

Associative dynamics and social protection in artisanal and small-scale mining Perspectives from the literature on eastern DRC



An NGO warning sign on the deadly dangers linked to the exposure of artisanal miners to dust and fumes on the site of the former Sominki factory in Kamituga, South Kivu. Source : Philippe D.

This policy brief is based on a (non-exhaustive) literature review, drawing on the work and publications of the Centre d'Expertise en Gestion Minière (CEGEMI) at the Catholic University of Bukavu (UCB). It explores the diversity of associative structures in artisanal and small-scale mining (ASM) and analyzes their roles in addressing the social needs of operators. Focusing on the provinces and mining sites of eastern DRC, this analysis highlights the potential of associative actors to respond to the challenges of social protection in a sector marked by informality and vulnerability, while underlining the limitations linked to limited resources, weak internal organization and fragmented actions, which hinder their ability to offer sustainable solutions to workers?

Social protection

Social protection is an essential pillar of decent work, alongside job creation, social dialogue and respect for workers' rights (ILO, 2015). Its aim is to guarantee workers economic and social security, offering them support mechanisms in the event of illness, accident, maternity, unemployment, old age or death. As such, social protection plays a crucial role in improving workers' living and working conditions, and is positioned as a fundamental right. However, extending these guarantees to all

workers, especially those in the informal sector, remains a major challenge (ILO, 2002).

In ASM, access to formal social protection is hampered by several factors. Firstly, informal arrangements between employers and workers often do not take social protection into account. Second, many informal workers are unwilling or unable to contribute to contributory social protection schemes due to irregular income, high contribution rates or a lack of awareness and attractiveness of the benefits on offer (Güven et al., 2021 ; Alfes et al., 2017 ; Lund et Nicholson, 2013).

ASM in the DRC: Three major challenges

ASM, which employs millions of people in the DRC, plays a central role in the national economy, contributing to job creation and livelihood generation. According to some studies, around 18% of the Congolese population is directly dependent on this sector (De Brouckere, 2016 , echoed by Bahalaokwibuye, 2017).

However, the literature reviewed identifies three main groups of problems facing these workers. The first is **the precarious working conditions of operators, exacerbated by the absence of official regulation**. Indeed, a large proportion of mining

activities take place outside any formal legal framework, particularly with regard to environmental management, taxation and workers' rights. The result is informal mining, where working conditions are often dangerous and unsafe.

In addition, the lack of artisanal mining zones (ZEA) where cooperatives should be working and benefiting from the supervision of the Service d'Assistance et d'Encadrement des Mineurs Artisanaux et à Petite Échelle (SAEMAPE), contributes to the reinforcement of informality. As a result, workers are exposed to considerable physical risks: accidents linked to the use of explosives, lung disease due to exposure to dust, injuries caused by rockfalls, etc. (Geenen et al., 2021a). These precarious conditions are a major factor in the vulnerability of workers in this sector (Bikubanya et al., 2022; Verbrugge et Geenen, 2020).

The second challenge is **the persistent poverty of the workforce**. Despite ASM's economic importance, poverty remains a central issue. According to a study by Kilosho (2016), 66.4% of miners' households in Kamituga (the largest mining town in South Kivu) are poor, with 30% classified as very poor. This reflects a marked inequality, where a small fraction of operators can access a decent standard of living, while the majority struggle to survive.

The irregularity of income and the seasonal nature of activities contribute to the vulnerability of operators. This is because miners do not benefit from a stable wage, and are subject to periods of reduced or non-existent activity depending on market fluctuations or climatic conditions. This economic instability reinforces their vulnerability and prevents them from accessing formal social protection, such as pensions, health insurance or social cover in the event of accident, illness, etc.

The third challenge facing ASM workers is the **lack of formal social protection**. In the artisanal mines of Eastern DRC, there is no state or institutional structure capable of guaranteeing the social security of operators. Public services dedicated to social assistance, such as the "Service National d'Assistance Sociale" or SAEMAPE, are not operational in social protection on artisanal mining sites. This means that workers are not covered in the event of illness, accident or old age, exacerbating their precarious situation. This absence of state support for social protection forces workers to resort to informal solutions, often inadequate, to try and protect themselves against risks in a sector where accidents and occupational illness remain a constant threat.

Association dynamics

ASM in the DRC is characterized by a wide variety of actors, including individuals, informal groups and formal structures. Among these structures, **mining cooperatives**, introduced mainly by the mining reforms of 2002, are compulsory formal entities for artisanal miners. They aim to provide a framework for mining activities, reinforce state control and ensure mineral traceability (Bashizi et Geenen, 2014). However, the true mission of cooperatives remains unclear, oscillating between economic and social objectives, but with a marked predominance of economic objectives. In practice, these cooperatives are often hijacked from their initial function by local elites and state actors, becoming instruments of extortion or places where wealth and power are concentrated (Bashizi & Geenen,

2014). Their governance is characterized by undemocratic practices, confusion over their status, and inadequate social benefits for their members (Bahalaokwibuye, 2015). In addition, internal and external conflicts, linked to leadership inexperience, corruption and power struggles, exacerbate their inefficiency (Bikubanya & al., 2022). This dysfunction, combined with a growing rejection on the part of smallholders, leads to an almost systematic failure of cooperatives, reinforcing their discredit in the artisanal mining sector.

Despite the efforts of some cooperatives to raise operators' awareness of laws, the fight against child labor and health issues, their actions remain limited and fall far short of artisanal operators' expectations (Bahalaokwibuye, 2015). What's more, access to work tools or mining sites, often promised by cooperatives, fails to meet the real needs of members, who expect more substantial support, particularly in terms of defending their interests vis-à-vis the state, negotiating taxes and mineral prices, and capacity-building training (Geenen & Bikubanya, 2024).



