuelled by hardship, the need to supplement income and desperation) and rush displacement (fortune-seeking) (Hinton 2011; Kelly 2014a). In addition to this body of work, the violent conflict and the resultant vast displacement in eastern DRC must be considered to understand the specific patterns of migration.

Existing research has demonstrated that, worldwide, women form a significant portion of the population coming to mining areas. Evidence suggests that women do not just come as dependents but are also themselves active in artisanal mining, either directly or in an indirect manner (Geenen 2013; Heemskerk 2000, 2003; Hinton et al. 2003; Labonne 1996; Lahiri-Dutt and Macintyre 2006; Werthmann 2009). However, women's economic roles in mining have received limited attention. Some studies have identified women primarily as the sisters, daughters or wives of miners, highlighting that these women did not come to live at the mining sites of their own choice (Veiga 1997). Other studies have depicted women as rushing to 'become rich quickly' by engaging in secondary activities such as prostitution (Hilson 2005). A more comprehensive treatment of women's motives for and interests in moving to a mining town is missing from the research conducted to date.

Also in DRC, women make up a substantial portion of the population attracted to the mining sites, but their motives, experiences and interests have rarely been studied. For both men and women, motivations to migrate are linked to security and economic concerns. As people flee from violence, mining becomes an arena where they hope to find physical and economic security. This also holds for women, despite the fact that mining sites are considered places where they face many challenges, ranging from limited access to mining (Keita 2001) to sexual harassment. Notably, women's vulnerability to sexual violence in the DRC has received much more attention than other aspects of their lives (Douma and Hilhorst 2012).

Mining-related mobility in DRC today is characterised by a mixture of causalities. The current situation differs from Belgian colonial times, when people were forced to migrate to

the mines provide the necessary labour for the agricultural plantations and mining centres (Vlassenroot 2005). And from the 1980s, when late president Mobutu implemented policies of economic liberalisation and structural adjustment (Mazalto 2008). Political and economic instability and bad governance under president Mobutu meant that people had to ‘fend for themselves’ (MacGaffey 1991). This has pushed thousands of people into the informal economy, and many of these people turned to artisanal mining activities in search of a better life (Hinton 2011). Further, the long period of war and insecurity (from 1993 to present) uprooted many people, especially in the rural areas affected by ongoing violence, with many people looking for safe places mostly in and around mining sites. The security situation of mining is very important when seeking to understand migration, as it explains a large part of individual choices. The mining sector in the DRC is currently again in a period of transition. It is being changed from an informal and unregulated sector to a more regulated one through reform initiatives aimed at transparency and traceability. We expect this to have an impact on the attractiveness of artisanal mining as a livelihood option as it is stated that more regulation may improve women opportunities in the mining economy (Labonne 1996) and moreover, it may create more transparency in mining transaction and security for actors involved in it.

This chapter aims to fill the gap in the literature on women’s decisions to migrate to mining areas, asking why they stay and how they seek to make a life there. Based on an analysis of realities in multiple artisanal mining sites in eastern DRC, the study provides an analysis of the underlying, mixed motivations and strategies for migration to and settlement in mining sites, as well as the opportunities and limitations that these migrant women encounter. The chapter contextualises women’s coming to the mines within their life trajectories, which are shaped by violence and various forms of insecurity. Rather than seeing women as being motivated by either necessity or economic opportunity, the study allows for the co-existence of multiple motives.

The chapter is structured as follows. The first section develops the theoretical framework on migration decisions in ASM. This section draws on the concept of social navigation to understand women’s mobility, looking beyond mainstream migration theory to highlight decision-making agency with respect to uncertainty in a conflict-affected situation. The second section presents the analysis and results of the study. It highlights women’s motivations to actively engage in artisanal mining communities, drawing directly on their narratives. The section is divided into three subsections: motives of women to migrate to

artisanal mining communities, challenges associated with living in the mining centres, and progressing at the mining site: women starting a business. It then end with a conclusion part.

### **III.2. Methods**

The chapter is based on focus group discussions, interviews (individual and semi-structured) and observations gathered during multiple field research periods in 2013 and 2014 in mining towns in eastern DRC: two in South Kivu (Kamituga and Nyabibwe) and two North Katanga (Kisengo and Manono). These sites were selected either because of the considerable presence of women working in the mines (Kamituga and Manono) or for being a pilot site in the implementation of the reform initiatives (Nyabibwe and Kisengo). The idea, here, was not to compare the motives of this women from one site to another, but more to take an analytical stand to make understand the motives of these women and what differentiate them.

Kamituga (South Kivu) is an area with 100,000 inhabitants located 180 km from the city of Bukavu. In South Kivu, this gold mine site is known to have a relatively high number of women involved in grinding and crushing gold ore.

Manono (North Katanga) has over 265,000 inhabitants and is located 480 km from Kalemie and 636 km from Lubumbashi. Here, many women work along the mineralised sand embankments containing a mix of cassiterite and coltan.

Kalimbi (in Nyabibwe, South Kivu) is a cassiterite mining site. In 2010, the site was selected as a pilot area for traceability initiatives organised by ITRI and the Federal Office for Geosciences and Natural Resources (Germany).

Kisengo (North Katanga) is a coltan mining site in Nyunzu territory (180 km from Kalemie) in Northern Katanga that was discovered in 2007. Since 2011, the Kisengo site has worked with the iTSCi requirements for traceability mechanism. The company Mining Mineral Resources (MMR) has exclusive rights to exploit and commercialise the minerals found at Kisengo (Matthysen 2013).

Focus group discussions were conducted at the start of the fieldwork and included women working in the mining sites. Each focus group consisted of 6–15 women, depending on their availability. There was one focus group per mining site, and two in the case Kamituga. Kamituga was the first site we visited, and relatively more of the focus groups and individual

interviews were done there to provide us with a better insight on the women's working conditions and motives and to prepare the remaining field visits.

The semi-structured interviews focused on the choices and motivations of women to live and work in the mining towns. They followed an interview guide including questions related to different topics to be covered. In addition, numerous informal interviews were conducted to strengthen the general understanding of the topic issue, but these are not cited directly in this text. Direct observation of women's lives in the mining communities helped us to understand the challenges and opportunities they faced. The research relied on a (male) assistant for translation in places where respondents were more comfortable in speaking their mother tongue and also for security reasons. For three women, life histories were constructed on the basis of repeated interviews. We chose these three cases from the ones we had collected as they seemed to address directly the interest of this chapter and allowed us to better understand the logic that leads women to move and settle in the mining communities.

### **III.3. Analysing migration to artisanal mining sites: integrating the concept of social navigation**

To understand why women come to mining sites in conflict-affected eastern DRC, our analysis is located at the crossroads of migration studies and conflict studies and explores economic and non-economic migration patterns. The general literature on migration explains migration decisions at the micro level as being made through either choice or necessity (Mafukidze 2006a), privileging either economic incentives or political violence (Aysa-Lastra 2011). This section builds on this literature to develop an understanding of women's migration to mining centres in the DRC that combines these two motives.

For a long period of time, the Congolese population has faced a critical situation. The economic and social order has been strongly affected by forced displacement, loss of property and the (forced) abandonment of the prime source of living: agriculture. In the context of two consecutive wars (1996–1997 and 1998–2003) and a permanent situation of insecurity and waves of violence, artisanal mining became the principal means allowing local people to survive. With this situation as a backdrop, we will try to understand the pattern of women's migration and women's motivations to stay in the mining centres.

It is now commonly accepted that migration does not derive from purely economic motivations. The expectation component includes not only opportunity structures and



demographic and socioeconomic variables, but also social and cultural norms, risk-taking behaviour and adaptability (Mafukidze 2006b). In addition, social relationships and networks are important. This means that the choice of a specific migration destination depends on whether or not there are relatives, friends or members of one's identity group in the new place that may reduce the costs and risks of moving by providing information, facilities and encouragement. In contrast, social relations may equally be a 'push' factor: Conflict among family members may be one of the motivations of moving to another place (Haug 2008).

A long-standing explanation for economic migration is that it is motivated by the *comparative advantage* gained from the host place vs. the home place. Todaro (1980) added that the decision to migrate depends on the 'expected' gain. Rural-to-urban migration has been explained in this way. Stark and Taylor (1989), in the case of international migration, showed how individuals compare their situation to the deprivation of their friends, their relatives or the households in their home village. Their work makes clear that the decision to undertake migration is not motivated by the *absolute* gains in income but rather by the improvement of the household's *relative* position, compared with a specific reference group. Therefore, other aspects of deprivation that depend on the social perception of wealth must be considered (Stark and Taylor 1989).

Forced migration or 'conflict migration' occurs when a situation of insecurity motivates people to relocate (Chiswick 1999). The decision to move in this case also depends on various factors other than insecurity: the comparative perception of the safety level, income opportunities and quality of life, information and migration costs (Haug 2008). It has further been recognised that individual choices are usually influenced by the family, household or community, and take place within a social context in which family and gender relations influence migration behaviours (Mafukidze 2006a:107).

In eastern DRC, migration—especially to the mining centres—is clearly related to patterns of violence and insecurity, but economic factors also play a role. The economic aspects of migration are reflected in the literature on push and pull factors (Cuvelier 2014; Cuvelier et al. 2014; Grätz 2014; Hilson and Banchirigah 2009; Hinton 2011; Jönsson and Bryceson 2009). One of the main pull factors presented in the literature is the promise of becoming 'rich quickly' in the mineral sector, as an alternative to agriculture (Geenen 2011a). For some women, the mining site is a place for getting rich quickly; for others, relocating to these sites is still a poverty-driven option.

Research on South Katanga in the DRC (Pact 2007) has shown that the number of women involved in artisanal mining activities has increased in the years after the conflict (1996–2003) as a consequence of two changes: economic decline and intensified insecurity. But it has to be noted that South Katanga was not really affected by the conflict. A general economic downturn and a decrease in livelihood opportunities in the traditional rural sector have made poverty a prime driving factor, notably in Katanga (Hayes and Perks 2012). In addition, security motivations play a role. In a study in two territories in South Kivu in the DRC, Kelly (2014b) observed elements of both distress-push and rush-type motivations to move to the mining areas, as well as a third hybrid distress-rush model, which involves both desperation and fortune seeking.

To deepen our understanding of women's motivations to migrate, we analyse women's agency using the concept of 'social navigation'. Vigh (2009: 419) defined social navigation as 'how people act in difficult or uncertain circumstances and in describing how they disentangle themselves from confining structures, plot their escape and move towards better positions'. This means that the concept should be understood to be at the intersection of agency, social forces and change, and 'navigation offers an image of a simultaneous movement—of social formations and of practices of agents within the social formations' (Radu 2010:415). In other words, 'we act, adjust and attune our strategies and tactics in relation to the way we experience, imagine and anticipate the movement and influence of social forces' (Vigh 2009: 420). Such a concept may also illustrate the situation of women migrating to mining sites in conflict-affected settings such as the DRC.

Social navigation moves beyond push and pull factors to focus on how people act tactically and strategically in circumstances that are not under their control. The concept can help us to understand how women manoeuvre between choice and necessity within a horizon involving multiple uncertainties. It considers that people react in response to shocks or difficult situations while also being attentive to how someone adjusts and shapes his or her current situation to achieve a better position. This means that, although the conflict period may be critical, people find a way to improve their position by building on and moving beyond traditional gender norms and roles, and they are able to cope with difficult situations.

By applying the concept of social navigation and making a distinction between the different motives of women to live in artisanal mining areas, the following sections highlight the

diversity and dynamic nature of these motives and uncover some of the complexity of women's motivations to migrate and install themselves in the DRC's artisanal mining areas.

### III.4. Life histories of women in mining sites

The number of people living in mining areas in eastern DRC has increased dramatically in previous years. Although it is considered by many actors (academic and policy makers) as a way of reducing unemployment, this mobility has also been linked to the dynamics of violent conflict, such as the mobilisation practices/strategies of rebel groups (which carries a high risk of being recruited, especially as child soldiers, in northern Katanga), the abandonment of agriculture because of violence, children dropping out of school, and the loss of social ties.

To provide a deep qualitative analysis of these different factors in women's mobility choices, we begin by drawing on the life histories of three women living and working at the mining sites. In the analysis, these narratives are complemented by additional stories recounted by the women participating in the study.

#### Case 1: *Twangeuse*<sup>29</sup> after abduction and escape

I met Diana in Kamituga, where she worked as a *twangeuse*, a woman who crushes and pounds the minerals. Diana is a 25-year-old woman who was born in Mwenga territory in the centre of Mwenga. She lived in Mwenga centre with her family until she was 10 years old. She was the first born of five children—three boys and two girls. Her parents were involved in agriculture, and her mother ran a small business out of their home. In the search of a better field for farming, her father decided to move to Mulangozi (slightly closer to Itombwe Forest, nearly 50 km from Kamituga).

When the 'Hutu' war broke out in 1995<sup>30</sup>, the family had to flee their village and find a safe place to stay. Like many families, theirs was split up: Diana, her mother and her three younger brothers fled into Itombwe forest with the rest of the village. Diana's father and one of her brothers went somewhere else—they were not heard from again. Hutu soldiers were attacking villages, usually early in the morning when people were not prepared, ravaging everything

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<sup>29</sup> *Twangeuse* is the name used for women who crush and grind the mineral ore at the sites in Kamituga. The term comes from an adaptation into French of a Swahili word: To *twanga*, meaning pound, the French suffix 'euse' is added, to mean someone who pounds. These women use an iron mortar and pestle to reduce the mineral into powder. In semi-industrial mining, they use a hammer or even the mortar to reduce the size of the stones by crushing before they are placed into a crushing machine.

<sup>30</sup> Hutu is one of the two ethnic group of Rwanda, which lost the war after the genocide. Part of its soldiers together with other civils refugees who arrived in the DRC between 1993 and 1994 gradually formed a defensive force (FDLR Democratic Forces for the Liberation of Rwanda) by retiring to rural areas and forests, creating insecurity in the surrounding villages (looting, rape, burning villages...)

and burning the houses. People were forced to flee into the forest without any spare clothes, and with no food or money; they left everything behind. These soldiers occupied villages for weeks or months before moving on, and if this group did not attack, the Mai-Mai militias did.

To find something to eat, Diana and her family had to leave the forest and approach the villages, where they could try to get some rural products to eat. One day, along with several other young people, Diana approached a village to pick some cassava from a field. They were caught by a Mai-Mai militia. Some people were able to escape, including Diana's brothers and mother. Diana, however, was abducted. While in captivity, Diana had three children. After eight years, she and other girls like her were able to escape the military camp. After going through Itombwe forest, Diana found herself near the village of Kitutu (45 km from Kamituga).

From there, these girls found many people from nearby villages who had also fled the conflict. Some of them were recognised and brought to their family members if they were nearby. In this way, Diana was able to reconnect with her mother and brothers, who were settled in Kamituga for security. The only possibility for her was to work in the mines: 'It is the only job that can be done when you don't have money: For land to cultivate, one has to rent it, but there is no money'.

In the beginning, Diana lived together with her mother and brothers, but the cost was too high: too many people to support together with her own children. She then decided to move out to her own place with her children.

According to Diana, life at the mine site has not been easy for her at all. She had two more children after coming to Kamituga. She had these children when she wanted to supplement to her income through being in a relationship with a digger: 'You have no choice! When you have the rent to pay, children for whom you have to provide food, pay for school and sometimes pay for medication, you cannot allow yourself to come back home with nothing. You have to find a way [...]'

## *Case 2: Multiple occupations after family reunion*

Ragi is also settled in Kamituga. Ragi is a 42-year-old woman originating from Mwenga territory. She grew up in Bukavu city with her parents and three brothers. She was not able to finish secondary school because she got pregnant and decided to live with the father when she was 17 years old. They lived in peri-urban Bukavu. They had five children, and she tried to cope with life by doing small jobs in town (*débrouille*). Her husband was a mechanic.

Ragi's husband died during the war in 1996. After that, city life was very hard, especially without a good job and no one in the family to help. A few years later, her eldest son heard from friends that the work in mining activities was good, and he decided to take a chance. He tried working in different mines before deciding to settle in Kamituga. As this was in her own mother's territory, Ragi encouraged her son to stay, hoping that he could find some uncle or cousin to help him temporarily. After some time, he called for his mother to join him along with his four other siblings.

When Ragi arrived, she also sought ways of helping her son, and so she became a *twangeuse*, crushing and grinding the mineralised stone for the diggers. At that time, she engaged in mining activities to supplement the family's income in addition to running a small doughnut business with the help of one of her daughters.

Soon after they arrived in Kamituga, the eldest son decided to take a wife and move out to his own house. He was then unable to care for both families. Ragi had to increase her involvement in the mining activities, and she tried to earn more from the doughnut (beignets) business. However, this was not easy. Two years after his marriage, her eldest son died in a landslide without having any investments, leaving a wife and a son.

Ragi had no choice: She became responsible for her four children, her daughter-in-law and her grandson. Thankfully, her children were grown up and could help: Some of them joined their mother in the mines, while others ran the small family doughnut business. Ragi's daughter-in-law could also help. 'Life in mining is a daily life, with many uncertainties. It is the only job that I could easily get; I had no money to start up a business, and there is not much to do over here [...] The work is very tiring; I'd rather sell doughnuts or run some other small business, but there is not enough money [...]'

Ragi's daughter-in-law still lived with her at the end of the fieldwork, and she was also engaged in work in the mines. Like Ragi, she was a *twangeuse*.

### Case 3: *Climbing up to become a négociant*

I met Bona (a 30-year-old woman) in Manono. Bona was born in Nyunzu territory, where mining is also present. She lived there with her parents for 15 years. She was the fourth child in a family of six children. Her parents were involved in agriculture, and her father also ran a small business. When her father died 1998, the family decided to split up into two groups: Some of her elder siblings decided to stay in Nyunzu, while other siblings joined their mother in a move to Manono, where her relatives lived. Most of the siblings who joined the mother continued to study and were able to earn their secondary diplomas. Bona's mother's family provided them with some land (from her inheritance) to cultivate, and they used the money they brought with them to buy additional land.

At 18, Bona got pregnant and married the father of her child. They had three children together. Her husband was a businessman who travelled from town to town selling different items. While they were married, her husband did not allow her to work outside the home, so she oversaw agricultural activities carried out by Pygmies on her husband's field around 15 km from Manono centre.

After 12 years of marriage, Bona and her husband experienced many problems, and, in the end, her husband left her for another woman. Although she had always lived in a mining community (Nyunzu or Manono), she was never close enough to understand what it means to work in the mines. However, 'it was the only job that was available for anyone with courage and in need'.

She first worked as a digger in opencast mining—digging, washing and cleaning the mineralised sand (*seketa*) for two years. She started at the Djibende site (in Manono) and could move from one site to another depending on the information she got about the production: 'The more the production, the more there is work for people like me'. It was very difficult for her to cope with such a life, but her objective was to work hard, reach a certain amount of money and then leave the activity.

With that objective, she could easily reach 2 kg of cassiterite per day to earn 8,000 CDF<sup>31</sup> (at that time, the price was good). With the exception of cases of emergency, she put 5,000 CDF into savings and used 3000 CDF for the daily consumption of herself and her children. Thanks to the farm products that she continued to get from her own family, she was able not

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<sup>31</sup> DRC currency, equivalent of 10 USD.

only to increase her savings, but also to stock up on food at home. When she had saved 300,000 CDF, she decided to stop digging and work for herself as a *négociant*.

To be a good *négociant*, a mineral trader, it was important to have a coach to introduce her to the business: Some people receive help from family members or their husband. Others, like Bora, choose an alternative that often bears more profit. These women enter into a ‘win-win’ relationship with a male *négociant* from a different province who can teach them the business and introduce them to influential people as his wife. In exchange, the woman cares for the man, provides him with a place to live in her own house and considers him her husband for the time he is in the community. The male *négociant* does not have anything to do with her money, because he has his own. He keeps her updated about things such as new ways of working with minerals and how to check the world price of minerals online. Women in this situation are also able to benefit rapidly from the many strategies that *négociants* must have to increase their income, such as the system of *vagrage* (mixing the mineral tailings with the mineralised sand to increase the weight of the package) (see also Wakenge PhD thesis).

Bona also continued to engage in agricultural work. With the money she earned from mining, she was able to pay the people working in her field and to invest in another small business. She has two bicycles that are used to transport farm products and one motorcycle that is used for public transport.

### **III.5. Motives of women to migrate to artisanal mining communities**

From these narratives and other accounts encountered during the field research, four themes were identified that enable a clear understanding of women’s motives for migrating to mining towns: seeking security, economic poverty/opportunities, family ties and responsibilities, and finding a new/better life.

#### *Seeking security*

The DRC has experienced armed conflicts and human rights abuses over an extended period. The country has been described as a clear example of the ‘resource curse’, which links the existence of mineral resources to protracted conflicts (Collier and Hoeffler 2004; Dranginis

2016; Jackson 2002). A wide range of reform initiatives has been launched to fight the negative side of mineral exploitation.

As is shown in the first case above, due to the war, people have lost their assets, suffered the looting of their land and experienced forced displacement and abduction. In this context, mining centres became areas of relative stability. In some cases, local authorities, economic actors and armed groups, together, have created a situation of relative security (Beneduce et al. 2006; Geenen 2011b, 2013; Vlassenroot and Raeymaekers 2005). Mining sites are also a more 'secure' place, in contrast with the rural surroundings. In Diana's case (Case 1), Kamituga was perceived as more secure because of access to a major road. The presence of administrative officials and military authorities is also sometimes perceived as a kind of 'umbrella' protecting against the rebel forces. Mining centres are usually better protected and more secure than are the surrounding areas (Kelly 2014b; Vlassenroot and Raeymaekers 2003), and small self-defence groups are created. While insecurity is a push factor in migration, the development of mining towns into places that are more secure than their rural surroundings may be considered a pull factor for many women.

Like in the case of Diana (Case 1), for many women in the study sites, mining areas were perceived as possible destinations following abduction, also because there is no such open moral judgement in these areas with as many risks of being criticised and gossip as other small town. Husbands were often unwilling to take their wives back after the wives had been abducted. Mining centres are often considered places where people are not judged for their past lives and therefore represent possibilities for starting over.

Insecurity also led to reduced livelihood options. Some women changed their livelihood activities and focused on mining, which was seen as less risky. This motivation for engaging in mining activities is seen among many women who had witnessed their colleagues being abducted. It is also seen in the case of women like Diana, who were engaged in agriculture before the war and later found themselves working in mining.

### *Economic poverty/opportunities*

In addition to insecurity, poverty was mentioned by many respondents as the main factor pushing them into the mines. Several respondents acknowledged that the lack of opportunities led them to work in mineral exploitation: This holds for both men and women earning low incomes, but it is especially true for women.



Büscher et al. (2014) found that the creation of new mining towns resulted in increased economic activity. Mining centres—with their urban economies—offer a wide range of economic opportunities, such as secondary markets, that emerge from the demographic concentration because of high demand. This can offer alternative sources of income to the original inhabitants, as well as attracting new people who wish to invest in these possibilities (see also Werthmann 2009).

Economic opportunities are not the same for all. Some women settle in a mining area and become well-known and may even become one of the woman leader, who run a business, own a pit or engage in trade. For women at lower levels of the mineral supply chain, relocation to the mining areas is just for survival and may include short-term activities such as prostitution. Similar results have been found elsewhere (Bashwira, forthcoming). Clearly, women's motivations for moving to or settling in the mining centres are complex and also reflect the women's diversity. The reasons for moving (either for survival or to take advantage of opportunities) also determine women's potential willingness to leave the mining community.

Paradoxically, the formalisation process that is underway in some of the mining sites in DRC seems to be limiting the economic opportunities available to some categories of women (see also Bashwira et al. 2013). Interviewees mentioned formalisation as a factor slowing the flow of money into an area by, for example, restricted the trade of mineral to some actors and prevent some other actors such as children under 18 years (who are more likely to spend their money more easily) to work on the supply chain . In fact, in recent years, fewer new traders have been coming to the mining areas in search of adventure and opportunities because of the decline in the flow of money. With the traceability process, mining sites have also become less attractive settings for prostitution. Women engaging in prostitution move to the mining areas seeking rich miners, and there are more opportunities for that when the mining site's production is high. One woman engaging in prostitution at a mining site said that 'the miners no longer give as much money as before; they became stingy [...]' Indeed, these women only go to sites where there is a strong flow of money, because it is easier for them to find 'clients who spend freely [...]' at these sites.

Other women participating in this study who pursued different avenues of economic opportunity did not mention formalisation as having any influence on their migration to or away from the mining sites. This is somewhat curious, because the mining areas should have become more secure following the reduction of armed occupation. However, in areas such as

Nyabibwe, which is undergoing reforms to increase traceability, the population expressed interest in the presence of the *Comité de Surveillance et Anti Corruption* (CSAC<sup>32</sup>), which identifies and discusses incidents. Through these committees, people felt included in the management of the community and thus in the stability of the area.

### *Family ties and responsibilities*

Family reunion and kinship ties are sometimes pull factors leading women to mining towns to join family members or their own husbands. In the interviews conducted during our fieldwork, many respondents acknowledged that women often come into the mines to follow a parent, husband, son, or even a sister or a brother, as illustrated by Case 2 above. The sentiment of a statement made by one female miner was echoed by many other respondents: ‘Women are following the presence and the choice of their husbands’.

Pull factors attracting women to the mining centres also include the possibility of taking over the family business outside of the mines:

Me and my husband separated five years ago, and I came to live in Kalemie with my mother and my two kids. At that time, my father was doing business between Kalemie and Kisengo [...] but sometime after my arrival home, my father had a heart attack, and there was a significant loss in his investment in the Musebe gold mines. I decided to come to Kisengo to look after his business and see if I can sell it: He had been selling beer, he had two motor pumps that he was renting to diggers and he had houses for which he was getting rent money. After some time here, I noticed that there are a lot of business opportunities and money is flowing. So I took over the family business [...] I stay in Kisengo for three months and the following three months I am in Kalemie with my kids. I am here just for business [...] (Bea, Kisengo, 2014)

Another factor is the possibility of doing business inside the mines:

My husband was killed by a gun shot after a robbery in the mines. He was a pit owner. After the funeral, his friends told me to take over the business. I knew little about that job, but his friends, as well as the women miners’ association, helped me a lot. I didn't have a choice, I have to take care of my four children [...] (Esta, Nyabibwe, 2014)

These two quotes refer to the opportunities that living and working at the mining site can offer, illustrating how something driven by necessity has become an opportunity.

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<sup>32</sup> CSAC was installed by the NGO *Observatoire Gouvernance et Paix* under the initiative of a Pact project in Nyabibwe. The CSAC in Nyabibwe is the equivalent of the *Comité Local de Suivie* (CLS) at other mining sites.

### *Finding a new or better life*

Participants in this study remarked that mining centres such as Manono or Nyabibwe generally have more infrastructural development than do the surrounding villages, and this better infrastructure and the related improvements in quality of life might attract people to these areas. Thus, having had to abandon their original residences due to the war, people come to settle in the mining centres to have access to more facilities, such as good schools or universities for their children or a large hospital.

The decision to move to mining areas can also come from the desire to seek more freedom. It can mean the possibility for a woman to make her own life choices. Women may also flee their own households because of family conflict. One woman recounted her experience with this:

I am from Kavumu (30 km from Bukavu city). I am the daughter of a high-ranking soldier, and I moved here because he was too harsh with me. Two years ago, I was dating a guy, and we were really in love [...] I got pregnant, and he was ready to marry me [...] but he was Burundian, and my father didn't like it and flatly refused to hear about him again. As a commandant, my father has some power, and he made my friend leave the town. I tried many times to make him understand, but he didn't want to. I got mad at him, and first I went to Bukavu city, where I worked in a night club for a while. I met some friends who told me about Kamituga [...] (Esta, Kamituga, 2014).

