

PROGRESS REPORT 1

Advancing incident reporting and community participation in responsible sourcing through cooperative and CSO capacity enhancement in Eastern DR Congo gold sector

January - June 2018



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EXECUTIVE SUMMARY

In January 2018, the European Partnership for Responsible Minerals (EPRM) granted IPIS funds to implement an independent, transparent and participatory platform for incident reporting and community empowerment in responsible sourcing in Eastern DRC gold sector. This platform will have to contribute in improving transparency around follow-up and resolution of incident in cooperation with relevant stakeholders.

The present report outlines progress made over the first phase of this project, from January to June 2018. This first phase has two complementary components. The first one focused on building capacity of 7 mining cooperatives through a series of trainings and follow-up visits led by CEGEMI (Centre d'Expertise en Gestion du secteur Minier). The second component outlines IPIS' process for developing an incident reporting and monitoring platform and its proposed methodology.

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COMPONENT I:

BUILDING CAPACITY OF MINING COOPERATIVES

CEGEMI work started with selecting 3 mining areas in South Kivu for the implementation of capacity building trainings and incident reporting and monitoring platform. The selection was also based on 4 criteria.

Indicators for mining areas selection.

- 1. Security:** the security situation in the mining area should be sufficiently stable to allow for the safe transit of persons from the selling point to sites and the provincial capital.
- 2. Sufficient trade and production volumes:** the flow of artisanal gold to and from the hub should be sizeable and constant. Accurate estimates on trade volumes can be extremely difficult to obtain and where no estimates for trade volumes were available, hubs known to be levied by numerous sites (e.g. often cited as a next destination point) were also canvassed.
- 3. Presence of at least one cooperative:** as this project is premised on building the capacity of cooperatives to, firstly, improve their management and assist them to comply with international certification standards, and secondly, to fulfil certain monitoring functions, their presence at the most local level, is fundamental.
- 4. Accessibility:** the mining area should be within one-day's travel (by motorbike or car) from Bukavu, and should be accessible in the rainy season.

In January and February, CEGEMI undertook three field missions in different territories. From 13 to 15 January, a team visited Walungu, another one went to Misela region from 9 to 11 February, and finally, a third field mission took place from 22 to 24 February near Kalehe. A complementary field visit was organised in Walungu from 8 to 12 April (see below).

In Walungu territory, the auriferous region of Nyamurhale had firstly been pointed as a potential option for the project implementation. Security is guaranteed, it takes only 1h30 by car to reach Bukavu, artisanal gold mining sites are numerous and cooperatives are well developed. However, too many programmes focusing on gold traceability are already taking place there. The risk of scattering efforts, duplication and confusion between the different initiatives was too high that Nyamurhale was eventually removed out of the selection. Instead, CEGEMI identified the mining area of Luntukulu, also in Walungu territory, during a second field visit in the area. Luntukulu (Walungu) is located on a Banro concession (PE 44 owned by Twangiza Mining), but could serve, according to several sources, as a relocation site for artisanal miners working illegally in other parts of the concession. An IPIS researcher met with a senior official from Banro in charge of stakeholder engagement in Bukavu on the 11th May 2018 to present our initiative. An official letter was introduced by CEGEMI to Banro on the 18th May 2018 to formally inform them of their will to conduct training with local cooperatives.

