

Democratic Republic of the Congo

Country Overview

Politics

The Democratic Republic of the Congo (DRC) is classified by the U.S. Department of State as a presidential republic.¹ The country is a former Belgian colony which gained independence in 1960.² It has been a site of conflict and instability due to its immense mineral wealth and the presence of rebel and militia groups.³ The Fund for Peace ranked the DRC as the fifth most unstable nation out of 179 countries assessed in 2021.⁴

Due to the DRC's former president Joseph Kabila's refusal to step down at the expiration of his term in December 2016, national elections originally scheduled for November 2016 were postponed to December 2018. Failure to hold elections as scheduled fueled civil and political unrest. In January 2019, opposition candidate Felix Tshisekedi was sworn in as president. This was the first transfer of power to an opposition candidate without significant violence or a coup since DRC's independence in 1960.⁵ However, Freedom House has indicated that President Tshisekedi may have come to power via a backroom deal, with other opposition candidates barred from the poll, and the presence of electoral fraud, as well as voter suppression.⁶

Human Rights Watch reported that human rights took a downturn in 2020 under the presidency of Felix Tshisekedi.⁷ The Council on Foreign Relations has stated that President Tshisekedi has clearly expressed his desire to run for a subsequent term but it is unclear when the next elections will take place.⁸

Economy

The DRC is classified as a low-income country and one of the five poorest countries globally.⁹ It is currently ranked at 175 of 189 countries on the Human Development Index.¹⁰

According to the World Bank, the DRC has high resource potential, possessing natural resources including minerals, hydropower potential, arable land, and immense biodiversity with the world's second largest rainforest.¹¹ Nevertheless, it has had a sustained history of poor economic performance.

In 2020, the DRC was ranked as the eighth most difficult country in which to do business out of 190 countries, a slight improvement on the previous year when it had been ranked at sixth place.¹² In 2020, DRC avoided a pandemic-related recession, and in 2021 economic growth



increased to 5.7 per cent. The level of economic growth in DRC is well above the regional average at 4.5 per cent.¹³

The economy is heavily dependent on natural resource extraction, particularly copper and other minerals. Mining is the country's largest industry and contributes to the majority of the country's GDP. In addition to contributing to the national economy, minerals fund armed groups and criminal networks in the east of the country.¹⁴ The UN reports that large amounts of gold are smuggled by such groups to neighboring countries.¹⁵

As a result of the importance of mining to the economy, factors such as global demand and raw material prices affect the country's GDP growth rate. Primarily, DRC's economic growth has been supported by the surge in demand for two of DRC's key exports: copper and cobalt, with prices increasing by 40 per cent and 80 per cent respectively.¹⁶ This favorable growth is set to continue throughout 2022-2024, alongside a mining sector set to expand.

Given its arable land and mineral deposits, the DRC has the resource potential to become one of the richest economies in Africa, provided it can overcome the current political instability.¹⁷

Social/Human Development

The DRC is a country with low levels of development and high levels of poverty and gender inequality, according to quantitative measures. The DRC's Human Development Index (HDI) score for 2019 was 0.480, ranking the country 175 out of 189 countries, but this falls to 0.335, when adjusted for inequality. Its Gender Inequality Index score for the same year was 0.845, with 0 indicating perfect equality and higher values indicating higher inequality. The most recent data indicates that 64.5 percent of the population is living in multidimensional poverty.¹⁸

The DRC is home to over 200 African ethnic groups, most of which are Bantu. According to the CIA, the Mongo, Luba, Kongo, and Mangbetu-Azande tribes make up approximately 45 percent of the population.¹⁹ The U.S. Department of State reported that societal discrimination and abuse of ethnic minorities were ongoing problems in 2021.²⁰

TIP Report Summary

US Department of State TIP Ranking: Tier 2 Watch List

According to the *Trafficking in Persons Report* for 2021, the DRC Government made significant efforts to eliminate trafficking but did not fully meet the minimum standards for the elimination of trafficking. These efforts included convicting an armed group leader of child soldier recruitment and sexual slavery, investigations, and prosecutions of those complicit, the partial implementation of a national action plan and measures to enhance victim identification. However, efforts were found not to have increased beyond those of the previous reporting



period and authorities investigated fewer cases. For this reason, the Office to Monitor and Combat Trafficking in Persons classified the DRC under Tier 2 Watch List for the second consecutive year. If the DRC does not improve its record from 2021, it faces being downgraded to Tier 3.