In addition to illustrating the desire to find a new and better life, this participant's story is also connected to the factor of family ties. This account shows how women may seek to construct a life away from family ties that they find to be oppressive. Mining towns, again, are a place to turn in such situations (see also Werthmann 2009).

The findings in this section contribute to challenging the common idea that women's motivations to move to mining communities centre on poverty. Motives that trigger women to work in the mining areas are complex and interlinked. Along with the various reasons leading women to migrate to the mining centres, there are also different challenges. The following section seeks to understand the challenges that women face when living or working in the mining centres.

### III.6. Trapped in poverty: Women's challenges in the mining centres

Women come to the mining sites with the hope of escaping hardship and finding a better life. Whereas some are able to identify and construct opportunities, others find hardship continues and feel trapped at the mining site, without prospects to move ahead or to go back to their previous lives. This section approaches women's challenges by highlighting those that were most reported during the interviews: cultural beliefs, sexual harassment, loss of respect, disease, less time for the family and being in a poverty trap. Compared with the factors motivating women to live and work in the mining communities discussed above, the themes on limitations presented in this section are generally more related to the work conditions along the mineral supply chain.

#### *Cultural beliefs*

At most of the mining sites, women are denied access to the place where the minerals are extracted because of cultural taboos and beliefs. It is said that women will bring bad luck to the *creuseurs* (diggers). To avoid this, at many mining sites, women's participation is limited to the point of purchase (*point d'achat*), where they can buy and sell various goods (see also Cuvelier 2011).

Moving beyond these taboos, some women have challenged the prohibition forbidding them to enter the mines. At some mining sites (mostly in North Katanga), because of the harsh economic situation, more women are working in the pit, helping to transport the minerals from the place of excavation to the pit entrance. Kamituga is a special case that is very interesting: A female pit owner explained that, just after the war in 2004, everybody (men and women) worked in the pit for survival. However, because of the alleged bad behaviour of many women (e.g. having sex in the pit, throwing an aborted foetus into the pit), the customary chiefs denied to all women access to the pit.

#### *Loss of respect, transactional sex and sexual harassment*

Most women are situated at a low position in the mineral supply chain and engage in low-paid work that is very physically demanding. Unable to move out of poverty, they find themselves increasingly dependent on more powerful people in the mines (see also Bashwira and Cuvelier, forthcoming). Interviewees explained that this situation leads to a loss of respect for

women, as they have to beg for jobs, and this negotiation often ends in transactional sex. This, in turn, has nourished the idea that women who work at mining sites are all prostitutes (see also Bryceson et al. 2013). Many female miners interviewed for this study recognised the occurrence of transactional sex at the mining sites but they denied that this was similar to prostitution. When asked how the transaction (sex) was conducted, they said that they often had no alternative for their own and their families' survival. In similar circumstances, other women choose to capitalise on their contacts with *creuseurs* or other key actors in the supply chain who give them access to the mines and additional benefits.

### *Poverty trap*

Artisanal mining has always been pictured as a poverty-driven activity locking people into a cycle of poverty that involves indebtedness. Women's experiences confirmed this to some degree. Several respondents indicated that they get trapped in artisanal mining exploitation to repay debts, not earning enough money to sustain their families.

We also found a case of women being forced to remain in the mining community because they lacked the money to pay their families back for their own and their children's travel. This perception was expressed mostly by women who came to the mining areas to join their husbands. Many of these women have experienced rejection and separation and hope to return to their home towns but are unable to do so.

Whereas some women become trapped in poverty, others manage to build a better life in the mining centres, and some become economically very successful. The following section gives some examples of the options for adaptation in the mining centres.

### **III.7. Progressing at the mining site: Women starting a business**

Women's adaptations to different situations are a clear example of social navigation. We analysed how women were sometimes able to progress from a situation of necessity to one of opportunity and develop rather profitable businesses. During the war, some women engaged in some kind of business, initially out of necessity, and then remained better off after the war because of the benefits they acquired during the conflict period. As one participant's experience demonstrates, this is sometimes the result of individual opportunity:

I first started my business in 1998. At that time, there were no money flows, but [Rwandan] soldiers from the RCD [*Rassemblement Congolais pour la Démocratie*] were present in the centre of Manono, and they were willing to pay good money for beer and cigarettes, which were hard to find. I began by selling drinks for a friend, who bought them himself in another city. In return, we would share the profits. After a while, I was able to buy my own rack full of beer. He showed me where I could supply myself and how to negotiate. When people began to return from the host region, I already had a well-established business. Although the price of beer is lower now because of the opening of road access, new people have come to the mines, and the cash flow has remained fairly stable. With time and competition, I diversify my activities and spread my investments around. Now I also have a hotel and a restaurant business and good steps [...] (Espe, Manono, 2014).

Moreover, the continued benefit experienced by some women after the conflict may also relate to a group initiative, in which social networks play an especially important role:

After fleeing the conflict in 2004, the attacks of the Alliance of Democratic Forces for the Liberation of Congo [AFDL], we returned to our home place after the attacks. There was nothing left of our previous life. Everything had being looted or destroyed; houses were being burned. In the host place, some of us had already started small businesses [using the money they had brought with them] just for survival. During that terrible period when we were back home, 19 of us decided to put our money together and to start a savings group. As we were all businesswomen, we could afford it. The presence of mining activities helps us a lot because of the regular flows of people coming over. We made a first deposit of 100 USD each and then had to pay 10 USD per week. Then we started a rotating credit. This helps us to reinvest in our businesses and for some of us to start new activities. (Consolata, Nyabibwe, 2014).

This situation is related to what Hilson et al. (2007) referred to as existing entrepreneurship in the mining centre. In addition, in the case of the DRC, Kelly et al. (2014) have noted that the displacement of women in the mining areas often means they have no social network, peer support or other resources when they arrive in their new environment. This situation has also recognised for people coming into mining without family members and usually without any financial means.

The above account of a savings group is a good example of what is increasingly happening in the mining towns. After spending some time in the mining areas, people have already begun to create some social networks. Although groups like this tend to involve those who are already economically better off in the post-conflict situation, to a lesser extent, these groups are also accessible to women with lower economic standing (see also Bashwira, forthcoming). However, many women involved in this study criticised the savings group described above,

because it only helped the ‘big mamas’ and did not include poor people who could not afford to contribute the 100 USD as a first deposit or the subsequent instalments.

### III.8. Conclusions

Several authors have described the difficulties that women encounter when living and working in the mining centres. Among the suggested solutions are possibilities for alternative livelihoods, allowing women to exit the mining sites. We discussed (and criticised) this policy orientation elsewhere (Bashwira et al. 2013), stressing the need to understand the motivations that drive women to migrate to and to settle in mining centres in the first place.

Based on findings from multiple mining sites in eastern DRC, this chapter relies on strong qualitative evidence collected through focus group discussions, individual interviews and observation. The study aimed to make sense of the logic of the presence of women in artisanal mining communities. We found that women expressed motives for migration in relation to insecurity, economic poverty or opportunity, and starting a new life.

Our findings show the interrelation between the different reasons given by women to explain their motives for living or working in the mining areas. Push and pull factors, although initially distinct, have merged over time to create hybrid motives: It is not simply out of necessity or by choice. Rather, it is about navigating multiple constraints and seeking opportunities for improvement. Although some women were forced to live in the mining areas by circumstances of war, family constraints or a lack of alternative opportunities, these women have also found ways, through their social ties, to turn their circumstances into opportunities. It is important to take into account the diversity of women’s motives leading them to choose to migrate to and settle in the mining areas. It is certainly insufficient to say that all of these women are “gold-diggers”, although the urban mining environment, with its flows of money, also attracts its share of these—both male and female. For many women, migration to the mining areas is about making the best out of a life impacted by violence, poverty, gender inequality and a narrow economic basis from which to start. However, in the mining activities, women still face marginalisation and many challenges, including oppositional cultural beliefs, disease and falling into the poverty trap.

Examining women’s motivations to move to or settle in the mining centres provides factors of differentiation among women. For some categories of women, these decisions are a way to survive, whereas migration is a real economic opportunity for others. The concept of social

navigation as discussed in this chapter enables an understanding of how women go from situations of necessity to those of opportunistic choice, creating new sources of revenue and improving their initial situations of vulnerability.

The chapter also briefly discussed the effects of the mining reforms, finding that the traceability process has influenced only a few people's decisions to move to or settle in the mining sites. This influence was found especially among traders and prostitutes (i.e. those coming for opportunities). Others, who migrated out of necessity, did not mention the reforms as a dominant factor in their decisions.

Although this study's main aim was to describe the current situation of women, it lacks some perspective on the prior position of the women in the mining centres and therefore cannot conclude that the mining towns were an optimal choice for the women who chose to move there. Further research should deepen the investigation begun by this study. This work could include quantitative investigations of the perceptions of women engaged in work in the mines and comparative studies across mining sites that have been affected by different dynamics of conflict.

The study participants unanimously considered mining to be their main source of income, and mining was often seen as a unique opportunity in the absence of alternative possibilities. The main contribution of this study is to understand the motivation of women to move to and settle in an environment that is described as dangerous and precarious, especially for women. Our findings show not only the challenges but also the opportunities that some women are able to seize or create in the mining areas. As this chapter shows, female miners are not a homogenous group: Women differ both in their motives and in their economic situations. While the obstacles are considerable, some women find opportunities in the mining communities, even in times of conflict.



# **Chapter IV: Beyond the ‘conflict mineral’: Assessing women’s diverse livelihood strategies in DRC’s artisanal mining communities**

The chapter is under consideration to be included in an edited volume by Asanda Benya:  
Making visible the invisible: African women in mining as:

Bashwira MR. Beyond the ‘conflict mineral’: assessing women’s diverse livelihood strategies  
in DRC's artisanal mining communities.

## Abstract

In the Democratic Republic of Congo, artisanal and small-scale mining has been strongly associated with armed conflict. The supposed link between artisanal mining exploitation, sexual violence, and long-term conflicts has led to a number of reform programmes aiming to improve the situation of people living in and around the mines. However, the artisanal mining industry provides an important source of livelihoods for people—especially women—engaged in different activities directly or indirectly related to mining. Based on 15 months of extensive fieldwork, this study explored the following questions: (1) What are the different sources of women's livelihoods in mining communities? (2) What are the factors that determine the differentiation among these women? (3) How have mining reforms affected the roles of women and the differentiation among them? The research revealed that women find different types of employment in the mining areas. They are engaged in various ways (directly and indirectly) in the mining exploitation and find many kinds of small jobs in the mining communities. However, there is substantial differentiation among women in the mining centres in terms of their livelihood diversification strategies. The implementation of mining reforms is one factor that affects this differentiation. Although many scholars have argued that women are working perilous, exploitative and marginalised conditions, some women gain power positions and manage to save money and invest in other activities.

**Key words:** Democratic Republic of Congo, artisanal mining, women's livelihood strategies, diversity, differentiation, mining reforms.

## IV. 1. Introduction

After a long period of being neglected and poorly addressed, the position of women in the mining sector is attracting increasingly more attention at national and international levels. In conflict settings such as the Democratic Republic of Congo (DRC), this attention is often triggered by the assumed relationship between women's involvement in the mining industry and sexual violence (Bashwira et al. 2013; Freedman 2015).

However, beyond its problematic link to armed conflict and sexual violence in DRC, artisanal and small-scale mining also provides an important livelihood (directly or indirectly) for more than 10 million people (World Bank, 2010) and is known worldwide to have potential for poverty reduction (Noetstaller et al. 2004). Scholars (Geenen 2011c; Hilson and McQuilken 2014; World Bank 2008) have explicitly acknowledged the importance of artisanal mining as a direct or indirect source of revenue for many people, including women, worldwide (Hinton et al. 2003). Women are involved in artisanal mining in three basic ways: They are miners (direct involvement in the extraction), workers at the surface (sorting, crushing, panning, washing, transporting, etc.) or actors indirectly involved in mining-related activities (food service workers, traders, sex workers, etc.) (Hayes and Perks 2012; Heemskerk 2000, 2003; Hinton et al. 2003; Hinton et al. 2006; Werthmann 2009, 2003; Yakovleva 2007).

Most of the past studies focusing on mining in the context of livelihood diversification have generally considered women to be a homogeneous group, disregarding the factors underlie on the difference among them. This is problematic, because it results in the idea that all women have the same problems, live under the same oppression and can be aided with a single solution. This idea fails to recognise differences—and possibly contradictions—among different groups of women, especially in post-conflict situations such as DRC.

Periods of successive wars (1996–1998; 1998–2003) and insecurity in eastern DRC—in and around the mining sites, which are thought to finance armed groups—became associated with the presence of artisanal mining and ‘conflict minerals’. Attention given to the tendency of these groups to use massive rape in their war exploits led to the deterioration of the image of women, which became limited to women’s vulnerability to sexual violence.

Several mining initiatives at international, regional and national levels have been launched, with the aims of ‘cleaning up’ the mineral supply chain, removing any relation with armed groups and reducing human rights abuses in the sector. These reform initiatives include the American Dodd–Frank Act, the Organisation for Economic Co-operation and Development’s due diligence guidelines, the International Conference on the Great Lakes Region certification mechanisms, mineral regulation by the European Union, and several mechanisms undertaken by industries working in the supply chain and by the Congolese government under international pressure (Pöyhönen et al. 2010; Verbruggen et al. 2011).

However, little is known about how women are coping in artisanal mining communities. The present study had three objectives, aiming to understand (1) the activities in which women are

involved in the mining areas (this comprises both ‘women in mining’ and ‘women at the mining’); (2) how diversity among these women emerges; and (3) the effects of the reforms on women’s activities.

This chapter is divided into several sections. First, I describe the position of women in artisanal mining, discussing three dimensions, including women’s work in the mining areas, the diversity and differences between women, and the presence of reforms in the mining industry. I then present the methods used in this study. The section on analysis and results describes the findings and is divided into three subsections: (1) a descriptive analysis of women’s direct and indirect involvement in the artisanal mining activities, including prostitution and transactional sex as work opportunities or options for women; (2) a discussion of the differentiation among women based on their livelihood options; and (3) an assessment of the effects of the reforms.

## **IV.2. Women’s activities in the artisanal mining sector**

To gain a deeper understanding of the strategies that women apply to secure their livelihoods and how these strategies may be associated with the differentiation among women in mining communities, I first present background from past work regarding the range of women’s activities in mining communities, differentiation among these women and the influence of the mining reform initiatives.

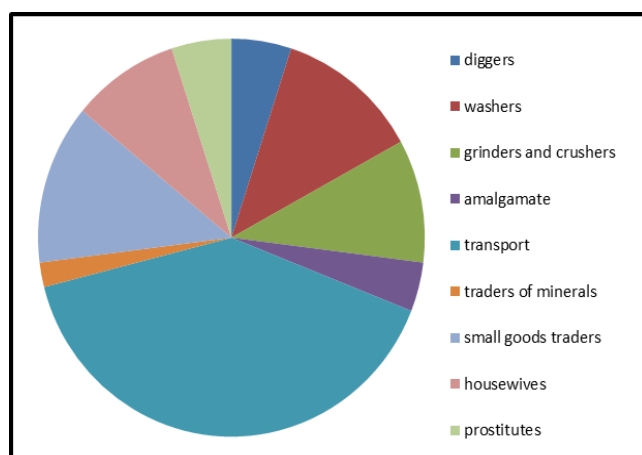
### *The range of women’s activities*

Women perform a range of activities in the mining environment. As many scholars have noted, mining is a masculine industry into which local culture prevents women from entering (Lahiri-Dutt and Macintyre 2006). Women are one of the groups occupying a marginal role in the management of artisanal and small-scale mining operations (Yakovleva 2007). Cultural beliefs and traditions associated with the mining industry, as well as limited access to credit, technical training and education have been identified as barriers to women’s effective participation in the mining sector (Heemskerk 2000; Hinton et al. 2006; Werthmann 2009; Yakovleva 2007). Nevertheless, past work (Hinton et al. 2006; Kuntala 2011; Lahiri-Dutt 2012, 2015; Lahiri-Dutt and Macintyre 2006) has demonstrated that women play important roles in mining areas. They are involved in both the mineral production and the development of sustainable communities (Hinton et al. 2003; Susapu and Crispin 2001). The numerous

sources of revenue used by women in mining communities to make ends meet at the end of the month have also been acknowledged (Matthysen 2013).

Mining communities around the world are diverse, as are the roles played by women within these communities (Hinton et al. 2003). Hinton et al. (2003) estimated that women make up 30% of the mining workforce worldwide and 40–50% in Africa, and Hayes and Perks (2012) reported that women comprise 20% of the mining workforce in DRC. Clearly, women make up a significant proportion of the workforce linked directly or indirectly to mineral exploitation. Women's roles range from the extraction of minerals (mostly in alluvial exploitation), to the trading of minerals in the supply chain, to working as farmers or providers of goods and services. However, those women involved in processing activities (e.g. transport, washing or crushing) rather than digging are not generally identified as miners (Susapu and Crispin 2001). In the case of DRC, a study undertaken by the gender section of MONUSCO (2010) in six provinces provides an overview of the situation of women in mining and related activities (Figure 1). The study found that women were work mostly in the processing of mineral tailings (e.g. sieving, sorting, transporting and washing), followed by activities related indirectly to mineral exploitation (e.g. small goods traders, housewives and prostitutes).

Figure 5. Women's artisanal mining activities in the Democratic Republic of Congo



Source: adapted from Gender Office/MONUSCO (Diabe 2010): p 9

Beyond these activities inside and outside the mineral supply chain, prostitution also plays a role in mining communities. In DRC, Kelly et al. (2014a) have described the transitory nature of women's employment as sex workers in mining towns, also noting that many women are

compelled to engage in transactional sex for survival. Based on research in Durban, Leclerc-Madlala (2003) have challenged the assumption that all forms of sexual exchange are oriented towards subsistence and not consumption. Along the same lines, Formson and Hilhorst (2016) pointed out that, rather than always being a desperate or passive response, transactional sex is sometimes a strategy ‘to access power and resources in ways that can both challenge and reproduce patriarchal structures’ (Hunter 2002, cited by Formson and Hilhorst 2016).

Relationships between men and women related to sex in mining communities can be complex and challenge traditional norms. In the mining communities in Indonesia, for example, Mahy (2011) described three types of sexual relationships: exploitative relations, economic transactions and social transactions. Bryceson et al. (2013) introduced the concept of, in artisanal mining settlements in Tanzania ‘wifetypes’ to reflect the existence social and cultural relations between women and men in mining settlements that exhibit many patterns seen in a marriage without being one. Bryceson et al. (2013) used this concept (‘wifetype’) to describe a situation in which women live with *creuseurs* (diggers) as a life strategy.

Kelly et al. (2014b) noted that the problems of women in mining are related much less to vulnerability than to the lack of access and to weak political institutions. Fisher (2007) observed that marginalised people involved in artisanal mining do not simply occupy a passive position, as some people (both men and women) are able to accrue power and wealth by drawing on the ambivalence (livelihood opportunity vs. poverty-driven activity) and marginality of the situation associated with the artisanal mining sector. Moreover, the dynamics around women’s access and control of resources is not only simply passive. Fisher (2007) demonstrated that, in the mining sector, some women find a niche that they can exploit, break traditional boundaries to become owners (of a pit or a business, for example), or assume a position of leadership and gain power in the mineral exploitation. Clearly, there is considerable differentiation among women in mining communities.

### *Differentiation among women in mining communities*

Worldwide, women in mining communities are engaged in multiple roles, which are highly heterogeneous, and these women’s experiences are unique and dependent on their circumstances (Hinton et al. 2003). While acknowledging the mining communities’ gendered dynamics, Mahy (2011) has argued for the necessity of considering the real picture of diversity, opportunism and agency among women in these communities.

Contemporary feminist scholarship is deeply interested in understanding issues that explain oppression, multiple identities and social inequality (Davis 2008). Further, the concept of intersectionality is often used in work seeking to expand this understanding. In that literature, intersectionality is understood as the differentiation among women based on factors such as race, class and ethnicity. Although this seems to fit the conceptual framework of the present study, the concept of intersectionality is very broad and does not give sufficient attention to differentiation within sub-factors or to the consideration of agency among actors. Therefore, to grasp the essential nature of women's position in mining, diversity is a preferable concept to intersectionality. Diversity includes many features of differences among women without imposing a particular way of considering those differences. The concept thus allows for the examination of how women use their agency, given the limited livelihood options that may constrain their room for manoeuvre.

### *Mining reform and women's position*

In DRC, for almost three decades, the presence of artisanal mining has been thought to be the cause of the protracted armed conflict. The link between artisanal mining and armed conflict has been the basis of several initiatives at the international, regional and national levels. These initiatives began with the ambitious aims of removing the label of 'conflict minerals' from minerals originating in DRC and ensuring external investment in the country's mining sector.

In response to external pressure, from September 2010 to March 2011, President Kabila imposed a ban on artisanal mining in the eastern provinces of North Kivu, Maniema and South Kivu. This affected people's livelihoods and the local economies—not only in the mining areas, but for all regions affected by the ban (Geenen 2012). In addition, discourses on conflict minerals and rape in DRC have impacted women's access to the mines, as has been elaborated elsewhere (Bashwira et al. 2013).

Reform initiatives have been launched to bring artisanal mining into the legal realm, but the implementation of these reforms has also had many negative effects, including worsening the marginalised situation of artisanal miners (Banchirigah 2006; Fisher 2007). Considering the situation of women, Labonne (1996: 1) pointed out that if it is 'carefully regulated, the artisanal mining could help women to have foothold in new and challenging economic sectors and subsequently improve their roles where they are marginalised'. Thus, evaluating the

effects of the reform initiatives on women's roles is an important starting point for thinking about future policy intervention in the sector.

Based on the background presented above, the present study explored three specific research questions: (1) What are the different sources of women's livelihoods in mining communities? (2) What are the factors that determine differentiation among these women? (3) How have the mining reforms affected these women's roles and differentiation?

### IV.3. Methods

The research was conducted over a 15-month period (2013–2014) in four mining sites in DRC (two in South Kivu: Kamituga and Kalimbi, and two in North Katanga: Kisengo and Manono). These sites were chosen based either on the ongoing implementation of the International Tin Research Institute (ITRI) Tin Supply Chain Initiative (iTSCi) traceability programme or on the known significant presence of women working in different activities at the site.

The data collection began with observation at the mining sites and in the communities to gain an overview of women's activities and how they are performed. The aim of this part of the research was to grasp the features of women's lives. To expand upon this initial overview, semi-structured and informal interviews with individual women and men, as well as focus groups with women, were conducted to reach a deeper understanding of the activities women perform in the mines. In total, over 300 interviews were conducted with men and women. The majority of these interviews (184) were with women. The focus groups generally consisted of 4–10 women, sometimes reaching a maximum of 15, and the discussions focused on the activities of women and how these are performed. Some of the interviews were audio recorded after gaining the consent of the interviewees. Interview and field notes were also taken and later transcribed. For the analysis, all sources of data were combined.

Kamituga (South Kivu) is an area with 100,000 inhabitants located 180 km from the city of Bukavu. After gold deposits were discovered there in the 1920s, a Belgian company (*Minière des Grands Lacs Africains*) began commercial gold mining at the site in 1930. Since the 1980s, the number of artisanal miners in this area has increased. In South Kivu, the site is known to have a relatively high number of women involved in grinding and crushing gold ore.



Manono (North Katanga) has more than 265,743 inhabitants and is located 480 km from Kalemie and 636 km from Lubumbashi. This area is known to have large mixed deposits of cassiterite (tin ore) and coltan. Manono formerly hosted one of the industrial companies in North Katanga, but, since the Second Congo War (1998–2003), artisanal miners have taken over the mining in this area. Here, many women work along the mineralised sand embankments.

Kalimbi (in Nyabibwe, South Kivu) is a cassiterite mining site. Following the decline of the industry in 1986, all of the company's (*Société Minière de Goma*) mining assets were returned to the traditional chieftaincy in the area (Bashizi and Geenen 2015). The artisanal mining of tin has reached a very large scale in Kalimbi. Later, another company came into play, the Canadian company Shamika Resources, which acquired a research permit in 2007, but never entered into exploitation phase, due, among other things, to the strong protests of the diggers and to the mistrust of administrative authorities. In 2010, the site was selected as a pilot area for traceability initiatives organised by ITRI and the Federal Office for Geosciences and Natural Resources (Germany).

Kisengo (North Katanga) is a coltan mining site in Nyunzu territory (180 km from Kalemie) in Northern Katanga. Since 2007, Kisengo has been among the largest coltan mines in Nyunzu territory (De Koning 2009). The small village that surrounded the site quickly transformed into a city of more than 20,000 inhabitants. Since 2011, the site has been validated and works with the iTSCi requirements for traceable processes. A single company—Mining Mineral Resources (MMR)—has exclusive rights to exploit the minerals found at Kisengo (Matthysen 2013).

Across the selected sites, this study focused on understanding the categories of work in which women engage and how these categories operate. The analytical approach was initially descriptive, seeking to grasp what women are doing in and around the mines through a careful analysis of their activities. Although the study aimed to provide a comprehensive description of women's different activities, I did not include housewives or roles involving administrative work as public servants (e.g. teachers, nurses and clerks). However, it should be noted that some women are involved in such activities. After completing this description, I moved towards building on existing knowledge about livelihood strategies and women's different ways of combining livelihoods in the face of constraints.

An investigation of the lifestyle choices of women in mining communities must be broad in scope and include an examination of women's activities that are directly or indirectly related to the mines. The following sections illustrate the types of activities that women undertake in the mining communities and their strategies for secure livelihoods.

#### **IV.4. Results and analysis**

The presentation of results begins with a description of women's different activities, including participation in mining, indirect involvement and transactional sex. The second section concerns women's differentiation through their diverse livelihood options. The results presented in these two sections are based mostly on observations and individual interviews with women and men in different mining communities, as well as focus group discussions. The final section discusses the effects of the mining reforms, drawing on observations and individual interviews with women and men, as well as interviews with local NGOs working on the issue of women in mining.

##### ***IV.4.1. Women's activities in mining communities***

This section is composed of three sub-sections: women's direct involvement in the mining activities; women's indirect involvement including agriculture, restauranteering (running a restaurant) and business; and prostitution in the mining areas and its link with transactional sex.

##### ***Women's direct involvement in mining***

*Pit owners/mining operators.* The pit's owner is responsible for taking decisions related to the workplace. Those filling this role are mostly people with experience in the domain and strong social capital. Pit owners must be very capable of navigating the situation of 'legal pluralism' (through the combination of customary and formal land rights) in which artisanal mining operates. This is necessary when starting to work in this role, as well as in their administrative obligations to the mining offices.

The role of the pit owner is mostly relevant for underground mining, where a group of people work together under the pit owner's lead, sometimes in a shift system, and the work is done manually using artisanal tools. Pit owners often come in short of money and have to borrow

from other actors known as *supporteurs* or sponsors. Before the mining reforms were enacted, pit owners maintained contact with militias to ensure the security of their pits. This is still the case in mines that are not yet formalised, but militias are barred from accessing mining sites where formalisation has been completed.

Until recently, pit owners were exclusively male. This situation is now changing, and I found an average of five female pit owners per study site, which is still very low (less than 1%) compared to the number of male pit owners. Female and male pit owners mostly experience the same problems (Mukotanyi 2011). However, the findings from the present study indicate that female pit owners face many additional challenges related to male-dominant behaviour or cheating (stealing minerals during the exploitation or reporting less than what is produced). To mitigate these behaviours, female pit owners often hire a male ‘manager’ to go into the pit and supervise the job underground. Female pit owners must also demonstrate strong leadership to build respect among their teams.

