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PRC Illicit and Malign Activities in Africa CRITICAL INFRASTRUCTURE AND MINING

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Abstract

This report is part of a series examining illicit and malign activities conducted by People's Republic of China (PRC) actors and entities in Africa. We provide an overview of the PRC's critical infrastructure investments in African nations, with an emphasis on the mining industry. CNA examined reporting from African media, human rights and nongovernmental organizations, and investigative journalists. We found that across the African continent, PRC citizens and businesses have engaged in widespread labor and human rights abuses, environmental pollution, economic exploitation, and poorquality construction practices. We detail seven cases in which PRC entities and actors were reported to carry out illicit activities across the African continent between 2018 and 2023. We found that PRC activities in Africa often contradict the PRC government's official rhetoric of helping African nations and people through investment and development projects. There are several implications on the significance of these trends for Africa. For example, China's emergence as a leader in the development, control, and exploitation of critical resources in Africa has shed light on some of the many problematic standards and behaviors that plague the sector. However, as African nations are increasingly recognized as the engines of the green energy transition through the mining sector, African leaders are in an improved bargaining position to prioritize national benefits and demand change from their partners.

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EXECUTIVE SUMMARY

Across the African continent, PRC citizens and businesses have engaged in widespread labor and human rights abuses, environmental pollution, economic exploitation, and poor-quality construction practices.

This report is part of a series that considers trends in People's Republic of China (PRC) activities across sectors in Africa in the context of global shocks and changes to international economic markets. In this report, we provide an overview of the PRC's critical infrastructure investments in African nations, with an emphasis on bringing awareness to malign and illicit activities in the mining industry that negatively affect communities, the environment, and economies. These PRC activities are taking place at a time when demand for raw materials from Africa is increasing, allowing an opportunity for African nations to demand more from investors and trading partners.

CNA examined reporting from African media, human rights and nongovernmental organizations (NGOs), and investigative journalists. We found examples from countries across the African continent where PRC citizens and businesses have engaged in widespread labor and human rights abuses, environmental pollution, economic exploitation, and poor-quality construction practices.

The PRC's illicit activities in Africa often violate international laws, rules, and norms. To illustrate the negative effects of PRC activities in Africa, we detail seven cases in which PRC entities and actors were reported to carry out a range of illicit activities between 2018 and 2023.

Key findings

Bringing awareness to malign and illicit PRC activities comes at a time when African leaders are in a better bargaining position to demand more from partner nations.

Growing global demand for African resources provides an opportunity for African leaders to improve their bargaining position and renegotiate contracts or seek new partners in pursuit of a more equitable balance of benefits.

PRC actors demonstrate a range of malign behavior in its activities in Africa associated with investments and development in critical infrastructure. This behavior is particularly prevalent in the mining sector. This PRC behavior sheds light on many of the problematic standards that have plagued the natural resource extraction sector across the continent.

These problematic standards include dangerous labor conditions, human rights abuses, environmental damage, economic exploitation, and low-quality workmanship that often directly affect local communities.



The contradiction between the PRC's narrative of helping African nations and people through investment and development projects and the reality of their activities points to a larger paradox within the critical minerals industry in Africa.

• Although exploitation of these resources on a global level is essential to implement climate change mitigation strategies, at the local level, they can cause environmental destruction, deepen social inequities, and contribute to human suffering.

Our seven case studies demonstrate that PRC state-owned enterprises, Chinese firms, and Chinese nationals across the continent are engaged in systematic and widespread violations of rules, norms, and laws that undermine aspects of the international order meant to protect developing countries. These cases include the following:

CASE 1



PRC economic exploitation of the Democratic Republic of the Congo (DRC) demonstrates the "Mineral for Infrastructure" deal has led to unfulfilled investment, overcharging for infrastructure, unclear financing

through joint ventures, and slow repayments.

CASE 2



Child labor in the DRC details PRC companies benefiting from entrenched child labor in the minerals' supply chain, supporting supply chains with dangerous working conditions, and failing to

carry out due diligence in accordance with accepted mining guidelines and regulations.

CASE 3



PRC labor abuse in Rwanda reports on an incident in which the manager of a PRC-owned mine whipped multiple workers.

CASE 4



PRC mine boss shoots local worker in Zimbabwe describes a Chinese employer shooting two local mine workers at point blank range over a wage dispute.

CASE 5



Cash-for-land in Guinea

reports on a PRC company undermining ancestral land rights, expropriating land with insufficient and unsustainable economic compensation, and damaging the

environment, affecting local populations.

CASE 6



Chinese nationals mining

illegally in Ghana highlights Chinese nationals causing severe environmental effects and health hazards through illegal mining activities.

CASE 7



Poor quality of a PRC-constructed hydro dam in Uganda demonstrates PRC company company infrastructure plagued with quality control failures, delays, and rising costs.

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INTRODUCTION

Beijing views investment in Africa as a part of a long-term strategy that will sustain China's economic growth.

This paper examines the effects on local populations of People's Republic of China (PRC) investments in the mining industry in Africa. In support of this effort, we analyzed reporting from African media, human rights and nongovernmental organizations (NGOs), and investigative journalists and found widespread instances of PRC malign behavior associated with its investments and development in critical infrastructure. We focused particularly on the mining industry as reports of labor and human rights abuses were rampant. We examined seven cases from the Democratic Republic of Congo (DRC), Ghana, Guinea, Rwanda, Zimbabwe, and Uganda that appear to illustrate instances of PRC and Chinese citizen-owned entity labor and child labor abuse, environmental damage, economic exploitation, and poor-quality construction practices.

PRC economic interests in Africa

Beijing views investment in Africa as a part of a longterm strategy that will sustain China's economic growth, providing stability through export of its domestic industry and access to new markets, but it also views part of its role in Africa as fulfilling its own mission to become a more active global power. Whereas China's deepening involvement on the African continent has benefited some nations through development initiatives, it has come at a cost to others in exploitive economic policies, human rights abuses, and environmental degradation.

PRC leaders have long recognized that for China to develop, it would have to look beyond its own domestic markets. In 1999, under former PRC President Jiang Zemin's macroeconomic "Going Out" policy, China began to directly encourage both state-owned enterprises (SOEs) and private businesses to expand their ventures globally.¹

The policy called for China to become much more active in pursuit of new economic markets, specifically naming Africa, among others, as a market to pursue.² Foreign direct investment, aid, and trade values between African nations increased sharply since the early 2000s, with Chinese SOEs and private businesses investing heavily across sectors on the African continent.

China's state-owned enterprises are legal entities that undertake commercial activities on behalf of the PRC government.



In 2021, one out of every three construction projects in Africa were being built by PRC firms and one out of five were financed by a PRC bank.

In the past two decades, the PRC has invested a total of \$155 billion in sub-Saharan Africa.³ China now has a substantial presence in many large-scale African infrastructure construction projects and a growing presence in mines across the continent. In 2021 alone, well over half of the PRC's \$44.1 billion investment in African nations was in critical infrastructure and mining—\$16.3 billion and \$10 billion invested respectively-including the financing and construction of roads, railways, ports, airports, and operation of mines.⁴ In 2021, one out of every three construction projects in Africa were being built by PRC firms and one out of five were financed by a PRC bank.⁵

Additionally, as Africa is increasingly central to the urgent call for minerals needed for decarbonization and the pivot to electric energy, competition for the extraction and processing of these so-called "green minerals" will only expand. PRC companies already own or invest in at least 77 mines, particularly in mineral-rich central African nations.⁶ Although the level of PRC investment has decreased in 2023 as the West begins to invest more, the PRC's involvement and economic influence across the continent remain enormous.7

Between 2013 and 2020, 181 human rights allegations were reported connected to PRC investments in Africa.

The PRC government's official rhetoric surrounding its involvement in Africa tells one story-of helping African nations and people through investment and development projects. For example, according to the PRC's 2021 white paper on PRC-African relations, "From 2000 to 2020, China helped African countries build more than 13,000 km of roads and railway and more than 80 large-scale power facilities, and funded over 130 medical facilities, 45 sports venues and over 170 schools."8 In November 2021, days after the release of the white paper, PRC President Xi Jinping reiterated the significance of the PRC's friendly relations with African nations during a speech at the opening ceremony of the Eighth Ministerial Conference of the Forum on China-Africa Cooperation, highlighting the "win-win for mutual benefit and common development" goals of PRC-Africa relations.9

What is missing from the PRC's official narrative of its involvement in Africa, however, are allegations of dangerous labor conditions, human rights abuse, environmental damage, economic exploitation, and low-quality workmanship levied against PRC SOEs, PRC firms, and Chinese nationals conducting the work of mineral extraction and infrastructure construction across the continent. China's emergence as a leader in the development, control, and exploitation of critical resources in Africa has shed light on some of the problematic standards and behaviors that plague the sector. According to a 2021 report conducted by the UK-based NGO Business and Human Rights Resource Center, between 2013 and 2020, 181 human rights allegations were reported connected to PRC investments in Africa, with the highest number of incidents in Uganda, Kenya, Zimbabwe, and the Democratic Republic of Congo.¹⁰



A critical moment of opportunity for African nations

Global demand for African critical minerals and resources has been growing exponentially, particularly in the context of the green energy transition and pivot to electric energy derived from wind, solar, and geothermal power.¹¹ The World Bank estimates that by 2050, the production of certain critical minerals, including lithium and cobalt, could increase six-fold to meet the growing demand for these clean energy technologies.¹² Minerals such as lithium, cobalt, nickel, bauxite, and copper are especially valued by China as it continues to advance its own economic development and national security through the manufacture of products using these minerals. As few places in the world hold green minerals at the scale required for a global electric energy transformation, African nations are finding themselves at the epicenter of this demand.¹³

The extractive industry in Africa is not new. Mining has taken place across the continent for a millennium, with a sharp rise in extractive commodities since about the year 2000.¹⁴ Much has been written on why natural resource-rich countries in Africa are often impoverished despite African countries owning large amounts of valuable natural resources. Part of this conversation is based on whether African countries can receive the local benefits of mineral extraction and whether the minerals are extracted sustainably.

African countries face environmental and economic risks if mining these minerals is not done in a sustainable way focused on economic development for local communities. With the rise of information sharing and global awareness of problematic behavior, calling out illicit activities across Africa's mining sector now gives African leaders new leverage. This moment presents a unique opportunity for African leaders, giving them more bargaining power to add value to their own economies from minerals processing, rather than just exporting raw materials for the enrichment of others.

