The Global Observatory of Transnational Criminal Networks

Trafficking of Coltan in the Democratic Republic of Congo

No. 4

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Disclaimer

The facts and the analysis presented herein are sustained in documents and interviews exposed in mass media and judicial records related to the criminal networks analyzed. No primary information uncovering facts has been gathered, which means that only secondary sources were consulted, from legal to media documents. In the case of the names mentioned, quoted or referenced on indictments —with the exception of those specifically mentioned, quoted or referenced in the text as definitively condemned-, the presumption of innocence, in observance of individual rights is always preserved.

The judicial truth is the jurisdiction of the courts, which by law will decide whether the defendants are innocent or guilty.1 It is stated that belonging to, participating in, being connected to, or appearing on a network, as analyzed herein, does not imply having committed a criminal act or being engaged in a criminal enterprise. It is always possible to belong, participate, be connected, or appear on a network as an agent promoting interests that are socially and institutionally beneficial, or as a result of coercion, among other reasons unrelated to criminal acts committed by the agent.

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Introduction

The Democratic Republic of Congo ("DR Congo") illustrates a paradox in which rich countries in natural resources have a weaker economic growth than those without them. The country has an unequaled wealth: It has 50% of the deposits of cobalt, 30% of the diamonds and a significant potential in gold, uranium, manganese, tin, tantalum, and wood. However, it is also one of the poorest countries of the world, since 80% of the population earns less than a dollar per day.¹

Some reasons to explain the phenomenon are corruption, financial support to armed groups, violation of workers' rights, intervention of multinationals in the trafficking of minerals, instability of international prices of the ores, and a lack of diversification of the economy.



Figure 1. Mineral Deposits in the DRC

Source: UN. Mineral Deposits in the DRC.

¹ Oxfam-magazins du monde in stop a' l'Exploitation inequitable du Coltan publie' le 20 Mars 2008.

The conflict affecting specifically the Eastern region of the country has roots on the fighting for the control of the mineral deposits and the exploitation of natural resources. For instance, the region of Kivu is a significant point for the coltan mining activities. Most of the mines are difficult to access in the Mountain and in the big tropical forest; they are accessible only after walking several hours. Other regions such as Ngungu, Rubaya, Kalehe Centre, Nyabibwe and Numbi are more reachable because they are reachable by car or by bike.

These territories have registered an industrial or a semi-industrial activity, where Sominki, *Société Minière et Industrielle du Kivu*, was the company in charge of the tin production. The capitals of the Congolese State and the Empain, a Belgian society, composed it. However, Banro Resources took the company in 1997 and renamed it two months after the downfall of Mobutu. Sominki became Sakima, *Société Aurifère du Kivu et du Maniema*, and now Banro Resources and an English-Canadian society exploit the deposits of gold, tin, columbite-tantalum, wolframite, and monazite in the region.

The Congolese coltan is cheaper due to its artisanal method of exploitation. Inhabitants hopping to earn money in a few weeks, including children, have been involved into this activity. The struggle for survival through artisanal mining of coltan, as well as the fighting among armed groups for the control of the deposits has triggered conflicts and a growing instability in the region. In this regards, the DR Congo and surrounding countries of the Great Lakes Region have implemented mechanisms warranting a responsible exploitation taking into account the necessity of peace, as well as the order in the commerce of minerals.

The subjects analyzed in the document are the commerce, fraud, and contraband, as well as mechanisms and agents at internal and external levels intervening in the trafficking of coltan. This document also examines the (i) key criminal agents and other activities relating to the traffic of the ore, (ii) hotspots and (iii) recent cases covered by media.

1. Commerce and Smuggling Of Coltan



Image 1. Coltan mine near Rubaya, North Kivu.

Source: MONUSCO/Sylvain Liechti.

According to the last reports by the UNEP², MONUSCO,³ and OSESG⁴, the Illegal exploitation of natural resources in the DRC focuses on minerals, wildlife, charcoal⁵ and timber⁶, as well as cannabis. The main mined minerals are the "3Ts" – cassiterite (tin), wolframite (tungsten), coltan (tantalum) – gold, diamonds, cobalt and copper. The route of smuggling crosses the borders with Rwanda, Burundi, and Uganda.⁷.

² United Nations Environment Programme.

³ United Nations Organization Stabilization Mission in the DR Congo.

⁴ Office of the Special Envoy of the Secretary General for the Great Lakes Region.

⁵ According to the report of 2015 of the Unep, Monusco and Osesg, the illegal traffic takes place mainly from DRC going east to Rwuanda, Burundi and Uganda (there is a significant route across the Mpondwe terminal). Beni and Butembo are the hot sports for charcoal smuggling. It exists considerable taxing at border points during transport: investigation by Inica and the United Nations Comission for Africa, Uneca, in 2007 suggested that for a bag of wood charcoal from Masisi and solg in Gisenyi, traders pay 32 per cent of the initial purchase price in taxes at the DRC border and additional 18 per cent at Rwandan border.

⁶According to the report of 2015 of the Unep, monusco and Osesg, the majority of the illegal timber leaving DRC goes to Uganda, with the main market being Nairobo, Kenya. Unep-Interpol have also confirmed timber smuggling from DRC to Uganda and Rwanda, this happens at official border crossings at Goma (DRC) / Gisenyi (Rwanda), at the north end of Lake Kivu and at Bukavu (DRC) at the south end of Lake Kivu. In addition, there are unofficial crossings over Lake Kivu to Kibuye (Rwanda) and across the Ruzizi River (which flows from Lake Kivu to Lake Tanganyika) to Rwanda. Timber is also transported into Burundi at the Kavimvira (South Kivu, DRC)/Gatumba (Bujumbura Rural, Burundi) official border crossing. Informal crossings are taking place to the north where crossing the river is not checked, or across Lake Tanganyika.

⁷ Unep, Monusco, Osesg. Experts' background report on illegal exploitation and trade in natural resources benefitting organized criminal groups and recommendations on Monusco's role in fostering stability and peace in eastern DR Congo. Final report. April 15th 2015. Available at www.unep.org

The trafficking of coltan has been the center of studies and campaigns targeting electronic and telecommunication industries⁸. The United Nations, for instance, pointed out the responsibility of the firms getting involved in the trafficking collaborating with rebels and allies or financing militia⁹.