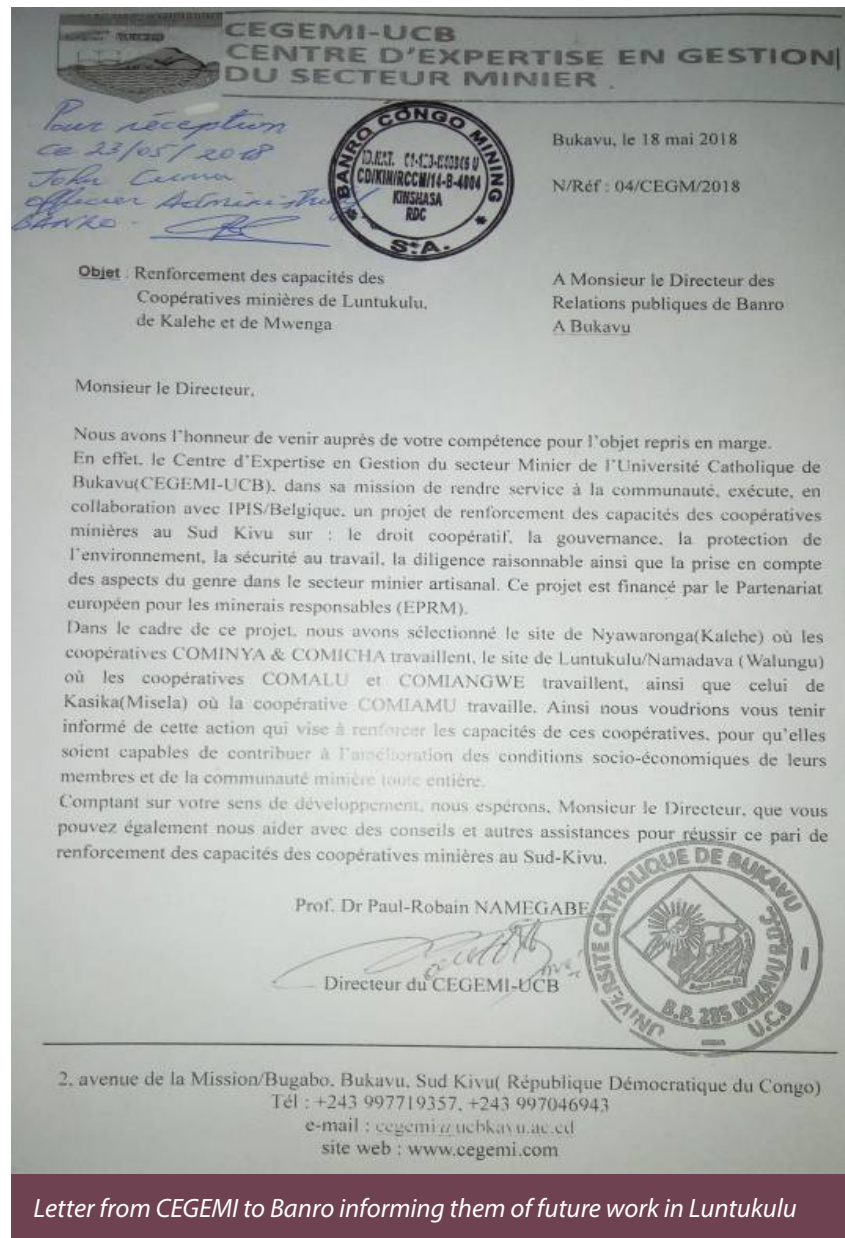


CEGEMI field mission in Luntukulu

In Luntukulu, CEGEMI will train two cooperatives: COMALU (Coopérative Minière Artisanale de Luntukulu) and COMIANGWE (Coopérative Minière de Ngweshe).

The second selected zone is Misela, in Mwenga territory. If Misela is identified as a Cassiterite site on IPIS interactive webmap, several gold mining sites are known to be in the area along the Ulindi River. CEGEMI has met with representatives from the COMIAMU (Cooperative minière et agricole de Mushwa) and is planning on inviting members from the Coopérative des femmes de Kibé – Lutonde to the training.

The third and final mining zone chosen is Nyawaronga, in Kalehe territory. In this area several cooperatives are operating. Members from the COMINYA (Cooperative minière de Nyawaronga), the COMITCHA (Cooperative minière de Txhamishasha) and the COPAMIRU will attend CEGEMI's trainings.



Selecting the cooperatives

In the project proposal, it is suggested that only three cooperatives (one in each region) would benefit from CEGEMI trainings in governance and technical capacity enhancement. However, there are actually several cooperatives active in the selected mining areas. Therefore, CEGEMI opted for a geographical approach by organising trainings in the supporting village to enable more than one cooperative to benefit from the capacity building training.

• Luntukulu (Walungu Territory)

- COMALU (25 people, including 6 women)
- COMIANGWE (5 people, including 2 women)

• Misela (Mwenga Territory)

- COMIAMU (23 people, including 3 women)
- Cooperative des femmes de Kibé - Lutonde (7 people including 7 women)

• Nyawaronga (Kalehe Territory)

- COMINYA (10 people, including 4 women)
- COMITCHA (10 people, including 4 women)
- COPAMIRU (10 people, including 4 women)

By inviting cooperatives from the same area, the project aims at avoiding tensions, as well as sharing good practices and training content with more people and organisations.

Following pictures: CEGEMI field visit in Luntukulu





The first trainings took place in June in Kalehe with cooperative from Nyawaronga and will soon start in Misela (Mwenga). Trainings design, modules content and planning were elaborated during this first phase of the project.

