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Resources and resourcefulness: Roles, opportunities and risks for women working at artisanal mines in South Kivu, Democratic Republic of the Congo

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ABSTRACT

Two dominant narratives have characterized the conflict in eastern Democratic Republic of the Congo (DRC): (1) the horrific abuse of women through sexual violence and (2) the use of "conflict minerals" to fuel the fighting. These two advocacy narratives intersect uniquely in artisanal and small-scale mining (ASM) towns and can lead to flawed understandings of the true dynamics of women's experiences in these contexts. Mining areas are important centers of economic activity for women, but also pose distinct risks. A simplistic portrayal of women's victimization in mining towns suppress discussion of their participation in non-conflict political and social processes. Yet, these processes are among the most important to ensure that women secure opportunities for long-term, substantive engagement in mining activities. This paper draws on systematically collected qualitative data from two territories in South Kivu, Walungu and Kalehe, to examine how women negotiate these complex social and economic mining landscapes in eastern Democratic Republic of Congo. Their accounts compel a re-examination of development efforts to remove women from the mines altogether, and to look more closely at the measures available to help them realize their legal rights to work safely and fairly in these contexts.
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1. Introduction

In the mining town of Nyabibwe in eastern Democratic Republic of the Congo (DRC), a respected woman, Mama Constance,[1] who had worked in the mines for years, was asked by a local leader to help address the fact that many young women were flocking to the area seeking economic opportunity. While these women may have hoped to open restaurants and undertake trade, they most often ended up having to engage in transactional sex in order to survive. Mama Constance stated, "That was why the chef de poste[2] came and said we need to look after [these young women]. Let us pick women and

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[1] Name changed to protect the privacy of the interviewee.
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look after them – the beaten [and] raped. I was selling beer up at the mine, they picked me because I was serious and was able to look after them."

The influx of these young women seeking work was taxing to the under-developed town infrastructure. The young women engaging in the sex trade did not have the money to pay for health services for themselves or their children. The clinic struggled to respond to these health needs and the women, knowing they could not pay their clinic fees, would wait to seek care only when their medical problems became severe.

Mama Constance, with the support of local leaders, established an informal association of sex workers and vulnerable women. Each member contributed a fee of five dollars, which was later used to support members' health care bills or to cover other expenses. Mama Constance described this process:

> [A member] will pay some small money to enter the association, it will stay in the mchango (pot of contributions), many of them will have children without a dad so this money helps them get health support, and other support when they are sick or have problems.

Women who became a part of this association described it as one of the most important factors in allowing them to access healthcare, withstand financial shocks and receive peer-support. This intervention was achieved with no outside financial input. A combination of political will, dynamic individual change-makers and social organization helped address some of these young women's most pressing problems. The young women in the association decided to play on their label of "femmes libres" (loose women or prostitute) which can also mean "free women", so they decided to name their organization "The Association of Free Women."

Mama Constance's story speaks to the dynamics explored in this paper: namely the intersection of women's vulnerability, agency and employment in artisanal mining towns in South Kivu, Democratic Republic of Congo (DRC). Her story, like that of many of the accounts from women working in mining towns visited as part of the research drawn upon here, challenges assumptions of the two dominant narratives characterizing the conflict in eastern Congo by showing women to be dynamic agents in mining towns. Advocacy narratives describe the country's war-torn east as the "rape capital of the world" where the violence is driven by "conflict minerals" serving to fuel the activities of rebel groups. Yet, the story of Mama Constance emphasizes the fact that women actively seek out work in mining towns and face a more complex landscape of risk than one solely driven by conflict-related violence. As will be discussed, many advocacy groups and media reports emphasize the barbaric conditions in DRC's mining towns, which are depicted as lawless drivers of violence. But a closer examination reveals much more nuanced and complicated realities.