In eastern DRC, soldiers and militias, as well as local leaders and security service agents, get involved in the trafficking of coltan through the mentioned route¹⁰. Armed groups linked to military and political networks stock up on the traffic, as the United Nations confirmed¹¹. The FDLR, CNDP¹², and the Mai-Mai are the main groups who share the control of the mineral deposits in Kivu, where they rule the ore traffic through fights and negotiations¹³.

Table 1. Major armed groups and sources of mineral revenue 2006-2008.

Armed Group	Minerals									
Armed Group	Coltan	Gold	Tin	Tungsten	Diamonds	Copper	Cobalt			
Pro-government forces										
DRC army					×	×	×			
Angolan army					×					
Mai Mai	×	×	×		×					
Anti-government forces										
Rwandan army	×	×	×	×	×					
RDC-Goma[1]	×	×	×	×	×					
RDC-ML[2]	×	×	×	×	×					
MLC[3]	×	×			×					

Source: Coltan, Congo & Conflict. Polinares Case Strudy. The Hague Centre for Strategic Studies. No. 20/03/13. Although this table is outdated, it is one of the few reliable sources of information additional to the United Nations report.

⁸ Etude de l'AFED, 2007. Martineau, P. La route commerciale du Coltan congolais : une enquête. Note du Groupe de Recherche sur les Activités Minières en Afrique, mai 2003

⁹ Kongotimes. Guerre de Coltan a' L'Est de la RDC. Anonymous Is this source « anonymous » or institutionally signed by Kongotimes?

¹⁰ Rapport final du Groupe d'Experts de l'ONU sur la RD Congo de 2015-2015

¹¹ Op.cit rapport du groupe d'experts de Nations Unies.

¹² The CNDP, Congrès National pour la Défense du Peuple, is formed by the Tutsis' elites. Its main source of finance is the mineral exploitation.

¹³ Giblin, Béatrice0 (2001). Les conflits dans le monde: Approche géopolitique. Armand Colin

Image 2. Obstacles to the eradication of fraud and trafficking of Coltan despite the adoption of tracking measures



Source: Global Witness. Mining in Mwenga territory, South Kivu.

The Congolese government has implemented mechanisms to stabilize the mining sector in the provinces of North and South Kivu, as well as in Maniema¹⁴. Various territories have been certified under the process of labeling by ITRI, ¹⁵ 12 in Rubaya-Ngungu and 8 in Numbi_Kalimbi.

However, the statics of production presented by specialized services do not reflect the reality. The number of miners working daily in those sites is higher than figures presented by official statistics published by the administration of mining. Therefore, the credibility of labeling and certification processes is jeopardized by the volatile control of administrative actors in this traffic.

Additionally, another category of actors, mainly identified dealers has created new mechanisms for evading the vigilance of specialized services in order to conduct trafficking, especially in the routes connecting Goma city with the Rubaya-Ngungu zone, and Ruhundu with Bugarula (for Coltan produced in the zone of Numbi and Kalimbi).

¹⁴ Validation des sites miniers : processus par lequel le ministre des mines par voie d'arrêté ministériel déclare un site propre ou impropre à l'exploitation.

2. Agents intervening in the commerce and traffic of Coltan in Kivu and related activities

Miners and cooperatives

"Miner" is a concept commonly used to designate a worker who is exploiting plots through manual or rudimentary methods. Those miners are generally regrouped in cooperatives.

The unregulated nature and constant migration of this artisanal activity make it difficult to determine figures of the exact number of miners. However, according to the World Bank, the number of miners fluctuates between 500.000 and 2.000.000¹⁶. According to the report of "Cellule Technique de Coordination et de planification Miniere" (CTCPM), 2014, the country has registered 715.643 artisanal miners17 among which:

- 55.757 are located in North-Kivu, 66.856 are located in South-Kivu, 47.933 are located in Oriental Provinces and 17.464 are located in the Maniema Province¹⁸. Specifically, the CTCPM establishes the following statistics:
- 7.463 miners extracting Cassiterite and Coltan domain in North-Kivu¹⁹
- 51.548 miners working in the same domain in South-Kivu.
- 13.043 miners in Maniema, extracting Cassiterite and Wolframite.
- 250.000 miners in Katanga, extracting in Coltan and Cassiterite.

These miners are grouped in cooperatives according to the following statistics

- 11 Cooperatives in North-Kivu.
- 38 Cooperatives in South-Kivu.
- 21 Cooperatives in Maniema.

On the other hand, the following societies and companies are among of the most active in Kivu: SMB, CIMIEX, Union Mines, Ad trade International, Phoenix metals, Commercial Impex (UCI), Machanga Limited and Westcorp mining limited²⁰.

The dealers

Although they are grouped in an association, almost half of the dealers are unregistered and lack identification documents, and are apparently implicated in illegal

¹⁶ Note Technique : « L'intégration d'Exploitation Artisanale à Petite Echelle dans le processus ITIE », World Bank Group et Pact Inc.

¹⁷ Rapport d'activité de la CTCPM.

¹⁸ Ipi Research. WebMapping: Congo. Available in: http://goo.gl/xnvgkJ

¹⁹ Source CTCPM / 2014.

²⁰ L'ancien Kivu comprend les provinces du Nord Kivu, Sud-Kivu et Maniema.

traffic of Coltan²¹. The following are the numbers of dealers operating in Maniema and South

Kivu provinces²²:

Provinces	2 013	2 014
Maniema	196	196
South Kivu	277	243

As already mentioned, dealers are in charge of negotiating with international intermediates to officially take minerals out of the country though fraud and contraband. The mismanagement in this regard, therefore, reinforces illegal traffic.

Trading posts / Entities of treatment

In September 2010, President Joseph Kabila took a measure to stop mining exploitation in East of the DR Congo, especially in Kivu, mainly consisting on transforming trading posts into entities of treatment, and labeling metals extracted at authorized zones known as "green zones" Six months later, the measure was revoked under certain conditions.