*Traders/négociants.* I found a growing number of women working as *négociants* in many mining sites, especially where there is an informal hierarchy of *négociants*. *Négociants* are at the top of the micro-functioning of the mineral chain and are perceived as wealthier than others involved in the local mineral exploitation. This activity is financially demanding: It requires significant start-up capital as well as strong social networking, either with the *comptoir* (accountant) or with the diggers.

Traders or *négociants* are one of the groups that pre-funds the needs of the pit owner and his/her team from the research phase up to production—either financially or materially (e.g. providing food and equipment). It is only when production starts that reimbursement begins. This arrangement is based on a verbal agreement and mutual trust between the actors. Such agreements often end in social conflict between the parties.

The classic form of a *négociant* is a businessman financed by a *comptoir*; the trader buys the minerals from the mining site and delivers them to the *comptoir*. These *négociants* may work for a company or for a *comptoir* (*Kisengo and Manono*), or they may be independent (working for themselves) (*Manono, Nyabibwe and Kamituga*). While in South Kivu (whether for certified or uncertified sites), most *négociants* seems to work independently from the *comptoirs*, using their personal money to invest in their mining activity; in North Katanga, there are both types of traders. *Kisengo* is a special case because it is governed by the monopoly of the company MMR which hire its own managers (*négociants*) who collect the

minerals produced by the diggers. In Manono, there are several cooperatives grouping diggers and *négociants*, and working in collaboration with a specific *comptoir*. In that case, some *négociants* prefer to work independently, grouping in associations. With the competition among the *comptoirs* helping, the choice on where to send its mineral will depend on the price offered by the *comptoirs*. However, the structure of the trade on the ground appears to be different, as there may be multiple levels of *négociants* who report to the top *négociant*. Women acting as *négociants* experience two main types of problems: They encounter problems with the diggers, who sometimes do not repay the credit they have taken, and with the administration in terms of legitimising their presence in the mines in accordance with the mining reforms (Bashwira et al. 2013).

*Diggers in Manono.* Although many people do not consider women to be diggers (Hinton et al. 2003), there are cases when women are identified as *creuseurs* (diggers). This was observed in Manono, where women perform mostly alluvial digging, in which digging equipment is frequently used to extract sand in an approach that is similar to opencast exploitation. *Creuseurs* use a long iron stick and a spade to dig into the soil and gather the sand, which is then immediately placed into an iron pan and sifted to extract the minerals. Women engaging in this work may work alone or in groups. These women consider themselves autonomous of men's authority.

Like *creuseurs* at the other study sites, those working in this category in Manono were found to be the most exploited workers in the mineral chain. This may be because, in the case of Manono, they sell coltan and cassiterite together indistinctly, but they charge for the less valuable cassiterite alone. It may also be because prices are imposed on them by *négociants*. Adding to the marginalisation of this group of workers, this category is mostly composed of displaced people from conflict-affected areas.

I found that the reform initiatives have had little effect on this type of activity. Surprisingly, the traceability process, which aims to follow the minerals from the pit to the export point, focuses mainly on higher nodes in the mineral chain—those related to the trading of minerals, starting at the *point d'achat* (purchasing point).

*Mineral stone crushers and grinders/pounders.* The crushing and grinding or pounding of mineral stones are activities that are mainly carried out locally, in areas where the minerals are located inside the pit. Because women are denied access to the pit, they work in a separate place where minerals can be processed. In the case of Kamituga, these workers receive a

quantity of stone in a *loutra* (measured as half of a 20-litre can) to crush or pound manually. To do this work, they use a large hammer (for grinding) or an iron mortar (for pounding). At some sites, grinding machines are used. These require fewer workers, and women's participation is reduced in these sites. This has also been noted in several previous studies (Hinton et al. 2006; Labonne 1996).

During the field research, more women than men were observed to be engaged in pounding and crushing in the gold mines at Kamituga. Those engaged in this work are known as *twangeuse*. When women are involved in this type of work, given the difficulty of the work in terms of working conditions, time and access, sometimes two or three women work together to pound a single *loutra* and then divide the payment between them. However, they have to find more pounding jobs to supplement their incomes. Some men also do this work when underground work is considered too difficult. At other sites, such as Kalimbi, crushing is considered a man's job. Women complain about the competition created in the labour market by men engaging in this work, because men are considered to have more strength than women and to be able to crush and grind much larger quantities.

*Mineral washers.* After the minerals have been crushed, the ore must be washed to separate it from impurities. This work is generally carried out at the place of extraction or in the mineral processing area. During the field research, washing minerals was observed to be mostly a family activity. Although diggers sometimes hire women to wash the minerals, they tend to think that women are likely to cheat them and steal their minerals. For that reason, they prefer to work as a family business, either washing the minerals themselves or having a wife, sister or even their children do this work. In these cases, no payment is made for the work per se. This means that much of women's contribution to washing minerals goes unpaid as it is considered part of their family chores, along with household chores.

*Mineral/water transporters.* Those engaged in transport work are known as *hillux* (transporters of mineralised stone) or *kasomba* (transporters of sand) at the Kamituga site. At the mining sites, women transport mineralised stone or sand (up to 50 kg) on their backs from the pit to the place where it will be processed, or, in the case of the mineralised sand, from the processing location to the reprocessing location. Using basins carried on their heads, women also transport water to fill the artisanal tanks<sup>33</sup> used as a place to wash the minerals when there are no rivers near the mining site. There are cases where women work part-time as

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<sup>33</sup> This is a hole that is dug in the ground and covered with a plastic tarpaulin for water retention. In Kamituga, this is called a *loutra* (the same term that was defined above to mean a quantity of stone). In Nyabibwe, it is known as a *kinamba*.

transporters and part-time as processing actors, depending on how much they have been paid on a given day and upon their strength. At some sites, especially in Manono, women also go into the pit to help with transportation. Women engaged in this type of activity sometimes recounted competition with men: In Manono, when there are many packages to be transported, diggers prefer hiring a man with a bicycle to hiring a woman.

In this domain of work (the carrying of minerals), the mining reforms are currently making a difference. At the beginning of the reform initiatives, many actors denounced the heavy loads that workers in this category were carrying on their backs. Research participants noted that this kind of work causes multiple types of sickness and back problems. Later, many of the participants realised that, following the implementation of the reforms, the weights carried by workers have been better regulated, and more women now know the exact weight of the minerals they are transporting:

We used to have many pains on the back; every night it was really painful. They were putting the minerals in a 50 kg bag of wheat flour, so we supposed it was the same weight for the minerals. But it is only when they started discussing the weight than we realised that most of the time we used to transport up to 80 kg. (Female transporter, Nyabibwe, 2014)

These women were easily exploited because of their lack of knowledge about the weight they were carrying, as there was no scale at the pit. According to the participant quoted above, they assumed that a 50 kg flour bag should also hold 50 kg of mineralised sand. Some compared their work to that of women carrying bags of flour and could not understand why the women carrying the flour experienced less back pain.

*Mineral reprocessing actors.* Mineral reprocessing was reported in each of the sites visited, but the nature of the work differed across the sites. In the gold mining at Kamituga, reprocessing comprises the processing of the sand that is left over after the first washing (gold tailings) from the diggers, and it sometimes also includes second and third reprocessing steps that are carried out by different actors, most of whom are women. The owner of the mineral processing site (*loutrier*) keeps the gold tailings after the initial processing. Usually, he then resells this sand to other actors. One such group of actors who buy the gold tailings from the owner of the *loutrier* for reprocessing is the *bizalu*, who are mostly women. The minerals are then washed again (either in the river or with a *kiporo*—using a wooden pallet and towel to capture the heavy mineral) (see also Geenen and Kamundala 2009; Mukotanyi 2011). The

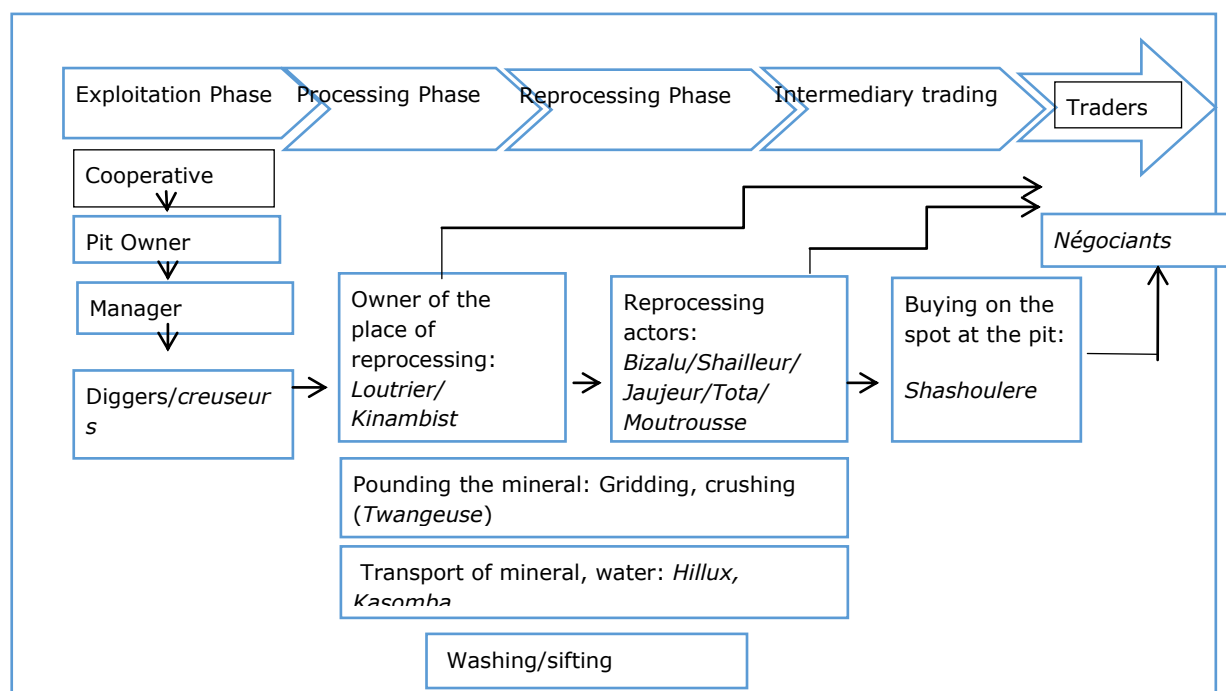
mineral tailings then go through the processes of grinding, drying and washing once more. The remaining mineral tailings after this stage are again reprocessed by a third agent, the *tora*. Acting as a *tora* requires less financial investment to begin, compared with the other jobs: Women (and sometimes also children) only need to go to the river or to the site where the minerals collected in the second stage of processing have been washed to collect the remaining dust at no cost.

At other sites, the reprocessing processes reported are less complex than those at Kamituga's gpld site. For example, at the Kalimbi mining site (cassiterite), although women do not wash the minerals themselves, they may own a *kinamba* (a place for mineral processing) and charge fees for the use of it. They may also make an agreement with the owner of the sand to keep the remainder after it is processed in the *kinamba*. Additionally, there are categories of workers who reprocess the cassiterite tailings left by the diggers. These workers are known as *shalleur* at the pit level and *jaugeur* at the *comptoir* or trading house.

In the Kisengo case, a group of women known as *moutrousse* process the mineral tailings. This group has agreements with diggers and *négociants* to take the mineral tailings after the initial processing, reprocess them and then sell them back to the *négociants*. Women carrying out similar work are also seen at Manono, but there they are not in a specific group. These women work directly in partnership with the *négociants* with whom they share the benefit they gain.

Most women engage in more than one of the above categories of work related to the processing and reprocessing of mineral tailings (digging, crushing, pounding, washing, transporting and reprocessing) interchangeably, depending on the availability of work.

Figure 6. Women's activities in artisanal mining



Source: Field research 2013–2014

Figure 6 illustrates the categories of people involved directly in the mining exploitation. Depending on the minerals exploited across the examined sites, mostly the same types of actors were observed, but they were sometimes known by different names at different sites. In addition to the categories shown in the figure, intermediaries<sup>34</sup> may be used between two categories of actors. Whether these intermediaries are used is determined by the actors' membership in social network and market access.

### *Women's indirect involvement in mining*

Many actors interviewed stressed the importance of the work done by women in the mining communities in general to help to meet their families' needs. Women work the land and conduct trade while also carrying out activities in the mines.

*Restauranteering, shopkeeping and goods trading.* Actors working in these categories engage in commercial activities in the mining area. This includes restaurant owners (mostly women), who prepare food (mostly for the miners) and sell drinks, as well as shopkeepers, who sell various products to the mining community. Businesspeople and restaurant/bar owners alike

<sup>34</sup> Most intermediaries work without formal recognition (i.e. an identification card) and gain access to their jobs through their social networks.



described the importance of the flow of mining production for their activities. Many of the participants noted changes in the cash flow at different times, depending on the socio-political situation of the mineral sector.

It is not surprising that these activities are highly contingent on the local mining sector; they were, for example, heavily affected during and after President Kabila's mining ban. The fluctuation in prices during that period was one of the most significant shocks felt in the five years before the study was conducted. In addition, the lack of infrastructure impacts the profits in these categories of work. Notably, while some businesses source their products from big cities such as Lubumbashi (Manono), Kalemie (Kisengo), Bukavu (Kamituga and Nyabibwe) and Goma (Nyabibwe), most small businesses acquire products from nearby villages or at the local market, which is highly dependent on the mineral production.

As mining is the local engine of the economy, these auxiliary businesses are also affected by the mining reforms. One way that such businesses have been affected is through the changing composition of miners, with fewer young people (under 18) now working in the mines. Younger miners were a major source of clientele for the restaurants, because adults tend to be married and eat at home.

*Agriculture (farming and livestock).* Agriculture has long been the primary activity in many rural areas in DRC, especially for women. However, increasingly, people rely less on agriculture as their sole means of survival. Multiple reasons have been suggested for this change towards alternative livelihood strategies (Bashwira et al. 2013; World Bank 2015), and the mines remain a means of survival for people who consider agriculture to be less beneficial.

Nevertheless, farming practices were found across the sites visited, with the agricultural production often being sold in the mining community or around the mining camp, where there is a better return than in other markets. Agricultural activities are sometimes performed by people who are not native to the areas and are willing to invest in the activities. I observed that women with a better economic situation employ other people to do farming work for them while they engage in other activities in the mining centre. However, people who work in lower-level mining activities have little time or money to engage in additional activities or to hire someone to work for them. Some women with low economic status continue to engage in agricultural work themselves to survive, despite all of the challenges involved. Those who

decide to continue to engage in agricultural activities but who do not personally own land have the option of offering themselves as casual labourers for larger land holdings.

### *Wifestyle or partnership: sexual transactions in mining*

This study found evidence of three different categories of prostitutes in mining centres. The first category comprises those who work under a *mère-chef*.<sup>35</sup> These women move to the mining communities and rent a room or a shared house in the centre where they can receive their customers. Just after arriving, they register by showing their identity card (just to be certain of where they come from—these women's real names are kept secret by the *mère-chef*) and medical book and by telling the *mère-chef* about their previous life and future plans. A second category is those who come to work in a bar. Most of the women in this category do not care about the *mère-chef* structure and instead follow the rules of the nightclub where they work. A third category consists of women who do not work full-time as prostitutes, but who come from their houses, where they may live with their parents or husband, to engage in paid sexual services when they are in need of money or for pleasure. Generally, it is those working in bars or nightclubs and those under the authority of a *mère-chef* who are called prostitutes.

*Transactional sex.* Because of the poverty and vulnerability created by the mining structure, transactional sex is becoming common in the artisanal mining sector as a form of women's exploitation. Formson and Hilhorst (2016: 7) define transactional sex as the 'engagement in sex in exchange for cash, goods, services, commodities, or privileges in order to meet the needs and wants of the parties involved'. The findings of the present study indicate that there are many cases where women exchange sex for money or for access to work. In Manono, this practice is known as *jeton* (token). It is a verbal agreement between the two parties and may lead to temporary or permanent access to certain services. One woman described this situation as follows:

You must be a *habara*<sup>36</sup> of a *creuseur* at the mine to be able to gain more in the activity. Sometimes you see your friend not working as hard as you do but getting more money [meaning that she is a *habara*]. When you are friends with a *creuseur*, he will always give you additional mineral tailings after the processing, so you can

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<sup>35</sup> The French term *mère-chef* combines the two aspects of chief and mother. The woman in this position is first a chief who coordinates and supervises other women's work. She receives reports from them, and if something goes wrong, she is the one who will fix it. She is also considered a mother who cares about the work and lives of the women working for her. She provides advice and sometimes financial assistance.

<sup>36</sup> In the Swahili language, *habara* means girlfriend. In Kivu Swahili, this term is used in a pejorative way.

have more money. Even when he is working in the same mining site as his wife, he will always find a way to keep it for you [...] (female miner, Kamituga, 2014)

This practice has also been mentioned in the work of Kelly et al. (2014a) and during the First National Conference of Women in Mining in DRC in September 2015 (Perks 2015). It is also similar to the ‘patronage’ relationship noted by Fisher (2007).

Many people interviewed for this study did not understand transactional sex or domestic violence to be part of sexual violence. Repeatedly, study participants noted that ‘what happens there is an agreement between two adult people’. Nevertheless, considering women’s needs for obtaining a job or money, these arrangements do not result from choice on the part of the women and hence could be better viewed as sexual exploitation. A member of a local NGO in Lubumbashi recounted the predicament of women with no formal identification who had to engage in transactional sex with administrative agents to gain access to the mines.

*The option of wifetypes.* In contrast to prostitutes, who move around in search of better opportunities, some women decide to settle at one site. This decision is made mostly by older women engaging in some form of transactional sex. Indeed, it was observed that it is mostly younger prostitutes who move from site to site in search of financial opportunities. Older women and those with children (who sometimes live in other regions with family members) make different choices. They prefer to stay in one site and become the ‘wife’ of a *creuseur* until one of them leaves the mining site. This situation is similar to life in a normal marriage. When the situation becomes permanent, the woman’s status shifts from *habara* to wife. The relation is still not official, but it gives the woman a certain social status and security. In this category of relations, the woman is considered as a ‘wife’ socially speaking. The male miner offers the woman money, clothes and many gifts. In exchange for this, the woman acts as his wife, cooking, washing clothes and sharing his bed.

When this ‘couple’ decides to break up, during an individual interview, a miner in Kisengo described a specific process that is carried out in North Katanga:

The man has to pay some compensation to the woman for the time she has spent with him. Having lived together under the same roof, in the view of everyone and the community, they were considered a real couple. It is normal that she has a kind of repayment for her time. She will also need something to continue her life; she left her occupation to focus on one man, sometimes for a long time. In cases like this, the man usually gives the woman enough money to start a business or to buy a plot of land. If

this does not happen, the woman can bring accusations against him, first before the *mère-chef*, and this process can then go further in the local administration. There are also some cases where women have fled with money belonging to the miners—this happens frequently. (*creuseur*, Kisengo, 2014)

In short, transactional sex is strongly related to mining: It can give a woman economic opportunities through being with a powerful or well-known man, allowing her to become more active in the sector, or it can give her access to the mine. Hence, the room for manoeuvre of women to choose to engage in paid sexual activities differs: Some practices can be viewed as exploitation, whereas others may be deployed as a livelihood strategy. This is the case for prostitution, which may be considered exploitative because some sex workers are involved in sex trafficking and because some women become prostitutes because they lack better choices. However, many women consider prostitution to be a way to expand their life choices and livelihood strategies or an opportunity to seek adventure.

In the above section, the multiplicity of roles played by women in the mining centres (directly and indirectly related to mining exploitation) has been highlighted. These roles bear strong similarities to those reported in other countries (Hinton et al. 2003).



*Belle: Respect sexworkers all over the worlds. Amsterdam, Netherlands, July 2016.*

#### *IV.4.2. Diversity and differentiation among women living in mining communities*

The data presented in this section illuminate the social context of women living in mining areas and help to highlight the diversity among them. The section also underlines the fact that the residents of the studied mining communities include both native and non-native (from forced and non-forced displacement) people. Three factors are paramount in understanding the differences among these women in terms of how they combine their livelihoods and their degree of success in securing a living: social capital, financial assets and activities outside of mining.

##### *Social capital*

Often with the help of their social capital, women in artisanal mining communities can adopt different strategies that challenge the static reality of vulnerability. During the fieldwork, I observed some cases of upward social mobility, and I saw that women are sometimes able to use diverse livelihood strategies (e.g. saving money, stocking up on food, obtaining support from family members, owning land or getting help from a powerful friend) to overcome their situation and move into the position of *négociant* or pit owner. Three aspects of social capital affect women's situations and must be understood: kinship and family members, the presence of a husband and belonging to an association.

*Kinship and family members.* During the fieldwork, I observed many cases where family connections were a great source of wealth for poor people. Women rely on family members or friends to help with the care of their young children or with household tasks. When the children are older, they may be an asset to the family, accompanying their mothers to the mines or helping in other income-generating activities.

Different households are able to invest in their children's futures in different ways. Households that are better off economically sometimes choose to send their children to larger cities to study and to work outside of mining, whereas women with lower economic positions remain responsible for providing care for their children themselves—sometimes with the help of the older children.

*Husband's presence.* Being married gives women more social recognition and respect in the studied mining communities. However, the definition of marriage is not always straightforward: When respondents referred to marriage, they were usually not speaking of

formal marriage. Rather, the meaning was more often that the couple was simply living together in an arrangement that is a kind of 'wifestyle' situation. This creates cases of separation, as well as cases where women are the sole providers for the family.

Analysing the situation of married and unmarried women in the mining community, this study found the presence of a 'husband' to be a factor in explaining differentiation. Although there are sometimes benefits associated with the husband's presence, the positive effects of a husband being present do not apply to all women. I found several other possibilities in the investigation of women directly involved in the industry.

For women working at the lowest level of the mineral chain, I found that the presence of a 'husband' in the profession contributes negatively to their involvement in mining. The first case is when women join their husbands in mining to work as a family. All of the minerals collected are kept by the husband, and he is the one who trades the minerals and receives the money. Usually, the wife does not know how much money was received. The second case is when both the husband and the wife work in the mining industry—but not together. Based on my research, men usually prefer to work at a separate site from their wives to be able to maintain extramarital affairs. So in this case, the woman never sees her husband's income. Women who work in mining in separate sites from their husbands criticise their husbands' irresponsibility and the bad use they make of their money.

In contrast, women working at a higher level of the mineral chain find great benefit in working in the mine with their husbands, especially when the husband holds a leadership position: They enjoy the position of the wife of the chief. During the research at the different mining sites, some women working in higher positions explained that working in the same profession as their husbands comes with many benefits: It gives them recognition, respect and power—not only over other women, but also over the diggers who work with their husbands. It also helps in creating clientelism between the diggers and the women in cases where the women engage in trading.

Additionally, differentiation can also occur through the division of labour among family members. Families usually decide that both the husband and the wife will be involved in the mining (when the woman helps her husband and can work part-time in mining and part-time in agriculture) or that one of them will work in mining and the other will engage in alternative activities. I observed that low-income families may choose a polygamous structure to increase the labour force of the family. In these cases, one woman joins the husband in the mining and

the other engages in business using the resources generated from the mining. For lower-income women working in a family business, it is the man who manages the revenue.

For families that are better off financially, polygamy is not as obvious. In some cases, men with families in other provinces start relationships with local women in the mining communities where these men come to live for work. This was described above as the 'wifestyle' arrangement.

*Belonging to an association.* Belonging to an association, as form of social capital, helps many women to improve their family's standard of living, not only through reducing social isolation in the mining community, but also by serving as a secure way to keep money. In my research, this was among the few factors on which all women tend to agree. This finding also corroborates previous finding by Hinton et al. (2006) about the necessity of women's unification, such as the strategy of belonging to one or more groups. Being part of a group or an association can also play a role in savings, as will be developed further in the next section.

However, although it is very important to all categories of women, association membership also contributes to the differentiation among women. I observed that fewer low-income women are part of any associations, and associations are often made up of people of a single socioeconomic profile. This shows that the lower-income women are marginalised, or that they engage in self-discrimination by excluding themselves from these groups. The premium to pay to have access to the group is also a way of differentiating among women: In some groups, the premium is so high that other women decide to create their own group, charging an appropriate amount relative to their economic position.

#### *Financial assets and credit*

Several aspects of financial assets are important in explaining differentiation among women in mining communities. I consider debt, credit and stocked food. In general, miners (men as well as women) are known not to save money from their activities. Low-income women participating in this research usually argued that they earn so little from their work that they cannot save.

However, during the research, I observed that there are several forms of savings (e.g. stored food, financial savings). Considering different types of savings may give a useful perspective on the lives of female miners:

- Stocking up on food is a habit in many households in eastern DRC. However, the level of these stockpiles of food depends on the means of the family: Families with better economic situations may keep a month-long supply of food, whereas lower-income families stock up for only two or three days, if at all.

- I observed that women with lower economic means often do not save money. If they do save, there are three possibilities for how they keep these savings. First, they may keep a small amount of savings at home, where there are risks of theft or the husband taking the money to buy alcohol or to pay his personal expenses. Second, they may keep money with a friend or an influential person in the community. Third, like the women in the community who are better off economically, women with lower economic means may also be part of an association where their contribution serves as a way of saving, especially for the possibility of an emergency. Women who are better off financially prefer to keep their money either with a *négociant* or with the nearby *comptoir*.

Credit is also a factor of differentiation, considering both the person from whom the credit is taken and the purpose of the credit. Women with higher socioeconomic status use credit to supplement their activities or to start new activities. The money is provided by a *supporteur*. These women take out less credit for food, clothes or the treatment of illnesses. They only use credit for these things in cases of emergency, and the repayment is quick. Considering the large amount of money they may borrow from the *supporteur*, high-income women may end up in significant debt if the activity (the pit or the trade) does not produce as expected.

Low-income women use credit for many more purposes, including food, medicine, hospital fees, school fees and housing. These women repay their debts when they get money from the activity, usually in instalments. This category of women have debt from multiple lenders and more easily.

### *Livelihood diversification*

The diversification of activities means different things for different categories of women involved in mining. For lower-income women, it means changing their activities by looking for something in the same sector (either mining or business), according to what is available on that day. For example, a woman who is accustomed to crushing stone may decide to work in transport if she is unable to find a digger to hire her. Women in lower-status positions in artisanal mining do not have the time or willingness to engage in agricultural activities, because their thoughts are tied up in the present and with dealing with daily life. In addition,



among this category of women, there are cases of using transactional sex for survival if they are unable to find anything else to do. This includes exchanges of sex for money, sex for a job with the diggers or even sex for access to the mining sites at the level of the administration.

For women with higher socioeconomic status, diversification means doing activities outside of mining exploitation or increasing their number of investments in the mining activity (e.g. the number of pits or processing places). They may hire a manager for their business or a person to engage in farming while they work in mining, or vice versa. Women in this category may engage in transactional sex, but this is more as a strategic option used, for example, to get better information regarding the mining governance or the business, to improve access within the structure or to reduce legal harassment. This form of transactional sex is perceived by men and women living in the mining communities as less exploitative than are the forms engaged in by women of lower status.

#### *IV.4.3. The reforms and women's diversity in the mines*

This section brings out the effects of the mining reforms on the position of women. Several activities that changed following the implementation of the reform initiatives have been highlighted above. This section presents a deeper analysis of how these changes affect the role of women in the mining communities.

The mining reforms have had some effects on the position of women in mining communities. The reforms have also contributed in some ways to the differentiation among women in mining and mining-related activities. However, I observed a great deal of variation in the effects of these reforms in the mining communities studied. At some sites, the reforms have not affected the activities being carried out, whereas, at other sites, the reforms are the basis for several changes—both positive and negative in their consequences.

