



Findings of Slavery Linked with Mineral Extraction in Eastern DRC

Free the Slaves Research Brief¹ - July 2010

In November 2009, Free the Slaves sent a team to the Kivu provinces of eastern DRC to investigate the nature and extent of slavery linked with the extraction and trade of minerals sourced from the embattled region. FTS concentrated on three minerals used in a wide array of technological applications, including popular portable electronics. These minerals are commonly referred to as the three T's: tin, tungsten and tantalum. The team met with international and Congolese organizations, including representatives from the UN peacekeeping force, MONUC. They traveled to the provincial capitals of Goma and Bukavu, and visited remote Walikale territory in North Kivu, where the country's most important cassiterite (tin ore) mine, Bisie, is located. Due to security concerns, the team was unable to reach mining sites. FTS gained valuable testimony, both first and second hand, detailing broadly the human rights and poor governance and security issues that plague the region, as well as those issues specifically related to the extraction of minerals, including evidence of several distinctly identifiable forms of modern slavery (see box below). FTS sent a team to the Kivus again in June and July 2010 to update its information about recent initiatives to address "conflict minerals" and to deepen its relationship with organizations working to eliminate slavery in the mining sector. The team visited a mining site in Masisi territory and met further with Congolese and international organizations working in the fields of human rights, conflict resolution and development.

Testimony from local groups and MONUC/MONUSCO officials paints a grim picture: Forced labor appeared to be endemic to mining zones controlled by armed groups, and armed groups control many of these mining zones. The militarization of mining ensures the essential element of force and coer-

cion necessary for the perpetration of slavery against an extremely vulnerable population. It also perpetuates a state of lawlessness, which inhibits state regulation as well as livelihood alternatives to the dangerous conditions in and around mines. Informants described living and labor conditions in mines controlled by the FARDC (national army) that are as poor as those in mines controlled by the FDLR (Hutu-led militia) and other armed groups. FTS' team received numerous reports of collusion between rebel groups and the national army to illegally exploit, tax, and trade minerals, money and arms. The role of armed groups in mining zones is well documented in existing reports by local and international agencies.

In addition to the constant threat posed by the armed rulers of their communities, inhabitants of the mining zones face numerous threats to their health and personal safety. For miners, who work without even basic equipment or safeguards, threats range from landslides, cave-ins of shafts, to asphyxiation. Public health concerns are equally high as a result of poor sanitation and no clean water supply. Common injuries and ailments include: eye injuries; silicosis; conjunctivitis; bronchitis; tuberculosis; asthma; diarrhea; skin lesions; deformed muscle and bone in children due to heavy loads; regular dental problems of abscesses, cavities and lesions; tetanus; fractures and contortions; contusions and severe bruising. Added to those are the impact of extensive drug use, and sexually transmitted diseases. The intense crowding (many enslaved miners are forced to sleep jammed together in the mine shafts) means that infectious diseases are rampant. One informant stated that after four to five years working in the mines the body was "completely deteriorated" and cited spinal column damage and lung damage, conditions worsened by the extreme pollution of air and water and exposure to toxic chemicals.



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Children are particularly vulnerable in mining sites. “If you can’t afford to pay for workers, you’ll target children, who are most vulnerable and can be tempted into highly exploitative situations with the simple promise of a meal at the end of the day,” was how one NGO worker described the situation. Some of the most dangerous extraction tasks are set aside for children, whose smaller, more nimble bodies enable them to go down into mining shafts to extract minerals that are difficult to access. Young, numerous, cheap (if not free) and often without a parent or guardian to look out for them, these children are seen as expendable.