Artisanal miners in the process extracting gold at the Miba3 site in Misisi, South Kivu, an illustration of precarious working conditions. Source: Geenen & al. 2021b

In addition to cooperatives, other formal associative actors play a key role. These include the "**Fédération des Entreprises Congolaises (FEC)**" and trade unions. As the Congolese employers' association, the FEC also defends the interests of its members operating in the mining sector. These include traders, "comptoir owners" and other economic operators in the mining sector. It is involved in conflict resolution, legal support and mineral pricing, and also plays a structuring role in industrial operations (Bikubanya & al., 2022 ; Bahalaokwibuye, 2015, Geenen, 2015). As for trade unions, they focus on framing specific categories of workers by defending their rights and structuring their activities. However, despite their efforts, these unions encounter many difficulties in achieving notable improvements, particularly with regard to the formalization of employment contracts and access to healthcare (Bikubanya & al., 2022).

In response to these limitations, other forms of informal associative organization are emerging to play an indispensable role in the sector. Among them, **local committees**, some of which are often older and rooted in communities, are proving essential in filling

the gaps left by formal organizations and providing forms of social protection adapted to local realities (Bikubanya & al., 2022). Although not legally recognized, these diggers' committees play a crucial role in ASM. Their operation is largely inspired by the principles of the social and solidarity economy, offering miners an alternative space in the face of the limitations of cooperatives (Bahalaokwibuye, 2017).

These informal structures, often created to strengthen solidarity and organize workers at a local level, operate without legal status but are based on oral conventions or tacit rules (Ibid.). Present in various forms (friendly groups, geo-ethnic or professional committees), they fulfil several essential functions: defending members' rights against bosses or authorities, managing internal conflicts and negotiating in disputes with state or security services (Bikubanya & al., 2022a). They provide local support and often act as relays to coordinate specific activities, or establish informal savings systems, such as tontines (Dunia & Geenen, 2022).

One of the main advantages of these informal groupings is their proximity to workers' day-to-day realities. They foster strong local ownership and create a sense of belonging, often absent from formal structures. However, their action remains limited by the absence of a legal framework, weak organizational capacity, and competition with other players, notably cooperatives and trade unions. Moreover, the geo-ethnic discrimination observed in some committees is a not insignificant element that fragments collective efforts (Bashizi & al., 2013). Although they contribute to social cohesion and farmer resilience, these informal actors do not always have the means to transform these initiatives into a lever for structural change.

Another group of informal players includes **NGOs and churches**. NGOs play a crucial role in providing technical assistance and raising awareness among communities affected by mining.

They are increasingly alert to environmental problems (water pollution, soil degradation, deforestation) and defend the rights of populations against mining companies (Nkuba & al., 2021, Bashizi & al., 2015). Their actions include training to redirect operators, awareness campaigns on health, sexual violence, child labor and women's rights. Some are also involved in mineral traceability and certification (Katz-Lavigne et al., 2023). However, operators feel that NGOs could better meet their social needs and those of their families. Likewise, **churches**, especially revivalist churches present around mining sites, offer spiritual services and promote social cohesion among their followers. They provide assistance for both happy events (births) and unfortunate ones (deaths, accidents), and sometimes organize tontines to strengthen the economic resilience of their members.

Informal social protection

Faced with the absence of formal protection, ASM operators turn to informal forms of social protection. These are mainly community or association-based mechanisms to meet workers' social security needs. These informal systems include mutual aid, community solidarity and microcredit. Farmers often group together in small

associations that offer forms of social assistance, support in the event of illness, or financial solidarity in the event of an accident. These informal networks play a crucial role in managing workers' vulnerability, some defending operators' rights, playing a role comparable to that of formal trade unions; others fulfilling this role informally, without legal status, but with a notable influence within mining communities.

In this context, associative groups emerge as key players who try to respond in some way to the needs of informal workers, demonstrating a form of resilience in the face of the shortcomings of the formal system. These associative networks, whether formal or informal, demonstrate their resilience to the difficulties of the sector by setting up informal social protection mechanisms that correspond to workers' realities. This resilience is reflected in their ability to organize forms of solidarity and support, despite limited resources and a lack of regulation.

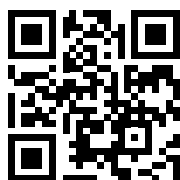
Recommendations

ASM in the DRC suffers from a number of interconnected problems that hamper its sustainable development and exacerbate the precarious situation of workers. The absence of formal regulation, persistent poverty, lack of official social protection and dependence on informal mechanisms reveal the limits of a system that fails to take into account the basic needs of operators. Although they play a crucial role in workers' camps, formal and informal associative structures remain largely inadequate to meet the scale of needs. Their contribution to social protection in ASM, although present, is still poorly documented and limited in its real impact. Existing initiatives are often hampered by limited financial and organizational resources, hampering their ability to provide effective and sustainable assistance. In addition, these systems are fragmented, creating significant heterogeneity between different operating sites, making it difficult to standardize interventions and their scope. Informal social protection mechanisms, while providing a degree of support, can never replace a genuine formal social protection system, and their effectiveness is often hampered by a lack of organization, resources and coordination between players.

In conclusion, it is clear that a thorough reform of the sector is necessary. With our project SPRING, Social Protection and Inclusive Growth, our consortium aims to contribute to research and policy around social protection in the DRC, Rwanda and Uganda. This policy brief is a first step, seeking to identify the potential of associative actors to respond to the challenges of social protection in artisanal and small-scale mining.

More information

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