Some of the regulations are of immediate advantage to female miners, as these regulations specify that women should do lighter work than before. A case in point is the change in mineral transporting highlighted above. The reforms and the international attention given to the artisanal mining sector have also increased the concern of policy makers and many international actors about the position of women in the mining industry. Thus, several conferences on that issue have been launched to promote awareness about women in mining.

As was explained above, the reforms include the formalisation of artisanal mining. This means making the sector more formal by identifying all of the actors. The Congolese Mining Code (2002) provides for the creation of areas where artisanal miners may work freely and where it was been demonstrated that industrial mining or semi-industrial mining cannot be conducted (Bashizi and Geenen 2015). In these areas, diggers must obtain the required ‘digger’s card’, which is only valid for a certain zone (World Bank 2008) and must be renewed yearly. The cost of this card is 25 USD, but Geenen (2012) has mentioned that this price is not fixed and depends on the negotiation power of each individual. After diggers obtain the required identification card, they are to be grouped into a cooperative and apply to the Minister of Mines for approval.

The legal framework is crucial for the changing position of women in mining exploitation. The formalisation process calls for the requirement that diggers and mineral traders hold an identification card. This requirement increases the marginalisation of women in lower-level positions, limiting women’s access to the mining sites. This finding supports the conclusions of Kelly et al. (2014b) and Fisher (2007) on the importance of understanding women’s access to the mining sites and the differentiation that may result from differences in access. Additionally, it has been noted elsewhere (Bashwira et al. 2013) that this requirement and the associated financial constraints result in some women buying an identification card that does not reflect their actual activities. This was observed, for example, among the *shashulere*<sup>37</sup> in Nyabibwe, who purchased digger’s cards although they actually work as low-level *négociants*. Consequently, it has become more difficult for many women in lower-status positions to access the mining sites and work, as they find it difficult to pay for the required identification. This represents a major challenge for some of these women, particularly when they are insufficiently informed and overwhelmed by the required administrative procedures.

A representative of a local NGO in Katanga, *Réseau Femmes et Développement*, mentioned cases of women engaging in transactional sex with administrative officials to gain access to the sites:

Female small traders, for example, often have no right to be present in the mine, but they are found there because of some agreement they can make with the local [authorities]. A woman will then sell both her body [to have access to the market] and her goods for a living. (Interview with Bernadette Kipend,<sup>38</sup> October 2014).

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<sup>37</sup> A group of women known as *shashulere*, or managers, act as intermediaries between mineral buyers/*négociants* and artisanal miners/*creuseurs*.

<sup>38</sup> Executive Secretary of *Réseau Femmes et Développement*, Lumbubashi.

The requirement for identification has also created an unbalanced power relationship between women who hold identification cards and those who do not (Bashwira and Cuvelier, forthcoming). An example of this is *sous-couverts* (the undercover), or people working as *moutrousses* in Kisengo who lack their own identification cards because of financial reasons. *Sous-couverts* are able to work and get access to the mining exploitation thanks to their bosses' digger's cards, knowing that advantages and a large share of the profits go to those who possess these cards, even though these bosses are generally barely present in the mines.

These findings have brought to light the significance of the implementation of the mining reforms for women's position. In addition to the other factors analysed above, the reforms are in fact a further element differentiating women in the mining areas, as some women become better off because of their access to information or social networks, while others see their marginalisation increase. This consequence of the reforms has also been noted in a similar case developed by Fisher (2007). Thus, as asserted by Kelly et al. (2014a), there is a need to promote rights and education and to ensure safe working conditions for those working in and around the mining sites. More awareness and knowledge of the law and their rights will provide women with better integration in the sector.

## IV.5. Conclusion

This chapter has critically assessed women's position in artisanal mining communities. I found that women across the study sites use combinations of multiple livelihood strategies to improve their lives, to survive or as a strategic option.

Artisanal mining is often perceived to trap diggers in a vicious cycle of poverty. However, mining is also perceived as a rewarding livelihood option, allowing thousands to meet their needs. Following scholars who have considered artisanal mining a valuable option for people living in and around the mines, this study first described the different activities in which women are engaged, including how each activity is performed. Women are involved in many activities directly or indirectly related to mining. These activities range from working as simple diggers to serving as *négociants*. Outside of mining, women work as farmers, traders and service providers (i.e. owners of restaurants and hotels, shopkeepers).

The study also analysed how women secure their livelihoods based on different livelihood strategies (using social capital, financial assets and diversification options), confirming that women have different ways of securing their livelihoods, depending on their assets. The

findings reveal that there is great differentiation among women living in the mining areas regarding how they combine their livelihoods. To reflect this diversity, I have discussed two basic categories of women: those with lower incomes and those who are economically better off. I assessed three factors that contribute to differentiation between the two groups:

- Although social capital is important for both income categories, it is a survival option for some and a strategic option for others. First, low-income women use the help of their children to supplement the family income, whereas those who are better off prefer to send their children to a large city to study to give them options outside of mining. Second, the presence of a husband has different meanings for the two categories of women: For low-income women, the husband's presence increases exploitation and burden. For those who are better off, having a husband present may increase the woman's power position in the mining centre. Third, belonging to an association, while crucial for everyone, may create differentiation if such associations exclude women based on socioeconomic status.
- Financial assets and debt imply the possibility of savings (of goods or money) and credit. Although it has been said that miners do not save, I analysed savings in different way, including not only saving money, but also stocking up on food. It appears that people do save food for future consumption, but the quantity differs between economic status categories. How women save money also differs between these two categories, and this is related to access to associations and reliable people. Finally, credit also differentiates women in terms of the purpose of the credit and the type of lender.
- Engaging in alternative activities was another factor in women's differentiation. Lower-income women engage in alternative activities mostly in the same sector and use transactional sex for survival—either because there is no alternative income-generating activity available or to gain access to the mines. Those who are better off prefer investing in non-mining-related activities or increasing the number of investments they have in the mining supply chain (e.g. the number of pits or processing places). For women who are better off economically, transactional sex may be used strategically (e.g. for gaining information or reducing taxes).

In terms of the effect of mining reforms on women position, the analyses could not conclude to a straight position. It suggest that there are either positive effects, negative effects or no

effect at all on the position of women in the mines. In some cases, the reforms have contributed to differentiation among women in mining and affected women's choices of livelihood options. There is a need to improve women's awareness and learning about their rights and the mining law to reduce the negative effects of the mining reforms, as well as the differentiation among women by income level.

The present findings indicate several potentially fruitful avenues for future work. Considering the many different categories of women living and working in and around the mining sites investigated here, it would be useful to develop additional case studies in different mining sites in other provinces to assess the situation of women in other regions of DRC. Additionally, an in-depth analysis of these women's livelihood diversification strategies also incorporating quantitative data would be very useful. Finally, more women are indirectly involved in the mines beyond those providing services around the mines; women working elsewhere along the supply chain are also indirectly involved and may be affected by the mining reforms and other developments in the mines. Future research should investigate these groups to determine how they apply livelihood diversification and how they may be affected by the mining reforms in DRC. For policy makers, there is a need to continuously monitor the reforms in terms of the gender perspective as their implementation progresses.



Women negotiating coltan with a négociant's women, in Manono 2014

# **Chapter V: Women, mining and power in eastern Democratic Republic of Congo: The case of Kisengo**

This chapter was drafted together with Jeroen Cuvelier.

The chapter has been submitted for review by *Extractive Industry and Society* as:

Bashwira MR and Cuvelier J. Women, mining and power in eastern Democratic Republic of Congo: The case of Kisengo.

## Abstract

In the growing body of literature on the micro-political economies of artisanal and small-scale mining settings, a great deal of attention has been given to the pivotal role played by ‘big men’ in the exercise of public authority, as well as in controlling access to mining rights and labour opportunities, amongst other things. Very little is known, however, about the involvement of women in power games and struggles in the artisanal and small-scale mining arenas. This chapter intends to fill this gap by presenting a detailed case study of a power struggle between two powerful women at the mining site of Kisengo, a locality situated in the northern part of the newly created Tanganyika province in south-eastern DRC. The local customary chief and his relatives are among the authorities who have managed to benefit financially from Kisengo’s transformation into a mining boomtown. Faila, a female relative of the chief (who also happened to be in charge of the local branch of the Ministry of Gender, Family and Children at the time of the research), was given the responsibility by the customary chief to collect unofficial tax money (*redevances coutumière*) from three groups of female economic operators in Kisengo: traders, prostitutes and *mamans moutrousses*, who assist artisanal miners in cleaning their minerals before they are offered for sale to local middlemen (*négociants*). A strong opponent of Faila’s is another ‘big woman’, whose power derives from her successful performance in the local mining business. Mariette, the president of the *mamans moutrousses*, enjoys the status of a pioneer, having been among the first to do the work of *moutrousse* and having initiated many others into the profession. Especially interesting for the purposes of this study is how both ‘big women’ take advantage of their privileged access to the public authorities to negotiate informal arrangements for the *mamans moutrousses*, allowing their clients to escape certain restrictive regulations concerning women’s access to artisanal and small-scale mining activities. In the process of doing this work, these ‘big women’ also manage to control access to labour opportunities for women in the local world of artisanal mining.

## V.1. Introduction

The general image of artisanal mining considers the sector to be chaotic, illegal and even criminal (Geenen 2014). It is seen as a ‘world apart’, where drug abuse, sexual violence, human rights abuses, criminality and prostitution prevail (Cuvelier 2011; Free the Slaves

2013; Werthmann 2003). However, as Matthysen et al. (2013) have noted, the informality and opacity of the artisanal mining sector do not mean that it is chaotic. In fact, the sector has its own mechanisms of production and trade patterns that are quite structured. Cuvelier (2011) explored this idea further, noticing that every artisanal mining site has its own characteristics in terms of resource governance dynamics. He argued that it is important to understand the complexity of different power structures in the mining sector.

In the Democratic Republic of Congo (DRC), in addition to the general view of artisanal mining, the sector is also associated with long-term armed conflict, sexual violence and human rights abuses. Women's bodies have been described as objects of domination by armed actors, and rape has been used as a weapon of the war (Autesserre 2012; Douma and Hilhorst 2012). Women in the mining areas have been seen as the most exposed to violence. At international, regional and national levels, several reform initiatives have been launched to introduce a set of standards for mining procedures that will fight 'conflict minerals' and thus lead to better governance, encourage more ethical trade in the mineral sector, and break artisanal mining's link with sexual violence and women's vulnerability (Cuvelier 2013; Mazalto 2008; Verbruggen et al. 2011).

These mining reform initiatives comprise measures at international, regional and national levels aiming to 'clean up' the mineral supply chain and to formalise the artisanal mining sector. These initiatives include, among others, the 2002 Congolese Mining Code, which aims to formalise and regulate the artisanal mining sector by giving priority to external investors; the American Dodd-Frank Act; the Organisation for Economic Co-operation and Development's due diligence schemes; the regional certification mechanism by the International Conference of the Great Lakes Region; and industry initiatives such as the International Tin Research Institute (ITRI) Tin Supply Chain Initiative (iTSCi) traceability system.

Within DRC's mining sector, there is a need for an analysis of the nexus of women, mining and power, in the context of the ongoing reforms, which seem very complex and unintended. Some of the unintended consequences of the reforms in this respect stem from the image given to women in eastern DRC (Douma and Hilhorst 2012) after the long conflict, as well as the characteristics of exploitability and vulnerability assigned to women in the artisanal mining sector (Free the Slaves 2013; Kelly 2015; Kelly et al. 2014; Southern African Resource Watch 2011). In several NGO reports (Free the Slaves 2013, SARW 2013; World



Bank 2016), women engaged in mining activities are associated with marginality, taking women as a homogeneous group who all have the same problems and who are all vulnerable. This is problematic because it ignores the heterogeneity that may exist among women in mining. Further, this view makes no reference to how some women gain access to, negotiate and maintain power within the mining structure.

There is increasing concern expressed internationally about DRC's mining sector (both exploitation and trade), and this has resulted in the reforms aiming to fight the presence of armed groups around the mining exploitation. In this context, it is interesting to question how the local mining governance is restructured to match the requirements of the reform initiatives and how this change is reflected in the relations among local actors. Specifically, it is useful to ask these questions with a focus on women, because this category of actors has been, to this point, neglected in existing studies and analyses of artisanal and small-scale mining in eastern DRC.

This chapter is situated within two bodies of literature to explore how women gain power and how globalisation through the reform initiatives has changed the landscape of the organisation of mining labour at the local level. First, the chapter contributes to the literature on power and 'big men' by analysing the involvement of women in local power games and struggles. It explores the change in the local mining governance by analysing how power has shifted from traditional actors to those more related to the formal institutions as a result of the implementation of the mining reform initiatives. The chapter draws attention to women's agency and to the possibility of 'female positioning' as opposed to the often-cited 'female vulnerability' in a situation of post-conflict recovery. Second, the chapter builds upon the concept of 'labour regime', which is understood here as the different methods of recruiting and organising labour (Bernstein 2010). This facilitates understanding the fragmentation of the mining structure following the requirements of the reform initiatives.

This chapter's focus on power relations among women and the change in labour relations should not be interpreted as an intention to downplay the extreme violence of the war and the hardship that the majority of women in rural areas have endured in eastern DRC. The chapter also does not intend to underestimate the gendered power relations existing in the local culture of eastern DRC. Rather, this study sought to answer the following questions: (1) How have patron–client relationships between women in Kisengo's artisanal mines been affected

by the mining reform initiatives? (2) What has been the impact of these patron–client relationship changes on local labour regimes in the artisanal mining sector?

This chapter begins with an overview of the mining reforms being implemented in northern Katanga. The mining governance is described before and after the arrival of the industry and the implementation of the reform initiatives, which carry several relevant requirements. One of these requirements is the formalisation of the artisanal mining sector by obliging all actors to hold identification cards as either diggers or traders. Examining these requirements is important, because it is key for understanding the changing position of women in the mining environment. By following the implementation of the reforms in terms of barriers and opportunities, this chapter provides more evidence on women's integration and on the effects of the reforms on the labour regime. The chapter concludes with an analytical discussion of the results and the presentation of key conclusions.

## **V. 2. Women, power and labour regimes in the Global South**

In political sociology and political anthropology, there is a growing body of work explaining the specificity and complexity of African elites and power in contrast to Western forms of power. The terms patrimonialism and neopatrimonialism are taken in reference to Weber's concept of power, which explains how power relations are mediated through and maintained by personal relations between the leader and his/her followers (Pitcher et al. 2009). For Weber, patrimonialism was understood as a specific form of authority and a source of legitimacy (Pitcher et al. 2009: 127). The evolution of the concept includes the idea of neopatrimonialism, in which the power in public institutions is used by elites for personal enrichment and where public service is based on nepotism and clientelism (Daloze 2003). Recent studies have used the terms patrimonialism or neopatrimonialism to describe the situation of poor leadership or a weak state, corruption and economic stagnation (Pitcher et al. 2009).

The concept of clientelism explains the social relations between two people: the client and the patron. The patron is in control of certain resources (e.g. goods, money, jobs or services). The client, who has a close relationship with the patron (either kinship-based or not), gains access to these resources under certain conditions, such as giving his/her own resources, labour or support to the patron (Muno 2010). In such a relationship, especially when the patron has many clients, an intermediary (or broker) takes advantage of the position at the interface

between two social and cultural configurations: that of the clients (or the target group for the development project) and that of the patron (or the development institution) (Bierschenk et al. 2002; Munro 2010).

The difference between the patron and the broker is that the broker does not have control over the resources; he/she is a client of the patron, but also performs the function of the patron using resources from the patron that he/she will further distribute to the other clients. When there is a broker, the patron and clients usually do not know each other, and personal relationships exist only between the broker and the patron and between the broker and the clients. These relations may appear in pyramidal form, with the patron at the upper level. He/she can have many brokers, depending on the clusters of his/her clients. Multiple clients are assigned to each broker (Munro 2010).

Past work indicates that there are two ways of applying power: directly, or indirectly by using a broker. This chapter uses these two different types of applications of power to understand how exactly power has been applied. Relatedly, the chapter adds to the development of two concepts: the rule of the 'big man' (Watson 2010), which appears to be more direct (but sometimes can also imply the presence of broker), and the broker, which is indirect (Takemura et al. 2006).

General theory on the 'big man' refers to him as either the 'entrepreneur' discussed by Barth or the 'leader' mentioned by Baily (Van Velzen 1973). Barth's 'entrepreneur' concept calls to mind the image of the domineering giant, full of vitality, willingness to take risks and to gamble, and the ability to innovate new economic and social opportunities for the communities of other people who are less courageous. Baily's 'leader' is someone who is smarter than others in terms of manipulating, manoeuvring and cheating. In addition, Sahlins (1963: 283) described the quality of the big man's authority as personal power: 'big men do not come to office, they do not succeed to, nor are they installed in, existing positions of leadership over political groups'. Instead, the status of a 'big man' proceeds from a series of acts that elevate him above others and attract other loyal and lesser people. According to Sahlins, the power of 'big men' is acquired and maintained through public displays of charisma and influence and through the demonstrated capacity to offer protection and economic support to their followers.

In later developments of the concept of the 'big man', the character of this person's power remained linked to the concepts of entrepreneur/leader/politician. This power has been

defined by three principal factors. First, a big man is a generous, rich man who can provide material resources, services and opportunities to his clients or followers (Sahlins 1963; Van Velzen 1973; Werthmann 2003). Second, as was noted by Schatzberg (2001), the general idea around the 'big man' is that his legitimacy to his followers (or citizens) stands in the same relation as does that of a father to his sons, taking the nation as the family. Third, the relationship between patron and clients' needs to be reciprocal and repeated: If the 'boss' is willing to provide for his followers, he also expects in return not only loyalty but what Schatzberg called the 'eat off', where the boss uses his/her position to enrich himself (similar to corruption).

Further, in an analysis of the president of the gold diggers Burkina Faso and the source of this person's power, Werthmann (2003) observed that the power of such a 'big man' derived from wealth, violence and charisma. In fact, she noted that the president of the diggers was a powerful entrepreneur even before being elected (indicating wealth). In addition, in exercising his power, the president did not hesitate to use violence or force against people to secure new claims. Notably, Werthmann (2003) also found that the gold exploitation was linked to spirituality, and, for that reason, the particular 'big man' whom she studied wore a red hat and drove a red car to emphasise his position as a ruler endowed with supernatural force. The same characteristics of wealth, war and superstition have also been observed by other scholars analysing similar contexts (Brown 1990; Lepowsky 1990; Schatzberg 2001).

Other authors have discussed the patron–client relationship using the concept of the 'structure hole' (Takemura et al. 2006). This concept refers to a relationship of non-redundancy between two parties in which the benefit of social capital results from the diversity of information and the existence of brokerage opportunities created by the lack of connection between clusters of contacts in a social network (Takemura et al. 2006: 2). Analogously, connecting this idea with social networks and the creation of power in the mining community, the process of implementing the reform initiatives takes place in a context of asymmetrical information between institutions and people (especially women), who are less educated and are not always aware of the consequences that the reforms may create. In this situation, one person can take it upon him- or herself to play the role of a bridge, helping others to claim their rights. This situation was also seen during the colonial period, when the colonisers used local representatives as brokers to interact with the community members (Bierschenk et al. 2002).

In politics, brokers are people who develop different relationships in their networks (in either the inner or the outer circle) that can help them maintain their power and notoriety. These brokers are related to the members of their inner circle through strong ties of long-lasting friendship, parentage or fictive kinship. The inner circle consists of individuals with whom they interact regularly and intensively (Auyero 2000). The potential beneficiaries, also known as the outer circle (Auyero 2000), make up the broader network of the broker and contact the broker when they have a problem or if a special favour, such as food, medical care or a water truck, is needed. Thus, brokers' relations with their inner circle are intense and dense, whereas their relations with the outer are sparse and intermittent (Auyero 2000). Similarly, while the inner circle perceives the broker to be caring, the outer circle considers him/her to be selfish.

Further, as Fisher (2007) has argued, labour relations in the mining sector are frequently characterised by patron–client relations and an interplay of support and dependency that is often exploitative. Other recent research on mining activities, power and clientelism relations has also recognised the existence of such relations among miners (Cuvelier 2011, 2014; Geenen 2011c; Werthmann 2003), as well as between traders and artisanal miners (Geenen 2011c; Grätz 2014), pit owners and crushers, traders and small retailers, and claim owners and diggers (Jönsson and Bryceson 2009). However, there is very little in this literature that is directly related to these relations involving women, except in the work of NGOs and activists, where women are considered a marginalised group and the relations between men and women are judged to be exploitative.

This chapter's analysis of the labour regime of artisanal mining during the implementation of reforms in northern Katanga builds upon a second body of work. Bernstein (2010: 127) defined labour regimes as 'different modes of recruiting/mobilizing labour and organizing it in production'. In his analysis of Indian garment workers and critique of neoliberal labour regimes, De Neve (2012) made an interesting point. While recognising that both the global production networks and the international governance initiatives have an impact on the lives of workers at the lowest level, he discussed how global commercial dynamics and corporate ethical interventions together create a particular type of worker in the South and simultaneously generate a diversity of forms of production on the ground.

Along the same lines as the discussion of the implications of international measures on the local worker, in the analysis of labour integration and social exclusion in artisanal mining in Tanzania, Fisher (2007) distinguished a type of social exclusion stemming from the on-the-

ground implementation of international initiatives. She also examined the case of women, specifically. She first differentiated direct vs. indirect exclusion by analysing women's position in the mineral sector. Regarding direct exclusion, she noted that some women have found a niche to exploit or are breaking traditional boundaries, whereas others remain highly disadvantaged and dependent on more powerful others. Women's indirect exclusion is perceived most strongly through their poor representation in mining communities and lack of access to mineral resources, as well as gender discrimination in compensation for the loss of land. Finally, Fisher considered how people's involvement in mining governance affects their ability to earn a livelihood from their mineral activities. She concluded that, for those who are directly involved in the mineral exploitation but are not claim holders, the ability to access institutional support seems very limited, whereas powerful actors have advantages.

The picture painted by the literature on the 'big man' (patron), brokers and clients emphasises that the characteristics of trust, solidarity, reciprocity, caring and protection legitimate the existing unbalanced power dynamics in such relations. In addition, this kind of situation has been studied mostly in politics and circumstances associated with relations between men and women. However, as this study explores further, the concept may also be applied to relations among women, because, to maintain their position over other women, some women use the same characteristics (wealth, superstition and war) used by male patrons or brokers. Different strategies used by women in power in eastern DRC were discussed by Cuvelier and Bashwira (2016). The findings of this previous study indicate that including elite women in formal institutions does not necessarily guarantee that these women will defend the rights of all other women, especially those at the lower levels. Further, this study showed that there is a need for Congolese policymakers to take into account the wide variety of women's roles and positions in DRC's social and political landscape at the local level when implementing new regulations.<sup>39</sup> Building on these past findings, the present study takes a different path by analysing the figure of the 'big woman'. It is important to understand how the position of the 'big man' is also represented among women involved in mining governance. Some of these women are direct patrons, whereas others take the position of brokers.

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<sup>39</sup> One of the cases introduced in this previous study was that of Faila—a case that is developed more deeply in this chapter to show how the mining reforms have changed the local power structure.

### V.3. Methods

Based on ethnographic fieldwork conducted at the Kisengo mining site in northern Katanga from May to June 2014, this study centres on the relationship between two ‘big women’ involved in the mining governance of Kisengo village in northern Katanga—in what is now the province of Tanganyika—and their relations with the group of female miners known as *moutrousses*. This site was chosen based on the ongoing implementation of the iTSCi traceability programme in this pilot site for the initiative.

Kisengo is a coltan mining site in Nyunzu territory (180 km from Kalemie) in northern Katanga (Tanganyika district). Since 2007, Kisengo has been among the largest coltan mines in Nyunzu territory (De Koning 2009). The coltan boom has led to Kisengo's transformation from a small village into a fast-growing urban centre and to the increased presence of military and non-military state institutions, all hoping to benefit from the local mineral deposits. The small village that surrounded the mining sites quickly transformed into a city of more than 20,000 inhabitants. Since 2011, the site has been validated and works with the iTSCi requirements for traceable processes. A single company—Mining Mineral Resources (MMR)—has exclusive rights to exploit the minerals found at Kisengo (Matthysen 2013).

The data collection began with observation at the mining sites of Kisengo and in the community to understand the structure of the mining governance in Kisengo. The study is also based partially on participant observation of the structure and composition of the *moutrousses*' organisation. The first author conducted interviews with local leaders (both customary and official) in Kisengo to understand the place of women in the mineral exploitation, as well as how they are structured in groups.

Based on discussions with local leaders and administrative officers, we identified two important female figures (Faila and Mariette) involved with the mining exploitation. At the time of the research, there was an ongoing struggle involving these women's power positions. The first author interviewed and followed the *mère-chef*<sup>40</sup> of Kisengo (Faila) and the president of the *moutrousses* (Mariette), listening to each woman's part of the story regarding the evolution of the group and description of her own position. Finally, the first author also conducted short interviews with members of the group of *moutrousses* to gain further insight

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40 The French term *mère-chef* combines the two aspects of chief and mother. The woman in this position is first a chief who coordinates and supervises other women's work. She receives reports from them, and if something goes wrong, she is the one who will fix it. She is also considered a mother who cares about the work and lives of the women working for her. She provides advice and sometimes financial assistance.

into the structure of the organisation, as well as the power relations and struggle within the structure.

## V.4. Findings

The main findings of this study are divided into three categories. This section first discusses the history of mining and the mining reforms in northern Katanga. Although the features of the reforms were almost the same throughout DRC, some particularities arise in the case of northern Katanga. Second, the section describes the changing labour structure before the implementation of the reforms in northern Katanga. The chapter then presents the findings regarding the changing situation following the arrival of industry and the iTSCi traceability system in Kisengo.

### V.4.1. The history of mining and the mining reforms in northern Katanga

As Fisher (2007) has pointed out, to analyse marginality and power in the context of mining, it is necessary to understand the complexity of the commodity chain (such as the role of *moutrousses*) and the niches through which artisanal miners respond to external change. For that reason, we begin with an examination of how mineral exploitation is organised in Kisengo.

Northern Katanga<sup>41</sup> has always been a predominantly agricultural and somewhat isolated and underdeveloped area. People living in the resource-rich southern part of Katanga sometimes mockingly refer to northern Katanga as ‘useless Katanga’ (*Katanga inutile*).<sup>42</sup> It is estimated that more than three-quarters of the population in the region secure their daily survival through agriculture and fishing, with hunting and gathering constituting complementary subsistence activities (Omasombo 2014: 315). Although the first tin and tantalum deposits in Katanga were discovered in the territory of Manono as early as 1932, the industrial mining of these minerals only started in the early 1960s, with the company Congo Etain acting as the most important exporter. Things came to a standstill in 1996 as a result of the eruption of the First Congo War (Wakenge 2014).

During the Second Congo War, which erupted in August 1998 and pitted the late Kabila regime against its former regional allies of Rwanda and Uganda, northern Katanga was

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<sup>41</sup> Northern Katanga is composed of the current provinces of Tanganyika and Haut-Lomami.

<sup>42</sup> The people of southern Katanga, which comprises the former districts of Kolwezi, Haut-Katanga and Lualaba, often refer to their home area as ‘useful Katanga’ (*Katanga utile*).



strategically very important, a fact that led to the region's gradual militarisation. President Laurent-Désiré Kabila wanted to prevent the Rwandans from reaching the military base of Kamina and the Katangese capital of Lubumbashi. He also wanted to avoid becoming isolated from his home area of Manono and being cut off from the Copperbelt. To prevent such a scenario from happening, orders were given to create various armed groups, which received material assistance from the Kinshasa government in the form of ammunition and light weapons. Because these armed groups were never fully integrated into the official security forces, they became a real threat to the population of northern Katanga from 2002 onwards (International Crisis Group: 2–4).