The remainder of this report will discuss China's influence on Africa's strategic minerals and examine the reality of PRC actors' activities on the ground. We then introduce seven case studies of troubling PRC activities. We close with reflections on the relevance of these trends to African countries.

Minerals such as lithium, cobalt, nickel, bauxite, and copper are especially valued by China as it continues to advance its own economic development and national security through the manufacture of products using these minerals.



CHINA'S INFLUENCE ON STRATEGIC MINERALS IN AFRICA

Africa has been described as one of the economic "wings that will allow China to fly."

The African continent is abundant in highly in-demand minerals and metals needed globally for industry and emerging technologies. Africa holds approximately 30 percent of the world's known mineral resources, including lithium, cobalt, nickel, bauxite, and copper needed for electronics, manufacturing, and batteries.¹⁵ China's global economic rise has led to sharply increased demand for the extraction of these minerals from Africa, especially in minerals deemed strategic for the advancement of critical sectors of technological development such as rare earth elements. In 2020, China imported nearly \$16.5 billion worth of minerals from sub-Saharan Africa.¹⁶ This reliance on Africa's resources led one PRC official to describe Africa and Latin America as the economic "wings that will allow China to fly."17

There is a discrepancy between the PRC's relatively low overall ownership stake in Africa's mines and the seemingly disproportionate number of alleged abuses by PRC entities across the mining sector.

Although it is estimated that China has only around a 6-8 percent ownership or control stake in mines on the African continent overall, this number changes when looking at certain mineral-rich nations.18 For example, China's enterprises have higher percentages of control in five key nations: Guinea, Gabon, Zambia, Eritrea, and the DRC. See Figure 1 for details.

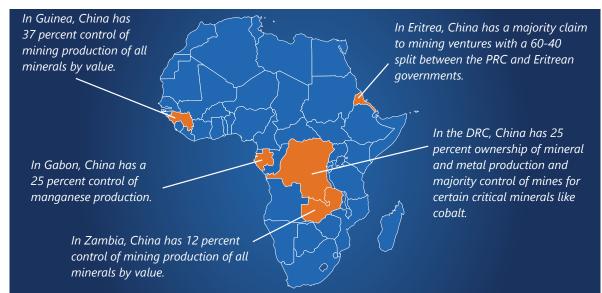


Figure 1. Examples of China's control in mineral-rich nations

Source: "African Mining Sector Looks to the Future," Economist Intelligence Unit.



In addition, given China's relatively low overall ownership stake in Africa's mines, a disproportionate number of alleged abuses by PRC entities are across the mining sector. For example, a 2021 Business and Human Rights Resource Center report found that "Africa recorded the second highest number of human rights abuse allegations (181) linked to Chinese investment overseas. These were mainly related to the metals and mining, energy (fossil fuels), construction, finance and banking, renewable energy and food, agriculture, and livestock sectors."¹⁹ According to a 2021 report on the DRC's mining industry, conducted by NGO Rights and Accountability in Development (RAID) and the Centre d'Aide Juridico-Judiciaire, a Congolese legal aid center, PRC entities are not alone in having a poor record on environmental and human rights abuses across the continent, particularly given the often reprehensible history of colonial powers and transnational mining companies throughout the 19th and 20th centuries. However, reporting by NGOs and African media outlets allege that PRC-operated mining entities are more likely to use violence and abuse against African workers. For example, the Zimbabwe Environmental Law Association (ZELA)

notes that "Chinese mining investors have exhibited a history of bad safety, health, environment, labor and human rights standards," and "most Chinese mining firms exceed statutory working hours of eight hours a day, requiring employees to work 12 to 18 hours."20

In addition to human rights violations, the PRC's ability to leverage the networked effects of PRC state-level investment and funding coupled with PRC enterprise involvement makes China a unique player in Africa's development and gives it disproportionate influence, and often market control over resources, among governments. For example, the resources extracted from PRC mines are refined and developed by Chinese companies and management. PRC SOEs and private enterprises also build their own factories and facilities in Africa to process the continent's resources, benefiting from low production costs of African labor.²¹

In the next section, we introduce seven case studies that demonstrate the effect of PRC actors leveraging influence to carry out a range of troubling practices and behaviors.

Workers [in Chinese-owned mining companies and subcontractors] described a "colonial era" level of discrimination—being kicked, slapped, beaten with sticks, insulted, shouted at, or sometimes pulled around by their ear, when they were not able to understand instructions in Mandarin, made errors or refused to undertake dangerous tasks. In most cases, those who countered this treatment were *immediately dismissed without pay.*²²

- RAID



CASE STUDIES

CNA examined reporting from African media, human rights and NGOs, and investigative journalists and found widespread reports of PRC malign behavior associated with its investments and development in critical infrastructure, with a particular emphasis on the mining industry. We detail seven cases in which PRC entities and actors were reported to carry out illicit activities across the African continent between 2018 and 2023. These activities include allegations of physical abuse of mine workers, environmental issues associated with PRC illegal mining, land-rights abuses occurring in the mining industry, and poor construction practices leading to rising costs. These case studies cover the following countries and topics:

CASE 1

PRC economic exploitation of the DRC

demonstrates the "Mineral for Infrastructure" deal has led to unfulfilled investment, overcharging for infrastructure, unclear financing through joint ventures, and slow repayments.

CASE 2

Child labor in the DRC details PRC companies benefiting from entrenched child labor in the minerals supply chain, supporting supply chains with dangerous working conditions, and failing to carry out due diligence in accordance with accepted mining guidelines and regulations.

CASE 3

PRC labor abuse in Rwanda reports on an incident in which the manager of a PRC-owned mine whipped multiple mine workers.

CASE 4

PRC mine boss shoots local worker in Zimbabwe describes a Chinese employer shooting two local mine workers at point-blank range over a wage dispute.

CASE 5

Cash-for-land in Guinea reports on a PRC company undermining ancestral land rights, expropriating land with insufficient and unsustainable economic compensation, and damaging the environment, affecting local populations.

CASE 6

Chinese nationals mining illegally in Ghana

highlights Chinese nationals causing severe environmental effects and health hazards through illegal mining activities.

CASE 7

Poor quality of a PRC-constructed hydro dam

in Uganda describes an incident of PRC-built infrastructure plagued with quality control failures, delays, and rising costs.



Case 1: PRC economic exploitation in DRC

DRC government reports and activist organizations allege that Beijing failed to deliver the investment it promised for building the DRC's public infrastructure in exchange for receiving minerals and mining rights. Additionally, DRC organizations claim that the PRC entities overcharged for their infrastructure construction, costing the DRC government millions of dollars.



Source: DESKECO

Note: The "Mineral for Infrastructure" deal between the PRC and DRC was framed by the PRC as the "deal of the century," as it was expected to provide a significant boost to the DRC's economy. However, after over a decade, the effectiveness of the deal is still in question. Controversies about the "Mineral for Infrastructure" deal have been noted by both the government and civilian sector of the DRC.

Background

The "Mineral for Infrastructure" deal, signed on April 22, 2008, was designed to support the development of mining sites and public infrastructure in the DRC by trading access to resources like cobalt and copper in exchange for its financing and technical support in the development of DRC infrastructure. The deal, however, came under heavy scrutiny from organizations within the DRC as the promised benefits did not materialize.

For example, in July 2021, the "Congo Is Not for Sale" campaign claimed the deal to be a "new formula for the flow of revenue and massive indebtedness of the country while the results in terms of infrastructure are very meager."²³ On February 15, 2023, the DRC's General Inspectorate of Finance (IGF) issued a report



stating that "Congo has gained nothing" from the "Mineral for Infrastructure" agreement.²⁴ Regarding the deal, the DRC IGF report stated the following:

- 1. The PRC has failed to deliver the investment that was promised for building the DRC's public infrastructure such as paved roads, hospitals, schools, new social housings, and railways.²⁵
- 2. The infrastructure that has been built has been overcharged.26

SICOMINES consists of Chinese Enterprise Groups, PRC SOE China Railway Group Limited, Sinohydro Corporation, and DRC SOE **GECAMINES SA Group.**

The IGF report also expressed confusion about the financing of the infrastructure projects. The projects were financed through a joint venture, Sino Congolese des Mines (SICOMINES), which often resulted in the DRC paying for the projects and acquiring more debts.27

According to the Extractive Industries Transparency Initiative (EITI), Chinese Enterprise Groups (Groupement d'entreprises chinoises (GEC)) holds 68 percent of the share in SICOMINES, with minority DRC ownership.²⁸ According to the IGF report, the GEC abused its majority stake in the operation of SICOMINES. This abuse often took the form of systematically rejecting the opinions of the GECAMINES SA Group, the Congolese shareholder, in the board of directors and general assembly meetings.²⁹ In addition, the "Congo Is Not for Sale" campaign points out that, contrary to the agreement, low mining output rates slowed repayment of the infrastructure loans.

Alleged PRC activity

INVESTMENT PLEDGES NOT FULFILLED

According to NGO Afrewatch,³⁰ only a third of the \$3 billion investment that the PRC pledged has been received by the DRC. According to a report by DRC media outlet Congo Independent, when financing the infrastructure projects, "the money did not pass through the DRC Treasury but through SICOMINES," the joint venture which Chinese shareholders a hold majority stake,³¹ and this financing model has made DRC oversight of the infrastructure funds difficult.³² According to reports by the EITI, nearly \$1.2 billion has been received by SICOMINES for infrastructure, of which only \$800 million has been spent. This suggests that nearly \$400 million dollars of the funds—nearly a third of the loans—are untraceable.³³

OVERCHARGING INFRASTRUCTURE

According to an article in DRC media outlet Actualite, the PRC has also overcharged for the infrastructure it has completed. The article cites reports from AfreWatch and the African Association for the Defence of Human Rights which show renovation of the DRC's 50th Anniversary Hospital at Kinshasa cost around \$100 million,³⁴ approximately 33 percent higher than the international construction standard.³⁵