Minerals sourced from mines controlled by armed groups pass from points along a supply chain with unreliable, falsified, or simply nonexistent documentation, abetted by unscrupulous military and civilian authorities either unable to fulfill their most basic responsibilities, or, more often the case, preoccupied with extorting illegal “taxes” along trade routes and at checkpoints. This is a system that rewards illicit trade and discourages formalization. Such extortion by armed groups enriches war coffers and fuels the conflict. It also has the effect of making the cost of living in and near mining zones prohibitive, driving families to take desperate measures. Living and working in squalid conditions, families quickly borrow beyond their meager means, finding themselves in debt bondage slavery at the mercy of shaft owners, debtors and their armed hosts. Women, who by some accounts simply are not allowed to be present at points of extraction, have few options for contributing to household income. As a result, girls and women sell themselves in prostitution, or others sell their bodies. Many become sex slaves to members of armed groups, sometimes forced into “marriage.”

Minimal benefit beyond immediate survival is derived from mining activities for those who physically extract, carry and refine minerals. Even so, many miners earn more than they could in any other activity, in a country where the average income is only around US\$1 per day, and local groups assert that miners would be devastated by boycotts of minerals sourced from

the region. Tens of thousands of rural artisanal miners and their families rely heavily upon the mining sector to scrape by. Decades of violent conflict, poor governance and lawlessness have eroded basic social fabric and eliminated alternative livelihoods that require a minimum degree of stability. In the absence of such alternatives, boycotts of eastern DRC minerals would cut off an essential lifeline for the region’s struggling poor.

Though not all artisanal miners and workers in related activities are enslaved in eastern DRC, slave labor is present along the supply chain of minerals from the region. Even in cases where those physically extracting minerals and transporting them are not directly enslaved, the armed forces controlling the mining zones enslave child soldiers. Likewise, slavery as a form of gender-based violence within Eastern DRC needs to be more fully recognized: Although there is growing awareness of the frequent incidents of horrific rapes, for many women and girls the violence goes beyond specific attacks and is a long-term reality due to sexual slavery and forced marriage. In light of this spread of slavery through many of the mining areas, and in the absence of a verifiable in-country tracing mechanism, there currently exists no process by which non-tainted minerals (if they exist) sourced from eastern DRC might be identified as such.

From isolated roads serving as airstrips and provincial capital trading houses, tainted minerals follow a complex supply chain around the world. There is strong evidence that important volumes of ore are trafficked across the Congo border to such countries as Rwanda and Uganda, entering as illicit minerals but shipped on as officially mined from those countries. Most of the minerals ultimately make it to Asia, having been smelted, further refined and processed into components that are assembled by end user companies in a diverse range of technological applications. These range from advanced aeronautics, medical devices, and portable consumer electronics. At the end of this supply chain are consumers of cell phones, laptops and MP3 players who inadvertently play a role in fueling the conflict in the DRC, underwriting modern slavery and the worst sexual violence in the world.



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Forms of slavery identified by FTS' team in the eastern DRC mining sector:

1. Slavery enforced by armed groups. Forced labor at the hands of armed groups exists along a continuum. At the extreme end are villagers rounded up at gunpoint by an armed group and put to work under threat of violence. No payment is offered, there is no freedom of movement or choice, and resistance is met with violence to the point of murder. The work may entail digging of minerals, hauling of ore, or processing, such as sorting, of mineral ore. A number of informants described a system of mandatory labor whereby everyone in a mine would be required to work for a designated official on a particular day (often the same day each week). This system, known as *salongo*, is an adaptation and perversion of a traditional custom of mandatory communal labor originally conceived as time set aside to work for a local tribal leader or on public works. This traditional practice was previously adapted by colonial administrations to justify forced labor and was known at the time as the *corvée* system. In the current situation, miners and porters alike are required to commit a day's labor to working for a particular militia or military leader, or another government authority. The days when individuals are required to work for one of these officials are usually and conspicuously the day when they are supposedly free to work for themselves. Many children are among those forced to work by armed groups.