The purpose of the paper is to expand the current characterization of women's victimhood in artisanal and small-scale mining (ASM) communities in eastern DRC. Information gathered from women currently working in mining towns shows promise for women's self-organization, a policy approach in eastern DRC that goes beyond the current programming which focuses on treating women as victims of war and rape through isolated medical and social services. This research draws on findings from focus groups and interviews in two territories in South Kivu, Kalehe and Walungu. These women discussed their experiences, priorities, most pressing needs, and provided suggestions for improving their situation. This paper will first explore how the "conflict minerals" and the "rape in war" narratives provide an inadequate framework for developing effective solutions to these women's problems. It subsequently explores how these solutions can be improved with additional input from women working in these areas.

The first section of this paper reviews women's participation in ASM in developing contexts. The paper goes on to examine the case DRC specifically and how the discourses about women in mining towns influence the development and policy efforts crafted for women in ASM towns in eastern DRC. This section will explore more closely how the "conflict minerals" and the "rape in war" advocacy have led to partial or inadequate programming responses in their separate spheres, and goes on to discuss the implications in the mining towns where these two themes converge. The results of the research are presented in the second section, which explores the ways in which women see themselves within broader social and political contexts. The paper concludes by reflecting on women's futures in ASM in these areas.

2. Women's roles in mining towns: perils and prospects

In Sub-Saharan Africa, roughly nine million people labor in ASM (Hayes, 2008). Upwards of 40–50% of this group are women (Hinton, Veiga, & Beinhoff, 2003). As is the case in other ASM environments globally, the women in eastern DRC undertake a variety of jobs across the mineral supply chain, most commonly menial tasks such as sorting, gathering, and washing, and providing services to the mining community such as cooking, running small businesses and the sex trade (Hayes, 2008; Hayes & Perks, 2012; Lahiri-Dutt, 2008).

Mining towns are appealing to women and other traditionally-marginalized populations because they offer employment to groups that had previously been excluded from many opportunities (Hilson, 2008a, 2008b; Hilson & Banchirigah, 2009). As Hilson (2009) explains, this phenomenon began to be visible in the 1990s, when "The sector's rapid expansion, particularly in sub-Saharan Africa, and accounts of it providing employment to vulnerable groups, including women and children suggested that its existence was linked strongly to peoples' hardship" (p. 1).

Work from a number of developing contexts emphasizes the difficult nature of women's roles in ASM. In addition to the generally unsafe and unsanitary working conditions that most workers in ASM communities experience, women are vulnerable to additional forms of exploitation and abuse. In Lahiri-Dutt's (2000, 2009) research on ASM in South Asia, she

discusses vulnerabilities to women including sexual violence, unequal pay, and lack of access to opportunities. Yet, it is clear that women working in mining towns often seek out this work in order to leave even worse conditions at home.

Research examining women working in ASM in Burkina Faso, for example, reveals such a pattern (Werthmann, 2009). In this context, in addition to facing similar dangers to men, women encounter another set of vulnerabilities related to control over their sexuality and health, and the social repercussions of seeking work in places that may negatively impact their reputation. Werthmann (2009) notes that:

> Mining camps all over the world are frequently represented as male worlds by both insiders and outsiders, even though many women provide goods and services in these camps. The migration to mining camps is sometimes explicitly compared with male initiation rites. Women in mining camps may be subject to exploitation, violence, prosecution, or suffer from health hazards. Nevertheless, many women choose to go to mining camps in spite of these perils because they offer economic and social independence. [p.18]

In conflict contexts such as South Kivu, these vulnerabilities are heightened further by physical displacement (including loss of land), loss of male income-earners due to disrupted social relationships during war, and the consequent need to migrate in search of economic opportunity. Women find themselves in mining areas where informality provides an easy entry into work. As Perks (2011) notes, the vulnerability facing women in mining contexts in the DRC, where conflict has been present, is extremely high because, ''In effect, women artisanal miners can be categorized as doubly 'at risk': they are rural women emerging from a war context and are additionally illegal workers living in precarious social, economic and environmental conditions'' (p. 182).