Since 2007, mining has become increasingly important in northern Katanga. Three-quarters of the available land in the newly created Tanganyika province<sup>43</sup> is currently covered by *carrés miniers*, meaning that the mining operators holding exploration and/or exploitation rights over these areas have the possibility of evicting the people living and working there. The rapid expansion of the mining sector has also led to a significant decline in the available labour force in the agricultural sector. In the Nyunzu territory, according to a study carried out by *Action Contre la Faim* in 2012, 70% of all young people have abandoned agriculture to work in the mines (Omasombo 2014: 323).

Kisengo, the mining town where the data for this chapter were collected, is located in the territory of Nyunzu.<sup>44</sup> In recent years, Kisengo has acquired the reputation of being the most important coltan mining and trading centre in the area. The coltan boom has led to Kisengo's transformation from a small village into a rapidly growing urban centre and to the increased presence of military and non-military state institutions<sup>45</sup> (Cuvelier and Bashwira 2016: 3). In the early days of the boom, middlemen (*négociants*) belonging to the Shi and Nande ethnic groups and originating from the Kivu provinces dominated the local mineral trade and channelled all minerals to buying houses in Bukavu and Goma (Omasombo 2014: 306). The local customary chief was among those who managed to gain economically from the local mining business through the imposition of taxes. In 2010, a report by the Stockholm International Peace Research Institute stated that 'the *chef de groupement* in Kisengo

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<sup>43</sup> Tanganyika is a former district of Katanga, which was split into four new provinces in July 2015 as part of Congo's decentralisation process.

<sup>44</sup> Since 2013, the security situation in Nyunzu territory has seriously deteriorated as a result of the eruption of large-scale violence between members of the Luba and Twa ethnic groups. Traditionally, the Twa are semi-nomadic hunters and gatherers. They have been subject to systematic discrimination and marginalisation for several decades and are now claiming more rights, including a better access to land. Both the Luba and the Twa communities have formed militias that have carried out several massacres in recent years (Human Rights Watch 2015).

<sup>45</sup> In the early days of the boom, members of the *Forces Armées de la République Démocratique du Congo* (FARDC, DRC's armed forces) were heavily involved in the mining activities. Kisengo also witnessed the arrival of several state services as well as large groups of mineral buyers, traders and artisanal miners coming from the neighbouring provinces of Maniema and South Kivu (Wskenge 2014).

reportedly claims about \$8 a week, payable partly in money and partly in the form of coltan' (De Koning 2011: 13).

Kisengo is one of the mining centres affected by a series of reforms in the Congolese artisanal mining sector since 2002. First, in a general frame, according to the 2002 Mining Code, diggers are supposed to work in compliance with certain measures in order to be recognised. The Code provides for the creation of 'artisanal mining zones' (AMZ) in places where industrial or semi-industrial mining operations are considered unfeasible because of technical and economic factors (Bashizi and Geenen 2015: 6). Such zones are established by ministerial order, after consulting the Division of Mines and the provincial government. However, De Koning (2009) noted that there are cases where arrangements are made between industrial or small-scale operators and artisanal miners (with the former relying on the production of the latter) that may blur the distinction between the mineral exploitation categories created by the Mining Code.

In the AMZ, diggers are required to obtain a 'digger's card' that must be renewed every year at a cost equivalent to 25 USD and that is only valid for a certain zone (World Bank 2008). Geenen (2012) found that this price is not fixed and depends on the negotiation power of each individual. After they have acquired the required identification, miners are to be grouped in cooperatives that apply to the Minister of Mines for approval for their formation. This process was suggested as a means to provide the miners with better technical assistance services and better ways to evolve from artisanal to small-scale mining activities.

Second, the iTSCi traceability mechanism was implemented in Kisengo in mid-2011. By that time, there had already been two attempts by the provincial authorities to better regulate artisanal mining activities in the area. The first of these attempts was the circular note of 26 November 2008, which imposed restrictions on the number of state services at the artisanal mining sites. Only the *Service d' Assistance et d'Encadrement du Small Scale Mining* (SAESSCAM) and the *Division des Mines* were given permission to be present in the mines, while all elements of the *Forces Armées de la République Démocratique du Congo* (FARDC) were asked to leave. The second intervention by the Katangese provincial authorities occurred in 2009, when a buying monopoly was granted to the MMR and the *Coopérative des Miniers Artisansaux du Congo* (CDMC) mining cooperative for all minerals extracted in Kisengo, Lunga, Mai-Baridi and Katonge (Wakenge 2014: 229).<sup>46</sup> At the national level, the Ministries

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<sup>46</sup> The idea was to replace FARDC with members of the mining police (*Police des Mines et Hydrocarbures*).

of Mines and Finance had jointly developed a traceability manual in 2010, describing a number of procedures to regulate the mineral trade (in terms of transport, transfer and exploitation of minerals) and circumscribing the responsibilities of the different groups of actors in the supply chain (Wakenge 2014: 235–236).

The implementation of the iTSCi system and the arrival of MMR/CDMC had several consequences for how mining activities in Kisengo were organised and regulated. First, it gave rise to the disbandment of the *Association des Creuseurs de Kisengo* (ACK, the Association of Kisengo Diggers), an organisation that represented and defended the interests of artisanal miners. ACK's members—17 in total—became members of CDMC (Wakenge 2014: 229). Another change resulting from the arrival of the iTSCi system in Kisengo was that the supply chain became more streamlined. CDMC started pre-financing a limited number of middlemen (*négociants*), who were connected to fixed buying points (*postes d'achat* or *points d'achat*). These *négociants* were expected to hand over all of the minerals they had bought from artisanal miners to the *postes d'achat*, which were controlled by MMR and CDMC. The new system was meant to make it possible for MMR to impose fixed prices for minerals, while also preventing minerals originating from conflict zones from entering the supply chain (Wakenge 2014: 229–230). Finally, a number of measures were taken to improve the authorities' control over access to the mining sites. In addition to the 43 police officers present in Kisengo and the two to three *gardes de site* supervising every quarry, MMR also created five checkpoints at the entry and exit of Kisengo. Furthermore, the authorities at the district level asked FARDC soldiers to check trucks and motorcycles for smuggled coltan. Similar checks were also carried out in the ports of Kalemie and Uvira (Wakenge 2014: 236).

Although it can be said that every mining site is unique, it was particularly relevant to examine the case of northern Katanga. Known primarily for its agrarian heritage, this part of Katanga was mostly forgotten for years. Southern Katanga, in contrast, was perceived as more mineralised, and the dynamics surrounding the mining sector have been better documented there. It is only following the 3T mining boom that the North has been considered as important as the southern part of Katanga, which was previously identified as the 'the most important' and as contributing to DRC's domestic growth.

#### V.4.2. Patron–client relationships before the arrival of the mining reform initiatives

This section analyses the organisation of *moutrousses* and their participation in mining governance before the arrival of industry (MMR). *Moutrousses* of Kisengo is an informal women's organisation that aims to contribute to the supply chain by providing reprocessed minerals. The word *moutrousse* comes from slang used by Kisengo's diggers (*creuseurs*) when talking about coltan mineral tailings. Those who work with the tailings came to be associated with their activity and are called *mamans moutrousse* or *moutrousses*.

The modus operandi of the *mamans moutrousse* is as follows. The mineral tailings that these women are reprocessing are acquired from two operations. After the minerals are extracted, miners arrive at the *point d'achat* with the minerals already washed and in the form of a powder. There, these women wait for the miners with wood fires where the minerals can be dried in a place known as a *mafiga* (referring to the traditional kitchen) on an iron plate (*cenette*) and cleaned to remove all of the remaining waste, which is known as *moutrousse*. The mineral tailings are then collected and reprocessed by the women, who are also known as *moutrousses*. Sometimes, if there is a strong and long-term relationship, a digger may clean his minerals in a way that allows the *maman moutrousse* to benefit more from her work. The second way mineral tailings are acquired is when the diggers go to the *point d'achat* where the minerals will be cleaned for the second time by the *négociants*. The mineral tailings collected by this operation are also taken by the *moutrousse*, at the end of the day, according to personal agreements they may have with the *négociants*.

Soon after the discovery of coltan in 2007 and the emergence of a boom town, the customary chief of Kisengo wanted to separate his local community from the mining community, mostly because of the bad reputation of mining communities as places full of prostitutes and nomadic miners. Before the arrival of MMR, the mining sites of Kisengo were governed by the customary chief and his people. While the *creuseurs* were supervised by the *chef de camp* (the camp chief), the women coming to the *carré minier*, or mining camp, were supervised by the *mère-chef*. Both of these leaders (the *chef de camp* and the *mère-chef*) were part of the chief's family. When this study was conducted, the *mère-chef* was the niece of the late chief of Kisengo.

The position of the *mère-chef* is part of the mining camp's organisational structure. In the structure of the mining camp, the *mère-chef* is at the same level as the *chef de camp*. Mining

camps are places where diggers live in a community, sometimes with their ‘wives’<sup>47</sup> and children. Several traders and prostitutes also prefer to be close to the mines to maximise their benefit from the *creuseurs*. Camps may be included in or be located at some distance from the nearest village. When the camp is included in nearest village, the power of the *mère-chef* is less visible, because people rely more on the authorities of the village.

The *mère-chef*’s role has many layers: First, after newcomers or administrative guests have been welcomed and installed by the camp chief, it is up to the *mère-chef* to take care of them. This includes cleaning their houses, bring water for their showers and making sure that they are at ease in the camp, which also implies procuring prostitutes with whom the guests can live during their stay. Second, the *mère-chef* is responsible for providing counsel on all problems regarding gender issues (e.g. disagreements between husbands and wives, among women or among neighbours). Third, the *mère-chef* is also the manager of prostitutes who come to her to register. Upon their arrival in the mining camp, some prostitutes prefer to register and be under the *mère-chef*’s authority. Being recognised by the *mère-chef* gives them more security in the event of a problem, either with a client or with the local administration. Another benefit is that those prostitutes who choose to register under the *mère-chef* form a group that they consider to be like a family. These women become like daughters to the *mère-chef*, and they are united in sharing the same struggles, despite the fact that they are competing in work. Being registered under the *mère-chef* also makes it possible to benefit from medical support donated by certain NGOs and sometimes from the free-of-charge distribution of condoms. The money these women earn is then given to the *mère-chef*, who is then in charge of all of the expenses and needs for each woman until she decides to leave the camp.

The *mère-chef* is either appointed by the authorities in the mining camp (i.e. the owner of the mining sites and his people) or voted in by the other women in the camp based on her long-term presence there and her abilities to mitigate any fight and to talk with the other women. Normally, the *mère-chef* is not paid for her job, but she does gain some advantages. Sometimes, these advantages are in her business dealings in the camp.<sup>48</sup> The *mère-chef*’s reward for her work came from the mediation of disagreements in the community and the money she collected from women engaging in prostitution under her authority; she is the one who manages their income: The *mère-chef* receives the money earned by each prostitute and

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<sup>47</sup> Wives appears here in quotation marks because of the unstable relations between husbands and wives at the mining sites, where ‘wife’ is usually meant in the sense of a ‘wifestyle’, a relation that can be broken at any time (see also Bashwira, forthcoming).

<sup>48</sup> Any trader coming to work in the camp must give 10% of his earnings to the customary chief (or the person who owns the land where the camp is located). The *mère-chef* and other key persons in the administrative structure of the camp are not paid for their work; rather, they are given the advantage of paying less or even nothing to the chief.

may refuse to pay for some of the prostitute's expenses or buy cheaper items than those requested, keeping some of the money for herself. The position of the *mère-chef* appears to be well recognised and respected by many in the mining camp.

A particularity of Kisengo is that the *mère-chef* at the time of the research was also the chief of all other categories of women involved in the local mining economy (traders, *moutrousses* and prostitutes). In 2007, the chief of Kisengo appointed his niece, Faila Kisimba, as *mère-chef*, to supervise all women coming to this new town, and he also asked her to collect the *redevance coutumière* (customary tribute). All groups of women (*moutrousses*, prostitutes and traders) worked under the supervision of the *mère-chef*, who collected their *redevances* daily or weekly, depending on the activity. In the case of the *moutrousses*, *redevances* had to be paid twice a month—1,500 CDF on the 15<sup>th</sup> of the month and another 1,500 CDF at the end of the month, for a total of 3,000 CDF per month. Faila acted as the manager of the group of *mamans moutrousse*, who regularly reported to her about any problems at the mining site. In return, Faila was allowed to keep the *redevances* collected from those women.

When Faila was first appointed as *mère-chef*, the *moutrousses* were allowed by the chief to collect minerals and to look for 'the leftovers' around the pit, but, for cultural reasons,<sup>49</sup> they were not allowed to go underground into the mines. It was usually possible to find minerals in that way. Some of these women were able to resell the mineral tailings left over for processing by other actors. The structure of the *moutrousses* was very blurred: There was no effective organisation, as everyone worked independently, except that they all had to pay *redevances coutumière* to Faila to be allowed to continue working at the mining site.

As the number of people in Kisengo grew, the structure of women at the site also developed. The three main categories of women in Kisengo—the *moutrousses*, traders and prostitutes—each had their own president, and they all needed to report to Faila. Only the prostitutes were still directly governed or led by Faila. With the arrival of MMR and the implementation of the iTSCi initiatives, the way things had been governed in the mining town changed. The following section provides a brief description of what happened at that time for the *moutrousses*.

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<sup>49</sup> According to traditional ideas, the spirit that protects minerals does not like the presence of women. There is a saying that if this spirit should see a woman, all of the minerals present in the pit will disappear. Another superstition related to women's presence is linked to menstruation, because the spirit is thought not to like blood. Not knowing which women are having their menstrual periods and which are not at any given time, the diggers prefer to forbid all women from accessing the pit, saying that if the spirit smells blood, there will be landslides and accidents underground.

#### *V.4.3. After the arrival of MMR and the iTSCi initiatives*

When MMR arrived with its monopoly that had been granted at the provincial level, women had to find another way to collect minerals outside the mining sites around the pits. With the traceability system in place, after the minerals are removed from the pit, they must be washed and then brought to the *point d'achat*, which is where the minerals can be sold to the traders. Because women are not allowed to enter the exploitation sites, they are limited to working at the *point d'achat*, waiting for the diggers, who dry their minerals before selling them. Although the group of *moutrousses* seems to have no official document of recognition as a women's association, the local administration recognises the participation of these women along the supply chain. In practice, the administration allows these women to stay at the *point d'achat* to clean the minerals as long as the president of the *moutrousses* has introduced them. In addition, the mineral tailings that are processed by these women are accepted by other actors (i.e. industry, administrative officials, diggers and traders) as part of the production of Kisengo, and, if something goes wrong in their activity, their president is confronted by the administration.

At the beginning of the implementation of iTSCi, the status of women was not clear: Neither the cooperative (CDMC) nor the industry (MMR) recognised women as full diggers in the mining process. However, these entities did accept mineral selling by women after the reprocessing phase. Minerals sold after reprocessing were bought at a lower price than were those sold by the diggers, because the post-reprocessing minerals were considered to have a lower density due to the second process. As the process of implementing the reforms continued, the identification of all of the actors involved in mineral exploitation was required, and women, as well as other actors, had to comply with this requirement.

Initially, some women, who held a small amount of money from their previous activities in the mines (collecting the leftover minerals), were able to trade for minerals from the miners and resell them to the cooperative. However, these women experienced significant losses, as they were not familiar with this type of selling activity, and they were unable afford to engage in it for long, because MMR restricted its number of traders and the minerals could only be traded by recognised traders from MMR. These women then decided to only reprocess the minerals that the diggers brought to the *point d'achat*.

During the research period, 35 identification cards had been given to *moutrousses*, and each of these women was permitted to hire another woman to help them. These helpers are known as *sous-couvert*. The *moutrousses* have their own internal organisation, with a president who has direct contact with all of the administrative officials, such as the *Division des Mines*, the iTSCi agents, SAESSCAM, the customary chief and the territory administrator. To be recognised as a member of the group, a woman had to either buy an identification card from a former *moutrousse* who had decided to quit or be a close friend of a particular ‘big woman’ (Mariette, the president of the group), who was solely responsible for deciding who could work as a *moutrousse* and who could not.

These women worked in groups of two or three at each *mafiga*. These groups were assigned by the *moutrousses*’ president and would work for three or four days before handing their place over to the next group of women waiting for their names to appear on the list again. At the end of each day, the mineral tailings obtained were placed in a bag and kept at the *dépôt*,<sup>50</sup> where it would be found on the following day. When this bag reached a certain weight, the minerals are washed, cleaned and resold to the *négociant*. The money received was then divided, with 50% going to the owner of the *mafiga* and 50% going to all of the other women in the group.

The phenomenon of the *sous-couvert* first began with traders from North and South Kivu (belonging to the Shi ethnic group), who purchased coltan in Kisengo autonomously until 2009. These traders sometimes needed time to be away for things such as going to lunch, resting, carrying out money transfer transactions, conducting other activities or travelling to another province. To avoid interrupting their trading activities, the traders sought a trusted person to stay in the shop with a certain amount of money to continue buying coltan during the trader’s absence. The person helping the ‘boss’ by covering his absence is called *sous-couvert*. The interviews and observations revealed that the *sous-couvert* system reflects a personal and verbal agreement between the buyer and this assistant and that the practice is not supposed to be known by the cooperative, industry or iTSCi agents.

*Moutrousses* are considered diggers by the administration, with the *mafiga* as their pit. Consequently, they were required to pay the same taxes as diggers to the *Division des Mines* and SAESSCAM. All of these taxes were collected from the *moutrousses* without issuing any proof of payment. The *moutrousses*’ president filed a claim about the high taxes being levied

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<sup>50</sup> At each site, the diggers have a place where they can keep their bags of minerals while they are waiting for the pit owner to distribute these minerals among all of the diggers. These depots are usually located inside the camps. They are small buildings (houses) constructed from rudimentary materials, and their purpose is to keep the minerals safe until the day of distribution. Depending the arrangements made among the team, distribution occurs either day-by-day during the production or at the end of the production.



to the iTSCi office, and, after a meeting with all of the stakeholders, it was decided that these women no longer had to pay the 9,000 CDF annually to the *Division des Mines*. However, they still had to pay 3,000 CDF monthly to SAESSCAM. SAESSCAM was asked to provide real proof of payment to these women when they pay this tax. Clearly, the presence of a president was important for the *moutrousses* to be able to claim their rights at the administrative level. However, the emergence of a president also created some friction in the informal organisation that had existed before.

The arrival of MMR also had the consequence of reducing the supremacy of the customary chief and of his people. Faila and other members of the local royal family saw their power diminished, while another figure of a ‘big woman’ emerged—Mariette Mwange, who is more closely linked to the formal institution of mining governance.

Mariette enjoys the status of a pioneer: She was among the first to do the work of *moutrousse* and initiated many others into the profession. In 2012, problems started to arise because of the arrival of MMR and the presence of the iTSCi traceability mechanism. Women no longer had access to the minerals. At that time, Mariette initially worked as a trader, but, as was the case for many other women, she was unable to continue in the activity. She was then contacted by the chief of the base (*chef de base*) of Kisengo, who appears to be the representative of the Lubumbashi MMR office (the main office) in Kisengo. The *chef de base* is considered to be a director and is in charge of the production and administration of the organisation in Kisengo. MMR’s *chef de base* informed Mariette about the possibility of creating the position of a manager of the *moutrousses* that would be recognised by MMR. Part of her job consisted of collecting (bagging) and tagging the minerals that women wanted to sell from the mine. In her managerial position, she also planned to become the president of the *moutrousses* and report directly to Faila.

Gradually, Mariette established herself in the sector and became the leader of the *mamans moutrousse*. She did not restrict herself to only collecting and tagging minerals; she also managed the *moutrousse* group by organising the labour regime and collecting their taxes for the mining administration. She was also often the one who brought the complaints of the *moutrousses* to the *Division des Mines*, SAESSCAM, iTSCi and other local administrative authorities. For this reason, Mrs. Regine, who was in charge of the Division of Mines in Kisengo in 2013, approached Mariette to formalise the position of women (*moutrousses*) in

the mining sector by giving them identification cards in accordance with the formalisation requirement so that they would have formal access to the mining economy as diggers.

Notably, the process through which women obtained their identification was different from the one used for men. Men are recognised by the cooperative and the industry, and these entities provide identification and pay all of the legal costs for them. Women, in contrast, are left in a position of illegality and are constrained in terms of negotiating access to the mining site. At one point in 2013, considering the illegality of women's presence at the mining site, Mrs. Regine decided to provide women with digger's cards to be paid for directly to her office (and not in Lubumbashi as is formally required). This created confusion in the mining governance, as the administrative office recognised *moutrousses* by giving them identification cards, while the cooperative and industry—although they did agree to buy their minerals—denied them the same attention given to miners (e.g. additional financial support). Mariette helped to raise the money requested by Mrs. Regine and all of the related costs.

The rise of Mariette, the second 'big woman', was not without difficulty in terms of mining governance. In fact, there were multiple clashes between Faila and Mariette in the fight to control and maintain power over the network of female miners. In principle, it can be said that the disagreement between the two women began when, because of the frequency of contact between Mariette and the *Division des Mines*, the importance of her position increased and Faila began to see it as a threat. To counterbalance Mariette's growing position, Faila turned to SAESSCAM, reporting to the new chief of SAESSCAM about what was going on between Mariette and the *Division des Mines* and how all of the money was taken by this single service, to the disadvantage of SAESSCAM. Theoretically, these two services (*Division des Mines* and SAESSCAM) are not rivals. They are actually part of the same technical support system of the Ministry of Mining. However, the two services are financially independent of each other, and therefore have different levying prerogatives. To Faila's mind, SAESSCAM (as being concerned with the technical support of the diggers) should be the department dealing with the diggers' taxes and should not let the *Division des Mines* get all of that money. In talking to SAESSCAM, Faila added that they could give a share of the money collected to the territory administrator and another to the customary chief to gain their support. This, she argued, would strengthen their position and legitimise their claim against the 'fraud' of the *Division des Mines*. However, this idea had not been put into practice at the end of the fieldwork and had remained in a draft policy to this effect since March 2014. On the basis of the information Faila provided, the chief of SAESSCAM decided to impose on

the *moutrousses* the payment of rents for their places of working (plots of land known as ‘*calendres*’)<sup>51</sup> and appointed Faila to collect the money by giving her a position in SAESSCAM. With this action, SAESSCAM positioned Faila as president of the *moutrousses*.

All of this created a great deal of confusion among the *moutrousses*, who did not know what fees they needed to pay and to whom. They even spent a whole month without working because of this confusion. Seeing how the situation was quickly escalating between the two women and the impact on the production of *moutrousses* as well as the public services (the *Division des Mines* and SAESSCAM), the *comité local de suivie* (CLS)<sup>52</sup> quickly scheduled a meeting to take decisions. At this meeting, several things were decided:

- SAESSCAM has no right to intervene in diggers’ organisations. The management of these associations, including the nomination of the president, is not under SAESSCAM’s control. Mariette remained, then, the president of the *moutrousses*.
- Faila, who had already been appointed to the Ministry of Gender, Family and Children, could not be appointed to another ministry (SAESSCAM is in the Ministry of Mining).

Thus, Faila’s claims were unsuccessful, and she was very disappointed. With respect to her position in Kisengo's community and among women, wanting to appease her, the CLS asked Mariette to assign five *mafiga* to Faila; it seemed to the CLS that this was simply a matter of money. Although these *mafiga* were already assigned to other *moutrousses*, Faila’s *sous-couvert* could work there according to the programme established by Mariette. Nevertheless, Faila continued to complain about the situation and her loss of power. Faila also complained that Mariette was the one managing the *moutrousses*, claiming that there is a lot of money involved that is charged to the *moutrousse* that no one knows about.

Despite her disappointment, Faila continued to draw upon two registers of power: the ‘modern’ and the ‘traditional’. In the modern arena, Faila capitalised on, among other things, her position as the *point focal* of the local branch of the Ministry of Gender, Family and Children. This local branch identifies the problems of women and children and often works together with NGOs. MMR also consulted her on corporate social responsibility, and she emphasised that the conditions faced by women in the mines are also part of her duty. In the traditional sphere, she has retained her position in the Kisengo community and continues to

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<sup>51</sup> Before the implementation of the reforms, the *calendres* were provided by the customary chiefs (*mwami*). Following the implementation of the reforms, these plots are given only by the civil servants of SAESSCAM.

<sup>52</sup> The *comité local de suivie* (the local stakeholder consultation committee) is a local committee comprising a representative of the Ministry of Mining at the local level, a miners’ representative, traders, local authorities and legitimate security actors. The aim of this committee is to identify needs to be able to meet due diligence requirements and improve the economic performance of the mineral sector.

give advice to the *moutrousses*. Some of these women even went to her to complain about Mariette, but she was unable to take any action. When she asked Mariette about financial reporting or her relations with the *moutrousses*, Mariette denied any wrongdoing and punished the women who complained about her by not listing them for work.



Coltan drying in the “mifiga”, Kisengo 2014.



Leftover: Moutrousse, Kisengo, 2014

## V.5. Discussion and Conclusions

Although the literature on clientelism or brokering in different labour regimes is varied and extensive, little is known about the actual working conditions of women or the networks that are created around access to mineral exploitation, especially during the implementation of reform initiatives. In the situation elaborated in this chapter, a number of issues emerge regarding the concept and practice of patron–client relationships, as well as the effects of the mining reforms in terms of both opportunities and barriers for women’s participation in mining activities.

First is the consideration of the requirement to hold identification to be allowed to work in the mining supply chain following the reforms. This aspect of the reforms refers to the formalisation of artisanal mining (Bashizi and Geenen 2015). The findings of the present study indicate that fulfilling this requirement comes with many barriers for women. Although women working at the mining sites are not a homogeneous group, and some are better off than others, a great number of women in rural mining areas are poor, vulnerable and unable to afford to pay for identification directly to the mining office. Therefore, those who are more vulnerable use a different strategy, working for others who can afford this identification—for example, as their *sous-couvert*. This arrangement is based on trust between the *sous-couvert* and the boss and forms the basis of a new form of organisation on the ground. This is one way that the international governance interventions have affected the lives of workers, as described by De Neve (2012).

Further, access to the mines in a certified site requires having more money to fulfil the requirement of holding an identification card, good connections with formal institutions and a strong social network. This situation creates the phenomenon of the *sous-couvert* to overcome the harshness of the formalisation process and increase the number of people able to engage in mining activities. At the same time, this situation also builds informality into the formalisation process, as the administration is aware that this phenomenon is occurring but continues to work as if it did not exist.