More information about component one of this project, related to cooperative training, can be found in the three annexes (in French):

- **Annex 1: Identification of cooperatives**
- **Annex 2: Rapport de mission d'identification des bénéficiaires**
- **Annex 3: Rapport d'activités**



First training in Kalehe delivered by CEGEMI

COMPONENT II: DEVELOPING AN INCIDENT REPORTING AND MONITORING PLATFORM

IPIS has dedicated this six-month period to the second objective of this project, which is to develop and implement an independent, transparent and participatory platform to report and follow-up on incident in the gold supply chains in South Kivu and Ituri. Workload has mainly consisted in ensuring stakeholders' engagement and their buy-in to the project, and to design the platform methodology.

Stakeholder engagement:

Learning from their lessons and ensuring their involvement

Engaging with stakeholders took multiple forms. Firstly, IPIS has conducted from Antwerp multiple Skype discussions with international organisations (see table below) and in meetings in Europe. In particular, the project team took the opportunity of the 11th ICGLR-OECD-UN GoE Multi-stakeholder Forum in Paris in April 2018 to consult with and/identify numerous individuals with relevant information for project design and incident reporting experience. In doing so, the project generated notable interest and was broadly welcomed by those stakeholders.

In May 2018, an IPIS researcher flew to Bukavu and Goma with the objective to scope existing provincial NGOs with experience in incident reporting and due diligence in artisanal gold in South Kivu. Researchers have also met provincial authorities, including the Comité Provincial de Suivi du Sud Kivu (CPS-SK) and the Groupe de travail thématique mines du CPS-SK (see below).

Due to time constraints and the amount of efforts foreseen in launching a locally owned platform for reporting and monitoring incidents in South Kivu, it was decided to postpone the stakeholder engagement mission in Ituri. We therefore envision a delay in the launching of the platform in Ituri but we hope to gain from lessons learned in South Kivu to compensate this delay. The current timing aims at launching the platform in South Kivu in September and in Ituri in December 2018.

As part of this stakeholder engagement period, the following organisations were contacted:

International organisations	Local organisations	Local authorities	Companies
BGR	Groupe de travail thématique mines du CPS-SK	Comité Provincial de Suivi du Sud Kivu (CPS-SK)	Mineral Responsible Initiative (MRI)
International Organisation for Migrations (IOM)	Save Act Mines		Banro
Tetra Tech / CBRMT	Promotion de la Démocratie et des Droits Humains (PDH)		
MONUSCO	Max Impact		
Impact	Best		
Pact	Fondation Solidarité des Hommes		
Better Sourcing Programme (BSP)	CENADEP		
Better Chain	ACADOSHA		
Search for Common Ground	Justice pour Tous		
ARM			
Kivu Security Tracker			

Stakeholders' ownership

Successful and sustainable results in any development project highly depend on the buy-in of local actors. Strengthening capacities of existing local structures is more efficient and guarantee a higher level of ownership than starting from scratch and implementing new organisation or network. Therefore, the Comité Provincial de Suivi du Sud Kivu (CPS-SK), composed of local authorities, companies and local civil society organisations will be a key partner in this project.

CPS-SK members acknowledge the importance of an incident reporting platform that would be independent from private companies, while being at the same time managed by local civil society organisations. CPS-SK will play a strong role in following-up on incidents reported by the platform, by supporting remediation and/or long-term efforts on the ground.

Local Advisory Committee

During our field mission in June, CPS-SK accepted to play to role of Local Advisory Committee (LAC) for this project. The LAC, as defined in the project will have to advise on the local appropriateness of project activities and secure political buy-in. CPS-SK members will regularly follow-up on project activities as part of their monthly meetings.

Concretely, the CPS-SK meet every month. On a quarterly basis, CPS-SK will be kept up to date to discuss about the project progress. The local NGO Best, which is a partner of EPRM member CORDAID, will attend those meetings on behalf of the EPRM.

A second way to strengthen local capacities and securing ownership and local anchorage is to directly involve the Groupe de Travail Thématique Mines (GTTM), a sub-committee gathering CSOs present in the CPS-SK. GTTM members will receive a training in order to play a key role in the platform management, notably in verifying and investigating incidents reported. They will also use their networks in the mining areas to promote the mobile-based incident reporting mechanism around miners and local populations (see below the chapter on platform design).