UNCLEAR FINANCING THROUGH THE JOINT **VENTURE**

According to the IGF report, the GEC is often confused with SICOMINES when funding infrastructure projects, resulting in SICOMINES, which includes Congolese shareholder GECAMINES SA Group, bearing the responsibility for the execution of GEC's financial obligations.³⁶ According to DRC media the Congo Independent, this practice has heavily indebted the Congolese shareholder, GECAMINES SA Group, and therefore, the state of DRC is also indebted because GECAMINES SA Group is a DRC state-owned enterprise.37 The financing of the Busanga hydroelectric dam, which was built to



supply electricity for the mines, is an example of such practice.38

ABUSE OF MAJORITY IN JOINT VENTURE

According to the IGF report, because PRC-owned GEC holds the majority stake of SICOMINES, the positions of DRC shareholders and GECAMINES SA Group representatives are often systematically rejected by the PRC side during SICOMINES board and general assembly meetings.³⁹ For example, the IGF report points out that on January 19, 2010, the SICOMINES board of directors downplayed GECAMINES SA Group's request to conduct a feasibility study of its proposed mining projects.40 Again on January 9, 2018, the board shut down two suggestions from GECAMINES SA Group to include its financial contribution in the SICOMINES' financial statement and increase GECAMINES SA Group's shareholding of SICOMINES to 49 percent.⁴¹

SLOW REPAYMENT DUE TO LOW MINING OUTPUT

SICOMINES was supposed to produce 800,000 tons of minerals in order to quickly repay the infrastructure loans in the first three years, but the production output was only one-fourth of what was promised, according to Afrewatch. "The Congo Is Not for Sale" campaign points out that when loans are not repaid, the interest rates increase, and Congo's debts also increase, which results in the real price paid for the infrastructure increasing.42

In May 2023, DRC President Felix Tshisekedi met with PRC President Xi Jinping during his visit to China. According to the Congo Independent, President Tshisekedi renegotiated terms for the "Mineral for Infrastructure" deal during the trip.43 In addition, according to African media outlet Lusaka Voice, increasing the DRC's ownership and shareholder stake of SICOMINES was also discussed during the visit.44

PRC response

PRC Ambassador Zhu Jing responded to the IGF report, stating that the IGF's figures showing slow production output are miscalculated:

The IGF figures are questionable. SICOMINES began production in 2015. That is to say, SICOMINES' copper production only lasted 6 years. If SICOMINES had earned more than \$9 billion, the price of copper over the past 6 years would have had to have been above \$14,000 per ton. However, the price of copper is always fluctuating. It wasn't until 2019 that the price of copper climbed to \$8 thousand or \$9 thousand per ton. It only takes a simple calculation to understand that the IGF has accentuated the figures.45

When referring to accusations of PRC entities overcharging the construction of the 50th Anniversary Hospital, Ambassador Zhu Jing deflected the claims, stating that the equipment of this building must have been particularly expensive:

A hospital of the same size with different equipment will lead to very different [patient] billing. The 50th Anniversary Hospital is one of the most used in Congo. The medical equipment is too expensive. All these elements must be taken in comparison to clear things up.46



Ambassador Zhu Jing stated the following when responding to calls for revision of SICOMINES' contract: "Since the signing of the SICOMINES convention, we have already had four amendments to adapt certain things. Instead of carrying out a media campaign, article 20 of the convention gives the possibility of consultation in the event of disputes. It is this dialogue that will help us find a solution." Zhu then reminded the DRC government that in "2008, Congo was an abandoned country. No investor could come to Congo. GECAMINES was on the verge of bankruptcy. Only the Chinese accepted to come and invest in Congo. Chinese companies took huge risks."47

Laws, rules, and norms at risk

Based on these reports, PRC-based entities may be in violation of the following laws and conventions:

International Norms	OECD Debt Transparency Initiative ^a
	Debt Service Suspension Initiative ^b
PRC Laws	Land Administration Law of the People's Republic of China ^c
	Environmental Protection Law of the People's Republic of Chinad
DRC Laws	Article 182, al. 4 of the Mining Code ^e
	Article 130 of the AUSCGIE ^f

^a "OECD Work on Debt Transparency," OECD, accessed July 6, 2023, https://www.oecd.org/finance/debt-transparency/.

^b "Debt Service Suspension Initiative," World Bank, accessed July 6, 2023, https://www.worldbank.org/en/topic/debt/brief/covid-19debt-service-suspension-initiative.

^c "Land Administration Law of the People's Republic of China," The National People's Congress of the People's Republic of China, Dec.12, 2007, http://www.npc.gov.cn/zgrdw/englishnpc/Law/2007-12/12/content_1383939.htm.

^d "Environmental Protection Law of the People's Republic of China," The National People's Congress of the People's Republic of China, Dec.12, 2007, http://www.npc.gov.cn/zgrdw/englishnpc/Law/2007-12/12/content_1383917.htm.

^e "Conclusions of the General Inspectorate of Finance on the Collaboration Agreement of April 2008 Between the DRC and the Group of Chinese Companies (Chinese Contract)" (RDC: le Congo n'est pas à vendre demande à Sama Lukonde de commanditer un audit intégral des contrats chinois « minerais contre infrastructures »), La Prospérité, Mar. 6, 2023, https://laprosperiteonline. net/ conclusions-de-linspection-generale-des-finances-sur-la-convention-de-collaboration-davril-2008-entre-la-rdc-et-le-groupementdentreprises-chinoises-contrat-chinois/.

^f "Conclusions of the General Inspectorate of Finance."



Case 2: Child labor in DRC mining

DRC activist and human rights organizations allege that PRC companies benefit from entrenched child labor in the minerals' supply chain, support supply chains with dangerous working conditions, and fail to carry out due diligence in accordance with accepted mining guidelines and regulations.



Figure 3. Mining in the DRC

Note: The mining industry in the Democratic Republic of Congo comprises industrial and artisanal and small-scale miners (ASM). Child labor is a significant issue in the ASM community, and the minerals from both industrial and ASM mining are often comingled in the supply chain, rendering child labor a serious concern for mining companies operating in the DRC. The demand for DRC minerals is on the rise given the country's rich supply of cobalt, which is essential for energy efficient technologies. PRC companies are the dominant entities in control of the mining and export of the DRC's green minerals.

Background

The DRC is a resource-rich country home to many of the earth's rare minerals, including those that are essential for manufacturing existing and emerging technologies.⁴⁸ More than 70 percent of the world's cobalt comes from the DRC.49 Cobalt is used to create semiconductors and cathodes used in lithium batteries, making it a vital mineral for magnets, rocket engines, turbines, and electric engines.⁵⁰ The demand for green minerals like cobalt used for renewable energy technologies will continue to rise

as manufacturers transition to electric production,⁵¹ which will increasingly put the DRC at the center of the renewable energy revolution.

The mining industry in the DRC is broken up into industrial mining-which is often large-scale, mechanized, and run by large multinational companies—and artisanal and small-scale miners (ASM). ASM miners, also called creuseurs, generally use hand tools and work in a variety of conditions, often in an unregulated manner. Though technically creuseurs are required to have a license, the majority



Source: Wikimedia Commons.

do not, due to monetary and bureaucratic barriers. Many creuseurs operate by trespassing on land controlled by industrial mining companies or on land directly alongside industrial plots.52

The DRC government has estimated that 20-30 percent of the cobalt currently exported from the southern DRC is mined by artisanal miners.⁵³ It is very difficult to differentiate industrial and ASM-mined minerals once they reach the formal supply chain, as they are intermingled at several points along the upstream and downstream mineral chain.54 PRC companies have a significant presence in the DRC's extractive industry, owning 15 out of the 17 cobalt mining operations as well as cobalt, copper, and other minerals.55

Chinese investors are particularly dominant in the mineral-rich Haut Katanga and Lualaba areas.56 These companies include Congo Dongfang International Mining, a subsidiary of Huayou Cobalt, China Molybdenum Co. Ltd, and Ruashi Mining, a subsidiary of the Chinese multinational Jinchuan Group.⁵⁷ As of 2019, China imported 83 percent of its cobalt and 9 percent of its refined copper and copper alloys from the DRC.⁵⁸ Chinese buyers serve as intermediaries between miners and exporters, and they source minerals from industrial miners and ASMs.

According to multiple sources, including Radio Okapi, Le Phare, and Kinshasa Times, a large number of children conduct labor in the DRC mining and mineral trade even though it is prohibited by domestic and international legislation.⁵⁹ Children work as sorters, surface workers, mineral cleaners, subterranean and surface excavators,60 and in a host of other informal ways, such as collecting and sorting rocks that fall off large truck shipments and bringing minerals to trading houses.⁶¹ Although many children in the DRC work alongside their parents, some children are also forcibly recruited by nonstate armed groups and forced into mining gold as well as tin ore (cassiterite), tantalum ore (coltan), and tungsten ore (wolframite). Known as 3TG minerals, these minerals are used to fund conflict, primarily in the northeast of the DRC.62

PRC Illicit and Malign Activities in Africa

CRITICAL INFRASTRUCTURE AND MINING

In contrast to 3TG minerals specifically designated as conflict minerals, cobalt is not considered a conflict mineral and is not subject to the same regulations of tracking and tracing the origin of minerals. This opacity in origin renders it particularly difficult to meaningfully prevent child labor in the supply chain.

Alleged PRC activity

CHILD LABOR VIOLATIONS

Since the mid-to-late 2000s, there has been a significant uptick in reported instances of PRC mining companies benefiting from blatant and widespread child labor in the mineral supply chain in the DRC.63 In 2014, UNICEF estimated that approximately 40.000 children worked in all the mines across the southern DRC, many of them involved in cobalt mining.⁶⁴ Allegations in these reports include a range of violations, such as children working in mines and trading houses, carrying heavy loads for up to 12 hours a day,⁶⁵ and being exposed to dangerous conditions.⁶⁶ According to Le Phare, it is also common to see young mothers with infants working in artisanal mines.67

According to a report by Actualite, a small Chinese company called COMIBAT operating in Kakanda drove out adult artisanal miners and mined copper with children because they agreed to be paid less.68 Congolese civil rights attorney Hervé Diakiese Kyungu, who testified at a 2022 congressional hearing in Washington, DC, spoke specifically about the use of child labor in the Kasulo cobalt deposit owned by Dongfang Congo Mining.⁶⁹ Reports conclude that children collect and clean cobalt ore from the deposit and sell it to Chinese intermediaries, who then channel the ore back into the formal supply chain.⁷⁰ Similar



reports account labor violations across a range of other PRC companies including China Molybdenum Co. Ltd, which acquired a majority stake in one of the DRC's largest copper and cobalt mines in 2016,⁷¹ and China's biggest cobalt producer, Huayou Cobalt.⁷² In 2020, Huayou Cobalt was pressured by its customers to temporarily stop buying artisanal cobalt because of concerns about child labor even after it attempted to establish monitoring systems to prevent child labor at its mining sites.73