After failing to comply with the measure, most of the existing trading posts stopped their activities and just a few of them were successfully transformed into entities of treatment. As a result, in North-Kivu more than 27 entities disappeared²⁴. Currently, around ten treatment entities involved in extraction of Coltan, Cassiterite, Wolframite and Gold conduct their activities in Kivu. Only five of those entities intervene in extraction of Coltan: three are based in North-Kivu and two in South-Kivu and Katanga.

Despite the profound reduction of operative capacity of some armed criminal groups due to effective joint operations between FARDC²⁵ and MONUSCO, the persistence of foreign and internal armed groups is still notable. Almost all those criminal groups, according to local NGOs, media sources and the UN, are involved into the traffic of Coltan²⁶. The following are the armed groups that are operating mainly in the East region of DRC, and directly controlling the extraction and trafficking of minerals in Kivu:

²⁶ Idem.

²¹ Rapport annuel provincial de la Division de Mines et Hydrocarbures de 2014.

²² Source : Divisions des Mines de la province du Nord-Kivu

²³ System of label identifying minerals extracted from a zone without conflict, or identifying authorized minerals.

²⁴ Rapport de l'Initiative pour la Transparence des Industries Extractives (IITIE), 2009-2010

²⁵ The Armed Forces of the Democratic Republic of Congo (French: *Forces Armées de la République Démocratique du Congo* or FARDC).

Table 2. Sources of mineral revenue in Kivu 2006-2008

Awar and Cura van	Mineral								
Armed Group	Coltan	Gold	Tin	Tungsten	Manganese	Diamonds	Copper	Cobalt	
DRC army (FARDC)	×	×	×	×	×	×	×	×	
Mai Mai	×	×	×			×			
PARECO	×	×	×						
FDLR, which also gathers funds from looting, illegal taxation, agricultural and charcoal production. It receives funding from the Rwandan diaspora in Europe and collects money from Rwandan refugees in South Kivu[2].	×	×	×	×					
CNDP	×	×	×		×				

Source: Coltan, Congo & Conflict. Polinares Case Strudy. The Hague Centre for Strategic Studies. No. 20/03/13.

The Rwandan occupation also coincided with the coltan boom years. According to Giblin (2011), the forces of the RDC-Goma and Rwanda took advantage of the deposits' potential through the Tutsis' economic and political networks²⁷. In fact, the links and relationships among the elite members have empowered the Rwandans since those elites strengthen the rivalry between natives and Banyarwanda, as well as the differences among communities. Between 1998-2002, the Ugandan and Rwandan armies militarized the mining activity and looted the eastern natural resources. In fact, Rwanda organized the commercialization of coltan in favour of the allied mining companies; as a result, "during its occupation and after the soldiers left the territory in 2003, small aircraft have been transporting directly the ore from the areas of production to Kigali. Therefore, the coltan exports of Rwanda have far exceeded the national Congolese production"²⁸.

The minerals of Kivu have financed the military expenditure of Rwanda, which, in fact, continues fighting pro-government forces for the control of the mineral eastern zones. The struggle takes place in the gray zones where the government does not control the territory. In that way, there are, according to Giblin (2011), three categories of actors that exploit the natural resources in the DRC: (i) Informal traders, (ii) the members of

²⁷ Giblin, Béatrice (2011) Les conflits dans le monde: Approche géopolitique. Armand Colin.

²⁸ Giblin, Béatrice. Les conflits dans le monde: Approche géopolitique. Armand Colin, 2011.

the pro and anti-government forces participating in the ore hunting serving themselves of assault rifles such as Kalashnikovs and, (iii) the bureaucrats and politicians.

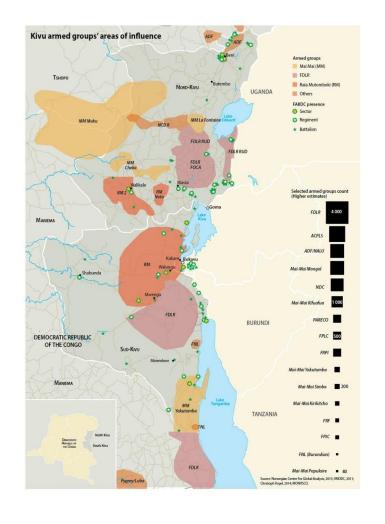


Figure 2. Distribution of ca.30 non-state armed groups in eastern DRC

Source: Unep, Monusco and Osesg report. April 2015

Relevant Criminal Agents

Force Democratique pour la Liberation du Rwanda ("FDRL")

Is a foreign-armed group operating in the DR Congo since 1996, when more than two million refugees entered in DRC, some of them armed, following the genocide between Tutsi and Hutu in Rwanda. In order to survive in the vast jungle of the DRC, some of those displaced population created groups of militias involved in several acts of violence on the local populations. They invaded villages and mining areas, including those where coltan is extracted. They also began participating in trafficking of coltan

and cassiterite through intermediaries²⁹. Currently, this group controls the North and South Kivu deposits, which ensures them the economic base of the movement.

The Force Democratique pour la Liberation du Rwanda has also developed strong relations with some FARDC³⁰ soldiers, especially with high army officials who are involved in illegal exploitation of mining. The relations between these two groups always block joint FARDC and MONUSCO military operations against FDLR. Resolutions by the UN Security Council and the Peace Security and Cooperation Framework, are currently addressing the operation of FDLR.

Col Cheka Tabo Taberi with NDC Nduma Defence of Congo³¹

In the North Kivu Province, this group is profoundly involved in Gold and Coltan trafficking in the whole Walikale region. According to anonymous sources, Rwanda used this group for mining exploitation purposes³².

The group collects illegal taxes on mining sites. Initially, Cheka created the group with aim to fight FDLR³³ and Tutsi who appeared to be a real threat to Walikale territory due to the high concentration of natural resources.

Currently, NDC is divided into two groups. The first, manifestly accepted by the community, commanded by Guedon Kambale, the former deputy commanding officer of Cheka, and the second, with few men commanded by Cheka himself. The latter was accused of betraying the community and the vision of the group, and therefore was consequently rejected by other members currently following Kambale. The division followed an internal crisis reported since mid 2014 by local media.³⁴

Janvier Kalaire with APCLC35

This is one of the biggest internal armed groups operating in Masisi and Lubero territories. Masisi is one of the mineral and natural resource rich regions in in North-Kivu. Besides Coltan, which can be extracted on the surface, Cassiterite and Gold are also found in this region.