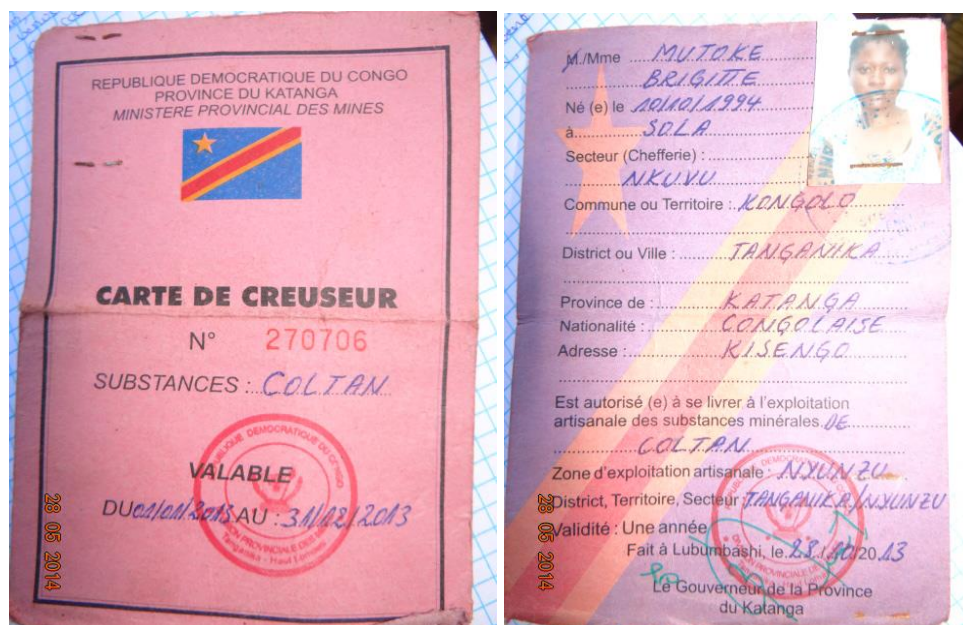
However, this situation does not apply universally to all women engaged in mining activities in Kisengo. Some of these women were able to afford the required identification and could then hire those women who were unable to afford it. This is consistent with Fisher's (2007) analysis explaining that some women can use their vulnerable position to gain benefits in the sector, and with the observation that room for manoeuvre can be created according to the structure of the dominant institution. Along the same lines, this situation brings to mind the character of Sahlins' (1962) 'big men' who never go into office. There are a number of local 'big women', who are very influential and should not be underestimated in the context of the implementation of the present mining regulations. The existence of institutional multiplicity (formal and traditional) in the mining sector is also felt by women actors, for whom formal and informal institutions become arenas in which to position themselves in the local power game.

Second, the local mining governance before the arrival of MMR was illustrated through the case of one specific ‘big woman’. The case of Faila is similar to those of ‘big men’, considering her relations with her followers. As *mère-chef*, she acted as a mother figure for her followers and used direct personal relations with them, similar to what has been described by Schatzberg’s concept of ‘big men’ (Schatzberg 2001; Werthmann 2003). This implies a reciprocal relationship wherein the *mère-chef* provides medical, emotional and financial care for her followers and expects their loyalty in return (Muno 2010). Considering the duties of the *mère-chef*, it is understandable that this position is taken by someone who has lived in the mining camp for a long period of time, who has created relationships with others and who is able to show leadership over other women. By managing the revenue generated by the group of prostitutes and receiving financial reports regarding the *redevances*, the *mère-chef* also creates a relation of dependence between herself and the other women, where she is the only one to appeal to if there are problems in the mining camp.

Third, since the arrival of MMR, the phenomenon of the broker is taking place at the studied mining site. In this situation, as explained by Takemura et al. (2006), we are in presence of a ‘structure hole’, where there is the ‘patron’ (initially Faila, to whom Mariette reported—Mariette later reported directly to the administration and less to Faila) and the clients (the *moutrousses*’ association), with Mariette, the president of the *moutrousses*, playing the role of the broker (Bierschenk et al. 2002). As a broker, Mariette surrounded herself first with her close friends, who make up what Auyero (2000) called the inner circle and who are helping her to organise and manage the *moutrousses*’ organisation. This inner circle also enjoyed being close to the president, as that meant that they could be listed for work more often. It is also understandable that this category of people viewed the president as caring about them. Other members of the group, who are the outer circle, saw Mariette as selfish and sometimes complained about her to Faila (although Faila could do nothing about their situation) (Auyero 2000).

Throughout this chapter, the discussion has been limited to the analysis of the labour regime among *moutrousses* in Kisengo and the power struggle between two “big women”. The analysis demonstrated that, despite the masculine environment of mining and the reduced consideration given to women, mining is a gendered place of work. Additionally, multiple identities exist among women, creating different power relations and a sense of difference among women. The concepts of ‘big men’, brokers and labour regimes were important in this analysis, as they bring us beyond the simplistic idea of power relations among diggers or

between men and women by demonstrating that, in the mining environment, there are also situations where women may be powerful agents capable of influencing others.



Digger's identification card, Kisengo, 2014

# **Chapter VI: ‘It is not right for them to be in the mines’: Tension between international and local gender ideologies and its implications on women’s integration into the mining industry**

This chapter was drafted together with Dorothea Hilhorst.

The chapter is currently under review by *Development and change* as:

Bashwira MR and Hilhorst D. ‘It is not right for them to be in the mines’: Tension between international and local gender ideologies and its implications on women’s integration into the mining industry.



## Abstract

Mining has often been seen as a masculine environment that culturally excludes women. Although this idea has characterised the sector for many years and is the basis of multiple practices, human rights and gender equality ideologies increasingly underpin sectorial policies and discourses at both international and national levels. This study explored the reactions of civil servants working in and around mining areas in eastern Democratic Republic of Congo, as women challenge barriers through their mining-related work in a post-conflict situation. The chapter engages with ‘conflict minerals’ discourses, exploring the gender and mining ideologies at play and asking how civil servants navigate these ideologies in their everyday dealings with questions of women’s access to mining. The study found that, first; officers of the state had a strong knowledge of local gender ideology and sometimes perpetuated these beliefs in the workplace with the approval of women themselves. Second, ambiguity in the laws about mining left room for interpretation regarding both the acceptance of women in mining and the definition of ‘protection’. Finally, the study revealed diversity in civil servants’ responses to women’s integration into the mining industry. This diversity is explained by a series of tensions confronting those responsible for implementing the law. Although women are confronted with several challenges to their full acceptance in the mining sector, they develop strategies in their relations with civil servants to circumvent their power.

**Key words:** Gender ideology, women, artisanal mining, mining reform, eastern DRC, civil servants, state

## VI.1. Introduction

Women are a key part of the mineral industry, with direct and indirect involvement in the production. In fact, women comprise up to 50% of the mineral-linked labour force in Africa (Hinton et al. 2003). In Democratic Republic of Congo (DRC), a 2008 World Bank report stated that women represented around 20% of workers in mining sites (World Bank 2008). These women assume a variety of positions in artisanal mining settings, ranging from mining work and engagement in the trading of minerals to indirect involvement through supporting the mining community by working in, for example, subsidiary businesses, agriculture or prostitution. However, these women continue to face multiple forms of discrimination. This

discrimination is mostly cultural in origin, reflecting traditional norms and taboos (Hayes and Perks 2012), and it challenges women's access to mining activities.

This chapter draws on the perspective of DRC civil servants to contribute to the understanding of women's access to mining during the implementation of reform initiatives. At this time, civil servants take on the important role of implementing new norms, and women are estimated to make up less than 10% of the mining administration workforce (Parité 2010, 2016). From 2002 onwards, a national mining law reform, which aimed to formalise the artisanal mining sector, required identification cards for diggers and traders (*carte de creuseurs* and *carte de négociants*). Consequently, relations between mining officials and women working at the mining sites are primarily based on the requirement for the workers to hold identification and to be registered as miners. These workers rely on the civil servants for their everyday work, either for technical support or for administrative forms for trading minerals.

Although DRC is often cited as a prime example of a 'failed state' that is unable to provide social services to its citizens, some scholars have noted that the Congolese state maintains a meaningful presence; these failures do not mean that the state has ceased to exist or lost all of its power (Anten et al. 2012). Even in the context of a 'failed state', public administration is a strategic factor in economic and social development during the reform implementation process. Trefon (2007) has described the Congolese state as an administrative arena where citizens and officials have somehow built common ground. Despite the poor reputation of the state in DRC, Congolese people still need to deal with state officials regarding a range of service requests, in either the formal or the informal sector (Trefon 2007). However, referring to the state's provision of services, Trefon (2009) noted that the 'Congolese public administration is ambiguous, arbitrary and hybrid [...] Depending on the context, they may adopt a formal discourse (strictly adhering to rules and regulations) just as they may opt for an informal approach (inventing or "interpreting" rules): Combining the two is not uncommon'. The present study explored the special case of public administration regarding artisanal mining to shed more light on women's access to mining activities during the process of reform implementation.

Mining reforms being implemented in DRC include a wide range of initiatives at the national level with the support of international actors. These initiatives, which aim to 'clean up' artisanal mining, include the adoption of the Organisation for Economic Co-operation and

Development (OECD) guidelines on due diligence, the American Dodd–Frank Act, the International Conference for the Great Lakes Region (ICGLR) certification mechanism and the ITRI Tin Supply Chain Initiative traceability schemes. At international level, following the atrocities and the long-term conflict in DRC, several reports mentioned the supposed link between artisanal mining exploitation, long-term conflict and human rights abuses. These reports fuelled a dominant discourse on sexual violence, which depicted women as vulnerable victims of violence and forced labour. The shocking nature and frequency of rapes in the country resulted in a tendency to relate all problems to sexual violence and to neglect all of the other problems that Congolese women face in their daily lives (Bashwira et al. 2013; Douma and Hilhorst 2012). It is now recognised that the high level of sexual violence occurs not only because of the presence of armed groups and is not observed exclusively around the mining sites (Davis 2014). However, attempts to reform the mining sector and to reconsider the place of women in the industry continue to face many obstacles because of speculation about the negative effect of mining on women.

This chapter aims to analyse the coexistence of multiple gender ideologies to understand how these ideologies affect women's access in the mining industry. Local Congolese gender ideology is expressed through the protection of women in a way that becomes oppressive and through conservative cultural beliefs. The logic of this local gender ideology is to confine women to the private sphere. The international mining-specific gender ideology is positioned at the intersection of conflict-related discourse and gender mainstreaming. Thus, the study explored both the international and the local domains of thinking about gender, investigating the gender and mining ideologies currently at play and asking how civil servants navigate these ideologies in their everyday dealings with questions of women's access to mining.

It is important to understand the multifaceted connections between the sociocultural representations of gender and the material reality of ongoing gender inequality in artisanal mining (Mayes and Pini 2010). Considering the position of the civil servants responsible for the implementation of the laws, this study explored the tension between 1) local ideas about women working in mining, which are reinforced in this masculine environment; 2) the conflict-oriented discourse; and 3) ideas about gender mainstreaming in mining. A previous study discussed how the strong and specific conflict-related discourse on sexual violence, because of its emphasis on women's vulnerability, actually contributed to increasing women's exclusion from the mines (Bashwira et al. 2013). However, since the time of that study, international mainstreaming discourse—which did not seem relevant for DRC for a long

period—has begun to be strongly recommended by some international organisations working in the mining sector. Although sexual violence discourses continue to be influential in DRC, the present study sought to extend the analysis by analysing the meaning of gender mainstreaming for local civil servants (primarily those working in mining administration), who serve as mediators between policy and specific cases of women's integration into artisanal mining in eastern DRC.

The chapter begins with a summary of relevant theories on gender ideology. A description of the research methods used in this study is then presented. We then describe our findings on gender and mining ideologies present in DRC, covering the international ideology building on conflict-related and mainstreaming discourses, DRC's national policy on gender and local understandings of gender roles in the studied mining sites. The next section explores the confusion and inconsistencies seen in the practices of civil servants around the implementation of gender mainstreaming in the artisanal mining sector. The chapter ends with the presentation of several key conclusions.

## **VI.2. Theories on gender ideology**

In this chapter, the concept of gender ideology is based on the work of Greenstein (1996) and of Eastwick et al. (2006). Greenstein based his work on roles and identities in the division of labour in the family, whereas Eastwick et al. were more concerned with the conventional division of labour and the associated patriarchal system. Both definitions capture the subjectivity in the concept of gender ideology and acknowledge that this subjectivity can extend to an entire society and become a system, in terms of local culture and what people believe about the implications of being a man or a woman. Legitimisations of gender roles are therefore based directly on standards (either local or international) that are taken into consideration in making a judgement. Accordingly, gender ideology relates to an individual's decision making and lived experiences, as it has the power to influence people's behaviour (Davis and Greenstein 2009). Although Greenstein's work mostly concerns marital and family relations and division of labour, gender ideology can also have broader implications, including in societal, work-related and cultural spheres (Eastwick et al. 2006). Rather than attempting to measure inequality in the division of labour, the present study was concerned with the consequences of people's perceptions regarding gender roles.

Extending Greenstein's work, Kroska (2001) added an essential notion to the concept of gender ideology, noting that people belonging to different subcultures usually do not develop the same meaning for social concepts. Self-meaning and self-interpretation depend on the context. This idea provides a new lens through which to see gender ideology, including the potential tension between conflicting ideologies and the necessity for negotiation. Because gender ideologies are not unique and may include many layers of differentiation between women and men, conflicting gender ideologies spur debate among policy makers, who do not all agree with just one gender ideology.

At international level, some actors concerned with gender and mining have long advocated the exclusion of women from the mines for their protection from sexual violence. However, increasingly, others support the inclusion of 'gender mainstreaming' into the mining agenda. At local level, mining culture includes ideas about the proper way of structuring the sector, and there are certain characteristics, manners and beliefs that are typical of the mining sector (Cuvelier 2014). In this context, women's exclusion from mining is still considered a way of protecting them; this means that the process of introducing international ideology into local culture may be somehow contested at the beginning before the two types of ideologies eventually come to coexist through negotiation.

As globalisation brings global and local domains and cultures together, producing diversity and tension, it is ordinary people who shape the resulting complexity through their daily lives. Negotiation is socially constructed as actors use their agency to navigate different discourses. Similarly, Long (2003) introduced a social interface where negotiations are sometimes carried out by individuals who represent particular constituency groups or organisations. There will never be a common agreement between the different ideologies. Rather, people will sometimes apply them to a specific situation, and they will sometimes mix them. Multiple ideologies will then work alongside each other.

Applying the above statement to gender norms and structure leads to agreement with Elgström's (2000, cited by Walby 2005: 322) statement that 'new gender norms have to fight their way into institutional thinking in competition with traditional norms, because established goals may compete with the prioritization of gender equality even if they are not directly opposed'. Further, contrasting international and national institutions, Hilhorst and Jansen (2010) analysed the coexistence of international and local structures. International institutions seek to remodel, abolish or bypass institutions that they see as problematic, while sometimes

opting to introduce new institutions. Agencies invariably find that they are unable to control local institutions or their effects. In addition, in a way that can follow and complement Elgström's ideas, Hilhorst and Jansen (2010) acknowledged that new institutions may open new forms of political space and strengthen some powerful groups to the detriment of the more vulnerable segments of the population, whose power declines further. That may be the case for women under the mining reforms: Performing basic and low-paid tasks, women are considered among the most vulnerable people involved mining, and women continue to face multiple forms of discrimination related to their integration into the process.

The present study focused on different gender and mining ideologies that can shape perceptions and behaviours at local level. It considered the international ideology of mainstreaming gender in mining, as well as the local gender ideology. Additionally, through the analysis of the discourses of local civil servants, the study sought to identify the tension created by the integration of women into the mining force.

### **VI.3. Methods**

The research for this study was conducted during a period of 18 months in four different mining sites in South Kivu and northern Katanga (Kamituga, Nyabibwe, Kisengo and Manono). The research drew upon data collected through observation, interviews and focus groups with key respondents, including both officials and female miners.

During the first stage of the research, existing international gender and mining ideologies were examined primarily using document analysis. Relevant documents included reports on gender mainstreaming in the mining industry, reports on sexual violence and women's exploitation in mining, reports describing the objectives of different reform initiatives, academic literature and published journalistic interviews with actors at international level. Observations of international and national meetings on the topics of mining in general and sometimes focusing on women were also used to examine these international ideologies. Many existing documents related to the mining initiative programmes were read carefully to identify additional documents that put forward the discourses of interest. From the multiple ideologies on gender and mining at the international level, for this study, we chose to focus on the gender mainstreaming discourse and the conflict-related discourse on women as victims. Although gender mainstreaming has been dominant internationally since just after 2009, it still has a long way to go in conflict-affected areas such as DRC, where other discourses—

especially those on sexual violence—have continued to dominate. All mentions of gender or women in the identified documents were coded.

In the second stage of the research, we investigated the national policy on gender to understand the place of women in DRC, the national attention on women and mining, and the influence of the international sexual violence discourse on national trends in addressing problems related to artisanal mining in general and the issues of women working in the sector in particular. In this part, academic articles were first used to understand the mining governance at national level. Then, more academic articles, reports and meeting presentations focusing on the position of the woman in the DRC were examined to situate not only the international engagement of the DRC but also the limits that women face in the national policy.

Third, to explore local gender ideology, we first used focus group discussions with women participants, observation in the mining communities (in North Katanga and South Kivu) and individual interviews with both men and women conducted as part of the field research in the four selected mining communities of Kamituga, Nyabibwe, Kisengo and Manono. This part of the research aimed to understand the constraints faced by women in DRC and to understand the image of women that is held at the local level. The second step was to review the existing academic literature on gender ideologies to understand the themes frequently developed in such analyses. In addition, we identified reports on gender in DRC produced by the Ministry of Gender and NGOs to get a good overview of the relevant themes that have commonly been discussed. We then conducted further searches on these themes in our field notes, which included notes and transcripts from the interviews, focus group discussions and observation conducted. This was done to determine whether the factors identified from the examined reports and academic literature were also acknowledged by the respondents. The relevant factors identified through these data sources were clustered around three main themes: gender role attitudes, marriage and women's role in decision-making processes. These themes seemed to adequately represent views on women's position in Congolese communities in the study regions.

The final step in this stage of the research was exploring the tensions created by the coexistence of multiple gender ideologies. This was based mostly on individual interviews and observation in the studied mining sites. We also drew upon a report from the NGO Partnership Africa Canada (PAC) and an interview with a representative of *Réseau Femme et*

*Développement* (Women and Development Network) as two rare descriptions of the relationship between the mining administration and the women working in the mining sites. For the individual interviews, we first contacted province-level civil servants in the cities (Bukavu in South Kivu and Kalemie in North Katanga). Additional interviews were conducted at local level in the mining centres at the start of the fieldwork to familiarise the local authorities with the research and to ask about their views on the presence and position of women in mining. These local-level interviews were conducted mostly with agents of the Mining Division, representatives of the *Service d'Accompagnement et d'Encadrement du Small-scale Mining* (SAESSCAM), and the administrative chief at the mining centre or territory level. People in these positions were selected as the target group of interest because they are charged with implementing the policies and are therefore responsible for granting or denying access to mining activities based on their beliefs and/or knowledge. In all mining centres, among other public services, there is an office of the Mining Division, which focuses on the administration of the mining site, as well as the SAESSCAM bureau, which aims to provide miners with technical support and training, and the territory administrator or his/her representative (in smaller centres). At most sites, we interviewed the person in charge of the bureau and sometimes other civil servants, depending on their willingness. (See Table 1 for an overview of the types of civil servants interviewed.)

Table 3. Civil servants interviewed at the local and provincial levels

	Bukavu	Kamituga	Nyabibwe	Kalemie	Kisengo	Manono
<b>Mining Division</b>	1	-	2	1	1	1
<b>SAESSCAM</b>	-	-	1	2	1	2
<b>Territory administrator</b>	-	1	1	-	1	1
<b>Other</b>			1			1
<b>Total</b>	1	1	5	3	3	5

Source: Author's composition

The interviews were semi-structured and took place in the offices of the participants. The interview schedule included questions about mineral activities, the relationships between actors, the place of women in mining and the interviewees' personal ideas regarding the involvement of women in mineral activities. When the participants consented, the interviews were recorded; seven interviews were fully recorded, five were partially recorded and six were not recorded. Interview notes were taken for all of the interviews and were later entered



into Microsoft Word files. Informal interviews were also conducted to strengthen the general understanding, but these were not specifically used in the analysis presented in this chapter. It is important to note that the Congolese administration is made up mostly of male agents, especially in rural areas. For this reason, all of the civil servants interviewed were men.

#### **VI.4. International and local gender and mining ideologies**

At the beginning of the field work, it was difficult to identify the reasons explaining civil servants' responses to the presence of women at the mining sites: Some seemed to accept women's presence, whereas others were categorically opposed to women in the mines. All relied on some form of gender ideology to support their beliefs. To enable a better understanding of the responses of civil servants determining women's access to the mining sites, we first describe the different ideologies, before analysing the tension created by these conflicting ideologies. To analyse these tensions, it was necessary for this study to explore both international and local ideologies. The study examined three different discourses: a conflict-oriented discourse on women as victims of sexual violence and forced labour, an international discourse on gender mainstreaming in mining and the local gender ideology grounded in social process. This section is divided into analyses of the international ideologies building on conflict-related and mainstreaming discourses, DRC's national policy on gender and local gender ideology.

##### ***International gender ideology in the mining sector***

This section explores international-level discourses related to gender ideology and mining to identify precisely where gender is referenced and for what purpose. Generally, the document analysis revealed that, at both international and national levels, when the word 'gender' was used, it was mostly in relation to women's issues only. This section presents an analysis of conflict-related discourses, before turning to gender mainstreaming as it relates to the mining reform initiatives.

In DRC, 'women and mining' has simultaneously followed diverging trends because of two dominant international discourses: a conflict-oriented discourse and a discourse on women's inclusion in mining. Considering the perceived link between the long-term conflict and sexual violence, especially around the mining sites, the international community has portrayed the artisanal mining sector as a highly exploitative setting, particularly for women (Free the

Slaves 2013). Because of their interest in reassuring their consumers about the full respect of the labour laws of their own countries and their desire to stop sourcing minerals from conflict-affected areas, mining companies, international NGOs and governments have developed a range of reform initiatives for enterprises and governments sourcing minerals. These initiatives are found in conflict-affected areas in general and in DRC in particular. The initiatives initially described women as encountering violence, especially sexual violence (Free the Slaves 2013; Hayes and Perks 2012; Kelly 2015; Kelly et al. 2014). This approach has had an impact on women's integration in the sector. Although the initiatives state that pregnant women do not have to work in the mineral supply chain, it has the consequence of affecting all women's access to mineral exploitation work (Bashwira et al. 2013).

Discourses on conflict minerals and sexual violence in DRC generally emerged in the late 1990s. The gender mainstreaming discourse appeared much later—around 2009, at international level—before being included in DRC's national agenda around 2012–2013. The World Bank recommendation on full gender mainstreaming in all extractive industries was first presented in their 2009 report on 'mainstreaming gender into extractive industries projects' (Eftimie et al. 2009). This report asserts that 'understanding and adapting projects to improve gender sensitivity is essential to realising the Bank's stated commitment to both mainstreaming gender and to the third Millennium Development Goal (MDG) of gender equality and empowerment of women' (Eftimie et al. 2009):1. This point of view is the norm among development agencies that aim to provide women with economic access while also protecting them and advancing their decision-making position. Just prior to the publication of this World Bank report, a Common Fund for Commodities report also called for the involvement of women in all aspects of community consultation (Hayes and Wagner 2008). The overarching idea is that everything should be implemented with the inclusion of women in the mining sector—even in post-conflict settings, as mentioned by Hayes and Perks (2012).

Clearly, although discourses on sexual violence do persist in DRC, the link with conflict minerals is now more nuanced, allowing room for discussions of gender mainstreaming and women's inclusion in mineral exploitation in new agendas. To understand the current stance of international ideology concerning gender and mining, it is necessary to analyse the inclusion of this ideology in DRC's mining governance.

## *Women in the mining reform programmes*

A range of reform initiatives exist related to mineral resources in DRC, including initiatives seeking to address inclusion in mining governance. A review of various programmes revealed that gender aspects, if they are included at all, appear secondary in many initiative programmes. The following examples illustrate how gender is included in some of these programmes.

The Certified Trading Chains (CTC) for 3T<sup>53</sup> minerals, a programme developed by the German Federal Institute for Geosciences and Natural Resources, is implemented in the African Great Lakes Region and started in eastern DRC in April 2009 (BGR 2010). CTC is an instrument to implement ethical standards and transparency in mineral production along the supply chain. This initiative aims to increase political stability in developing countries and contribute to poverty alleviation, while also improving security along the mineral supply chain (Franken et al. 2012). A principle of CTC states that ‘The company [...] [takes] into account gender-sensitive aspects, more specifically’. In addition to expressing concern with improving environmental issues, this principle also specifies that ‘[industries must also] understand the situation and perspectives of women in the company’s area of influence and design and implement company’s operations in a gender-sensitive way’ (Franken et al. 2012: 222). These are the programme’s only references to the involvement of women.

The Extractive Industries Transparency Initiative (EITI), a global standard to promote the open and accountable management of natural resources, was created as a result of a campaign by Publish What You Pay (PWYP) members in 2001–2002. EITI was endorsed by DRC in March 2005, but the initiative initially paid no specific attention to women in mining. Beginning in 2012, PWYP has shown great engagement in DRC, and a meeting was held on the relaunch of the process of gender integration to discuss how to build the capacity of women in DRC for understanding the EITI process and the PWYP campaign, with the goal of women becoming better involved. Since 2013, in partnership with UN Women, PWYP has started a global consultation campaign to improve the inclusion of women in the mineral sector. This campaign asserts that women miners should be involved in the decision to give consent. Impact assessments and community consultations should specifically take into account how women will be affected by extraction—both by ensuring that the right questions are asked and also that the right conditions are met so that women can freely participate

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<sup>53</sup> 3T (tantalum, tin and tungsten) are the minerals identified as the focus of conflict minerals policy.

(UNW 2015). PWYP and UN Women have also created a blog about natural resource governance and gender, which provides information on women in mining and integrates gender into the analysis of mining governance. In November 2014, they also launched a toolkit<sup>54</sup> that examines how to approach gender issues in the extractive sector.

Tentative efforts have been made to strengthen the gender component in ICGLR programmes through conferences and capacity-building of women actors in the mining sector. This has been done with support from PAC and the German Technical Cooperation to help the ICGLR to introduce a gender component into its practices through the Kampala Declaration (15–16 Dec 2011), where it is stated that the Secretariat requested that country members ‘strengthen the privileges between the Regional Initiative on Natural Resources (RINR) and Regional Initiatives on Action against sexual violence and gender based violence, by supporting member States to integrate gender aspects in their national mining policies, and encourage regional exchanges as well as the cooperation for sustainable development of [the] natural resources Sector’ (Hinton 2012).

In addition to the above initiatives listing a specific gender component, PROMINES is an integrated, multi-sectoral programme of the DRC government that was initially funded by the World Bank and the United Kingdom Department for International Development. Through a global programme on gender in the extractive industries initiated by the World Bank, women’s issues are being addressed through the creation of the *Reseau National des Femmes de Mines*. Based on statements made by women participating in this study,<sup>55</sup> this women’s network seems to give hope to many, although it is still in its nascent phase with its first national meeting being held in September 2015, and although it faces many challenges. Other initiatives, such as the Southern African Development Community, also contain little in their gender components regarding increasing the number of women in mining or adapting the mining infrastructure for the presence of women. However, they do support women’s organisations.

An example illustrating the idea that gender mainstreaming is still very embryonic in the mining reform initiatives is seen in an interview of Johanne Lebert, the director of PAC’s Great Lakes Program. In the interview, she pointed out that ‘There may be well-intentioned programs, laws, and policies, but none of it is being evaluated, certainly not from a gender perspective [...] Their impacts are unclear, and they are often based on anecdotal and

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<sup>55</sup> Participants shared their experiences after the conference with one of the authors, September 2015

incorrect information [...]’ (Filipovic 2014). Based on environmental assessments, the reform initiatives have defined mechanisms that are ultimately expected to reach the entire community (including women).

The international ideologies on women in mining behind these initiatives are also seen as dynamic and range from completely excluding women to making them more responsible for their choices. During the recent 9th OECD conference in Paris, Karen Hayes, Pact-Congo programme director, argued that it ‘is necessary to reconsider the way discourses are built around women in mining and to be aware that we are talking about adults who know exactly what is good or bad for them. It is then necessary to listen to what women themselves have to say about their lives and more specifically to let them decide how far they want to go into the mines’.<sup>56</sup>

Women’s inclusion in mining potentially has to contend with multiple challenges. Changes in the sector may lead to more dangerous activities for women in the course of providing for their families. These changes can also create power struggles, where some people gain the ability to create room for manoeuvre through strong social relations. In reality, it is often the case that the implementation of any initiative requires the involvement of government offices, and patron–client relationships are sometimes part of these transactions.