SUPPLY CHAINS WITH DANGEROUS **CONDITIONS**

Although child labor in the mines and along the mineral supply chain serves as a mobilizing issue for those focused on improving conditions in DRC mining, adult miners also operate within extremely dangerous conditions. Poor conditions in the DRC's cobalt mines have led the metal to become known as "the blood diamond of batteries."74 Artisanal miners often work without safety measures in place to prevent mine collapse and to ensure ventilation. Accidents often trap and kill miners. Industrial miners usually work in better conditions, but these are not guaranteed. For example, employees in the Tenke Fungurume mine bought by China Molybdenum in 2016 claim there was a "dramatic decline" in worker safety under Chinese ownership.75

PRC Illicit and Malign Activities in Africa CRITICAL INFRASTRUCTURE AND MINING

FAILURE TO CARRY OUT DUE DILIGENCE

PRC mining companies face numerous accusations that they are failing to carry out due diligence in accordance with accepted mining guidelines and conventions. For example, in 2016, Amnesty International and Afrewatch concluded that Huayou Cobalt failed to carry out due diligence in line with the Organisation for Economic Cooperation and Development's (OECD's) Guidance, which has been accepted by the PRC Chamber of Commerce of Metals, Minerals & Chemicals Importers & Exporters.⁷⁶ In addition, DRC is a party to the International Labour Organization (ILO) Worst Forms of Child Labour Convention (No. 182), which requires governments to take immediate and effective measures to secure the prohibition and elimination of the worst forms of child labor, including children working in mines.77 Evidence suggests that PRC mining companies are failing to uphold these norms and guidelines. For example, according to Amnesty International, foremen in large-scale buying houses do not inquire about the location where minerals are mined, the conditions of extraction, or whether children are involved.78 In one instance, Amnesty International researchers observed that staff at a buying house at Kapata, which supplies Congo Dongfang International Mining SARL, were colocated with children carrying out activities related to artisanal mining directly in front of the house.79

PRC response

Huayou Cobalt released a statement in response to ceasing operations:

In order to ensure the daily operation of Huayou Cobalt, we can only temporarily stop sourcing artisanal cobalt until relevant standards can be recognized and supported by the whole industry....In the meantime, Huayou Cobalt is committed to continue to support the cobalt formalization projects.⁸⁰



Laws, rules, and norms at risk

Based on these reports, the following laws and conventions may be at risk of subversion by PRC-based actors:

International Norms	UN Guiding Principles on Business and Human Rights
	Organisation for Economic Cooperation and Development (OECD) Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict Affected and High-Risk Areas
	International Labour Organization (ILO) Worst Forms of Child Labour Convention (No. 182)
PRC Laws, Policy	2014, Memorandum of Understanding between OECD and the Chinese Chamber of Commerce of Metals Minerals & Chemicals Importers & Exporters (CCCMC)
	CCCMC due diligence code ^a
	Article 5 of the Measures for the Administration of Overseas Investment ("the Measures"), the Ministry of Commerce for the Government of the People's Republic of China (MOFCOM), and its provincial departments are responsible for regulating foreign investment by Chinese companies
	Article 20 of the Measures evaluates whether a company is performing its social responsibilities ^b
DRC Laws	DRC Mining Code (2002), Article 23 stipulates that all miners must be adults

^a The China Chamber of Commerce of Metals, Minerals and Chemicals Importers & Exporters, "Chinese Due Diligence Guidelines for Responsible Mineral Supply Chains," Dec. 2, 2015, accessed Dec. 18, 2015, available at http://mneguidelines.oecd.org/chinese-duediligence-guidelines-for-responsible-mineral-supply-chains.htm.

^b The China Chamber of Commerce of Metals, Minerals and Chemicals Importers & Exporters, "Chinese Due Diligence Guidelines for Responsible Mineral Supply Chains."



Case 3: PRC labor abuse in Rwanda

Rwandan human rights organizations and media outlets have highlighted PRC mining entity abuses against African workers. The reported instances of abuse include a manager of a PRC-owned mine whipping multiple African mine workers.

Figure 4. Labor abuse in Rwanda



Source: The Chosun Ilbo.

Note: Image shows a manager at a PRC-owned cassiterite mine in the Rutsiro district of Rwanda whipping a Rwandan worker tied to a timber pole for alleged theft. Such action is considered torture under both international and Rwandan law and is just one instance of labor abuse in PRC-owned mines in Africa.

> A Rwandan media outlet alleged the manager of a PRC-owned mine whipped and questioned Rwandan mine workers while their hands were tied to a timber pole. The PRC Embassy in Rwanda released a statement saying that the case is associated with suspected theft.



Alleged PRC activity

In August 2021, Rwandan media outlet IGIHE reported that the manager of a PRC-owned mine in the Rutsiro district of Rwanda whipped and guestioned multiple Rwandan mine workers with their hands tied to a timber pole.⁸¹ The incident evoked outrage from the public.82 The manager of PRC private company Ali Group Holding Ltd. purportedly suspected the two local Rwandan workers of stealing from the company and decided to inflict corporal punishment.83

According to a local Rwandan media publication, Source Post, the two workers were forcibly taken from the Nyamasheke mining site, where they were working, to a mine site in Rutsiro district. They were then imprisoned in the office of the mining company for days.⁸⁴ The Source Post also alleged that the PRC-owned African mines frequently use corporal punishment, fail to pay overtime, and withhold wages under Chinese management.⁸⁵

PRC response

On August 31, 2021, the PRC Embassy in Rwanda released a statement arguing that "the case is associated with suspected theft," and that the PRC "requires Chinese enterprises and citizens to abide by local laws and regulation." At the same time, the PRC Embassy "request[ed that] the lawful rights of Chinese enterprises and citizens in Rwanda be properly protected."86

On April 20, 2022, following the Rwandan court's decision that the manager would receive a 20-year sentence for his actions, the PRC Embassy in Rwanda released a second statement. This second statement made no mention of the suspected theft; instead, it asked again "for Chinese citizen[s] to abide by local laws and regulations" and "call[ed] for the case to be handled appropriately in a rational, fair, and just manner and request[ed] the legitimate right of Chinese citizens to be properly protected."87



Laws, rules, and norms at risk

Based on these reports, the following laws and conventions may be at risk of subversion by PRC-based actors:

International Norms	ILO Declaration on Fundamental Principles and Rights at Work ^a
Rwanda Laws, Policy	LAW N° 51/2001 OF 30/12/2001 ESTABLISHING THE LABOUR CODE ^b Law n° 66/2018 of 30/08/2018 regulating Labour in Rwanda ^c
PRC Laws	Labour Law of the People's Republic of China ^d Labour Contract Law of the People's Republic of China ^e

a. "ILO Declaration on Fundamental Principles and Rights at Work," International Labour Organization, accessed June 20, 2023, https:// www.ilo.org/declaration/lang--en/index.htm.

^{b.} "Rwanda—Labour Law, International Labour Organization," accessed June 20, 2023, https://www.ilo.org/dyn/travail/docs/530/ rwanda_labour_law.pdf.

^{c.} "A New Labour Law Has Been Published," MIFOTRA, accessed June 20, 2023, https://www.mifotra.gov.rw/news-detail/a-newlabour-law-has-been-published.

d. "Labour Law of the People's Republic of China," Database of Laws and Regulations National People's Congress, accessed June 20, 2023, http://www.npc.gov.cn/zgrdw/englishnpc/Law/2007-12/12/content_1383754.htm.

e. "Labour Contract Law of the People's Republic of China."



Case 4: Allegations of violence against workers in Zimbabwe

Zimbabwean mine unions allege that PRC mining entities abuse African workers. Reports from Zimbabwean media detail abuses, including an incident in which a Chinese mine employer shot two local mine workers at point-blank range over a wage dispute.



Figure 5. Violence against mine workers

Source: South China Morning Post, ZimLive.

Note: The image shows a Chinese employer at PRC-owned Reden Mine in Gweru, shooting two local Zimbabwean mine workers at point-blank range over a wages dispute. Such action reflects a systematic and widespread pattern of labor rights violations by PRC companies and investors in Africa.



Alleged PRC activity

On June 23, 2020, Zimbabwean news outlet News Day reported that a PRC mine owner and manager shot two Zimbabwean employees at point-blank range after they demanded their due salaries.⁸⁸ The NGO ZELA pointed out that this incident is one example of a larger pattern of the PRC's systematic and widespread labor rights violations.⁸⁹ According to ZELA, "Chinese mining investors have exhibited a history of bad safety, health, environment, labor and human rights standards," and "most Chinese mining firms exceed statutory working hours of eight hours a day, requiring employees to work 12 to 18 hours," while some workers do not receive overtime pay.⁹⁰ Secretary General of Zimbabwe Diamond and Allied Minerals Workers Union, Justice Chinhema, stated, "Since the invasion of the mining sector by the Chinese, incidents of beatings, harassment and ill-treatment of workers by armed employers are rife and what is more worrying is that these employers brag about their political connections."91

PRC response

On June 22, 2020, one day after the shooting incident, the PRC Embassy in Zimbabwe released a statement declaring that "this is an isolated incident, and the Embassy has no law enforcement authority over the enterprise."92

The PRC Embassy statement acknowledges only one local employee being shot, rather than two.⁹³

One Zimbabwean media report from News Day states that the PRC Embassy also claims the mine manager "had no link with the Chinese government."94 However, Zimbabwean local media outlet ZimLive guestioned whether the mine manager had ties to China's military, the People's Liberation Army (PLA), when an image allegedly showing the manager in PLA uniform was found.⁹⁵



Laws, rules, and norms at risk

Based on these reports, the following laws and conventions may be at risk of subversion by PRC-based actors:

International Norms	ILO Declaration on Fundamental Principles and Rights at Work ^a
Zimbabwe Laws, Policy	§54-55 of the Constitution of Zimbabwe (Amendment) Act, 2013 ^b
	§2 of the Labour Amendment Act, 2015 ^c
	§5 of the Labour Relations (Domestic Workers) Employment Regulations ^d
PRC Laws	Labour Law of the People's Republic of China ^e
	Labour Contract Law of the People's Republic of China ^f

^{a.} "ILO Declaration on Fundamental Principles and Rights at Work," International Labour Organization, June 20, 2023, https://www.ilo.org/declaration/lang--en/index.htm.

^{b.} "Forced Labour," Mywage.org/Zimbabwe, May 13, 2023, <u>https://mywage.org/zimbabwe/decent-work-check/fair-treatment/</u> forced-labour.

c. "Forced Labour."

d. "Forced Labour."

e. "Labour Law of the People's Republic of China," Database of Laws and Regulations National People's Congress (2007), accessed June 20, 2023, http://www.npc.gov.cn/zgrdw/englishnpc/Law/2007-12/12/content_1383754.htm.