²⁹ LIBÉRATION AFRIQUE, *Le contrôle des mines exercé par les parties belligérantes menace les efforts de paix dans l'est du Congo*, http://www.liberationafrique.org.

³⁰ The Armed Forces of the Democratic Republic of Congo. In French: Forces Armées de la République Démocratique du Congo.

³¹ Colonel Cheka Tabo Taberi is a Criminal Lord and challenged chief of NDC, which is an armed group. He is also a wanted by the ICC.

³² Declaration du porte-parole du NDC sur Radio Kivu1, Radio Mishapi et Radio Okapi.

³³ Democratic Forces for the Liberation of Rwanda.

³⁴ IGL (2015). Tabo Taberi Cheka, radié de son mouvement le NDC.

http://infosgrandslacs.info/productions/tabo-taberi-cheka-radie-de-son-mouvement-le-ndc.

³⁵ Alliance des Patriotes Congolais pour la Liberation du Congo ("APCLS") is an armed group commanded by Janvier Kalaire, a criminal warlord.

To survive in the jungle and to maintain his groups operating, this warlord is involved in Coltan trafficking. This enables him to have and keep the support of some politicians at the provincial and national levels and some local key community leaders as well³⁶. Janvier Kalaire uses civilians from his ethnic group as dealers and intermediaries in the trafficking of minerals. His local power results of the community and political supports, which he has gained following his fight against FDLR.

"Sisawa", "Kimba" and "Alexandra"

With the faction of Rahiya Mutomboki, after Kikuni alias "Jurist", these criminal warlords surrendered to FARDC. This faction conducts operations in South Kivu, at the localities of Shabunda, Mapimo and Lulingu, with connection to Bukavu, a town city of Sud-Kivu province. Besides collecting illegal tax on Coltan and cassiterite, Sisawa, Kimba and Alexandra are involved in trafficking of coltan, while also operating in certain regions of Kalehe.

- Mai Mai Simba in Walikale
- FDLR- Nyatura in Masisi and Walikale territory, North Kivu Province. In this
 regions, FDLR- Nyatura is involved in the exploitation and trafficking of Coltan,
 Cassiterite and Wolframite.
- Mai-Mai "Alleluia" in the territory of Fizi and Shabunda, also participating in extraction and trafficking of Coltan and Gold.
- ADF-NALU, Allied Democratic Forces, are involved in illegal exploitation of Coltan, Gold and wood in the Beni territory, North Kivu Province

Official security services

Forces Armées de la République Démocratique du Congo (FARDC).

The Decision of the president to stop exploitation of metals, including Coltan, in East DRC, generated several problems due to obstacles in the application of the measure. In fact, members of the military forces, the police and security agents, have not followed or applied the decision³⁷. At Cantine, a mining place in the Beni territory/minicipality, Baswagha-Madiwe *groupment*, at roughly 50km West of Beni

³⁶ JANVIER KALAHIRE from Hunde ethnie, is considered as a big protector of his ethnic group which since a long time is in conflict with other communities (Hutu, Tutsi and and sometimes Nyanga). To be strong, he is involved in mining trafficking. To have weapons and other kind of support he cooperates with politicians from his ethnic groups. Not later in this month he was fighting FARDC, the official army. It was reported that his combatants were using new weapons (AK47 including heavy weapons).

³⁷ Rapport f inal du Groupe d'Experts de l'ONU sur la RDCongo de 2014, mis a' jour en Février 2015.

city, some FARDC officers and Mining Police agents of the intelligence service, have been involved in the exploitation and trafficking of Coltan and Gold. In this regards, FARDC recruits young people from the village to use as miners in Kiboto, Nganda-Sinakiti and of Kibabashi. This exploitation, which happens in secret, came to be known because of a misunderstanding in the sharing of the products. Two imprisoned young men revealed this trafficking³⁸.

Agence Nationale de Renseignement Intelligence service (ANR).

This specialized service in charge of intelligence deploys staffs at all barriers and check-points in North-Kivu for the collection of information related to security and safety of the country. Since the Coltan boom of 2000, local media has confirmed the participation of the ANR in Coltan trafficking, mainly affecting the *Direction General de Douanes et Accises* (DGDA).³⁹

3. Related Criminal Activities

Human Rights violations and treatment of miners

Miners, often between 14 and 25 years old, perform high-risk work in dangerous, arduous conditions. Other workers known as "Hiboux" work day and night in teams using traditional light⁴⁰. The frequent landslides in the well and galleries cause, on the one hand, death of some of the miners, and on the other hand, trauma to those who witness the death of friends and co-workers. They additionally suffer from diseases, which could be avoided if they worked even with minimal protection. The diseases include irritation of eyes, cancer, and respiratory problems. Radioactive metals also remain in corps due to bad hygiene and inhalation of radioactive materials. Sometimes, children born with deformities or dead are registered.

Unfortunately, the mentioned risks are not often analyzed due to the economic interests of several internal and external actors that intervene in the trafficking of coltan and other minerals. In mining zones, it is difficult to find sanitary installations in a context where conditions are unhygienic or very poor. Additionally, the consumption of drugs and strong and low-quality alcohol is also frequent due to the nature of the physically demanding work. Finally, the rate of criminality and level of violence are

³⁸ Radio Okapi, article du 07 Aout 2015. Congolibre.Over-blog.

³⁹ Interview by DGDA's director at the local media confirmed by the report of the UN group of experts of 2014.

⁴⁰ OXFAM (2006). Congo. Stop a' l'exploitation inéquitable du Coltan.

http://www.oxfammagasinsdumonde.be/2008/03/congo-stop-a-lexploitation-inequitable-du-coltan/#.Vje-pkLAhFM

higher in mining sites. Miners get attacked frequently in the night either by armed groups, bandits, Mai-Mai (militia) or FDLR cadres⁴¹.

Coltan traffic brings together several actors into low-income mining. As mentioned, the coltan boom registered in 2000 allowed a number of villagers to gain high profits, which did not last due to the collapse of the price. The price is unstable and depends on the commercialization traffic, local security and prevailing military situation. Sometimes miners have the choice either to give their production to their team leader or to sell it directly to a dealer or intermediary. Those miners usually work as independents, others as daily workers without official contracts.