2. Debt bondage slavery. While some workers are captured and forced into the mines, most workers travel to the mines in hope of securing a livelihood. These workers often find themselves trapped in debt bondage as well as obliged to fulfill the mandatory labor requirements enforced by armed groups. Debt bondage appeared to be one of the more common forms of slavery in the mining communities. As in similar debt bondage situations, money, food, tools, or some other item of value are advanced to the worker to set him up in the mining work. The repayment of the "advance" and the debt it represents

is soon compounded by other charges (real or fraudulent), high interest rates, as well as false accounting. The worker (and his family if it has accompanied the worker) then find themselves in a situation where they must do anything for the lender – including digging and porting. Informants stated that a worker could be held for 10 to 15 years in debt bondage slavery if he doesn't die first, and that lenders may sell or transfer the debt, and thus the worker, to other people.

3. Peonage system. Judicial corruption is also used to ensure enslaved mine labor in the DRC. This takes place in the following way: A member of law enforcement, a local official, or a member of a militia will arrest an individual. The arrest will have no basis in law and is simply a way of gaining control over a person in order to exploit their labor. The arrest will then be typically followed by one of three outcomes. The individual may simply be put straight to work as a prisoner under armed guard; or there may be some type of fallacious trial or hearing in which the individual will be "sentenced" to work and again taken to the mines as a prisoner; or, finally, the arrested person will be "convicted" and then fined a significant sum of money. Unable to pay the fine, the individual will either be sent to a mine to "work off" the fine, or the debt will be sold to someone who wishes to acquire an enslaved mine worker. All of these variations reflect the breakdown of the rule of law and how that vacuum is filled by the corrupt.

4. Sexual slavery. Women and girls ultimately carry the greatest burden in this war. In our meetings, group after group described how militias and the Congolese army alike target women and girls in their attacks on villages and will often take them into the bush to serve as sex slaves. Regardless of age or occupation, women and girls in mining zones are also forced to comply with demands for sex by the armed men who control the mines. Some are targeted as retribution for actions of a male family member.

Some women and girls end up in mining sites after being abducted by armed groups, while others are lured



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into mining zones by older women who promise to provide for them but in fact sell them for sex in exchange for small quantities of mineral ore. Girls as young as 12 years old are prostituted by these older women, and there is great demand for young girls and teenagers. Still other girls are born into the mines, many doomed to sexual predation from birth.

5. Forced marriage. Some informants described a difference in treatment of women who are taken by force from their communities by armed groups: While non-government and government forces were described as taking women by force and enslaving them into sexual exploitation, in addition, there were reports of members of government forces taking women by force and then keeping them as “wives.” In this situation, a single individual holds the woman, and over time this relationship is transformed into one of traditional (though clearly forced) marriage.

6. Child soldiering. Child soldiering is linked directly to the mining sector because children are taken from the local communities to build the ranks of armed forces and are then found to be present exerting control over mining zones. This is well documented by international and local agencies.

7. Child slavery Even in cases where there is no apparent use of force, children are being used in the mining sector to carry out many hazardous activities. This occurs in mines that are directly controlled by armed groups as well as those that are not.

The inter-relation between the different types of enslavement is demonstrated by what a Walikale human rights defender described as the collusion between commerçants (small buyers) and armed forces in mines to force individuals to work for them: A commerçant may approach a military leader to say that he has a certain amount of minerals in Bisie mine, and negotiate to have them transported to Njingala (the trailhead for minerals leaving Bisie). The commerçant will have purchased these minerals from armed groups who have used forced labor for their extraction, from a moneylender or local official having debt-bonded workers, or will have his own debt-bonded workers in the mines. The commerçant agrees to pay the commander for the transport of the minerals, and the commander then sends out troops to arrest individuals to force them to port the bags (without pay or choice). In one such instance described to us by informants several arrested individuals refused to carry the minerals. One was shot dead; one had his biceps sliced and is now handicapped – real examples of the extreme force and intimidation used to coerce individuals to work in mining zones.

For more information and to comment on this document, please contact Zorba Leslie, Partnerships Manager, at +1-202-775-7480 or zorba.leslie@freetheslaves.net.

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 - ² In discussions with groups in the DRC FTS’s team used the following definition of slavery: *Forced to work, under threat of violence or coercion, for little or no pay, and unable to walk away. See list for a more detailed description of slavery identified in mining sector.*