Trafficking risk is generally internal and may be found among both adults and children in export supply chains including small-scale agriculture and the illegal mining of diamonds, copper, gold, cobalt, ore, and tin. Additionally, Congolese men, women, and children are vulnerable to trafficking as combatants and in supporting roles within armed groups as well as in the mining sector. The U.S. Department of State confirms the presence of debt-based coercion. Women and girls are at risk for sex trafficking related to the mining sector, but also nationally, regionally and internationally.²¹

Read the full TIP Report: www.state.gov/reports/2021-trafficking-in-persons-report/democratic-republic-of-the-congo/

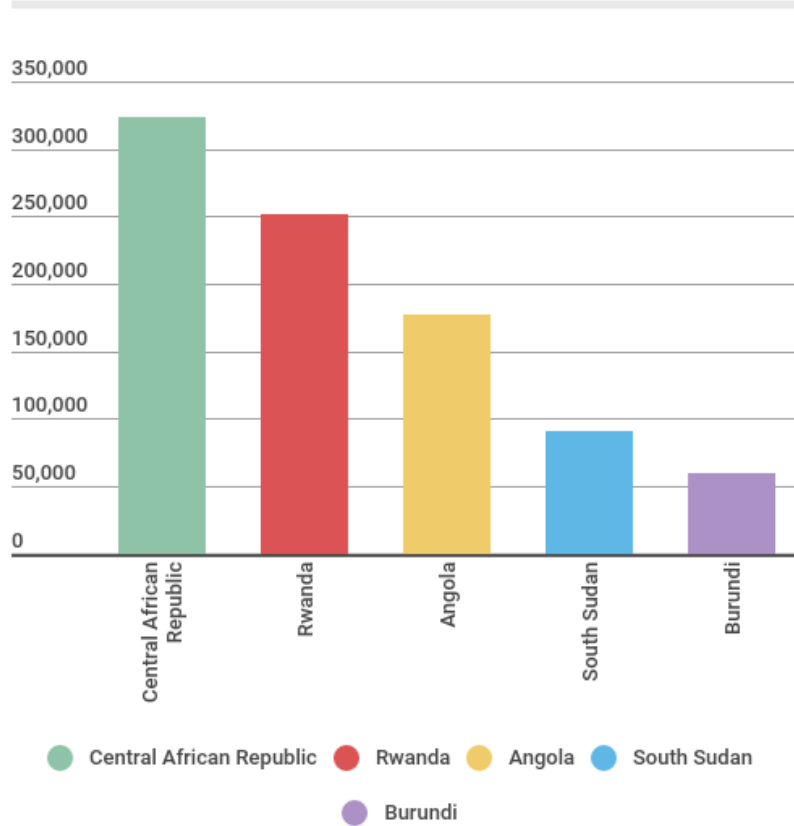
Migration

The Central Intelligence Agency (CIA) estimates that the net migration rate in 2022 is at -0.71 migrant per 1,000 population.²² As of 2021, there were approximately a million refugees and asylum seekers in DRC, comprising just over 1 per cent of the population.²³ The majority of migrants travel to the DRC from neighboring countries such as Uganda, Burundi, and Rwanda, to evade political unrest. Nevertheless, it is hard to pinpoint emigration statistics as this fluctuates due to conflict and many emigrants reside in or pass through the DRC unrecorded. From 1995-2020, the gender ratio of international migrants has generally been even.

According to a UNOCHA press release from May 2022, the number of internally displaced persons (IDPs) in the DRC has increased to almost 6 million. The overwhelming majority of this is due to ongoing violence and conflict, with only 3 per cent caused by natural disasters. In May 2022, there were at least two reported attacks on IDP camps by non-state armed actors.²⁴