There is no centralized entity market fixing a standard price for coltan; the prices vary according to the bargaining power of the buyer and the vicissitudes of individual transactions. As a result, today it is difficult for a miner to obtain five dollars per day despite the high risk. Although some miners can obtain around ten dollars, in general a miner's revenue per day for his family is less than two dollars. In addition, miners pay illegal taxes in the form of spoonfuls of coltan to local administrative authorities, militaries and to militias or armed groups. Corruption and extortion are therefore a constant. Children in the mines remain as a concern due to the generalized poverty in the region. For instance, in Katanga province, 50.000 out of 100.000 to 140.000 miners are children under 18 with ages as low as seven⁴². Their tender age enables them to slip in galleries. The legal age to work in DR Congo is 18, although children between 15 and 18 can work if they are authorized by the inspector at work or by the parents. However, in this context, this rule is ineffective since these do not sign any contract and work as independents.

Exploitation of Cassiterite

With regard to illegal activities that are linked with coltan trafficking, we have identified the commerce of Cassiterite in North and South-Kivu and Maniema. Members of the official army, FARDC are involved in the trafficking of ore, as well as in the collection of taxes on economic activities.

Additionally, members of MONUSCO, the UN mission in DRC, in 2005 was involved in "paying refugee children for sex [and]... weapons to militias in exchange for gold"⁴³. Then, according to *Jeune Afrique*, the 22nd of August, 2011, "services committed to

⁴¹ Op cit. Oxfam – magasins. Congo. Stop a' l'exploitation inéquitable du Coltan du 20 Mars 2008.

⁴² Rapport de la société Civile, Coordination provincial du Nord-kivu de 2014 sur l'exploitation illegale des minerais au Nord-Kivu, Groupe Thématique Mines.

⁴³ Hatcher, J. (2012). Defining Peacekeeping Downward: The U.N. Debacle in Eastern Congo. http://world.time.com/2012/11/26/defining-peacekeeping-downward-the-u-n-debacle-in-eastern-congo/

DRC-Rwanda order, at the great barrier in Goma, have arrested a jeep driver from Monusco [...], said Naasson Ndoole Kubu, Provincial Minister of Mines in North Kivu. Julien Mukala was driving the vehicle, fraudulently carrying 1,200 kg (2,465 pounds) of cassiterite and wanted to cross the border. Once stopped, Mukala tried to bribe police officers with half the batch of minerals".⁴⁴

The authorities conducted the trial against Mukala at the scene of the crime, Goma. According to AFP, "the prosecutor accused him of hiding the mineral under a tarpaulin and lying to border guards that he was going to fetch water from Gisenyi, on the Rwandan side of the border from Goma. Mukala told the prosecutor that the bags of minerals had been put there by someone else, who said they contained rice" MONUSCO denied any part in the affair in a statement saying that "the driver was operating outside of his duty. He took the vehicle to run his own errands," according to a source consulted by AFP.

Days earlier, the 3rd of August, officials arrested a colonel of the FARDC with 12 soldiers in the same place, the eastern province of South-Kivu, smuggling a convoy of minerals: "Colonel Balumisa Chuma, the commander of the Walikale sector, was caught red-handed with 10 tonnes of cassiterite on Monday at 6:00 am," Colonel Vianney Kazarama, the army's spokesman for Operation Amani Leo (Peace Today) told AFP. "He'd been doing this trafficking for a long time because he felt his rank, his position, covered him," said Kazarama.

Gold and diamonds trafficking

The United Nations Environment Program (UNEP) and Interpol reported that gold and diamonds are primarily smuggled by helicopter or small aircraft to a landing strip, then by low level flying planes to airstrips⁴⁶ in Uganda, Rwanda and Burundi. Often, companies have affiliates or a *comptoir* simply ships it with a courier onboard in an airplane, so the products reach the companies or recipient courier and become laundered by mixing them with legal production. The distribution of shipments would involve a maximum of ten *comptoirs* or companies in addition to small-scale smugglers.

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 ⁴⁴ Jeune Afrique. RDC: un chauffeur de l'ONU arrêté avec une tonne de minerais. Available in : http://www.jeuneafrique.com/179767/politique/rdc-un-chauffeur-de-l-onu-arr-t-avec-une-tonne-de-minerais/
 ⁴⁵The GiFiles, Wikileaks. Democratic Republic of The Congo/Africa-Trial of local UN employee begins in Goma. Available in: https://wikileaks.org/gifiles/docs/25/2567915_democratic-republic-of-the-congo-africa-trial-of-local-un.html

⁴⁶ According to the report of 2015 of the Unep, Monusco and Osesg, the DRC has 239 registered airstrips, where only 18 operate with customs, mainly in cities. There are 83 airstrips registered as private and not open to the public. The districts of Maniema, Orientale, North and South Kivu provinces have a particularly high abundance of shorter airstrips.

The smuggled product is distributed across individual sorties of 1-5 kg of gold or diamonds per shipment, in order to reduce the risks of storage in high-risk zones:⁴⁷

Smuggling hot spots of gold

- 1. Bukavu, South Kivu: smuggled from mines in South Kivu and Maniema provinces.
- 2. Butembo and Beni, North Kivu: smuggled from mines in North Kivu, Maniema, and Eastern provinces. Gold traders operate in Butembo, and both FDLR and ADF militias have trade networks here. ADF also has a network in Beni. The gold is typically traded in Kampala.
- 3. Bunia, Orientale: smuggled from Ituri, mainly Irumu (209 gold mines), Mambasa (343 gold mines), and Djugu (230 gold mines) territories. The gold is typically traded in Kampala.
- 4. Western Ariwara: smuggled from Ituri, Aru territory, and Haut---Uélé districts. Nearby Arua is also a smuggling hotspot. Ariwara has been a smuggling hotspot since Ugandan refugees arrived in 1979 following the war with Tanzania.
 - 5. Kisangani, Orientale: smuggled from throughout Orientale and from Walikale in North Kivu.