^{f.} "Labour Contract Law of the People's Republic of China."



Case 5: Cash-for-land in Guinea

Guinean NGOs and media outlets claim PRC companies are undermining ancestral land rights, expropriating land with insufficient and unsustainable economic compensation, and damaging the environment, impacting local populations.

Figure 6. Guinean worker mining bauxite



Source: Photograph by Laura Lartigue (USAID). Wikimedia Commons.

Note: Société Minière de Boké (SMB)—a consortium that includes a subsidiary of China Hongqiao Group—appears to be a major actor in the exploitation of bauxite in Guinea. Although initially framed as a potential windfall for local farmers and communities, the cash-for-land strategy employed by SMB in northwestern Guinea has undermined ancestral land claims, expropriated land with insufficient and inequitable compensation, and had a damaging environmental effect.



Background

Société Minière de Boké (SMB)-a consortium including a subsidiary of PRC SOE China Honggiao Group—is heavily involved in developing Guinea's minerals, including bauxite and iron ore. These activities have negatively affected land rights and environmental protection in Guinea, and several media outlets reported that SMB has been acquiring land through inequitable and misleading means.

Guinea contains the world's largest known reserve of bauxite, a mineral used in the production of aluminum.⁹⁶ Demand for Guinea's bauxite continues to grow, and it is being used for a range of aluminum products, including vehicles, aircrafts, and cans.97 Guinea already supplies 20 percent of the world's bauxite, mainly to Russia and China.⁹⁸ Bauxite is extracted by large-scale consortia-based mining companies, including SMB.99

Guinea is also home to the world's largest untapped high-grade iron ore deposit. In 2019, SMB won a bid to develop part of Guinea's Simandou iron ore project.¹⁰⁰ Simandou offered \$14 million, in addition to promising to build a 650-kilometer railway and a deepwater port.¹⁰¹ In 2022, Guinea's military government suspended all work in Simandou, saying it was "seeking clarification on how Guinea's interests will be served by the project."

PRC Illicit and Malign Activities in Africa CRITICAL INFRASTRUCTURE AND MINING

Alleged PRC activity

UNDERMINING ANCESTRAL LAND RIGHTS

Over the past several years, SMB has been accused of purchasing or claiming hundreds of square miles of land, much of which has preexisting ancestral or customary claims, for little or no compensation. SMB is one of several mining consortia in Guinea who treat undeveloped land as state property rather than recognizing local and ancestral claims.¹⁰² According to a 2018 Human Rights Watch report, SMB took advantage of Guinea's weak property laws in order to compensate families arbitrarily, without providing a full understanding of potential future lost revenue.¹⁰³ In addition, the majority of rural land in Guinea is not officially registered or titled to its ancestral inhabitants due to a lack of integration of collective customary rights into the complex land ownership procedures of the state, as well as widespread illiteracy and a lack of ability to access these legal and administrative processes.¹⁰⁴ As a result, mining companies, including SMB, are buying what they claim to be unregistered or state land, while the land has, in reality, been used by local communities for generations. A local law requires communities to grant consent before forests and land can be cleared for bauxite mining, but local villagers say the process was poorly explained to them and they feared the government's reaction if they refused.¹⁰⁵

SMB has been accused of purchasing or claiming hundreds of square miles of land, much of which has preexisting ancestral or customary claims, for little or no compensation.



LAND EXPROPRIATION WITH INSUFFICIENT AND UNSUSTAINABLE ECONOMIC COMPENSATION

Guinea's mining code requires that companies set aside 0.5 percent of mining revenue for local development. These funds are meant to be distributed by the central government. However, a Boké government official says funds have not reached his town, though a representative from Guinea's Mines Ministry disputed this claim.¹⁰⁶ In addition, SMB often provides one-time payments in exchange for land. However, locals claim that these one-time cash-for-land payments do not reflect the true value of the land, nor do they offset the years of lost future earnings.¹⁰⁷ In the short term, these payments are unusually large given the extreme poverty in the region. This system has led to local destabilization, as individuals do not have the training or skill to invest the funds or find new sources of income.¹⁰⁸ Additionally, under the customary land system, women do not control or own land while men are granted exclusive rights to manage land issues.¹⁰⁹ This system means that any local payments to expropriate this land for mining use exclude and ignore women's equities despite the fact that under Guinean and international law, women's rights are nominally guaranteed.¹¹⁰

DAMAGING ENVIRONMENTAL AND HEALTH IMPACT

Reports claim that farm and fishing lands around the mines are yielding increasingly poor harvests due to environmental damage through widespread dust dispersion and disrupted water supply.¹¹¹ There are also claims that the mining companies are failing in their legal requirement to rehabilitate former mine sites from open-pit sites with uncultivatable red soil to areas suitable for agriculture.¹¹² Guineetime.info highlighted concerns that SMB began its mining activities without completing environmental impact studies, and that the dust from the mines have affected local agriculture.¹¹³ Finally, according to Guineenews.org, there are concerns that mining in Boké is contributing to respiratory diseases.¹¹⁴

CONTRIBUTING TO WATER SCARCITY

A specific environmental concern around SMB's mining activities is their contribution to water scarcity. A Human Rights Watch report stated that more than 13 villages in the Boké region, including those in direct proximity to SMB mining, had their water sources negatively affected by mining operations.¹¹⁵ According to a community leader near SMB's Malapouya mine, the company cut across rivers to dig a mining road, leading sediment runoff to pollute the water source that the community relied on for drinking, washing, and cooking.¹¹⁶ The burden of finding alternative water sources falls disproportionately to women and girls, who are often responsible for providing water for their families.¹¹⁷

The vice mayor of Boké said the firms mining bauxite are "destroying the environment, whether that's the forest, the earth, the waterways or wild animals."



PRC response

According to Africanews.com, in response to the 2017 Boké protests related to high pollution levels, power cuts, and limited local financial impact of large-scale bauxite mining, PRC Foreign Ministry spokesperson Geng Shuang said the unrest had no direct connection to the operations of Chinese companies on the ground and that China hopes the situation is appropriately resolved.¹¹⁸

According to Guinean news website Aminata.com, at the launch of the SMB-Winning-supported Boké-Boffa-Telemelé railway, Sun Xiushun, founder and president of Winning International Group, stated that SMB has a duty to contribute to the economic development of Guinea and the well-being of the people of Guinea.¹¹⁹

According to Guineenews.org, SMB released a statement in 2022 highlighting its commitment to collaborative and sustainable development in Guinea.¹²⁰

SMB states it provided or repaired 120 boreholes and 8 wells to ensure water supply around the mines. However, residents told Human Rights Watch that these alternative sources were insufficient and were constructed months after natural sources had been affected.¹²¹

The SMB general manager provided a statement to the Washington Post that SMB ensured customary land rights of individuals and communities are recognized, and that the price paid for land is based on market surveys of the Boké region. He also stated that SMB created more than 10,000 jobs since 2014, is building a training center for job creation, and supported fishermen by donating motorized boats and providing vocational training.¹²²

In response to accusations of environmental degradation by the local population, Fréderic Bouzigues, general manager of SMB, told Guineetime.com that SMB has carried out environmental and social impact studies, and that there is significant misinformation about their activities. Bouzigues stated that water scarcity was due to a growing population in the region, not mining activities.¹²³

The SMB communications department has highlighted the environmental protection work carried out by its foundation, according to several articles in Guineematin.com.¹²⁴



Laws, rules, and norms at risk

Based on these reports, the following laws and conventions may be at risk of subversion by PRC-based actors:

International Norms	UN Human Rights Committee, Basic Principles and Guidelines on Development-Based Evictions and Displacement, A/HRC/4/18, para. 60. ^a
Guinean Laws	Article 124 of the Mining Code, which recognizes the validity of ancestral land rights. ^b
	Land Tenure and Property Code: Article 92
	Declaration of Land Policy in Rural Areas
	Law No. 2011-06 of 9 September 2011 on the Mining Code of the Republic of Guinea, amended by Law No. 2013-53 of 8 April 2013.
	1992 Land and Property Code
PRC Laws	Land Administration Law of the People's Republic of China
	Environmental Protection Law of the People's Republic of China

a. The IFC's guidance notes on Performance Standard 5 states the following: "Short-term consumption of cash compensation can result in hardship for subsistence-based economies or poor households," Guidance Note 5, Land Acquisition and Involuntary Resettlement, International Finance Corporation, 2012, accessed July 12, 2021, p. 10, https://www.ifc.org/wps/wcm/connect/61320ff7-0e9a-4908bef5- 5c9671c8ddfd/GN5_English_2012.pdf?MOD=AJPERES&CVID=mRQjWGZ.

^{b.} République de Guinée, CODE MINIER 2011 AMENDÉ, 2011.



Case 6: Chinese nationals mining illegally in Ghana

Reports from across Ghana show Chinese national-owned mining entities illegally mining gold in Ghana, causing severe environmental effects and health hazards through unsafe mining activities.

Figure 7. Polluted waters of Ghanian river due to mining activities



Source: Wikimedia Commons.

Note: This image shows the polluted water in the one of the rivers in Ghana. The water turns to muddy brown and yellow due to the processes of illegal mining conducted by PRC illegal miners, which damages the local water sources and cause public health issues to the local population.



Background

According to a 2022 News Ghana report, Chinese nationals illegally mining gold and other minerals in Ghana is a rampant problem, with enormous negative effects on individuals, society, and Ghana as a whole.¹²⁵ Although individual Chinese illegal mining operations might be small in scale, the large number of these operations conducted over the last decade by PRC nationals presents significant environmental and health hazards to Ghanaian communities. Additionally, Ghanaian media reports show the presence of illegal Chinese miners often coincides with increases of abuse and violence against local communities.