Migrants to Democratic Republic of the Congo

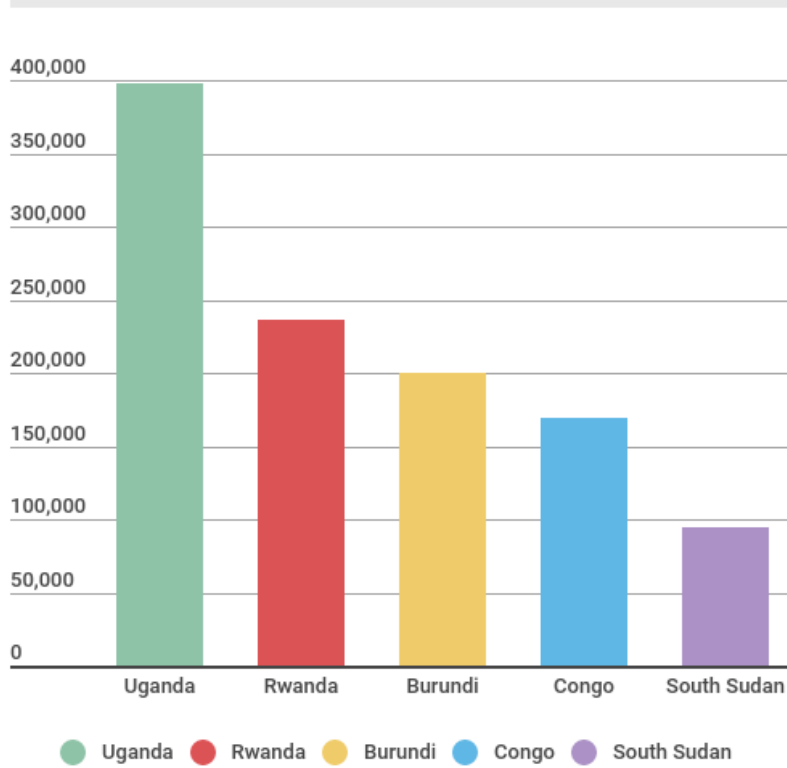


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The primary source country of migrants residing in the DRC was Central African Republic, followed by Rwanda, Angola, South Sudan and Burundi.²⁶ Similarly, migrants originating from the DRC principally travel to nearby countries, such as the Uganda, Rwanda, Burundi, the Republic of Congo and South Sudan.²⁷ When migrants travel between neighboring countries, they may do so unrecorded, so in reality the true migrant stock may be different.



Migrants from Democratic Republic of the Congo



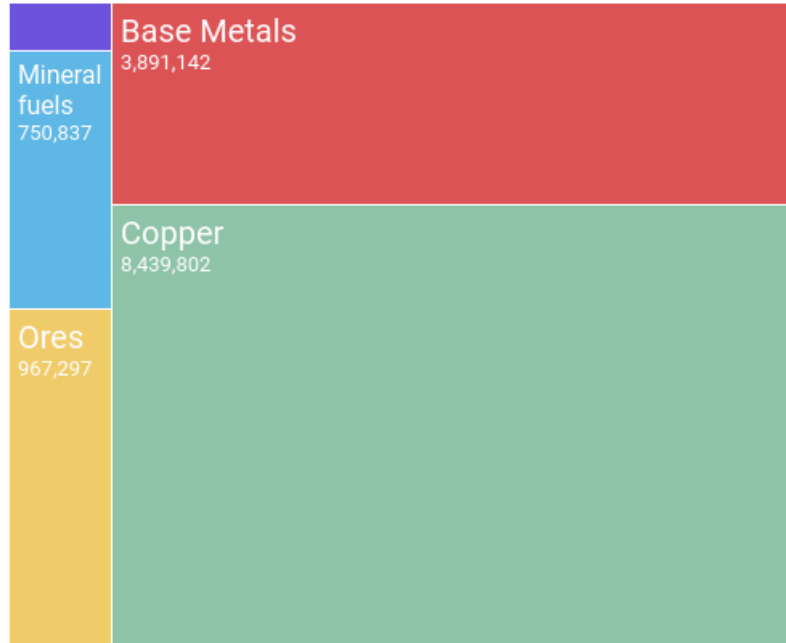
Exports and Trade

The DRC's top export in 2021 were copper, other base metals, ores, mineral fuels, wood and inorganic chemicals.²⁸ Specifically, these categories included refined copper and copper alloys, cobalt and articles thereof, copper ores and concentrates, niobium, tantalum, vanadium or zirconium ores and concentrates, ores and concentrates, petroleum oils and oils obtained from bituminous minerals, wood, and sawn or chipped wood.²⁹



Top Commodity Exports (USD/Thousands)