This monitoring and following-up will be a key component of the project and would have to be articulated with Comités locaux de suivis (CLS), where they exist, and civil society organisations based in mining areas. This will be further addressed later, in the session about methodology design, and it was agreed with local civil society organisations to postpone the discussion about practical details of our collaboration to the CSOs workshop that should be organised in September, alongside the launch of the platform in South Kivu.

Incident Typology

Incident typology is based on IPIS long experience of data collection regarding mineral supply chain and lesson learnt from different responsible sourcing initiatives. Furthermore, the incident typology is inspired by the six types of risks that are intolerable and that would lead to a suspension and withdrawal of the upstream suppliers according to the "Annex II of the OECD Guidance on Responsible Minerals Sourcing". These six risks are: any forms of torture, cruel, inhuman and degrading treatment; any forms of forced or compulsory labour; the worst forms of child labour; other gross human rights violations and abuses such as widespread sexual violence; war crimes or other serious violations of international humanitarian law, crimes against humanity or genocide; direct or indirect support to non-state armed groups.

1. Security incidents:

- a. Torture, cruel, inhuman and degrading treatment
- b. Sexual violence
- c. Looting and pillage
- d. Armed group is frequenting mine or setting-up a roadblock on mine's access routes (road between mine and its mineral selling point/trade hub)
- e. Forced labour
- f. Kidnapping for ransom

2. Health & Safety incidents:

- a. Fatal accidents
- b. Wounded accidents
- c. Gallery or tunnel collapse
- d. Gallery or tunnel flooding

3. Corruption and Harassment in the artisanal mining sector:

- a. Illegal taxation on mine sites
- b. Illegal taxation on roadblocks and on strategic axis
- c. Multiple forms of harassments by state agents
- d. Monopoly on selling and/or buying gold or other products

4. Child Labour in Mining and related

- a. Children under 15 doing hazardous mining work (descending in shafts, processing with mercury)
- b. Children under 15 doing other mining work (transporting, panning)
- c. Children under 15 doing non-mining work on mine sites (small commerce, transporting food/drinks, etc.)

5. Environmental issues

- a. Mercury is used on the mine site
- b. Mercury is burned in open air on or in vicinity of site
- c. Mercury residues are thrown in rivers / lakes
- d. Deforestation
- e. Poaching and bush meat consumption

6. Fraud on due diligence chains

- a. Fraudulent sells of iTSCi tags
- b. Mineral theft
- c. Mixing mineral from non-certified sites with certified sites

Analysis of existing incident reporting mechanisms

The analysis of existing incident reporting mechanisms is based on multiple interviews with actors of the supply chains, local NGOs active in the natural resources management, and an in-depth literature review.

A first manner to report incident is to deploy informants (field monitors) on the ground who will collect information on a daily basis amongst “trusted sources” in their area of coverage. This is the system of iTSCI, implemented by Pact, or their concurrent Better Sourcing Project. This system is efficient to monitor a specific and closed supply chain but would be difficult to scale-up at a provincial level. It is also not adapted to gold supply chains, which are more difficult to track and monitor. In a similar way, the Kivu Security Tracker (KST) has deployed 14 informants in South and North Kivu in charge of collecting security incidents.

A second way to report incident is to organise a crowdsourcing through a network of key informant. Save Act Mines (SAM) has developed an interesting incident reporting as it is a whistle-blower network mechanism, financed by iTSCI. Informants are spread into different mining areas and can call a focal point at any time who will register the incident. When an incident is reported through the line, SAM will fill two Excel tables. One table will keep information regarding the informant (date, time, function of the informant, localisation...) and attribute him a key number, the other table will store information regarding the incident, as well as the informant key number. While being basic and subjected to certain flows, this system is efficient and regularly used. One of the main issue is the fact that this incident reporting mechanism, while being managed by a trusted NGO, is not transparent and inclusive. SAM's mechanism has shown promising results to report incidents in the 3T sector, therefore, since January 2018, the NGO has included gold in its radar. SAM is interested in being involved in the EPRM-IPIS incident reporting platform but would like to know which benefit they would gain from its participation.

IPIS would like to propose a third way of reporting incidents through an independent, transparent and participatory platform. The platform would be hosted on a web-server and accessible by different parties in order to ensure its transparency. This platform would offer a mechanism to report incidents anonymously via a simple two-way SMS survey. The platform would be composed of three parts: an incident database, a case management platform and a public dashboard. The incident database and the case management platform would be accessible through a login and password to selected and trained local organisations. Those NGOs will be in charge of checking credibility of incidents reported to the platform and contacting the right stakeholders for follow-up. Once an incident has been processed through the case management platform, it will then be display on the public dashboard.