Alleged PRC activity

A PERSISTENT PROBLEM

According to data released by the Ghana Immigration Service in 2022, 1,641 Chinese nationals were charged with illegal mining and forced out of Ghana between 2009 and August 2022. An additional 3,800 PRC nationals chose voluntary repatriation in 2013.¹²⁶ In 2019, a study conducted by the Forestry Research Institute of Ghana of the Council for Scientific and Industrial Research found that nearly 50,000 PRC nationals had come to Ghana to engage in illegal mining.¹²⁷ According to the study, the majority of Chinese miners originate from areas of China where mining is common, such as Shanglin County in Guangxi Province. The study points out that these Chinese nationals have established more than 2,000

PRC Ambassador Shi claimed, "We don't know where your gold is. We don't issue visas for the Chinese people coming to Ghana. Ghanaians issue the visas. Ghanaians aid the Chinese to where they can find your gold."

mining operations, accounting for 66 percent of illegal mining activity in Ghana.¹²⁸

ENVIRONMENTAL IMPACT AND HEALTH HAZARDS FOR THE LOCAL POPULATION

According to Ghanaian media outlet Ghanaian Times, illegal mining has severely damaged Ghana's environment. Illegal miners use "heavy earth-moving equipment such as excavators and bulldozers to churn up gold-bearing soil from farms and riverbeds in enormous volume, and the soil would then be 'washed' inside the rivers," while mercury and other hazardous chemicals used to detect and filter out gold dust and nuggets poison water supplies.¹²⁹ This process of "washing the gold" is intensified with the use of imported PRC equipment, such as crushing machines.¹³⁰ The Ghanaian Times points out that the use of such machinery has severely polluted Ghana's major rivers, turning them muddy brown and yellow in color and damaging the water sources for Ghanaian communities.¹³¹ In addition, illegal mining activities are linked to major health hazards in local populations. According to a report by Ghanaian media outlet Modern Ghana, "Babies in the galamsey (Ghanaian term for illegal mining) area are being born without their private parts and with only one eye," and "children between the ages of 12 and 15 are dying of hypertension-related diseases" directly related to pollution from illegal mining operations.¹³² The article also states that "since illegal mining has a severe impact, these malformations or deformities may last a very long time."133

VIOLENCE AGAINST LOCAL POPULATION

Chinese nationals illegally mining in Ghana also have been reported to inflict violence and abuse upon local populations. According to a report written by Ghanaian Professor Kwabena Frimpong-Boateng, the former chairman of the now-defunct



Inter-Ministerial Committee on Illegal Mining and the former Minister of Environment, Science, Technology, and Innovations, "There were credible reports that on many occasions Chinese miners slapped Ghanaians, including women and children, with the broad side of machetes."134 In addition, deadly force has been used against local Ghanaians. For example, according to Ghanaian media outlet the Daily Guide, on June 29, 2023, 22-year-old Kwaku Etsi was allegedly fatally shot by a security guard working for illegal Chinese miners at Hiawa, in the Amenfi Central District.135 This incident triggered

a local youth protest on the street. According to one of the protestors, Takyi Kweku,

We were only protesting the death of our friend. We needed answers on why he was shot. The police have instead been arresting the protesters. So most of us are fleeing the community as I speak, because we are afraid they will come after us....The Chinese illegal miners are still working with their "macho" men whilst we are fleeing. They hold the pump action guns on the streets protecting the Chinese illegal miners day and night.¹³⁶

PRC response

The PRC official response to allegations and complaints against PRC citizens conducting illegal mining activities in Ghana has been to shift blame away from China and onto Ghana itself. During an interview in 2019, PRC Ambassador to Ghana Shi Ting Wang called on Ghanaians to stop blaming Chinese nationals for illegal mining activities.¹³⁷ Instead, he urged the Ghanaian government to punish the Ghanaians who aid Chinese illegal miners in the activity.¹³⁸ Ambassador Shi claimed, "We don't know where your gold is. We don't issue visas for the Chinese people coming to Ghana. Ghanaians issue the visas. Ghanaians aid the Chinese to where they can find your gold." Shi went on to ask, "How can we be able to do galamsey in your country...it is because of your own people...why are Chinese not doing illegal mining in South Africa where there is also a lot of gold...it is not possible...because the local people don't support us but in Ghana some locals help the small number of Chinese people doing galamsey." Shi then added, "If you want to stop galamsey in your country, you have to start punishing your own people first, otherwise you cannot solve this problem because we don't know where the gold is, you lead us, you show us."139

Responding to these claims, the Deputy Head of Mission, PRC Ambassador to Ghana, Zhu Jing, made a statement during a roundtable discussion on illegal mining, hosted by the Institute of Economic Affairs (IEA) in 2019.¹⁴⁰ Ambassador Zhu stated, "Today, I am here not for blaming but for some good understanding of illegal mining and its role in China–Ghana relations." Illegal mining, Zhu explained, did not show the full picture of China-Ghana relations. The backbone of the countries' relations was "win-win cooperation," he stated, adding, "China now is the biggest trading partner and also the main source of investment for Ghana."¹⁴¹ Zhu also declared, "The key to solving the problem lies with Ghana, not China. Those Chinese illegal miners would not come all the way to Ghana without the facilitation, support, and shelter from the local people...We should punish not only the Chinese illegal miners but also their Ghanaian supporters behind."142



According to Daily Guide, in 2022, notorious repeat-offender Aisha Huang, nicknamed "Queen of Galamsey" and "Kingpin of Galamsey" by Ghanaian media, was again arrested for illegal mining activities in Ghana. In response, the PRC Embassy issued a statement asserting that it "firmly opposes Chinese citizens to engage in any illegal activities in any country and supports the Ghanaian government to fight against illegal mining according to the law,"143 but it continued to caution, "We hope the Ghanaian side fully safeguards the legitimate rights and interests of Chinese citizens."144

Laws, rules, and norms at risk

Based on these reports, the following laws and conventions may be at risk of subversion by PRC-based actors:

International Norms	UN Resolution 2019/23 titled Combating transnational organized crime and its links to illicit trafficking in precious metals and illegal mining, including by enhancing the security of supply chains of precious metals ^a
PRC Laws, Policy	Mineral Resources Law of the People's Republic of Chinab
Ghanaian Laws	Minerals and mining act 703 of 2006 ^c

a. "Illegal Mining and Trafficking in Precious Metals," United Nations Office on Drugs and Crime, accessed July 17, 2023, https://www. unodc.org/unodc/en/environment-climate/illegal-mining.html.

b. "Mineral Resources Law of the People's Republic of China," PRC Database of Laws and Regulations, accessed July 17, 2023, http:// www.npc.gov.cn/zgrdw/englishnpc/Law/Frameset-index.html.

^c Gordon Yenglier Yiridomoh, "'Illegal' Gold Mining Operations in Ghana: Implication for Climate-Smart Agriculture in Northwestern Ghana," Frontiers in Sustainable Food Systems, Dec. 8, 2021, accessed July 17, 2023, https://www.frontiersin.org/articles/10.3389/ fsufs.2021.745317/full#:~:text=The%20legislative%20framework%20for%20the,Benmudez%2DLugo%2C%202016.



Case 7: Allegations of poor-quality PRC infrastructure: hydro dam project in Uganda

Ugandan media and government reports show that PRC entities building infrastructure projects in the country are plagued with quality control failures, delays, and rising costs.

The Observer reports that "many of China's belt and road infrastructure projects are plagued with construction flaws."

Background

According to reporting in Ugandan media outlets, some of the infrastructure projects constructed by PRC SOEs are of poor quality, in some instances costing African nations hundreds of millions of dollars. For example, Ugandan media outlet the Observer reports, "Many of China's belt and road infrastructure projects are plaqued with construction flaws," adding that "many of the pricey projects are falling apart ... and the beneficiary countries have been pushed into deeper debt crisis."145 The Karuma Hydropower Dam in Uganda is one such example. In 2013, PRC SOE Sinohydro Corporation began construction of Uganda's flagship energy project, the 600 megawatts Karuma Hydro Dam. According to Ugandan media outlet the Independent, the Karuma Hydro Dam project has suffered from quality control issues and multiple project delays, even as the PRC SOE benefited from lucrative deals as the contractor.146

PRC contractor Sinohydro "installed faulty cables, switches, and a fire extinguishing system that need[s] to be replaced."

Alleged PRC activity

PLAGUED WITH QUALITY CONTROL ISSUES

Ugandan government sources allege that the PRC SOE in charge of the Karuma Hydro Dam constructed the dam poorly and used inferior materials, leading to multiyear delays, safety issues, and significantly rising costs.¹⁴⁷ According to the Uganda Electricity Generation Company Ltd. (UEGCL), the project's Ugandan supervisory entity, "the workmanship was sloppy with work that did not conform to the dam's design." After a field visit to the project, the top manager of the UEGCL board noted that concrete was designed incorrectly and stated that the tunnel and its lining are also areas for concern.¹⁴⁸ Additionally, the Observer points out that construction defects of the dam include cracked walls and that PRC contractor Sinohydro "installed faulty cables, switches, and a fire extinguishing system that need[s] to be replaced."¹⁴⁹ The Observer also notes that poor-quality PRC construction projects are a global issue, as similar quality control issues have occurred in Ecuador's \$2.7 billion Coca Codo Sinclair hydroelectric plant that was also built by Sinohydro. According to the Observer, "thousands of cracks have emerged in the \$2.7 billion Coca Codo Sinclair



hydroelectric plant,...raising concerns that Ecuador's biggest source of power could break down."150

DELAYS AND RISING COSTS

According to the Independent, construction began on the Karuma Hydro Dam project in 2013 with an initial cost of \$1.7 billion; however, it is yet to be completed nearly ten years later,¹⁵¹ and the project is now three years behind schedule.¹⁵² During the contract period, the Karuma Hydro Dam project has missed at least three of its deadlines for the start of commercial operations, according to the Observer.¹⁵³ The Ugandan government had to start paying the \$1.44 billion infrastructure loan for the dam project-which it borrowed from the Export-Import Bank of Chinawhile the hydro power plant remains inoperative.154 According to the Independent, Ugandan government documents show that the Karuma Hydro Dam, the Isimba Hydro Dam, and another hydro dam built by PRC SOE China Water and Electricity Corporation have more than 500 construction defects. They cost approximately \$2.3 billion to build, but the cost is estimated to have increased by an additional \$536 million in 2016.155 The Independent reports that the cost of these projects may have been inflated by the PRC SOEs:

The International Renewable Energy Agency places average investment costs for large hydropower plants between \$1 million to \$3.5 million per MW generated. The differences in cost result from the site of dam, its design, and the cost of labor and materials. At the estimated current cost of US \$3.3 million per MW, the Karuma and Isimba projects are already on the high side.156

In addition, the World Bank cautioned Uganda about the "spiraling costs" of its public infrastructure projects and noted that over the past decade, some projects initially estimated at \$100 million ended up at double the cost due to poor design, and in the case of Karuma and Isimba, the cost could continue to increase.157

LUCRATIVE DEALS GIVEN TO PRC **CONTRACTORS**

The Independent reports that the Karuma Hydro Dam project potentially involves overcharging by the PRC SOE, with the PRC contractors reportedly passing on lucrative deals to fellow PRC companies.¹⁵⁸ The Independent explained one example:

In one case, one of the contractors is said to have awarded a Chinese company a deal to supply cement. So, the Chinese company in question buys from a local cement manufacturer and then resells at a higher price to the contractor. In another case, it is a Chinese company supplying hard core stones used in the construction.¹⁵⁹

In addition, in an interview with the Observer, Julius Mukunda, the executive director of the Civil Society Budget Advocacy Group, stated that "most of the loan contracts tie project implementation to engineering firms from their home countries (China). You will find Chinese firms competing amongst themselves to implement the projects in Uganda. This in most cases makes the price for some of these projects very high and exorbitant."160 Mukunda also emphasized that the lack of anticorruption measures in PRC financing contracts had been exploited:

The major reason why we don't have several European and North American companies implementing projects in Uganda is that they have anti-corruption measures in their home countries. This is not the case with their Chinese counterparts. The Chinese have understood that Ugandans want a cut of anything. The Chinese then present something similar to the work done and also give the Ugandans their cut.¹⁶¹



PRC response

During the Chairman Project Implementation Committee meeting in 2016, Wang Yanto, the executive vice president of Sinohydro's East and Southern Africa Division, indicated that bad press over the cracks resulted from poor communication and the cultural difference between Ugandan and Chinese, and he insisted that the cracks are not as bad as the media has made them appear.¹⁶² Wang stated, "We admit that we had administrative, management, and technical challenges that we still face up to now and are working with government of Uganda to correct them because we take this project very seriously."163

In 2021, when facing questions regarding the delays the Karuma Hydro Dam project is facing, Hou Fugiang, the deputy project manager and the project's chief engineer from Sinohydro placed blame elsewhere:

The changes brought in by the new OE (Owner's Engineer—UEGCL's consultant firm) messed us up. We were at 86 percent status when the new OE came in, procurement of all the equipment from China was complete and waiting for shipment to Uganda but we were asked to change the design and start making fresh orders of equipment to fit the new changes, this was very frustrating.¹⁶⁴

Laws, rules, and norms at risk

Based on these reports, the following laws and conventions may be at risk of subversion by PRC-based actors:

International Norms	The Quality Infrastructure System from GUIDE FOR THE DEVELOPMENT OF National Quality Policies ^a
PRC Laws, Policy	The PRC SOEs claim to have ISO 9001 certification from ISO 9000 Series of Quality Standards ^b
Ugandan Laws	Ugandan Standards Act of 1983 ^c

a. Guide for the Development of National Quality Policies, United Nations Industrial Development Organization, accessed July 19, 2023, https://www.unido.org/sites/default/files/2017-02/GUIDE FOR THE DEVELOPMENT OF 0.pdf.

^{b.} Yunsong Wang, "China's National Quality Infrastructure System," World Trade Organization, accessed July 19, 2023, https://www. wto.org/english/tratop e/tbt e/05 b 5b china.pdf.

^{c.} Katharina Telfser and Dennis Eucker, "Analysis of Quality Infrastructure Services Offered in Uganda and Potential for Development," Physikalisch-Technische Bundesanstalt, accessed July 19, 2023, https://energypedia.info/images/a/af/Analysis_of_Quality_ Infrastructure Services Offered in Uganda and Potential for Development.pdf.



SIGNIFICANCE FOR AFRICA

The competition for access to critical resources in Africa is a longstanding story entering a significant new chapter. Critical resources served as an impetus for blatant subjugation of local populations in the precolonial and colonial era, contributed to intracontinental and civil conflict during the independence era, and now continue to be a motivation for interference and exploitation—both in the form of much needed development and in extraction that often benefits the few at the expense of many. The exploitation of critical resources in Africa is not a homogenous issue and there is a range of behaviors and motivations across government, business, and political actors who balance developmental, economic, political, and personal equities.¹⁶⁵ In short, critical resource extraction in Africa is a multifaceted part of development, where each action must be viewed within the context of who benefits, who suffers, and what norms are being upheld or abandoned. These trends have several implications for Africa.

China's emergence as a leader in the development, control, and exploitation of critical resources in Africa has shed light on some of the problematic standards and behaviors that plaque the sector. From labor abuse to inequitable and unfulfilled contracts and environmental destruction, these behaviors are troubling. However, the implications of PRC activities are much larger than the motivations of a single country, as they reflect broader trends about the role of Africa's critical resources in the coming decades and open up opportunities for African nations to be more critical of their investors and trading partners.

Africa is increasingly recognized as the engine of the green energy transition.¹⁶⁶ Demand for African critical resources is high and will rise exponentially. To some extent, this demand is not a new trend, because the mineral wealth across Africa has made it attractive for exploitation for centuries. However, Africa's centrality to the urgent call for minerals to aid in decarbonization and the pivot to electric energy amid the climate crisis in the contemporary global context is new and developing.¹⁶⁷ Few places in the world hold green minerals at the scale required for a global electric energy transformation, and African countries are the epicenter of this demand.¹⁶⁸ The case studies above, specifically those related to the DRC and Guinea, provide examples of this voracious demand.

The scale and resonance of the emergent need for green minerals such as cobalt is continent-wide and will have a global effect. This issue moves beyond the issue of economic development and has the potential to fundamentally affect all major industries in the coming decades. As a result, many African countries are in the position of being the lever of enormous potential influence for future global and human security, while at the same time being at risk of exploitation at micro and macro levels. Despite the risks, being at the center of this shift places African countries in a position of enormous opportunity.

The value of partnerships changes over time given new contexts. Many African countries possess a large supply of critical resources, but relatively limited ability to exploit these resources without partnerships. In the past, African partners were often compelled to accept deals that did not reflect the



value of the asset and did not add sufficient local economic value, despite generating extensive wealth for the partners. Many PRC mining contracts fall into this category. However, certain deals that may have seemed reasonable at the time of formation-either because they overlooked political turmoil, promised to provide much needed infrastructure, or were simply the only offer on the table-may no longer be appealing when there are additional choices for partners or when the asset itself has taken on significantly more value, as is the case with green minerals.

The bargaining position of African countries can improve by having a range of partners and investors that value Africans' ability to prioritize their own national benefits. This type of bargaining position can empower African leaders to renegotiate contracts or seek new partners in pursuit of a more equitable balance of benefits. There is evidence that African leaders are moving in this direction and are evaluating questionable deals, as seen above in Guinea and the DRC, and the idea that African countries should add value to their own minerals through processing, instead of just exporting raw materials, is gaining traction.¹⁶⁹

Centering African benefits in the conversation around resources and development promotes a new set of questions. A paradox within the critical resource industry is that exploitation of these resources on a global level is essential to climate change mitigation strategies, while at the local level they can cause environmental destruction, deepen social inequities, and contribute to human suffering. Numerous instances of abuse and corruption where mining companies contribute to and sustain troubling trends in the industry are mentioned in the report. However, centering African benefits in the conversation promotes a set of questions: What are the nonnegotiable requirements African leaders want for their citizens in the extractive sector? What environmental protections and land rights must be guaranteed? How can children be protected from harm? Who are the best partners to ensure these requirements? African leaders are increasingly in a position to push their partners on these questions, demand change, and lead a transformation in not only green energy, but also the extractive sector writ large.



APPENDIX: MAPPING THE AFRICAN MEDIA LANDSCAPE

In this section, we outline the African media sources used in this report. The African media landscape is wide-ranging, from government-owned media outlets suppressing dissenting views in some countries to independent platforms free from political restrictions in others. We provide an overview of the types of sources, descriptions of their political leaning (if existent), government affiliation, or other relevant information to give context for the information reported from each type of media outlet.

The Democratic Republic of the Congo

Media pluralism and press freedom is a reality in the DRC. The country has more than 7,000 professional journalists, 540 newspapers (of which only about 15 are published regularly), 177 TV channels, more than 4,000 radio stations, and 36 online media sources. Print media are almost nonexistent outside the capital, Kinshasa, and news websites are developing fast. Although press freedom exists in the DRC, the Congolese media landscape is affected by the presence of politicians who own or launch media outlets intended to promote their influence and rise to power. It is common for local authorities, militiamen, religious groups, and politicians to exert pressure on journalists and media outlets in their province. Many journalists routinely censor themselves, most frequently on issues of corruption and certain mining contracts.¹⁷⁰ The majority of Congolese news is published in French, the national language.

ACTUALITÉ.CD

Actualité.cd is a publication of the Next Corp Group, headquartered in Kinshasa. It was launched in August 2016 and specializes in political, security, and economic news. Because print media does not reach far outside the capital of Kinshasa, news websites like Actualité are guickly developing as an alternative.¹⁷¹

DESK ECO

DESK ECO is also a publication of the Next Corp Group. Although Actualité.cd publishes stories on a wide range of topics, including culture, politics, economics, culture, and sport, DESK ECO's scope is more limited. It focuses primarily on economic issues, with segments dedicated to mining, sustainability development, startups, and corruption.

CONGO INDEPENDENT

Created on November 2, 2003, by a group of Congolese journalists residing in Belgium, the online newspaper Congo Indépendant has carved out a place for itself in the Congolese and international media space.¹⁷²

LA PROSPÉRITÉ

Launched in 2001, La Prospérité is a daily newspaper printed in Kinshasa. It was founded specifically to be an unbiased source of information for DRC citizens. The publisher and general manager is Marcel Ngoyi Kyengi, who previously worked as a senior journalist with the progovernment L'Avenier. Ngoyi Kyengi experienced violence at the hands of the Congolese



army, who set fire to his house and left threatening messages in 2001, shortly before this paper was founded.¹⁷³ In interviews, Kyengi said the paper tries to "promote values" and offer "impartial information." In the past, Congolese media authorities have lauded the La Prospérité for its "spirit of independence and its objective and rapid information."174

Zambia

President Hakainde Hichilema's election in August 2021 has improved the situation for the media in Zambia. The former ruling party, the Patriotic Front, maintained a tight grip on both state- and privately owned media, resulting in the closure of media outlets and firing of outspoken journalists. Since Hichilema's election, interference has decreased, and the media is operating more freely. The safety of journalists has also improved. Today, the Zambian media landscape is fairly rich and pluralistic. The state owns and runs two daily newspapers, the Times of Zambia and the Daily Mail; there are 42 privately owned TV channels and around 120 privately owned radio stations.

LUSAKA VOICE

Lusaka Voice is a Zambian news website founded in 2012. Based in Lusaka, it was the first Zambian news agency to provide livestreamed events in the country.