2021

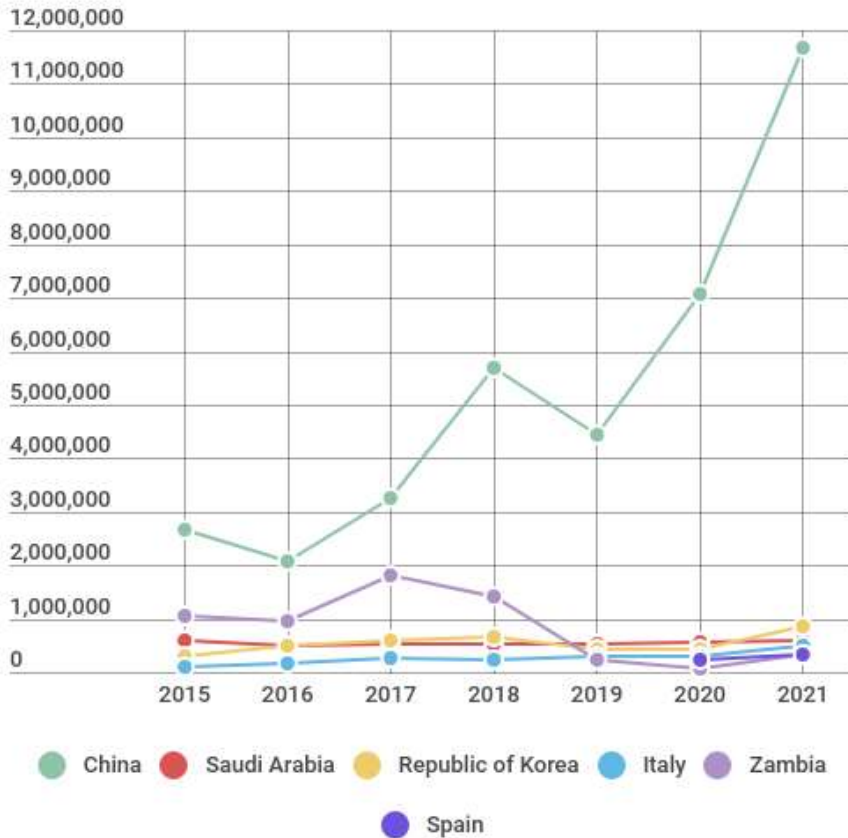


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According to direct data in 2020, the top importers of all goods from the DRC were China, Tanzania, Zambia, South Africa, and Singapore.³¹ According to mirror data in 2021, the top importers were China, Korea, Republic of, Saudi Arabia, Italy and Spain.³²



**Democratic Republic of the Congo Export Partners
(USD/Thousands)**



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TIP Risk Factors Analysis

Legal/Policy Risk Factors

Level of Legal Protection for Civil Liberties and Workers' Rights

Freedom of Association

The DRC's constitution and law provide the right for all workers in both the formal and informal sector, excluding top government officials and state security force members, to join unions and



bargain collectively. A union formed in an informal sector business must contain a minimum of ten employees. Unions do not require authorization to strike, but they must notify employers of a planned strike and allow 48 hours for the employer to reply before commencing with the strike. It is unlawful for the police, army, domestic workers or directors of enterprises to strike. An infraction of a rule on strikes could result in incarceration for up to six months with compulsory prison labor.³⁴

The law states that unions can conduct their activities without interference; however, the term “interference” has been left undefined. While the law prohibits anti-union discrimination against union employees, the U.S. Department of State reported that penalties were insufficient to deter violations, resulting in anti-union discrimination being widespread. According to the U.S. Department of State, the government lacked sufficient capacity to enforce the laws in practice, and workers attempting to conduct union-related activities within their rights could be intimidated and replaced with impunity.³⁵ Furthermore, Amnesty International stated that activities organized by trade unions were often banned or violently suppressed.³⁶

Working Conditions

According to the U.S. Department of State, a person who has worked for three contiguous months is considered a worker in the DRC and is therefore covered by relevant labor law.³⁷ This definition suggests that labor law provisions may also cover workers in non-seasonal or longer-term informal sector positions. However, informal sector employers often did not comply with labor laws such as the law defining standard workweeks.³⁸

Standard workweeks are legally defined as ranging from 45 to 72 hours every two weeks, depending on the job position. The law requires that workers receive rest periods and are paid a premium rate for overtime work; however, the law does not prohibit mandatory overtime. These provisions are often disregarded by employers in both the formal and informal sectors.³⁹

The Global Wage Report 2020-2021 provides that the DRC’s daily minimum wage was significantly increased in 2018 from CDF 1680 to CDF 7075. As such, the real minimum wage annually increased by an average of 7.3 percent between 2010 and 2019.⁴⁰

The government has set health and safety standards, but they are not effectively enforced or updated. Notably, the law does not provide workers the right to remove themselves from working conditions that endanger their health or safety without risking termination by their employer. The U.S. Department of State indicated in 2021 that the authorities, with only 115 labor inspectors and 71 labor controllers, are unable to effectively enforce health and safety standards.⁴¹



Discrimination

According to the U.S. Department of State, while the law prohibits discrimination in employment and occupation based on race, gender, language, or social status, it does not explicitly prohibit employment discrimination based on religion, age, political opinion, national origin, disability, pregnancy, sexual orientation, gender identity, or HIV-positive status.⁴²

Nevertheless, societal discrimination was widespread amongst the country's indigenous communities. For example, members of the Twa ethnic group experience severe societal discrimination and have minimal protection from government officials.⁴³

As of June 2022, the UN has reported that there has been alarming increase in hate speech and incitement to discrimination and violence in the DRC, particularly within the eastern part of the country. This hate speech has been focused on the Tutsi ethnic group, and in particular, speakers of Kinyarwanda.⁴⁴ Concern has been generated internationally because the Tutsi were the predominant victims of the Rwandan genocide.⁴⁵ Hate speech has the capacity to “heighten the risk of violence, including atrocity crimes targeting specific groups of people”.⁴⁶ Consequently, UN senior officials have highlighted the responsibility of national authorities to curb hate speech.