The document analysis conducted in the present study revealed that international-level gender ideology as applied to DRC drew exclusively on conflict-related discourses until late 2011, when the discourse began to become more inclusive. At this time, some initiatives even included a section on gender. At the same time, national policy on gender and local gender ideology as manifested in practice in DRC were also important in terms of implementing the mining initiative programmes and determining the role of state officers in this process.

## **VI.5. National policy on gender**

This section focuses on women’s position in DRC. It draws on national-level observations to understand the reaction of the Congolese government to issues related to conflict mineral dynamics and women, and it attempts to understand perceptions regarding women’s position in the Congolese community.

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<sup>56</sup> OECD conference in Paris, 4-6 May 2015, in the panel: Women as Economic Actors in Responsible Supply Chains of Minerals.

According to Freedman (2015), economic interest and in particular interest in natural resources have turned the Congolese state into a playground for foreign actors. While international attention appears to be at its peak regarding the supposed link between artisanal mining exploitation and the drawn-out armed conflict in DRC, at the national level, ideas about this link have influenced legislation in two distinct areas related to this study: In the mining sector, although the 2002 mining code does not give specific attention to gender issues, it also does not prevent women from working in the mining areas. Second, President Kabila responded to the conflict minerals discourse as it relates to artisanal mining exploitation with a ban on artisanal mining exploitation in the provinces of North Kivu, South Kivu and Maniema from September 2010 to March 2011. This ban aimed to fight the presence of armed groups and to decontaminate artisanal mining as a source of funding for the armed conflict. The ban was meant to improve mining governance and gain the favour of the international community. However, the ban actually had very severe consequences for the mining population, depriving them of their main source of income and exacerbating the situation of marginalised groups, including women (Autesserre 2012; Cuvelier 2013; Geenen 2012).

In addition, international attention for the status of women in DRC and for the large number of women experiencing sexual violence during the war has also resulted in the international community urging the Congolese government to accede to several international and regional agreements on women's rights and sexual violence. The DRC government integrated some of these concepts into its own constitution. Nevertheless, the implementation of these ideas is still not fully effective (Hilhorst and Bashwira 2014). The international discourse on gender mainstreaming has generated another way to approach women in the mining sector by demanding the recognition of their roles. In this vein, conferences organised by the ICGLR and PROMINES, as mentioned in the above section, are working to address women's marginalisation in mining and to draw attention to the situation of women in the sector.

Taking a historical view, women in the Congo (Basin) have not always been considered marginalised or vulnerable. In traditional Congolese society, the woman is primarily a wife, a mother and a guardian of traditional culture. In the economic sphere of traditional society, they play a very important role, especially in agricultural production. Accounts of the pre-colonial period are rife with stories romanticising women's position (Akwety, n.d.; Ngongo 2013; Odimba et al. 2012). However, the image of powerful women during this period belies

the fact that, in the private sphere, the place of a woman was consistently behind her husband, who was the one making the decisions (Odimba et al. 2012).

Beginning in the colonial period, women have faced additional issues in terms of being included in the decision-making sphere. These struggles were sometimes rooted in the more distant past and may contribute to explaining women's current position. From the beginning of the colonial period, the colonisers were primarily concerned with forming a masculine workforce to meet the administrative needs of the colony, and they neglected girls' skills (Meditz and Merrill 1994; Freedman 2015). The low level of girls' education was the result of two interrelated causes: Congolese families' reluctance to send their daughters to school, opting instead to promote their marriage, and conservative Belgian ideas regarding women's education (Ngoyi 2010). In addition, under the influence of Western models of organisation of social structure, women were separated from public affairs and political life.

Following the colonial period, during the 1960s and 1970s, different political regimes tried to address women's position in DRC. Equality between men and women and equal education were discussed in 1964 around the drafting of the first national constitution (Odimba et al. 2012). However, most of these ideas remained in draft form and were never fully implemented. During this period, there were cases of women becoming ministers, or achieving high positions in the public administration (Kigoma 2010). Although women were less educated in rural areas and had very little representation in the decision-making sphere, they were already at the core of the survival of their families (Ngoyi 2010).

From the 1980s until now, women have increasingly entered into formal professions (e.g. government, military, civil service) (Meditz and Merrill 1994), but they are still underrepresented at the higher levels and they continue to earn less than their male counterparts for doing the same jobs. Many women from urban areas have found opportunities in the informal economy during this period, while rural women have become increasingly vulnerable and have experienced a rising labour burden with the deterioration of the economy (Meditz and Merrill 1994).

## **VI.6. Local gender ideology**

At the local level, individuals' perceptions and actions have also played a role in producing and reproducing gender norms. It is therefore important to understand the ideas behind local perceptions of women in eastern DRC, especially in terms of attitudes about gender roles,

marriage and women's position in the decision-making sphere. In the investigated regions, the cultures are patriarchal.<sup>57</sup> However, local ideology is not static, especially in the highly dynamic mining areas, where people from different ethnic groups live together. For example, in Nyabibwe (in South Kivu), one respondent<sup>58</sup> told us that all parents raise their children in accordance with their own cultures. However, the mixing of cultures, where people adopt some things from other cultures, plays an important role in social life.

### *Gender role attitudes*

Here, attitudes about gender roles refer primarily to views on the division of labour within the family. In many local cultures in DRC, this division of labour is well established and fairly unyielding (Davis 2014). During the fieldwork, different respondents gave almost the same answer when they were talking about the position of girls and boys in the household: 'Girls have to do all the work in the house'; '[Girls are responsible for] washing the dishes, supplying water, sweeping the house, [and] bathing their younger brother before going to school. When they come back [from school], one [of my daughters] can go to the market and start cooking the food while the other can help me to sell goods'. Another woman emphasised this role division between boys and girls by pointing out that the place of girls is at home doing housework: 'I prepare my daughters for their future married life'. For boys, however, respondents gave differing answers: 'All of my boys are in Kalemie [city] for their studies'; 'After school, boys go to play and then in the evening they start studying'; 'Boys may help with farm activities and caring for the livestock.' Where there are no girls or when the girls are still too young, it is accepted for boys to perform all domestic jobs without any conditions.

In addition, expectations about gender seem to determine what a man or a woman should look like in Congolese society (in terms of, for example, behaviour, clothing and public appearance, and access to commodities like education, information). These expectations are transmitted and supported mostly by women.<sup>59</sup> A particularly salient example of this is that schooling is merely an option when it comes to girls. In many local Congolese cultures,<sup>60</sup> it is said that 'to educate a girl is to enrich her in-laws', and girls' families do not see any advantage for themselves in doing that.<sup>61</sup>

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<sup>57</sup> In some other parts of DRC, the cultures are more matriarchal. This is the case, for example, in part of North Katanga and in part of the provinces of Kasai and Bas-Congo.

<sup>58</sup> Interview in Nyabibwe with a local leader, June 2013

<sup>59</sup> Focus group with women in Nyabibwe (June 2013) and Manono (March 2014) on the position of girls in society.

<sup>60</sup> Congolese culture can hardly be considered a single entity; there are multiple cultures based on the different ethnicities (estimated at more than 280), found in the country.

<sup>61</sup> Interview with a woman in Kisengo, May 2014



Similar findings were reported in a previous report on the women's movement in DRC (Hilhorst and Bashwira 2014). In this previous work, it appeared that girls receive an education only if the family has enough money to spend on it. If parents feel that there is much work to do at home, they often decide to keep their daughters at home. As a result, study hours for a girl are conditioned by the end of the housework, which is supposed to prepare her for a future life as a wife.

### *Marriage*

Marriage is an important part of DRC's customs, especially in rural areas. The issue of early marriage in DRC has been strongly emphasised in many reports. For example, DRC's 2011 national gender profile report (Ministère du Genre 2011) mentioned the 'high rate of early marriage of girls between the ages of 15 and 19 years, mostly in rural areas, despite the legal age of marriage being 18'.

In local meaning, an important element attached to marriage concerns the question of bride price, which also symbolises a traditional wedding. This practice differs depending on the ethnic groups involved. However, with the mixing of cultures and the exposure to globalisation (even in the mining communities), the process of the traditional wedding is changing. One of the interviewees compared the process of traditional weddings in two different ethnic groups in the following way: 'As part of a traditional Hutu wedding, the groom has to go to the bride's house several times with his parents and his people [those of his ethnic group] to discuss the bride price. The mixture of cultures [in Nyabibwe] has made Hutus reduce the process while Havus [another ethnic group in the same area] have adopted the values requested for the bride price by Hutus'.

In the local Swahili language, bride price is known as *mali*. In this context, *mali* is considered more in terms of economic wealth than as a social value. When there is a dispute in the family and there is a possibility of the couple divorcing, every member of the wife's extended family will remind her about the bride price paid and the fact that she belongs to the husband's family. *Mali* also comes up when a woman does not have children as expected (in cases where there are no children at all, it takes a long time to have another child or there are too many girls), as this reduces the legitimacy of her place as a wife. In cases of divorce, the husband's family may ask for the reimbursement of the bride price paid. Indeed, this is always a fear of the wife's family. A very good example is provided by Schoepf and Engundu (1991) in their description of the same issue and the control of money in the household in Kinshasa city.

Marriage is very important in DRC's local culture. Even in the mining environment, marriage remains important and is used to build social life in mining centres. Marriage is considered sacred, and married women are treated with more respect than are single women. In fact, most Congolese women's chief desire is for marriage, especially in rural areas, where there is no other socially acceptable choice. In marriage, the husband can have as many wives as he wants, and he is also permitted to have extramarital affairs. When such a scenario happens, however, it is the wife who is blamed for failing to satisfy her husband or for failing to curb his desire for other women. Compared with men's infidelity, women's infidelity is more harshly criticised in broader society.

### *Women in the decision-making process*

This section is concerned with women's possibilities for voicing their choices in public and for making their own decisions. In many parts of DRC, especially in rural areas, few women are responsible for deciding how their own earnings are spent (Ministère du Genre 2011). If the husband is an alcoholic, lazy, or engaged in polygamy, it makes things worse for the woman; she is then expected to carry more of the burden of the family's expenses while her husband still monitors everything and spends most of the family income on alcohol and other women. These sorts of cases are part of the reason why several married women in DRC, especially in rural areas, were considered the only person responsible for their families, despite the presence of a husband. However, even in these cases, women were never invited to join family or community decision-making meetings.

Women's limited access to and control over resources remains problematic following the effective implementation of the gender approach by NGOs promoting equality and equitability between men and women. Although rural women usually perform the farming tasks more often than do their male counterparts, women can rarely invoke their rights to the land. Men and even women have negative perceptions of selling land to a woman and of a woman inheriting land. Compared with men, women also have less access to credit, and, often, women are absent during community training sessions conducted by NGOs on fertilising the soil or using new crop techniques. As was highlighted in the 2011 Search for Common Ground (SFCG) report,<sup>62</sup> women lack access to information.

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<sup>62</sup> Search for common ground, RAPPORT SUR L'ANALYSE DES BARRIERES LIEES AU GENRE DANS LA PROVINCE DU SUD KIVU ET DU KATANGA, November 2011. L'équipe de Search for Common Ground composée de : Dirk J. Koch : Directeur national, Flavienne Cimanuka : Chargée de programme Genre

Further, a woman working outside the home sometimes suffers a poor social reputation (mostly in rural areas).<sup>63</sup> The integration of women in the public sphere, including development project meetings and solidarity groups, is still considered by many Congolese men to be recreational or something women do in their spare time. However, increasingly, this situation is changing; people are influenced by modernity, which is usually promoted by globalisation (through contact between the rural and international markets) and the activities of international NGOs, even in remote rural centres. As a result of persistently conservative gender role attitudes in the private sphere, women are not allowed to be present where men are having discussions at the community level. This situation was also raised when talking about the bride price discussion.

All things considered, women's integration in mining activities (or in work in the informal economy in general) continues to face challenges that are reflected in women's dealings with the administration.<sup>64</sup> Although the available statistics are limited, some local NGOs, such as *Observatoire de la Parité* (in 2010), have mentioned the low representation of women in many governmental structures (Parité 2010). The fact that the majority of state officers are men exacerbates women's marginalisation. In the past, women in rural DRC felt powerless vis-à-vis local government officials (Newbury 1984). This feeling of powerlessness has continued to the present in women's relations with trade and legal institutions—specifically on issues regarding the formalisation requirement (Labonne 1996; Newbury 1984).

## **VI.7. Acceptance or refusal: Tension regarding the integration of women into mining**

This section analyses the everyday dealing of civil servants with the presence of women in mining activities and the discourse that follows. Civil servants' points of view were considered in an analysis of the problems associated with being positioned at the intersection between conflicting institutions. Long (2003) has argued that this type of analysis is important for exploring social discontinuity, noting that people in this difficult position are potentially fraught with internal conflict and ambivalence. Specifically, state officials may be torn between loyalty to the local culture and their obligation to obey and enforce international and national laws. Three themes were identified to describe these civil servants' reactions: knowledge of traditional ideas, the ambiguity in the law and the diversity of responses.

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<sup>63</sup> Interview in Kisengo with men and women, May 2014

<sup>64</sup> Focus group with women in the centre of Kisengo, May 2014

### *Knowledge of traditional ideas*

As was already noted above, state officers are mostly men. These officers generally hold local gender perceptions in their minds, even as they interpret international laws. As an example, one civil servant in Manono working in the administration described the local understanding of early marriage and the challenge it may create for those aiming to implement the law on the minimum age for marriage as follows:

In the culture of Manono [mostly the Luba tribe of North Katanga], a woman is considered to be an adult at the age of 13 or 14. This creates problems for those who must enforce the law, which establishes the legal age [of marriage] at 18 years old. Local people say that the government just wants to respect Western instructions regardless of the cultural context. A Congolese girl of 14 is as mature as a Western 18-year-old girl [...] (Civil servant, Manono, 2014).

This official put the issue of early marriage into cultural perspective. His statement corroborates the above discussion of the importance of marriage, but it also conveys the idea of divergence between the culture and the law. The same official further explained why it is considered acceptable and even expected that girls engage in transactional sex. Explaining how girls are perceived in the mining community and how they end up in such situations, he said:

[Here in Manono], from the age of 14 already, a father can build for his daughter an annexe [extension to the family's house] section of the house and let her be free about whom she wants to receive there. At age 14, she no longer has to ask her parents for anything—neither food nor education. Thus, most [girls] are like vultures around lucky diggers [working in the mines] seeking to become their 'friend'—or with officials of national or international organisations from other regions, with the encouragement of their own families. When the girl reaches 20 years old and has no children at home, everybody thinks she must have done a '*Lahana*' [curse] or incest with her own father because she has not yet given birth to a child. She must have made the gods angry about what she has done'. (Civil servant, magistrate, Manono, 2014).

This official concluded that, to respect the law and address early marriage, culture is the first issue to take into account: '[Early marriage] is primarily a problem of mentality and culture. For a woman to stop being exploited, the power of culture should be reduced' (Civil servant, magistrate, Manono, 2014). This point is all the more important because it links respect for the law to the consideration of culture. This implies that law and culture, despite contradictions that we find in them, operate together in the mining communities and must be taken into account simultaneously.

This respondent originated from Kinshasa and had been assigned to Manono three years before he was interviewed. In these years, he had come to view early marriage from a local point of view, as families in Manono encourage this practice. Early marriage is considered to be sexual violence against minors according to Congolese law, but officials like this respondent deal with the issue differently in practice because of the strong power of culture in determining people's perceptions. Depending on the socioeconomic position of the families involved (of the girl and the boy), the issue of sexual violence may arise (as a way to extort money from the wealthiest family), or the situation may be considered a social affair to be settled in a 'friendly' way among family members.

Another example of the influence of local gender perceptions is seen in the interpretation of bride price. Although bride price still has value as a gift in the view of some civil servant respondents, others interpreted it to represent the woman as an object that was being purchased:

*'Musika niwakulipiwa Mali'* [A girl is to be paid for property]; woman is considered according to the bride price she will bring to her family. She knows that, by getting married, she now belongs to the family of her husband and should therefore not claim anything for her own family. She does all of the heavy housework while the husband keeps saying that *'ni mali ya kwetu'* [it is my family's property]. (Civil servant, Nyabibwe, 2014)

This way of thinking among civil servants is also reflected in how they deal with women's issues. In relation to the above interview extracts, civil servants may request the consent of a woman's husband for her to work at the mining site. Based on our interviews with female miners, women who have to interact with these authorities without having male relatives present often see themselves as marginalised, not taken seriously or even swindled.

Nevertheless, officials working in the mining administration try to play the role of protector based on feelings of kinship relations (where women are under the authority and the protection of men) with respect to confining women in the private sphere. In fact, state officers see the mines as dangerous places, with many risks of death and hard work for women. They build on the sense of kinship to justify this position: 'Women are our mothers, sisters, wives, daughters. Seeing them in the mines is really frustrating. When the reforms started, we excluded women systematically from all mining activities [...] but they still need to feed their families' (Head office of the Mining Division, Manono, 2014). Again, these state officers are men, who are traditionally supposed to protect and provide everything for women. For these officials, integrating women into mining means accepting seeing them doing hard

work, and this is frustrating. The same idea of kinship relations was shared during the fieldwork across all of the sites visited.

However, despite state officials' reluctance to have women working at the mining sites, the presence of male relatives is a way to legitimise women's presence in the mines: 'It is not right for them to be in the mines, and the administration has the duty to ensure this in the name of protection. But if she is joining her husband, that is more acceptable' (Mining agent, Manono, 2014). In this case, women are seen as contributing to the family's livelihood by helping their husbands, which is an illustration of livelihood diversification.

For women seeking to work in the mines, this way of being considered is not at all objectionable, because it refers to the meaning of social relations between men and women in the local culture. Again, regarding local gender ideology, cultural barriers to women are transmitted and supported mostly by women themselves. Women often add the prefix '*papa*' (father) before the name of the state officers, reflecting this hierarchy. Additionally, when a male relative is present, the state officers interact directly with this man.

It is often easier either for the mining administration or for the women themselves to have a representative who deals directly with the administration offices. This is the case for the group of *moutrousses*<sup>65</sup> in Kisengo or *Shashulere*<sup>66</sup> in Kalimbi (Nyabibwe), who have a structure through which their presidents are the ones who interact with the state officials. Being a member of a group gives women more freedom to express themselves, as well as better representation, but there is sometimes a problem with trusting the representative: 'One is never really sure that the amount that she [the president] asks for is exactly what was requested by the administration, or if she is not exaggerating a bit. As for our claims, they are often not answered, and everyone wonders if it reaches the administration' (Female miner, Kisengo, 2014). Being the representative of such a group requires having close relationships with the state officials. These kinds of relationships allow claims to be accepted or renegotiated. However, these relationships also create a power imbalance vis-à-vis other women and lead to the phenomenon of the 'big woman' (Bashwira and Cuvelier forthcoming).

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<sup>65</sup> Group of women working along the coltan supply chain at Kisengo sites (Northern Katanga) helping the *creuseurs* to dry the minerals. In exchange, they may get the mineral tailings that they will process and sell.

<sup>66</sup> Group of women working as traders at the sites of Nyabibwe (South Kivu) as intermediaries between diggers and traders.

### *Ambiguity in the law*

As to what is said about the acceptance of women's presence in mining activities, a high-level official at the provincial level who approached the issue of women with reserve and who did not want to get too involved, made an important point:

It is only said [in the mining reform initiatives] that we must protect women's rights in the mining sector and that we must prevent pregnant women from working inside the sites, but nothing is said about how we should do it. Women are not excluded as such, but they must not do heavy work on the site. They can do other work like that of traders, team leaders [...] In the end, it is up to every mining officer to decide on the way to deal with this issue. (Chief of the Mining Division, May 2013)

This respondent's political position close to the governor and the provincial minister is perceptible in his words; he did not want to take a firm stance. From his answer, it is clear that the policy comes to them without any clarification on how to implement it. At the local level, we identified different ways in which civil servants dealt with this issue: Officials closer to the mines seem to identify their discourse with the central government policy, which follows the international gender mainstreaming discourse. However, they often recognise their limitations in implementing the law. As one of these civil servants explained, 'There is confusion in the interpretation of laws: The mining code does not at all prohibit the presence of women in mining sites, yet, in the case of the protection and security of women, we prevent them from digging. SAESSCAM is also there to protect women in the mines and will not accept them engaging in digging' (Chief of SAESSCAM office, Manono, 2014).

In fact, in the understanding of local-level civil servants, the law is ambiguous; it leaves room for self-interpretation on how to implement it alongside the existence of local knowledge. The concept of 'protection' is drawn from their knowledge of the mining legislation, but it also has roots in the local gender ideology, which does not allow women to dig.

The discourse of civil servants has also been affected by the experience of the mining ban and the implementation of other reform initiatives in the Kivus. The comments of an interviewed mining officer illustrate this fact:

After the lifting of the ban<sup>67</sup> in March 2011, it was difficult to keep women completely out of mining activities as has been requested [by the law].<sup>68</sup> We then asked these women [who were working in mining and were not pregnant] to join a group [a local

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<sup>67</sup> The ban was issued by President Kabila from 9 September 2010 to 10 March 2011 in the provinces of Maniema and North and South Kivu. The ban was a response to international attention and the link that was being made between artisanal mining and the presence and funding of armed groups in eastern DRC.

<sup>68</sup> This comment demonstrates that it was believed that the law indicated that no women could enter the mines anymore, although, in fact, this was clearly stated only for pregnant women.

organisation] in contact with BGR<sup>69</sup> for funding. In 2010, they were given commission cards, but this category of agent is not listed in the mining code, so they could no longer use such IDs. We tried to find a certain flexibility in facilitating access by giving them diggers' cards, although they are traders and not diggers. (Mining Division chief, Nyabibwe, 2013)

From this approach taken by the Mining Division in Nyabibwe, it is understood that, initially, the understanding was that all women were to be excluded from the mines (which is effectively what Lebert has asserted about the local administration's interpretation of the reform initiatives). However, considering the harsh economic situation, especially after the mining ban, it was difficult at the local level to keep women out of mining completely. There was evidence of the same misinterpretation of the reform initiatives in Manono at the beginning of the implementation of these reforms: 'We originally ordered that all women should be kept outside the mining sites. It was in September 2011 [...] But women have strongly protested against that. Finally, we decided that just pregnant women have to leave the quarries and find employment elsewhere' (Chief of office, Mining Division, Manono, 2014).

State officers generalised the prohibitions in the reform initiatives referring to pregnant women (Bashwira et al. 2013) working in mining activities to include all women and initially attempted to chase women out of the mines for their own protection. These officials emphasise that their acceptance of women at the mining sites—for now—is only out of pity because of the current economic situation in the country.

### *Diversity in responses*

This situation of ambiguity and self-interpretation creates diversity in civil servants' responses regarding the presence of women in the mines when implementing the reform initiatives. In some cases, because state officers are themselves referring to the law, they are taking a moderate stance: Women are recognised as helping diggers and the entire mineral chain because of their significant work in the mines. Nevertheless, these civil servants may apply this discourse differently for different categories of women: 'We only recognise those women who can have a mining ID [diggers' or traders' card]. Those who transport or wash the minerals do not have the qualification of diggers or any other qualification to be in the mines' (SAESSCAM officer, Manono, 2014).

Other state officials, more radical in their opinion on women being kept out of mining, tend to emphasise women's victimhood rather than their capacity. In the view of these officials,

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<sup>69</sup> The German Federal Institute for Geosciences and Natural Resources (Bundesanstalt für Geowissenschaften und Rohstoffe, BGR)



women must be protected from themselves (it is thought that they cannot make their own choices), as well as from sexual assault perpetrated by the diggers. The abovementioned PAC report provides an example of this in the Mangi<sup>70</sup> sites (Ituri Province) (Eva Coté 2014). Here, women's prohibition from the mines was taken up directly by the head of the mining concession. In his understanding, for him to protect women, they had to be kept out of the mines. This was not only for their safety, but also for the safety of the diggers and for the protection of the women's reputations in the community, considering the stability of family life, because women miners are considered to be prostitutes. This action was directly related to the local gender ideology regarding women's protection.

Such radical views do not appear often, however. State officers generally hide their positions behind the words of social assistance. Also, in the case of the presence of the mining industry, as in Kisengo, the mining administration allowed the industry to endorse the ban on artisanal mining and then to support it without seeming to be the party who suggested it. However, sometimes the actors are not in full agreement, and this situation continues to obfuscate the legitimacy of women working as miners. In the case of Kisengo, it was even suggested—by many—that the gender of the former head of the Mines Division, who is a woman, played a major role in the acceptance of women in the mines.

The confusion in Congolese law regarding women's position gives all of the actors involved room for self-interpretation and creates a fuzzy acceptance of women's presence in the mines in the name of social assistance. Nevertheless, this fuzzy acceptance of the presence of women in the mining sector does not prevent civil servants from being more demanding when it comes to the formalisation requirement regarding ID cards. There are also cases where women are subject to elevated taxes on their activities because of their ignorance about their rights.

The women who participated in this study often complained that they never know to whom they can turn when they have problems in the mines. The fact that most women involved in mining have low levels of education, are ignorant about their rights and are working informally without any identification puts them in a weak position when it comes to dealings with state offices. One woman in Kalimbi (Nyabibwe) expressed the problems resulting from this situation:

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<sup>70</sup>Mangi is a mining area and part of the Banalia district in Ituri Province.

‘We do not know our rights and we do not even know all of the procedures in the mining administration. That sometimes ends in misunderstandings on both sides’ (Female miner, Kalimbi, 2014).

However, women’s experiences with the mining administration were not universally negative. Another woman interviewed pointed out that different officials treat women in different ways:

‘All agents are not the same; it just depends on the person you had to deal with at first [...] There are those who see just the money, but there are also those who can really help. In my own experience, I know an agent who always helps me and even told me about the procedures I did not know about’ (Female miner, Kalimbi, 2013).

In general, women display low self-esteem in their attitude towards state officers. However, despite being confronted with the above limitations, women exercise agency through incorporating strategies in their relations with men. Newbury (1984) gave an example of this concerning women selling cassava in North Kivu and how they managed to vote in a male candidate friendly to their position. During the field research for the present study, some women in different communities said that, although they are not allowed to speak during meetings, they could talk to their husbands at night, and the husbands would then make their points during the meeting. There are also women serving as cultural chiefs at customary level who inherit the position from their parents. These women exercise their function and refer to the territory administrator in cases of discord with other chiefs related to gender.

Several of these strategies are often used by women as part of their relations with officers of the state. As stated by Meditz and Merrill (1994), one of the ways in which local people may circumvent the power of state officials is by locating someone in the bureaucracy to whom they are related through family, ethnic group or friendship so that they can get permission or access. It is also important to remember, as many have noted previously, that how the state offices provide services today is related to the colonial heritage, which was very patriarchal.

## **VI.8. Conclusions**

The central aims of this chapter were to describe and understand the gender ideologies present in DRC and to analyse how civil servants navigate these conflicting ideologies related to the reform initiatives that they are charged with implementing. It has been argued that the

predominance of male officers and the different understandings of the reforms in terms of the ‘protection of women’ at international and local levels have ramifications for the enforcement of these reforms.