Rwanda

Under Paul Kagame and the ruling party, the Rwandan Patriotic Front (RPF), Rwanda's media landscape is one of the poorest in Africa. TV channels are controlled by the government or individuals who are members of the ruling party, and in a country of 12 million people, there is no longer a single national newspaper. Rwanda's government imposes legal restrictions and informal controls on the media,

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and most outlets practice self-censorship. The few journalists in the country who engage in independent or investigative reporting are subject to criminal charges and intimidation. Some journalists who have tried to circulate sensitive or critical content via YouTube or other online outlets in recent years have received harsh sentences.

IGIHE

IGIHE is a news website owned by IGIHE Ltd., a private media communications and IT company. IGIHE has been operating in Rwanda since 2009. Based on the BBC's media guide, IGIHE seems to be relatively independent, as the guide does not note it as being a progovernment source.¹⁷⁵ However, it is largely unclear whether IGIHE or its owners have a relationship with the RPF or are one of the country's few independent outlets.

KT PRESS

KT Press delivers news across digital, social, and video platforms. Founded in March 2014, its website notes that its mission is to "serve as a forum for better understanding and unity to help make Rwanda truly one nation." KT Press is part of the Kigali Today Ltd. group, a media company based in Kigali. Some online sources report that the managing director of Kigali Today, Jean Kanamugire, met with the PRC Ambassador to Rwanda in October 2019 and signed an agreement of cooperation.¹⁷⁶ It is unclear whether KT Press or Kanamugire have a relationship with the Rwandan government.

THE SOURCE POST

The Source Post is a digital news website founded in 2018 and managed by the Source Media Ltd., a domestic company based in Kigali. Although its website claims it is a "private shareholder," it is unclear whether it has a relationship with the government.



Zimbabwe

Zimbabwe has a relatively restrictive media environment with incidents of journalists facing threats and violence. However, media freedom has been on the rise since Robert Mugabe left office in 2017. The media landscape is exhibiting an encouraging increase in diversity but remains dominated by state-controlled media, and authorities often still intervene in editorial decisions. Violence against journalists and arrests are declining under Zimbabwe's new president Emmerson Mnangagwa, but they remain high for the continent, and many journalists practice self-censorship to avoid reprisals. 177

THE NEWS DAY

The News Day is a private daily publication that is widely read. It is owned by Alpha Media Holdings (AMH), an independent media house free from political ties or outside influence. AHM was founded by the journalist Trevor Ncube. Although he was appointed to Zimbabwe's Presidential Advisory Council in 2019, at a conference in March 2022, Ncube said he had guit because the people currently in power in the country were "interested in protecting their small personal interests, ethnic interests, business interests, and economic interests." He, AMH, and the News Day do not appear to have ties to the government.

ZIMBABWE ENVIRONMENTAL LAW **ASSOCIATION (ZELA)**

Zimbabwe Environmental Law Association (ZELA) is a nongovernmental organization that focuses on promoting environmental justice, sustainability, and the equitable use of natural resources. It has established itself as a premier natural resource governance organization in Zimbabwe and Southern Africa. ZELA's work has evolved from the promotion of environmental rights to a broader governance agenda that includes natural resources such as land,

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water, wildlife, gas, and mineral resources.

NEW ZIMBABWE

New Zimbabwe, based in London, is an online newspaper that is owned and managed by Destiny Media Group, which incorporates New Zimbabwe with Destiny Media, Destiny Events, and NewZim TV.

ZIMLIVE

ZimLive by Zimbabwe-registered is owned Makhwedini Media Trust and began publishing in 2018. According to RSF, ZimLive is one of four independent news websites in the country.¹⁷⁸

Ghana

Regarded as one of Africa's most democratic countries, Ghana enjoys a vibrant and pluralist media environment. Privately owned media are popular, independent, and not subject to political restrictions. However, measures taken by the authorities to promote media pluralism have been used by politicians to create partisan media and given rise to politicized and biased media content. Today, a third of the country's media outlets are owned by politicians or people with ties to the leading political parties. Journalists are also experiencing growing pressure and, as the government shows itself intolerant of criticism, they are increasingly resorting to self-censorship. The government chooses the National Media Commission's members but has no influence over the appointment of those in charge of privately owned media outlets.

DAILY GUIDE

Daily Guide is a privately owned daily newspaper that is published six times a week. It was founded in the early 1980s and is one of the most widely circulated papers in Ghana, with a readership of about 50,000 copies a day. It is managed by Western Publications Limited, which has been owned by the Blay family since it was established and is currently



owned by Frederick, Gina, and Kwame Blay. Although the Daily Guide, and other websites online, claims it is independent and privately owned, Frederick Blay is currently the chairman of Ghana's ruling New Patriotic Party and the Ghana National Petroleum Corporation. His wife, Gina Blay, has also served in government positions under the New Patriotic Party and is currently serving as Ghana's ambassador to Germany.¹⁷⁹ The New Patriotic Party has been one of the two dominant parties in Ghanaian politics since the country's democratization in 1992 and is the more conservative of the two, with its leading rival the center-left National Democratic Congress. Daily Guide does seem to have an independent editor, Samuel Amponsah Boadi.

GHANAIAN TIMES

Ghanaian Times is a government-owned daily newspaper with a circulation of around 80,000. The newspaper was formerly known as the Guinea Press Limited and established by the first president of Ghana, Dr. Kwame Nkrumah, in 1957. Today, it is managed by the New Times Corporation, which is governed by a nine-member board of directors appointed by the National Media Commission in consultation with the president of Ghana. According to the BBC, government-owned media in Ghana is more conservative than independent media and tends to promote and encourage support for government policies.180

MODERN GHANA

Modern Ghana is an online media portal that has been in operation since 2005. The website started as a news aggregator, including being the first website to aggregate all Ghanian local radio stations online, and later evolved to be a producer of original content. Today, Modern Ghana covers news, politics, business, sports, and entertainment. Its website says that it receives 80,000 unique visitors daily and reports being a preferred news source for Ghanaians living abroad and other international viewers. It was

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founded by Roger Agambire Agana, who served as the general manager and editor-in-chief for seven years.¹⁸¹ Agana still owns 80 percent of Modern Ghana Media Communication Ltd., a privately owned Ghanaian company that manages the publication.

NEWS GHANA

News Ghana is a Ghanaian independent news portal. It is one of the most popular newspapers and one of the most visited websites in Ghana, receiving 200,000 average daily visits. News Ghana began as Spy Ghana before rebranding in 2016.¹⁸² Roger Agambire Agana, who previously worked at and still owns the company that manages Modern Ghana, serves as its managing editor.

STARRFM.COM.GH

Starrfm.com.gh is the website associated with Starr, an urban lifestyle radio station based in Accra. The radio program focuses on information and news, including national and international news, education, sports, and technology. The website describes itself as "Ghana's breaking news hub of choice."

Uganda

President Yoweri Museveni has ruled Uganda since 1986. He reportedly does not tolerate criticism and regularly indulges in hateful commentary about the press. More than 200 radio stations and some 30 television networks operate in the country, but many of them belong to members or supporters of Museveni's ruling party, the National Resistance Movement. State-owned media outlets are both influential and loyal to Museveni. Authorities often interfere directly in media programming, and journalists in Uganda face intimidation and violence on nearly a daily basis. They are regularly attacked or arrested by the country's security services. Despite this backdrop, some privately owned media still produce quality content.¹⁸³



THE OBSERVER

The Observer is a Ugandan weekly newspaper founded in 2004 and headquartered in Kampala. It is one of the largest privately owned papers in Uganda and one of the few publications that is not influenced by the President Museveni or the National Resistance Movement. In 2007, its reporter Richard Kavuma won the CNN Multichoice African Journalist of the Year award for his series of articles on Uganda's performance on the UN's Millennium Development Goals.

THE INDEPENDENT

The Independent offers news, opinions, and analysis on both Ugandan and international politics and business. It was founded in 2007 by Andrew Mwenda, who owns, edits, and publishes the news magazine. Mwenda has published op-eds on the Independent that are hostile to the opposition, while being somewhat complimentary of Museveni. He refers to the opposition as "radical groups" who are "intolerant," and argues that Museveni "is a good candidate for political progress based on negotiations and compromise." However, he also notes that "Museveni has often employed brutal methods to retain his power." It is unclear whether Mwenda is supportive of Museveni or has his own political aspirations.

Pan-African and regional publications

ACI AFRICA

ACI Africa was launched in August 2019 as a continental catholic news site. Headquartered in Kenya's capital, Nairobi, ACI's goal is to "facilitate the telling of Africa's story by providing media coverage of Catholic events on the African continent and giving visibility to the activities of the Church across Africa."

AFRICANEWS

Africanews is a Pan-African media website, covering African and international stories in both French and English. The website was launched in 2016, although the Africanews project began in 2013. Michael Peters is the CEO of both Africanews and Euronews. In a quote about the publication's intentions, he states, "Why can't we hear what the Africans have to say, not only on African affairs, but on world affairs too? The demand for unbiased news is unmet." He claims that Africanews is pioneering independent news from the African perspective.

MONITOR

The Monitor is an online newspaper focused on East Africa, publishing editions for Uganda, Kenya, Tanzania, and Africa more broadly. It is an independent paper owned by the Nation Media Group.

EAST AFRICAN

East African is a weekly newspaper published in Kenya by the Nation Media Group. The East African is circulated in Kenya and the other countries of the Great Lakes region, including Tanzania, Uganda, and Rwanda. The newspaper is privately owned and is one of the few publications focused on Uganda or Rwanda that are not influenced by Presidents Museveni or Kagame. According to Reporters Without Borders, the East African "sets a standard for journalism in the region."184



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ABBREVIATIONS

AMH	Alpha Media Holdings
ASM	artisanal and small-scale miners
DRC	Democratic Republic of the Congo
EITI	Extractive Industries Transparency Initiative
GEC	Chinese Enterprise Groups (groupement d'entreprises chinoises)
IGF	General Inspectorate of Finance (DRC)
ILO	International Labor Organization
NGO	nongovernmental organization
OECD	Organisation for Economic Cooperation and Development
PLA	People's Liberation Army
PRC	People's Republic of China
RPF	Rwandan Patriotic Front
SICOMINES	Sino Congolese des Mines
SMB	Société Minière de Boké (Guinea)
SOE	state-owned enterprise
UEGCL	Uganda Electricity Generation Company Ltd.
ZELA	Zimbabwe Environment Law Association



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