Source: Unep, Monusco, Osesg report of 2015.

Wildlife Trafficking

Bush meat poaching: It has a limited importance as a trigger of conflict. However, it is a key resource that enables rebel groups to sustain themselves in inaccessible zones, and ground with tactical relevance. Modest amounts provide them with protein and cash while re-establishing their information and logistic networks. The Lord's Resistance Army, LRA, the Forces de Libération du Rwanda, FDLR⁴⁸, and the Allied Defense Forces, ADF, rely on this tactic⁴⁹.

Elephant poaching for ivory: Most elephants are confined to central and western DRC, Gabon, and Tanzania. In Garamba National Park 40 elephants were poached in 2012, and during the first nine months of 2013 16 elephants were registered. In 2014 at least 131 elephants were poached in the same region. UNE and Interpol have estimated that the scale of income for all militant groups across DRC for ivory is four to twelve million dollars per year. The ivory is generally shipped west through Kisangani, east through Bunia, and south through Beni and Butembo, although some ivory has also been transported by plane or helicopter to South Sudan and Uganda⁵⁰

Routes for Wildlife Smuggling			
Northeast	Mambasa-Bunia/Beni – Kasindi/Kasenyi – Kampala.		
	Garamba/Dungu/Ariwara – Kampala.		

⁴⁷ Unep, Monusco, Osesg. Experts' background report on illegal exploitation and trade in natural resources benefitting organized criminal groups and recommendations on Monusco's role in fostering stability and peace in eastern DR Congo. Final report. April 15th 2015. Available at www.unep.org ⁴⁸ Forces démocratiques de libération du Rwanda.

⁴⁹ Unep, Monusco, Osesg. Experts' background report on illegal exploitation and trade in natural resources benefitting organized criminal groups and recommendations on Monusco's role in fostering stability and peace in eastern DR Congo. Final report. April 15th 2015. Available at www.unep.org

⁵⁰ Unep, Monusco, Osesg. Experts' background report on illegal exploitation and trade in natural resources benefitting organized criminal groups and recommendations on Monusco's role in fostering stability and peace in eastern DR Congo. Final report. April 15th 2015. Available at www.unep.org

	Biliueré/Digba – Juba – Darfur.		
Fact	Goma/Bukavu, DRC to Kigali, Rwanda.		
East	Kalemie, DRC to Kigoma, Tanzania.		
West	Mbandaka/Oshwe to Kinshasa and to China/Thailand.		
	Mbandaka/Matadi to China.		
South	Kundelungu/Upemba/Malembakulu to Lubumbashi and then to Zambia.		

Source: Unep, Monusco, Osesq report. April 2015.

4. Trafficking routes of coltan

The local and international traffic of coltan is complex and hazy. The trail of coltan from the mining sites to cell phones remains difficult to trace. For instance, in Kivu where extraction is mainly artisanal, the supplying chain involves a high number of intermediates.

The team leader, who manages a team of miners, is usually a villager operating on a concession or a small size "coltan square", with few square meters. Coltan is collected in sacks and usually transported to each local village by women. Once at the village, Coltan is delivered to a small dealer who buys according to the assessed tantalum percentage. When the dealer is managing his own team of miners, acting as the "boss", he sends his production through a transporter to one of the centers located in various provinces, where it is then sold to a dealer.

The dealer is, therefore, a key player who locally buys Coltan taking into account the current and future prices that he will apply when selling it in big cities. As can be inferred, there is a great possibility of fraud happening in this unregulated stage of pricing.⁵¹

In the Rubaya-Ngungu Zone, certain quantities of coltan pass directly to the dealers, in complicity with security networks, such as the FARDC⁵² and especially the GR⁵³. The loads, transported in jeeps and pick-ups that usually are the property of the army, cross freely the check-points at the boarder located at Sake⁵⁴, 27 Km North East far from Goma. In those Jeeps, the dealers and transporters are protected by immunity.

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⁵¹ Interview conducted to 9 dealers at Mubambiro-Sake and Goma by OSCM on August15, 2015.

⁵² Interview conducted to 9 dealers at Mubambiro-Sake and Goma by OSCM on August15, 2015. FARDC, Forces Armees Congolaises.

⁵³ PresidentialGuard. In French: Garde presidentiel.

⁵⁴ The Sake toll station is a barrier located 27 Km from the city of Goma and serves a check point where all vehicles from the Masisi area are controlled.

Regarding the final destination, coltan extracted at Ngungu-Rubaya is usually delivered to Byahi (in Nyiragongo territory, 8 km North of Goma) in Gabiro, which is a frontier post between DR Congo and Rwanda located in the Ganyamuhanga cemetery. The zone is located between Byahi in DR Congo and a Rwandan locality; this is one of the most important hotspots for coltan trafficking, where the mineral is taken out of the country. In this hotspot there is also a position under the control of members of FARDC and the GR special unit.

In fact, Coltan trafficking in Kalehe territory has a particular relevance due to its geographic situation, characterized by multiple hills and its proximity to Lake Kivu. This geographical configuration adds complexity to the trafficking from Numbi and Kalimbi sites.

Coltan is sold to a house that ensures the transportation through international intermediates or sometimes illegally towards Rwanda or Uganda. Once out of the country, the tantalum is refined into powder and sold to firms for treatment or transformation who will make line, plate, and ribbon for the final users that manufacture final products such as smartphones and tablets, among other gadgets.⁵⁵

Systematization of the traffic

The trafficking and fraud of the mentioned minerals is increasingly configuring systems and stable networks. In the mining zones of Numbi and Kalimbi, the coltan legitimately tracked represents a negligible quantity compared to the amounts transported by local trafficking networks.

For instance, some military elements of the naval force of DRC, in complicity with miners, specially dealers and intermediaries, as well as members of the intelligence service⁵⁶ (ANR), while benefiting from the support of the owners of motorized-boats, have established a fraud scheme at the transit point of Ruhundo and Bugarula in the Island of IJWI⁵⁷, before departing to Rwanda.

Pretending to conduct fishing activities, a number of boats are involved in the permanent trafficking of Coltan from the Kalehe region towards Rwanda, through Lake Kivu. According to a civil society actor interviewed, this traffic is profitable and permanent. A boat equipped with a motor of large capacity has capacity for producing

⁵⁵ Supporting the war economy in the DRC: European Companies and the coltan trade, International Peace Information Service, Janvier 2002.