Forced Labor

The constitution of the DRC prohibits all forms of forced labor and sex trafficking, but only some forms of labor trafficking. The government reportedly has not effectively enforced the law. Moreover, it is reported that the lack of a strong anti-trafficking legal framework is contributing to a general poor understanding of trafficking.⁴⁷

Child Labor

According to the U.S. Department of Labor, the DRC's Labor Code establishes 16 as the minimum legal age for work, and a Ministerial Order establishes 18 as the minimum age for hazardous work. Children are entitled to free education under the Constitution, and primary education is compulsory; however, parents are often expected to pay a portion of the expenses.⁴⁸ The law prohibits children from working more than four hours per day and prohibits minors from transporting heavy items. In 2021, the U.S. Department of State indicated that child labor was widespread, and enforcement of child labor laws were judged to be insufficient and ineffective. This may be because the Ministry of Labor holds investigative responsibility for child labor abuses but has no specific child labor inspection service.⁴⁹

Civil Society Organizations

In 2022, Freedom House reported that for the previous few years, the country had been paralyzed by the manipulation of the electoral process by political elites. In May 2022, President Tshisekedi announced a “state of siege”, which was extended throughout the year,



for two of the country's eastern provinces, which involved civilian authorities being replaced by members of the military. The "state of siege" resulted in increased violence and displacement.⁵⁰

In July 2019, Freedom House has stated that civil society groups denounced President Tshisekedi's reform of the Independent National Electoral Commission as a move to influence elections.⁵¹

Since taking office, President Tshisekedi took some steps towards progressing the DRC's human rights trajectory.⁵² However, in 2021, the U.S. Department of State reported that security force actors "continued to kill, harass, beat, intimidate, and arbitrarily arrest and detain domestic human rights advocates and domestic NGO workers." According to the U.S. Department of State, when NGOs report abuse or offer support to victims of abuse by the security forces, or report on illegal exploitation of natural resources in the east, they are particularly likely to experience such violation of civil rights.⁵³

After analyzing the legal, political, and economic environment, Freedom House reported that the DRC scored 4 out of 40 for political rights and 15 out of 60 for civil rights, with 40 and 60 being the most free.⁵⁴ According to Amnesty International, the authorities have banned and repressed assemblies and protests, with impunity.⁵⁵

Immigration Policies Limiting the Employment Options or Movement of Migrants

According to the U.S. Department of State Bureau of Economic and Business Affairs, visa, residence, and work permits do not contain openly discriminatory or extremely restrictive requirements. Potential barriers relating to visas and work permits include the following: issuance may be greatly delayed because of corruption and bureaucratic barriers; and a six-month temporary visa reportedly costs USD 300 – 400. It should also be noted that the government has incentivized employers to hire local workers by taxing the salaries of foreign workers at a higher rate.⁵⁶



Ratification of ILO Conventions Related to Human Trafficking or Rights of Workers and Migrants

Conventions	Status
ILO 29 Forced Labor	In force
ILO 87 Freedom of Association and Protection of the Right to Organize	In force
ILO 98 Right to Organize and Collective Bargaining	In force
ILO 100 Equal Remuneration	In force
ILO 105 Abolition of Forced Labor	In force
ILO 111 Discrimination	In force
ILO 138 Minimum Age	In force
ILO 181 Private Employment Agencies	Not ratified
ILO 182 Worst Forms of Child Labor	In force
ILO 97 Migration for Employment	Not ratified

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Use of Export Processing Zones (EPZs)

In 2022, the DRC joined the East African Community (EAC) as its seventh member state in order to increase intra-EAC trade and reduce tensions amongst EAC Partner States.⁵⁸ This move increased the region’s competition and enabled access to the African Continental Free Trade Agreement (AfCFTA).

According to the U.S. Department of State, the DRC signed the AfCFTA in March 2018 and ratified it in April 2021. The aim of the agreement was to ease imports and exports for member countries – with preferential or no tariffs, free access to the market and the removal of trade barriers.⁵⁹ As of 3 May 2022, no trade had taken place under the AfCFTA.⁶⁰



Political Risk Factors

Political Instability or Conflict

The DRC has been the site of prolonged armed conflict since the mid-1990s, significantly impacting efforts to reduce poverty, improve the economy, and implement uniform governance and rule of law across the country. Over fifteen significant and cohesive armed rebel and militia groups operate primarily in the eastern and central provinces of the country.⁶¹ As a whole, the groups have committed scores of human rights abuses and war crimes, including forced conscription of child soldiers, sexual and gender-based violence against women and girls, forced labor, torture, ethnically motivated killings, large-scale violence and destruction of property, and attacks on schools.⁶² The conflict is transnational, multi-ethnic, and according to the U.S. Department of State, fueled by a struggle to control sovereignty (national or tribal), local loyalty, land rights, and smuggling and legitimate trade routes, along with other motivations.⁶³