SAM's interest and questions about its role opens discussions about our platform management. Indeed, lessons from implementers teach us that transparency, participation and independence can only be reached if multiple organisations have access to the platform to report, verify and follow-up incidents. Furthermore, for a more practical reason, the platform cannot depend on the availability of a single organization or person because it cannot ensure incident reporting, accuracy and follow-up on its/his own. Secondly, geographic coverage should not depend on some people deployed in various locations, but instead it should come from local people aware on how to report anonymously an incident to our platform. Reports depending on a few people have the disadvantage of potentially missing incidents. Secondly scaling-up and sustainability seem easier when incident are reported by local people than by deployed monitors.

Finally, it is important to mention security as a key aspect of this project. When talking to CSOs advocating for more transparency in the mining sector, security is a paramount topic. In multiple occasions, CSO members have mentioned threats and more subtle means (exclusion from meetings, refusal to engage thereafter, marginalisation) that oblige them to censor details important for the veracity of the facts, and consequently their credibility. Therefore, CSOs have insisted that informants' security should be the first priority to any reporting and following-up mechanism.

Platform design

The project proposal mentioned the establishment of “an accessible incident reporting and monitoring mechanism” to “enhance transparency around incident follow-up and resolution”. It was foreseen that “all incident reports (...) will be centralised on a single database and geolocalised on a map”. It was “envisaged that unresolved incidents on the database would be systematically communicated to relevant national and provincial stakeholders via a designated contact point”. After analysing these objectives and existing reporting methodologies by the actors mentioned above, IPIS has considered to innovate by implementing a mobile-based incident reporting mechanism supported by the social enterprise Ulula, a software and analytics platform that equips organizations with digital tools to monitor risks of human rights abuses and create more responsible global supply chains.

The implementation of this mobile-based software and analytics platform would serve as a dashboard for incident reporting, case management and publication of structured reports. The platform would be multilingual and would integrate across different communication channels (SMS, IVR, web), enabling for anonymous and automatically categorised incident surveys. Its analytics dashboard would enable partner organizations, which are numerous CSOs, to monitor reports, assess level of social risk, and deliver important information about rights directly to communities. In the proposed collaboration, Ulula would work with IPIS and our local partners to develop and deploy an incident reporting mechanism with an integrated case management system, and dashboard visualizations (including an interactive map) to track incident reporting from target groups over time.

- **Incident reporting line** - deploy a two-way SMS reporting line for members of civil society groups to report incidents in mining areas that relate to human rights abuses, violence, corruption, environmental degradation, etc. Informants will receive mobile credit for submitting text message reports.
- **Case management system** - anchor the Ulula platform with local partner to manage incidents until resolution and communicate directly with informants.
- **Public facing incident reporting interface** - build interconnectivity between Ulula’s dashboard and a public webpage where incident reports can be depicted and used by various stakeholder groups working to decrease incidents of human rights abuses in this region and sector.

Budget Implication of the mobile-based incident reporting mechanism option

More information about IPIS – Ulula collaboration on the development of an incident reporting and case management mechanism can be found in the ***Annex 4 Ulula proposal***.

At this stage, it is important to mention that IPIS is currently collaborating with Ulula on two other projects. The first one is an incident reporting project related to business and human rights in Tanzania. Through this project, funded by the Belgian DGD, IPIS will put in place a mobile phone-operate reporting mechanism to be used by key informants near mining sites to bring human rights incidents and concerns to the attention of the relevant bodies and actors. Informants will be able to respond to questionnaires either through SMS or web-based technologies (smartphones or computer), depending on their location and phone coverage. For the technical development of this incident report tool, IPIS will cooperate with Ulula.

The second project aims at conducting mobile-based community impact assessment in mining areas through SMS and Interactive Voice Response (IVR) surveys in Eastern DRC.

Thanks to the collaboration on these two projects, IPIS believes that the EPRM could benefit from their combined experiences in order to implement an independent, transparent and participatory incident reporting and monitoring mechanism

ANNEXES

- ***Annex 1: Identification of cooperatives***
- ***Annex 2: Rapport de mission d'identification des bénéficiaires***
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