However, this vulnerability is not necessarily linked to an enslavement of women by rogue rebel groups, but rather because of problems related to access to employment and a dearth of political institutions that could protect not only women, but all of those working in ASM. Informality allows for the exploitation of workers: the remoteness of mining locations, coupled with the casual organization of work outside formal government regulation, provides significant opportunities for human rights abuses among all populations (Lahiri-Dutt, 2008). In such conditions, women face additional risks related to their social isolation and vulnerability to physical and sexual abuse.

3. When narratives collide: myths and realities of ASM in DRC

Before looking at the ways in which women themselves describe their situation in mining towns, it is useful to understand the dominant narratives from media reports and advocacy organizations that currently define perceptions of mining towns. An example of a common account can be seen in a 2011 report on ''conflict minerals'' in DRC. In a section titled, ''Sexual Slavery'', this report tells the story of one young girl who was abducted by a non-state armed group (Free the Slaves, 2011). In addition to serving as a sexual slave for this rebel group, she was forced to undertake work at mines. Many reports of women's experiences with sexual slavery in mining areas come from anecdotal evidence or second-hand accounts, and focus on one or two of the most conflict-affected towns in North Kivu, giving a selective view of the issue. In the above account of the girl abducted by armed groups, however, we see all of the elements that drive the thinking around gender in ASM: rebel groups as the controlling forces, lawlessness and lack of state engagement, women as helpless victims, and an implicit suggestion that putting a stop to mining entirely is the way to address abuses of women's rights. In the following section, we call into question each of these claims.

3.1. *''Conflict minerals''*

A defining aspect of the conflict minerals discourse is the implicit or explicit assumption that mining towns are controlled by non-state armed groups. In fact, a November 2013 report by the International Peace Information Service (IPIS) shows that, while almost half of the DRC's mining towns are indeed under some control by armed men, the majority are actually being exploited by the national Congolese army, not rebel groups (Spittaels & Hilgert, 2013). The overwhelming emphasis on the link between conflict and minerals also obscures the fact that mining towns also house layers of local and national government, local organizations, and political systems that must be engaged with, and held accountable for, those who work in these areas. By focusing solely on non-state armed groups, which, in fact, are involved in only a minority of mining towns, the international community ignores the obligation of state and local government to address women's rights and overlooks failures of the same state it purportedly seeks to strengthen. Tapping into these political structures to change the reality for women in mining towns provides a potentially sustainable and promising avenue to help address the issues highlighted in this paper.

A second claim of the conflict minerals story is that regulating or ceasing mining activities would help ''clean up'' the mineral trade. This discourse gained particular traction in late 2009 following the success of international campaigns in labeling the artisanal mining landscape of eastern DRC as plagued by ''conflict minerals'' (Autesserre, 2012; Geenen, 2012; Geenen & Custers, 2010; Perks, 2013; Perks & Vlassenroot, 2010, chap. 9; Seay, 2012). Initiatives sought to make minerals ''clean'' by starving armed groups of access to mine sites and their supply chains. A full ban on artisanal mining in North Kivu, South Kivu and Maniema provinces was imposed by President Joseph Kabila in 2010 in response to international pressure. Ironically, armed groups used the cessation of legitimate mining activity to consolidate control of mines during this time (Spittaels & Hilgert, 2013). In addition, the ban was widely considered to have extremely detrimental outcomes for affected

communities, severely restricting agricultural trade; causing families to take their children out of school because of their inability to pay the associated fees, and creating a much less favorable exchange rate between the Congolese franc and the dollar on the informal exchange market (Geenen, 2012). Geenen (2012) describes the impact of this policy: "...the mining ban was not only a radical example of a top-down formalization policy, but also an illustration of a bureaucratic and technical measure that compounds but does not address different problems associated with ASM: conflict, informality, poverty, illegality, state control" (p. 322).

While the ban was lifted in 2011, the policy continued to cast a long shadow – legitimate miners struggled to recover to pre-ban levels and in the meantime, the policymaking, advocacy and programming communities disregarded the social and environmental impacts of unregulated mineral activities. The human dimension of improved mining practices – empowering fairer working conditions and better remuneration for miners – was lost in favor of an absolute cessation of ASM, providing a concrete example of how simplified narratives create one-dimensional, and ultimately, detrimental policies.