⁵⁶ ANR : Bureau de l'Agence Nationale des Renseignements de Sake.

⁵⁷ IJWI is a large-size island in South-Kivu, sharing borders with Rwanda.

200 to 300 dollars per rotation, whereas the transportation of metal can produce 700 to 1000 USD per rotation, depending on the transported quantity.⁵⁸

Also, on daily basis large volumes of trafficked Coltan are transported regularly through the official boarder commonly known as "Grande Barriere" Goma, at Gisenyi and Bukavu Cyangugu⁵⁹. The movement of loads is possible due to the modification of labels that are supposed to identify and differentiate coltan extracted in authorized zones.

This scheme is executed by stable networks allowing the mafia of local officials, mainly provincial officials at the ministry of mining, and international actors, especially multinationals, to operate through Congolese borders and also across Rwanda. As a result, United Nations experts have identified trafficking and modification of labels in Rwanda and Bukavu. This point will be developed in the last chapter related to cases covered by the media.

5. Key Criminal Hotspots In the traficking of coltan and cassiterite in Eastern Congo

According to UNEP, MONUSCO and OSESG⁶⁰, several organized criminal actors circumvent legislation participating in mining through armed groups, intermediaries, and even business partners with the right administrative credentials⁶¹.

Main markets and illicit traffic routes				
	Produced and sold	Smuggling		
	North Katanga, Rubaya in Masisi territory of North Kivu, and Shabunda, South Kivu.	It occurs from Rubaya, via Goma, and to Rwanda. It is done by trucks at small border crossings in the area around Goma, specifically Makoro and the ITG cemetery.		
Coltan (tantalum)		The coltan is shipped by boat, such as from Yungu beach in Yakutumba controlled territory in collaboration with FDLR to Kigoma and Burundi. Significant smuggling also takes place across the lakes by boat to and from DRC; small ports facilitate the transport outside of the border points		

⁵⁸ Interview conducted by Alain Awazi to a member of the Société Civile de Kalehe in Bweremana, 1st Septembre 2015.

⁵⁹ Interview conducted by Alain Awazi to a member of the Société Civile de Kalehe in Bweremana, 1st Septembre 2015.

⁶⁰ Office of Special Envoy for Great Lakes Region.

⁶¹ Unep, Monusco, Osesg. Experts' background report on illegal exploitation and trade in natural resources benefitting organized criminal groups and recommendations on Monusco's role in fostering stability and peace in eastern DR Congo. Final report. April 15th 2015. Available at www.unep.org.

Cassiterite (tin)

Katanga; Nyabibwe in Kalehe territory, South Kivu; northern Pangi in Maniema. It is also sold in Mubi, Walikale; Ndjingala, North Kivu; Hombo, Kalehe, South Kivu. Smaller hubs in Punia, Maniema; Shabunda, Walungu; Nzibara, South Kivu, and Lemera, Uvira, South Kivu.

Source: Unep, Monusco and OSESG 2015 report.

Since it is estimated that 57% of mines in eastern DRC have an armed group presence, the most important financing intervention is illegal taxation, affecting 36% of mines. Although the armed illegal groups were already listed, it is important to draw attention to the fact that the Raia Mutomboki⁶² group is reported to be present at 9 % of the mines. Other important armed group actors include, NDC/Mai Mai Sheka, FDLR and Yakutumba Mai Mai, all of them receiving payments to "protect" mines or loads of minerals. However, it has also been reported that 6.5% of the armed groups are involved in buying minerals, while 3.7 % are involved in the direct extraction⁶³.

The relationship between militias and mineral resources is complex. According to the report by UNEP, MONUSCO and OSESG (2015), the following typology can be observed⁶⁴:

- Militias as security providers: other actors control the mining operation while the militia is essentially used and potentially paid to keep other militias away. However, they are not the ultimate beneficiaries of the mining.
- ii. Militias stealing minerals: unable to facilitate mining production, the militia steals what they can as a short-term activity.
- iii. Militias as producers: effectively controls the mineral supply chain from extraction to sales to local or regional buyers

The following are some estimations about this complex criminal operation: "Currently, there are an estimated 25-49 armed groups active in eastern DRC, consisting of a total number of armed combatants in the range of 7,000. The yearly average cost per combatant is around USD \$1,500, so USD 13.2 million would equip around 8,900 fighters. Transnational organized criminal groups outside the DRC gain a net profit of at

⁶² Sterns, J. (2013). Raia Mutomboki: The flawed peace process in the DRC and the birth of an armed franchise. Rift Valley Institute.

⁶³ IPIS Analysis of the interactive map of artisanal mining areas in eastern DR Congo: May 2014 update.
⁶⁴ Unep, Monusco, Osesg. Experts' background report on illegal exploitation and trade in natural resources benefitting organized criminal groups and recommendations on Monusco's role in fostering stability and peace in eastern DR Congo. Final report. April 15th 2015. Available at www.unep.org.

least USD 136 – 391 million from illegal exploitation and trafficking in natural resources, then if all these profits reached armed groups it would be possible to sustain up to 91,000 – 261,000 well equipped fighters at a cost of USD 1,500 per fighter per year⁹⁶⁵.

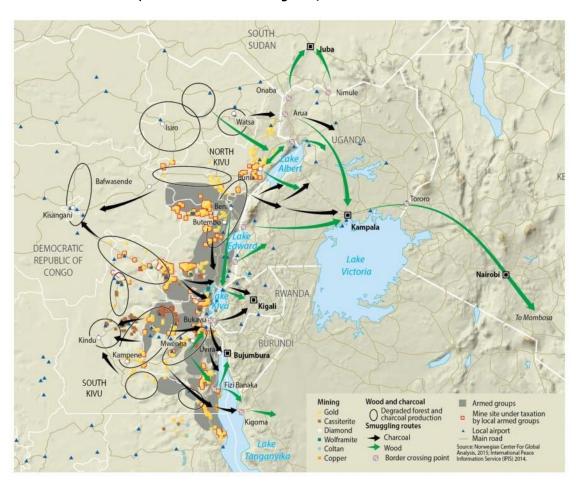


Figure 3. Smuggling by transnational organized crime from eastern DRC to criminal groups, companies or individuals in Uganda, Rwanda and Burundi.