Several reform initiatives (international, national and regional) have been launched in DRC in the attempt to combat the issue of ‘conflict minerals’. Some of these initiatives address gender through confronting socioeconomic problems of mining and other community issues. Others, such as PWYP, are more progressive, including a specific gender lens. In the international gender ideology, women are seen as economic agents, and it is argued that there must be more equality between men and women, especially during the crucial time of reform implementation in the mining sector. ‘Protection’ schemes at this level aim to improve women’s position in the sense of increasing equality and mainstreaming (through, e.g., education, jobs, access to and control of resources). However, the treatment of women’s problems remains weak and not sufficiently explicit.

This study also found that, in the local gender ideology, women are primarily considered to be wives, mothers and guardians of traditional culture. In general, women working in the informal economy are confronted with many challenges linked to cultural beliefs. They are expected to stay home and not be in the public sphere, conduct business outside the home or voice their views at meetings alongside men.

The findings demonstrate how, during the implementation of the mining reform initiatives, the mix of ideologies regarding gender has implications for women’s integration into artisanal small-scale mining. This influence operates through the ideologies’ contribution to shaping the attitudes of Congolese state officers towards mining and gender mainstreaming. First, state officers have a strong knowledge of local gender ideology and sometimes perpetuate these views in the workplace with the approval of women themselves. Second, ambiguity in the law leaves room for self-interpretation about the acceptability of women in mining and about how to define ‘protection’. Finally, there is diversity in the responses of state officers, as a series of tensions play out in the minds of those charged with implementing the law. The diversity in the responses of state officers comes from ideologies closely associated with the dominant image of women as victims, who are poor, powerless and better off being treated as charity recipients instead of rights holders. However, the dominant discourse is not fixed; some officials take an approach based on the international gender mainstreaming discourse, while others, although recognising the importance of the international discourse, still insist

that women be joined by male relatives or join an association. Another discourse that coexists with the above is the more radical approach of denying women access to the mines for their own protection and the protection of the mining community. However, although women are confronted with several challenges to their full acceptance in the sector, they approach relations with state officers strategically to circumvent their power.

In the long run, it is clear that the dominant gender ideology is changing and that this shift can help in protecting women. However, there is currently enormous variation and selective appropriation among powerful local actors, and the surrounding cultural context has a large influence on how officials see women's position in the mines and in broader society. The tension between powerful ideologies is, above all, about the question of whether women should be the lead actors seeking to improve their own situation. However, cultivating an awareness of gender relations at the family and community levels is strongly recommended to ensure better gender sensitivity during the reform process. The findings suggest the possibility that the DRC government and the international community can find a way to improve the position of women in mining without seeking to modify the social framework completely.

## **Chapter VII: Discussion and general conclusion**

## VII.1. Introduction

This thesis has dealt with the changing position of women in artisanal mining in eastern DRC during a period of reform. It has focused on the ways in which women negotiate and navigate their access to livelihoods in the mines and mining communities, as well as how this has been affected by the ongoing mining reform initiatives.

The importance of the mining sector as a source of revenue for thousands of people in DRC has been recognised. However, the sector has also been associated with the ‘resource curse’ and with sexual violence. Although these discourses on DRC’s mining sector were developed mostly at the international level, they have had a direct impact on women at the local level, with many women suffering and experiencing marginalisation. As such, the mining sector can be seen as strongly tied into both local dynamics and international politics.

As acknowledged by authors like Lahiri-Dutt (2008), mining is not only locally situated, but also includes relations between the local and the global. In fact, mining areas in DRC are social spaces at the interface of different international-, regional-, national- and local-level actors. Here, discourses and global markets shape the lives of the local people. Thus, as Mazalto (2008) has noted in her study on the Congolese mining reforms, the Congolese government and its mining sector, in the definition and implementation of DRC’s national policies, are at the centre of global issues that involve powerful international economic and social actors.

The thesis has demonstrated that the globalised nature of the mining industry strongly affects women in seemingly remote localities of DRC. Women involved in the mining sector have witnessed three main changes brought about by globalisation in mining: (1) The reforms and mining policies (whether at international, regional or national level) impact women’s access to the local-level mining economy (Chapters 2 and 6). (2) Global discourses and different ideologies about gender, which may either meet or contradict local discourses, shape women’s possibilities for engaging in mining activities (see Chapter 6). (3) Women participate in informal economies that are connected to global networks and markets that shape their livelihood opportunities (Chapters 3, 4 and 5).

To investigate these phenomena, the thesis took an actor-oriented approach to exploring two nexuses: (1) women and globalisation and (2) women in conflict and social change. From a

theoretical point of view, my understanding was that analysing women in DRC's mining sector also required clarifying the link with the global level, as well as the conflict situation and how both may produce social change that women have to navigate by creating room for manoeuvre.

The thesis draws on the concept of agency to understand the differentiated strategies employed by women in the artisanal mining environment (Long 2003; Long and Ploeg 1989; Samman and Santos 2009). Recognising women's agency proved very useful in understanding the multiple pathways and motivations women had for migrating to the mining settlements and choosing their livelihood options; the ways in which women created room for manoeuvre, gaining access to the mineral exploitation; and the differences in their positioning in power relations. In gender studies, the concept of agency is often viewed as the capability of individuals to bring about change in their own lives through individual or collective activity (Samman and Santos 2009). In the course of my fieldwork, I found this definition to be too restrictive. I learned that women also deploy their agency in dealing with situations that seemingly do not change. This is the case, for example, when women struggle to prevent further deterioration of their livelihood conditions or when they find creative ways to cope with stagnating conditions. I therefore prefer the definition of agency as given by Norman Long (2003: 16), for whom the notion of 'agency attributes to the individual actor the capacity to process social experience and to devise ways of coping with life, even under the most extreme forms of coercion'. According to this definition, people who cannot achieve change nevertheless have agency.

The mining sector has always been of great concern in DRC and is among the largest contributors to domestic production. However, for several decades, this promising sector has been associated with the worst forms of human exploitation, sexual violence and death. The wars and insecurities in DRC since the 1990s have given rise to major concerns about the links between the artisanal mining and the increasing presence and financing of armed groups (Cuvelier, Van Bockstael, et al. 2014; Geenen 2012). In response, international, regional and national initiatives to reform the mining sector have been launched in an attempt to cut the funding link between mining and the presence of armed groups.

The mining reform initiatives comprise measures at international, regional and national levels aiming to 'clean up' the mineral supply chain and to formalise the artisanal mining sector. These initiatives include, among others, the 2002 Congolese Mining Code, which aims to

formalise and regulate the artisanal mining sector by giving priority to external investors; the Dodd–Frank Act passed by the American Senate; the Organisation for Economic Co-operation and Development’s due diligence schemes; the regional certification mechanism of the International Conference of the Great Lakes Region; and industry initiatives such as the International Tin Research Institute (ITRI) Tin Supply Chain Initiative (iTSCi), with its traceability system. All of these reforms aim to find a solution to the problem of ‘conflict minerals’.

The situation of war and insecurity has had undeniable effects on the image of Congolese women in general, and this is especially true for the women of the mines. In addition to the precarious conditions of women in the mining sector that are recognised in other countries, women in DRC have been described as sexually violated and physically exploited. Women in the artisanal mining sector have been considered so vulnerable that many actors have advocated for these women to leave the sector and find alternative livelihoods instead (see Chapter 2). This attitude has recently and gradually given way to approaches that recognise the importance of mining for women’s livelihoods. The reforms in the mining sector, however, have continued to pay little attention to the specific situation of women. Where they have considered these women specifically, the initiatives have taken the form of protectionist measures to improve women’s security and living conditions (see Chapter 2).

The research presented in this thesis was part of a broader research programme, entitled ‘Down to Earth: Governance dynamics and social change in artisanal and small-scale mining in DRC’. This larger programme aimed to understand the negotiated outcomes of the implementation of conflict mineral policy on three important aspects of the eastern Congolese artisanal mining sector: gender, livelihoods and governance. The project described in this thesis addressed the first aspect in particular and aimed to contribute to the debate on mining reforms from a gender perspective.

The research took place from 2013 to 2014, partly in the province of South Kivu (Nyabibwe and Kamituga) and partly in North Katanga (Kisengo and Manono). Two mining sites were chosen in each area. The selected sites were either pilot sites for the implementation of the reform initiatives of the iTSCi system (a focus of the Down to Earth programme) (Nyabibwe and Kisengo) or sites characterised by large numbers of women working as miners (Kamituga and Manono).



The chapters of this thesis demonstrate that, in contrast to earlier ideas—which still prevail among many people in DRC—that there are hardly any women in the mines, women are represented in great numbers in mining areas. They find direct employment in the mining processes, by panning, crushing, transporting, washing and sifting the minerals and sometimes even trading or obtaining ownership over a mining team. Other women find livelihoods that are indirectly linked to the mining sector, for example in agriculture, restaurantering, business or prostitution. Regarding prostitution, I found transactional sex to be very common in the mining communities, and it was deployed by women in different ways: either for survival or to enhance their opportunities where transactional sex becomes part of women's livelihood strategies (see Chapter 4).

The introductory chapter of this thesis formulated five specific research questions I sought to answer with this study:

1. How has the discourse on the supposed link between artisanal mining and sexual violence changed women's position in artisanal mining activities?
2. Why are women deciding to move to and settle in artisanal mining areas? What challenges do they face after arriving in the mining areas, and how do they cope with life there?
3. What kind of activities are women involved in at the mining sites, and what different combinations of livelihood strategies differentiate these women?
4. How has the formalisation process influenced the position of women and power structures at the local level?
5. How are local and international gender ideologies developing, and what are the implications for women's everyday dealings with access to the mining economy?

Each of these questions was derived from the central objective, which was to better understand the changing position of women in artisanal mining communities, and the following overarching question: *How do differentially positioned women navigate and negotiate the transformations of artisanal mining in the context of mining reforms in eastern DRC?* This concluding chapter gives an overview of how the findings from the five empirical chapters in this thesis provide answers to the five specific research question, thus fulfilling the overall research objective.

In the following sections, the main cross-cutting findings of this thesis are presented along three themes, drawing on the different specific questions and chapters of the thesis. The chapter then offers some reflections on the implications of this thesis for policy, practice and future research.

## **VII.2. Differentiated discourses on women shape their access to the mining economy in different ways**

A major finding of this thesis is that women's access to the mining economy is highly dependent on different international, national and local discourses about the position of women. As there are multiple and partly conflicting discourses on women's roles in mining and in society more broadly, these discursive effects are differentiated. Local governance actors may treat women differently because of the way they interpret or prioritise certain discourses, and some women find in the multiplicity of discourses room for manoeuvre to negotiate a better position in the mines.

Artisanal mining is found to be made up of globalised and gendered workplaces, where local concepts of gender roles conflict with imported values and conform or change in many ways (Lahiri-Dutt and Macintyre 2006). At the interface between international and local arenas, this study identified three types of discourses that determine women's access to mineral exploitation. These were the conflict-related discourse on sexual violence, the gender mainstreaming discourse and the local discourse based on culture and social taboos. International attention was initially directed towards conflict minerals, sexual violence and forced labour in DRC from 1996 to 2003, during the time of the Congolese wars, and this attention has continued in subsequent years. The discourse on gender mainstreaming emerged later in DRC, around 2012. In the same time, at the local level, culture maintains a strong place, and customary practices continue to disadvantage women.

Chapter 2 focused on the international discourses linking women and conflict and the effects of these discourses on the ongoing mining reforms. Discourses regarding women and conflict tend to depict women as vulnerable and as victims of harassment, exploitation and sexual violence. These ideas have motivated initiatives at the international, regional and national levels to improve transparency and governance in the mining sector, with the aim of breaking the supposed link with the presence of armed groups. At one point, mining initiative

programmes were being developed simultaneously with programmes supporting alternative livelihoods for women outside of mineral exploitation. This was expected to be a solution for women's vulnerability and exploitation at the mining sites.

Among the components of the implemented reforms related to the position of women, there is a prohibition against pregnant women working in the mineral supply chain at the mining sites. During my fieldwork, I found that this measure, although very important for the safety of women, has often been generalised in two ways. First, it has been interpreted to apply to all types of activities, even those activities that could be performed without affecting the pregnant woman. Second, it has been applied to all women working in mineral exploitation. This has been the case regardless of the type of work that was carried out, despite the fact that some types of work may be considered less dangerous for women (e.g. the trading of minerals).

This exclusion has had a direct effect on the position of women in the mining sector and in the mining community. As was mentioned in the introduction, despite the image of women as victims, they continue to occupy a central place in the family economy, especially in rural areas. Their exclusion from the mines has therefore deprived many women of their livelihoods, which has also had negative effects on the survival of these women's families (Hilhorst and Bashwira, 2014). The protectionist legislation—and especially the way it has been interpreted locally by power holders in the mining communities—has brought about unnecessary restrictions to the access of women to mining-related livelihoods.

In terms of the dynamics of access to the mining economy, Chapter 6 highlighted the fact that, through time, the conflict-related discourse promoting women's exclusion from mining exploitation was no longer the only discourse that governed women's access. There has been a tendency towards a second and more inclusive form of ideology: gender mainstreaming. However, this ideology, which seeks to enhance women's access to mining, has not replaced the conflict-related discourse, which aims to exclude women from the mining sites. Rather, both discourses coexist at the international and national levels.

These international discourses have found their way into the design of the reforms of the artisanal mining sector, as well as the practices surrounding them. The international discourses also play a role domestically, where they have influenced the national gender policy issued by the Congolese government. Although this law does have an impact on

gendered practices at the local level, it coexists alongside local cultures that are, for the most part, discriminatory against women.

As a result, at the local level, we find that mining areas represent an arena where different and contradicting discourses prevail on the roles of women. This research thus needed to better understand how this multitude of co-existing gender ideologies influenced women's access to the mining economy. This research problem was approached by considering the civil servants working in mining areas. In Chapter 6, I analysed these officials' perceptions of the presence of women in the artisanal mining sector and how this related to the different ideologies that I identified.

I found that civil servants, based on their upbringing in and knowledge of traditional ideas and laws, have a very protective attitude regarding the position of women in the artisanal mining sector. Nonetheless, a number of women can effectively negotiate their access to the mining economy. This happened in different ways, but it was most effective when a woman could be accompanied by a man or have a man speak for her, and when she could successfully use arguments of necessity to bring out a protective attitude based on her need for some level of economic protection to survive. Thus, women's experiences with the mining administration are not only negative. Some women have been able to create room for manoeuvre, integrating strategies in their dealings with the state services and gaining access to mining activities.

### **VII.3. Women's differentiated roles, opportunities and power relations**

In this research, diversity has been understood as differences in status, conditions and/or activities among women living in artisanal mining communities, as well as differences in the ways women perceive of their situations and choices and how they choose to act upon these perceptions. In policy and academic literature on women in mining in DRC, women are usually treated as a homogeneous category of vulnerable people. A major finding of this thesis is that women in artisanal mining in DRC—even when they perform more or less the same activities—are nevertheless composed of heterogeneous groups with different needs and different ways of dealing with their situations in the mining environment.

Chapter 3 took up this theme, showing that women are not homogeneous in their backgrounds or motivations to migrate to the mining areas and to engage in mining activities. Mining is

considered to be a poverty-driven activity. For the majority of women participating in this research, poverty or economic difficulties were linked to security concerns. Many of the study participants came from conflict-affected areas in eastern DRC. Those women who had come to the mines out of poverty and after being internally displaced by conflict seemed destined for the poorest jobs in the mining areas. In contrast, some of the women who had more diversified motivations to come to the mining areas and who started out with more room for manoeuvre managed to fare better at the mining sites.

The present study also sought to understand the challenges that women who work in artisanal mining activities are facing with the rapid migration of the rural population to the mining centres. When the data for this study were collected, the mining communities had become composed of diverse groups of people coming to the mining sites for varying reasons. These communities had developed from simple mining camps into important and full-fledged villages with an urbanised structure (e.g. Kamituga, Nyabibwe and Manono). I found that, in addition to the cultural barriers that have often been identified with regard to women in mining (Heemskerk 2000; Moretti 2005), there are also other forms of socioeconomic constraints. Although these affect women to differing extents, they include a lack of respect for women in their occupations, occupational hazards resulting from the chemicals used in mining, other health problems including sexually transmitted diseases, the challenges of combining income-generating work in the mines and caring for the family, and the continued and abject poverty.

A second point of diversity was highlighted by this study in Chapter 4, related to income sources and activities practiced by women in the mining centres that are directly and indirectly associated with mining activities. I found that women are involved in various activities in the supply chain, including digging (in open pit mining), mineral processing (washing, transporting, pounding, crushing and reprocessing minerals), and mineral trade. In terms of activities that are indirectly related to mining exploitation, women in the mining community also play different socioeconomic roles, including work in administration, agriculture, the trade of diverse goods, prostitution and restaurant operation. In addition, it was observed that women are differentiated in terms of how they combine livelihoods by their social and economic assets, access to institutional structures and choice of coping strategies. Factors such as previous positions, family ties, levels of vulnerability in relation to the conflict, role of 'husbands' and belonging to a social network are important in determining how well off different groups of women will be.

Although women's backgrounds and starting positions (such as being internally displaced) largely seemed to determine their options in the mines, I also found that there was a certain level of social mobility in the mining areas. Some poor women managed to climb out of poverty, against all odds, by strategically organising their livelihoods and expenses. Conversely, there were also women who started out in better positions but fell in status, often as a result of having a particularly selfish or abusive husband.

A third point, as introduced in Chapter 5, considers the differential power positioning of women. Past work on power relations in mining has paid attention only to powerful men in mining, assuming that women are powerless and vulnerable. My research demonstrated that several 'big women' are present in the mining centres and in the mining activities. Chapter 5 analysed the case of Kisengo, where several local 'big women' are very influential.

Local mining governance presents itself as a social arena in which structures and actors act and interact. Usually, in mining areas that are still relatively undeveloped and have not grown beyond a small camp, there is a camp leader (*chef de camp*) and a women's leader (*mère-chef*). While the *chef de camp* is in charge of the camp's management, the *mère-chef* is the head of the women, with influence over women's involvement in business, mining and prostitution and the maintenance of order in the camp households (Cuvelier and Bashwira 2016). When the number of people living in the camp increases, the governance of the area becomes more complex, and the administration becomes more formal, requiring direct relations with the government administration. Although it is possible for the same actors to play both traditional and formal roles, in many cases, as in Kisengo, new figures of power emerge. These new figures are closer to the official institutions, and they compete with the traditional institutions for power positions. This thesis highlights the strategies adopted by two female actors (one with tradition-based power and the other with power based on the formal institution) in the quest to maintain their power positions, also considering how the reform initiatives have changed the local power landscape by promoting formal institutions.

#### **VII.4. Changes in the mining labour regimes**

The third major set of findings of this thesis concerns the reform of and changes to the mining labour regime. The mining sector has always played a major role in DRC's domestic

production. In its drive to reclaim a regulatory position over the mining sector after several years of conflict and economic chaos, since the early 2000s, the Congolese government has set up a series of reforms aiming to improve the governance of the mining sector and to formalise the sector. A starting point for this was the 2002 Mining Code, which included regulations intending to guarantee the security of goods and people and removed limitations on investment (Mazalto 2008). One of the regulations in the code stipulates that people must have an identification card (a digger's card or a trader's card) issued by the provincial office of the Division des Mines. These cards grant individuals permission to engage in mining operations.

Before the reforms, the artisanal mining sector was relatively easy to access and provided women with economic opportunities that they could not find elsewhere. Although most women generally had access only to the lowest-paid jobs and were exposed to high levels of precariousness, the money they got from their activities allowed them to survive in the mining areas and to provide for their families. Some women managed to benefit from these activities, organising themselves into strong networks to improve their situation, for example by becoming pit owners, traders or even managers.

Since the early 2000s, the role of resource exploitation and its link to conflict in DRC has become more evident. This shift occurred first at the international level and was then translated to the national level. This has resulted in a number of reform initiatives combating conflict minerals and the lack of formalisation of the artisanal mining sector. The approaches reflected in these initiatives include development of certification mechanisms, traceability systems and due diligence measures (Mathyssen et al. 2015). These changes call for more administrative requirements in terms of access to the mineral economy.

My research has revealed that the mining reforms have had many effects on the position of women involved in mineral exploitation by (to some extent) formalising the mining economy and changing the mining labour regime. Women's access to the mining economy was formerly restricted only by cultural taboos, but these restrictions are now institutionalised and legitimated by the reforms aiming to formalise the sector, which was previously seen as unregulated and characterised by informal economic transactions. The thesis reported, among other things, two examples of the situation where the reform initiatives have impacted women's position in this way:

First, in Chapter 2, I analysed the effects of the conflict-related discourse on women's access to mineral exploitation. It appears that the emphasis on conflict minerals has implications for women's position and involvement in artisanal mining activities. This discourse was often reflected on the ground in the exclusion of women from mining activities, which exacerbated the lack of recognition for women's roles. In most cases, women take on roles as intermediaries or subcategories of actors in the mineral supply chain. The implementation of the reform initiatives and the reinforcement of the formalisation process have resulted in the requirement for these women to hold identification cards that do not reflect the activities they are actually performing (e.g. In Nyabibwe, South Kivu, *shashulere* is the name given to women who are intermediaries between traders and diggers: a crucial job that is nonetheless considered an illegal practice by the government, especially because of traceability issues. To negotiate the recognition of their activities, the *shashulere* created their own organisation and formed political alliances).

This part of the research demonstrated that the reform process can actually increase some forms of marginalisation in the mining labour regime. The formalisation of artisanal mining calls for all actors working in mineral exploitation to hold an identification card. However, some people (the more vulnerable and poor) cannot afford this requirement. The consequence is that this requirement has resulted in the creation of subcategories of actors and new forms of power relations, discriminating against those who were already marginalised by the mining structure.

As a second example, in Chapter 5, the phenomenon of the *sous-couvert* was discussed. These people are a subcategory of agents in the mineral supply chain who have no identification or recognition by the formal mining institution. They work for those holding identification cards through verbal agreements, and they share the profit earned through their work in mineral exploitation. *Sous-couvert* may be found working for both diggers and *négociants*. In the case of Kisengo, those working for diggers are all women. This situation serves to increase the vulnerability of powerless people, who are unable to afford to meet the formalisation requirements, thus deepening their marginality in terms of access to the mining economy.

In the course of this research, I observed that the reform initiatives have allowed for the creation of new forms of power by widening the gap between formal and customary (informal) institutions and thus inducing differentiation between these institutions. Some women develop strategies to take advantage of these changes by relying more on the formal



institutions and creating strong networks with officials, putting those who remain more traditional at a disadvantage. This dynamic has had tended to reduce the traditional power by promoting the power linked to the official administration. Additionally, this situation has set up a new form of power based on new social networks. My research findings indicate that some women may create room for manoeuvre, gaining a certain power position in the pursuit of self-identified goals.

It is important to be very clear that the mining reforms have not had only negative effects on women. Indeed, this research also found that some women have benefited from the presence of the reform initiatives to improve their conditions and create more opportunities. More precisely, Chapter 4 described the merits of reforms regulating the weight of the bags transported by women. In addition, the reform initiatives, although not a direct cause of this development, have contributed to greater visibility on the issue of women in the mining industry, which can be seen in the number of conferences and programmes currently implemented.

Overall, women in artisanal mining centres are agents who make decisions based on either strategic opportunity or survival. However, they continue to face significant discrimination in social and political spheres. People respond to this discrimination in diverse ways, and the possibilities for creating room for manoeuvre to overcome this situation differs, because women living and working at the mining sites are not a homogeneous group with identical needs or motives.

## **VII.5. Limitations and future research**

This research was the first of its kind to explore the roles of women in mining in DRC. At the beginning of this research, when I spoke about my interest in women in the mines or introduced my research to politicians, they usually responded with astonishment, asking why I wanted to study prostitutes in the mining areas and why I was wasting people's time on women's issues when they should be concentrating on mining governance. So, for me, understanding who the women living in the mining areas are was my first concern to eliminate the unidimensional image of women revealed in these kinds of interactions.

Like any scientific work, this study has several limitations, which can be addressed in two main points:

First, regarding the issue of gender, it is probable that the reader will not see my focus in this work on the position of women as a gender lens, bringing me back into the debate between women in development (WID) vs. gender and development (GAD). In fact, in this research, I have focused mostly on women instead of considering differences in gender roles. Nevertheless, looking closely at this work, it is clear that I have considered relations between men and women, although this element of the analysis does not stand out. For example, these relations were included through the analysis of the relationship between women and male diggers, the importance of husbands for women involved in mining exploitation (Chapter 4) and, the relations between women and (mostly male) administrative officials (Chapter 6).

However, as many recent reports describe the exploitative relations between men and women in this context, focusing on the examination of these relations through a scientific approach would have been of great interest to policy makers and others. The dynamics of the power relations described in this thesis (among women), although an important component that is usually disregarded, would be more interesting if they had been examined in the broader context of gender relations (between men and women).

Second, as the first academic investigation of women and mining in DRC, this research took an ethnographic angle and relied on qualitative data. In the early stages of this research, I set out to incorporate quantitative methods, and I managed to do so to some extent. However, in this exploratory phase of the issue of women in mining, I found qualitative methods to be more valuable. Policy makers and even institutions are in need of a better understanding of the composition of women in each labour category in the mining areas to allow them to contribute to policies and practices with a fuller knowledge of the situation.

It should be understood that the reform initiatives, although multiple and sometimes complex, are also changing in line with current politics. As I write this conclusion, the Dodd–Frank Act, which was one of the most influential governance initiatives in DRC, regarding the prohibition of United States companies from buying minerals that originated in conflict-related areas, is being repealed by the new United States president. Undoubtedly, this new situation will have implications for the position of women, and future research investigate the potential effects of this development.

## **VII.6. Policy contributions and recommendations**

In terms of policy, the present work has made a critical contribution to the debate on women's position in mining governance under reform initiatives. This thesis confirms the results of previous work (e.g. Fisher 2007; Mazalto 2008) that has found that mining reforms have had negative effects on local marginalised people. The thesis concludes that the orientations of the mining reforms intended to help women have, to a large extent, failed to take the complexity of local cultures, realities and diversity among women into account. This is of great importance, considering the roles that women play in the mineral supply chain.

Keeping this in mind, I present three types of recommendations oriented towards three categories of actors:

First, at the national level, there is a need for policy to take into account the presence of intermediaries or subcategories of actors (who sometimes turn out to be only women). In addition, policy should acknowledge the contribution to production of those who, to this point, do not form part of the nomenclature of the Mining Code but who nevertheless still operate in the mineral supply chain, thus increasing their marginalisation in terms of access to the mining economy. There is also a great need for establishing a legal framework in the mining sector that includes gender dimensions.

Second, women living and working in the mining areas should take control of their lives to avoid being seen as merely vulnerable and as a single, homogeneous group. Setting up the Réseau National des Femmes des Mines (RENAFEM) is a start to gain recognition along these lines. If this organisation's framework is well-structured and managed, it will likely promote the different roles of women in mining and also a recognition of their different socioeconomic positions. Providing women with the training and support necessary to form associations such as savings and credit associations, and also supporting them in local initiatives for development, leadership and income-generating activities will serve to break their isolation and give them a collective strength that will enable them to improve their living conditions and those of their families.

Third, policy makers at the international, regional and local levels need to establish a clearer and more shared discourse on women's access to the mining economy so as not to leave room for self-interpretation. In this way, policy makers can contribute to reducing women's marginalisation in terms of access to the mining economy.

There is a real need for all of the actors included in mining governance—at both national and international levels—to reconsider their perceptions of the presence of women in mining activities. The present study has clearly shown that female miners are not a single and uniform category of actors. Rather, there are many different types of female miners, with needs and expectations that are completely heterogeneous. It is essential to accept the place and roles of women in the artisanal mining sector and to give them voice in the mining reform process, recognising that they are actors of change able to negotiate their position and navigate their lives, even in cases of extreme coercion.

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