The U.S. Department of State has also reported arbitrary or unlawful killings, disappearances, and other human rights violations at the hands of state security forces who are fighting gangs, rebel, and militia groups.⁶⁴

The Fund for Peace ranked the DRC as the fifth most unstable nation out of 179 countries assessed in 2021.⁶⁵ Using the same analysis, the DRC showed some improvement on the previous year as it was issued a score of 108.4 out of 120 (with 120 being the most unstable), having previously been issued a score of 109.4. Nevertheless, this places the DRC in the “alert” category for fragility and instability. Factors such as refugees and IDPs, demographic pressures, public services, factionalized elites and group grievances were used to assess the country’s status.⁶⁶

On 6 May 2021, violence in the eastern provinces resulted in President Tshisekedi declaring a state of siege in the Ituri and North Kivu Province, on the premise of regaining peace and security within the region. As of May 2022, had been extended 22 times.⁶⁷ Clashes between the government’s military forces and armed groups in the North Kivu region were reported as recently as June 2022.⁶⁸

The Congolese military is undertaking ongoing military action against armed groups, criminal gangs and illicit smuggling networks across the country. However, there is a particular focus on the eastern provinces of Ituri, North Kivu and South Kivu.⁶⁹ Likewise, the government investigated and prosecuted some armed group members.⁷⁰

Level of Crime and Violence

The 2022 the Overseas Security Advisory Council’s (OSAC) Country Security Report on the DRC stated that the security situation in eastern parts of the DRC was unstable due to the presence



of armed groups, gangs, illicit smuggling networks, and military activities. Elsewhere, crime and violence are still prevalent due to armed conflict between government security forces and militia groups. The police force is characterized as “generally ineffectual and dysfunctional” and as not having the ability to respond to emergency situations.⁷¹

State Persecution

Despite the constitution stating that discrimination should not occur on the basis of “race, ethnic, tribe, cultural or linguistic minority”, the U.S. Department of State reported general societal discrimination and abuse against multiple groups including ethnic minorities and indigenous persons.⁷² This report described killings, extortion, harassment, arbitrary detention, disappearances, and cruel and inhumane methods of punishment by the state security forces on civil society activists.⁷³

In 2020, the U.S. Department of State noted a change in governmental attitude toward human rights as the Tshisekedi administration granted a visa to Human Right Watch’s lead human rights analyst on the DRC; the analyst had previously been barred from the country for several years.⁷⁴ However, Human Rights Watch details that, in 2021, the authorities repressed criticism including “human rights and democracy activists, journalists, and peaceful protesters”.⁷⁵ Moreover, overall human rights violations at the hands of state security forces persist.⁷⁶

Level of Corruption

The Transparency International Corruption Perceptions Index (CPI) scores the DRC 19 out of 100, where 0 signals “Highly Corrupt” and 100 signals “Very Clean.” The DRC is ranked 169 out of 180 on that index.⁷⁷ In 2021, Transparency International reported that key members of the the former president Joseph Kabila’s team had allegedly embezzled funds from Congo’s central bank, a state-owned mining company, and the tax authority.⁷⁸

The U.S. Department of State confirms that the government did take steps to identify, investigate, prosecute, and punish representatives who had participated in corruption. However, the corruption law was not enforced effectively and generally, corruption was undertaken with impunity by officials at all levels. This corruption is stated to have deprived the government of hundreds of millions of dollars each year.⁷⁹

Police and military personnel across the country were reported to regularly stop and detain travelers at checkpoints to demand bribes.⁸⁰ The Egmont Institute details that a recent investigation found evidence of high-level misappropriation of funds within the military and police services.⁸¹



Socio-Economic Risk Factors

Level of National Economic Development

The United Nations has classified the DRC as a “least developed country” since 1991.⁸² The DRC’s Human Development Index score for 2019 was 0.480, ranking the country 175 out of 189 countries. The Human Development Index is described by the United Nations Development Program (UNDP) as a summary measure for assessing long term progress by centering on three key indicators of human development: the living of a long and healthy life, access to knowledge and a decent standard of living. The DRC’s figure has shown a gradual increase from 0.369 in 1990 to its present score, reflecting increases of life expectancy by 11.6 years and schooling by 4.5 years. Nevertheless, this figure is low in relation to the scores of other Sub-Saharan African nations which have an average HDI of 0.547.⁸³