Source: Unep, Monusco and Osesg report. April 2015.

After the recent administrative subdivision of the DR Congo, Kivu, North and the South remain as some of the most relevant criminal hotspots:

A. North-Kivu

a. Masisi territory: Specifically at Rubaya-ngungu, Bibatama, Bisunzu and Mubambiro⁶⁶ (a check-point) before the arrival of Coltan to Goma in

 ⁶⁵ Unep, Monusco, Osesg. Experts' background report on illegal exploitation and trade in natural resources benefitting organized criminal groups and recommendations on Monusco's role in fostering stability and peace in eastern DR Congo. Final report. April 15th 2015. Available at www.unep.org.
 66 Entities or areas considered as hotspots of extraction and trafficking of Coltan.

destination to Rwanda. Byahi – Gabiro in Monigi groupment, 8 Km far from Goma⁶⁷.

b. Walikale territory: At Bisiye and Mubi.

B. South Kivu

a. Kalehe locality and Mapimo locality in Shabunda and Lulingu are hotspots of coltan extraction and trafficking in the province of South-Kivu.

Additionally, Choka is an airport in Shabunda, which is a departure point of metals from Shabunda to Bukavu, the big town of the South-Kivu province that is also used to take coltan out of the country towards Burundi and Rwanda.

6. Relevant recent cases

Although there is progress in terms of traceability of metals and minerals extracted in DR Congo, the trafficking continues⁶⁸. In fact, certain elements of FARDC and armed groups are still involved in the illegal commerce of these minerals and mineralization, introducing them in the supplying chain of DR Congo and surrounding countries⁶⁹.

The punishment of fraud cases is still delayed and criminals usually appear to be stronger than enforcement agencies and judicial institutions. In this context, the provincial commission to fight against the traffic and the mining fraud⁷⁰ lacks the capacity to take effective measures for prevention, despite alerts from various national and international actors. The following are few cases that have been covered by the local and national media.

 The case of Mr. Kingamba Ndababonye, President of the Association of Dealers in Masisi territory /Anemnki-Masisi, who got suspended by the North Kivu provincial minister of mining for strong accusations relating to his potential implication in the fraud and smuggling of Coltan and other metals⁷¹.

However, Mr. Kingamba Ndababonye was reinstated in his functions and duties without any investigations or any other legal procedures ten days after the said strong accusation. The case was pointed out and denounced by the provincial

⁶⁷ Small villages or illegal positions at the limits of DR Congo and Rwanda used to take Coltan and other metal as well out of the country.

⁶⁸ Kongo Times/Media in Stop a' l'exploitation frauduleuse du Coltan au Kivu.

⁶⁹ Rapport final du groupe d'experts des Nations Unies sur la RD Congo du 11 Février 2015, exploitation illégale des ressources naturelles.

⁷⁰ Division provinciale de Mines et géologie.

⁷¹ Interview conducted by a journalist from a local radio and media, Emmanuel TV in Mai 2015.

Civil Society president who thought there was there enough evidence to have him legally punished.

- The UN panel of experts gathered evidence about fraud, trafficking and modifications of labels that were apparently normalized according to the initiative for improving the logistic chain. Two of those labels were intercepted in Bukavu (RD Congo) and two others in Gisenyi (Rwanda). The circulation of labels also shows that there is institutional weakness allowing the trafficking of contraband and fraud in the traceability system.
- According to mining provincial authorities, between February and August, 2014, 9 shipments of metals transported in contraband from Masisi were seized. Three civil servants assigned at Mubambiro⁷² for duties of mining control and policing at Sake revealed to the group of experts that their discouragement resulted in the attitude of high authorities from Goma. Once Coltan or any other metal or mineralization is seized at Mubambiro and taken to Goma, it is immediately returned in the circulation after an intervention of the pointed authorities.
- According to three dealers from Rubaya, and staff of Coperama⁷³, the main reason inciting to the smuggling of Coltan is that the SMB⁷⁴ has the monopoly in Rubaya, which enables it to procure the metal at a price of at least 20% lower than what intermediaries in Rwanda pay.
- The trafficking of metals and mineralizations transported from Rubaya⁷⁵, passing to Rwanda, is facilitated by the fact that it's easy to obtain Rwandan labels and other documents in the black market. The main metal passing through Goma is white Coltan produced in DR Congo. Once in Rwanda, this type of Coltan is mixed with white coltan that is also produced in Rwanda, before it gets introduced into the supplying chain. In this scheme various Rwandan firms like CIMIEX and Union Mines participate.
- The Goma General Prosecutor, Mr Idumbo Melimeli, declared on Monday 9th
 November that several tones of minerals are exported in fraud towards the
 neighboring countries of DR Congo. According to him, the mining trafficking in
 fraud facilitates a high loss for the public treasure.

⁷² Mubambiro is a village at 27 KM North of Goma Town where there is a check-point for different products transported from villages and towns to Goma. It is an entry place to Goma of illegal Coltan and other minerals from Rubaya, Ngungu and Bibatama, and sometimes from Kalehe and Walikale.

⁷³ Coperama is a mining firm.

⁷⁴ Societe' Minier de Bisuza'.

⁷⁵ Rubaya is a place located at around 52 Km from Goma where activities of extraction and trafficking of coltan, Cassiterite and wolframite are tense.

The prosecutor thinks that the populations living in the exploitation zones do not profit anything from illegal commerce of mining: "The mining fraud is at the base of the poorness of the population". He additionally said that in October, 15 Kg of gold got seized. The authors were trying to pass through Kasindi boarder.

"Last Year, 68 Kg of cassiterite, 130 of coltan have been seized kept in the central Bank of Congo", indicated the Goma general attorneyl. A number of local organizations point out curtain state services in that fraud. To stop it, the prosecutor promised to apply the Law. From his side, the vice governor Feller Rutahichirwa, has promised to give his support to the justice in this work ⁷⁶.

⁷⁶Source: Radio Okapi MONUSCO, 10th November 2015.