Level and Extent of Poverty

The DRC has a high level of poverty, with 64.5 percent of the population determined to be in multidimensional poverty. An additional 17.4 percent of the population was determined to be vulnerable to multidimensional poverty.⁸⁴ When adjusted for inequality, the DRC’s Human Development Index score falls from 0.480 to 0.335.⁸⁵ The DRC’s gross national income (GNI) per capita was USD 580 in 2021, an increase from USD 340 in 2010.⁸⁶

Degree of Gender Inequality

In 2019, the DRC scored 0.617 and ranked 150 out of 162 countries on the Gender Inequality Index, indicating high levels of gender inequality across indicators in three areas – reproductive health, empowerment, and economic activity. The Human Development Report further details that only 12 percent of parliamentary seats are held by women, approximately 30 percent men complete secondary school, the maternal mortality rate is significant and less women are employed.⁸⁷

Sexual harassment is prevalent across the DRC, and enforcement of sexual harassment law is ineffective.⁸⁸ In 2019, the Organization for Economic Co-operation and Development (OECD) reported that violence against women in the DRC is endemic, but that it is exacerbated by the ongoing armed conflict. The U.S. Department of State reported that state security forces and armed rebel and militia groups perpetuated widespread sexual violence, most commonly in conflict areas in the East.⁸⁹ Mass rapes, sexual violence, and sexual slavery are used as weapons of war, to punish women believed to belong to specific groups. From January-June 2021, “436 women and 183 girls were victims of sexual and gender-based violence in conflict-afflicted areas”.⁹⁰ While rape is criminalized and some prosecutions have occurred for rape, it remains common. It is likely the number of attacks are underestimated due to a lack of reporting by victims. The minimum penalty prescribed for a rape conviction is a prison term of five years and “courts regularly imposed such sentences”.⁹¹ In August 2021, a Congolese military court upheld



the rape convictions of 11 soldiers and eight policemen, which had occurred between 2016-2021 in South Kivu.⁹²

While many laws guarantee equal rights to women, the OECD reports that women face barriers due to prevailing attitudes and customary laws regarding marriage arrangements, positions in the household, inheritance, land ownership, and financial independence.⁹³

The government ratified international conventions and updated the Labor Code with regard to gender providing the right to work without discrimination, equal salary for equal work, and the right for married women to work without first obtaining their spouse's permission. However, employment discrimination still takes place and since most women (and men) are employed in the informal sector, they may not benefit from these provisions in practice.⁹⁴

Landlessness and Dispossession

According to the Internal Displacement Monitoring Centre, there were over 5.3 million IDPs in the DRC by the end of 2021.⁹⁵ As with recent years, much of the displacement has been caused by conflict in the eastern provinces of the DRC over the past few decades. The number of internal displacements due to this conflict increased from 2.2 million in 2020 to 2.7 million in 2021. Additionally, Mount Nyiragongo erupted in May 2021 leading to an increase in internal displacements due to disaster. By the end of the year, disasters had triggered 888,000 internal displacements, compared to only 279,000 in 2020.⁹⁶

According to the U.S. Department of State, the government was found to allow humanitarian organizations to protect and assist IDPs as a general practice, but there were instances in which the government and state forces closed IDP sites suddenly and caused IDPs to become further displaced. Efforts to aid IDPs were further impeded by structural conditions such as poor roads and active conflict.⁹⁷

After fleeing conflict and becoming displaced, IDPs were at continued risk of abuse. These abuses ranged from harassment and forced taxation to forced conscription into combatant groups, abduction, sexual exploitation, and killings.⁹⁸

Environmental Factors

The CIA has summarized the main environmental issues in the DRC as poaching, water pollution, deforestation, soil erosion, and environmental damage from mining (legal and illegal). In addition, the DRC suffers from periodic droughts in the south, seasonal floods along the Congo River, and there are active volcanoes along the Great Rift Valley.⁹⁹

According to the Internal Displacement Monitoring Centre, 888,000 individuals were displaced in the DRC due to disasters, due to the volcanic eruption and flooding.¹⁰⁰ The UN reports that



natural disasters are likely to occur more frequently as the climate changes, impeding economic development and disproportionately affecting the poor.¹⁰¹

The CIA also reported that volcanoes in the East which are found along the Great Rift Valley pose potential threats to the DRC and are a major threat to the city of Goma with a population of a quarter million people.¹⁰² In 2021, the Mount Nyiragongo volcano experienced its first major eruption since 2002, when 245 people were killed and over 120,000 were left homeless. It began erupting on 22 May 2021, with the lava flow entering nearby towns. According to NASA, this caused the deaths of at least 31 people and evacuation of almost 250,000 people.¹⁰³

Documented Trafficking Risk in Key Commodity Supply Chains

Artisanal Mining (Gold, Conflict Minerals, Diamonds)

Artisanal Mining (Gold, Conflict Minerals, Diamonds) Overview

The DRC has undergone massive changes in the last few decades regarding the export of minerals. Large foreign investments in the mining sector resulted in the DRC being the first exporter of copper in Africa and the world's first cobalt exporter.¹⁰⁴ This investment diversified the economy that was previously focused largely on diamonds. The International Trade Administration reported that as of 2019, the mine production of cobalt as 100,000 metric tons or 70 percent of global production. Likewise, it was the third largest producer of industrial diamonds, which accounted for 21 percent of global production.¹⁰⁵ A significant majority of miners, according to some sources up to two million, work in artisanal or small-scale mining of cassiterite, cobalt, coltan, copper, diamond, gold, tantalite, and wolframite (mined for tungsten).¹⁰⁶

Artisanal mining is carried out without any intensive tools or technology. Most artisanal mining is technically illegal as most miners cannot afford the mining cards issued by the government and operate outside of formally designated “zones d’exploitation artisanale.”¹⁰⁷ Instead, most mining takes place on informal mining concessions, which violates national law.¹⁰⁸ Although informal, there is a well-established structure to informal mining. Pit bosses usually oversee teams of diggers, porters, rock crushers and washers on mining sites. Mining sites are either underground, open-pit or alluvial.¹⁰⁹

Documented TIP Risk in Artisanal Mining (Gold, Conflict Minerals, Diamonds)

According to the U.S. Department of State 2021 *Trafficking in Persons Report*, diamonds, copper, gold, cobalt, ores, and tin are all produced with forced labor in the Democratic Republic of the Congo (DRC).¹¹⁰ A 2016 report which sampled 300 mines, found armed groups present at



16 percent and the Congolese army present at 36 percent. Of these, direct interference was found in 84 percent.¹¹¹ Armed interference is highest in the eastern, conflict-affected areas of North Kivu, South Kivu and Ituri. Armed groups control the mines in order to exploit the minerals and use the revenue to fund their activities.¹¹² In some cases, the forces that control mining sites, often representatives of the armed forces or rebel groups, make local miners work at gunpoint without pay at their mining site for short periods of time – a process known as "solango."¹¹³

The groups controlling the mines are often the only source of credit in these impoverished regions, and they give loans to miners for money, food, and tools. Miners are then required to pay back these loans at hugely inflated rates, which can force them into a cycle of debt bondage. Debt bondage amongst women miners has become normalized and can result in forced marriage and inter-generational indebtedness.¹¹⁴ In addition, false or exaggerated criminal charges may be used to compel miners into service. Child soldiers are also conscribed into work at the mines. Approximately, 16 percent of Congolese mining for cobalt are children, with some as young as six years.¹¹⁵

¹ U.S. Department of State, Bureau of Democracy, Human Rights, and Labor. "2021 Country Reports on Human Rights Practices: Republic of the Congo." 2021, www.state.gov/reports/2021-country-reports-on-human-rights-practices/republic-of-the-congo. Accessed 7 June 2022.

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³ BBC. *DR Congo country profile*. 10 Jan. 2019, www.bbc.com/news/world-africa-13283212. Accessed 7 June 2022.

⁴ Fund for Peace. "Fragile States Index." 2021, fragilestatesindex.org/country-data/. Accessed 7 June 2022.

⁵ Central Intelligence Agency. *The World Factbook: Congo, Democratic Republic of the*. 2019, www.cia.gov/library/publications/the-world-factbook/geos/cg.html. Accessed 7 June 2022.

⁶ Freedom House. "Freedom in the World 2022; Democratic Republic of the Congo." 2022, freedomhouse.org/country/democratic-republic-congo/freedom-world/2022. Accessed 7 June 2022.

⁷ Human Rights Watch. "Democratic Republic of Congo: Events of 2020." 2020, www.hrw.org/world-report/2021/country-chapters/democratic-republic-congo. Accessed 7 June 2022.

⁸ Gavin, Michelle. "Political Uncertainty in DRC Highlights Need for Sustained Outside Attention." *Council on Foreign Relations*, 20 July 2021, www.cfr.org/blog/political-uncertainty-drc-highlights-need-sustained-outside-attention. Accessed 7 June 2022.

⁹ The World Bank. "The World Bank in DRC: Overview." 2022, www.worldbank.org/en/country/drc/overview#1. Accessed 7 June 2022.

¹⁰ United Nations Development Program (UNDP). "Human Development Report 2020 - The Next Frontier: Human Development and the Anthropocene – Congo (Democratic Republic of the)" 2020, hdr.undp.org/sites/default/files/Country-Profiles/COD.pdf. Accessed 10 June 2022.

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