Beyond the practical detriments the "conflict minerals" narrative, which was realized through the 2010 ban, this discourse also poses three conceptual problems. While resource capture is a contributing factor to on-going instability, the "conflict minerals" discourse has overshadowed equally important discussions on political participation, security sector reform, and land conflicts (Autesserre, 2012). Second, for mineral development in particular, the singular focus on "conflict minerals" creates a tendency to provide homogeneous representation of ASM, one that necessarily occludes the varying motivational structures, complex economies, and decision-making processes in mining towns (Perks & Vlassenroot, 2010, chap. 9). It strips miners and local economic processes of agency by placing them into a narrative that focuses particularly on the international political economy of transnational mineral supply chains, such as those described in Prendergast (2010).[3] According to this narrative, individuals such as artisanal miners and traders working and inhabiting mining areas are portrayed as victims of larger global mineral trade practices. The imagery of helpless victims reinforces a narrative of populations suffering at the hands of powerful economic, military and political elite. A typical representation is found in the following quote:

> Congo's unregulated gold and mineral rush, fueled by our insatiable hunger for state-of-the-art appliances and cheap jewelry, perpetuates and fuels a savage conflict, a system of slave labor, and the continuing suffering of ordinary Congolese men, women and children. [Taylor, 2011]

Thirdly, from a women's agency perspective, the narrative of helplessness is particularly striking. Advocacy narratives highlight women's helplessness as a result of predation by rebel soldiers who force women to serve as indentured labourers at mines. Predation, war, and victimhood are neatly woven together, leaving no room to critically examine the more complex reality. For instance, a video produced for the British news agency, The Guardian, narrates:

> "Children robbed of their childhoods; women and girls robbed of their dignity...A mining bonanza in the Congo is fueling the conflict. The army and militias make money by feeding the growing global demand for tin, tantalum, tungsten and gold..." [Taylor, 2011]

In the next section, we will look specifically at women's roles and rights in mining towns – a place where the "conflict minerals" and "rape in Congo" discourses converge – and the tension between assumptions about women's needs and their own lived realities.

3.2. *"Rape in War": women, vulnerability and sex work in mining towns*

In many ways, eastern Congo has become a seminal case study for sexual violence in conflict (Azuero & Kelly, 2012; Baaz & Stern, 2010). The attention paid to the abuses of women has brought critically important services and spurred action at an international level. While this attention has resulted in important advances in recognizing the impact of conflict on civilians in general and women in particular, the focus on sexual violence has precluded a holistic understanding of the conflict, and of women's vulnerabilities within it. A number of scholars have examined the pitfalls and weaknesses of the sometimes myopic focus on rape in DRC.

Azuero and Kelly (2012), for example, have examined how "conflict discourses" in DRC and other protracted conflict situations make use of the same repertoire of narrative tropes to describe sexual violence in conflict even across very different contexts. Conflict rape narratives place an overwhelming focus on the "widespread and systematic" nature of rape; on armed men as perpetrators and women as victims; and on the bestial and horrific nature of abuses by emphasizing the most sensational cases. Baaz and Stern (2010) have also described the simplistic nature of the discourse related to rape in Congo and have pointed to a number of weaknesses and dangerous assumptions that come with this. They discuss how advocacy narratives are significant because, as seen in the case of the "conflict minerals" narrative and the resulting mining ban, they can have a direct impact on the way programming is carried out. As Baaz and Stern note (2010), "In sum, a singular

[3] Global Witness, "Congo's minerals trade in the balance: Opportunities and obstacles to demilitarization," May 2011, focuses on actions that can be taken by UN Group of Experts, International companies, MONUSCO (United Nations Organization Stabilization Mission in the Democratic Republic of Congo), governments of DRC and adjacent countries with focus on Rwanda; US Securities and Exchange Commission, UN Security Council, International donor governments, and OECD.

and simplified explanation of war-related rape as a strategy to further military and political aims occludes other factors contributing to conflict and post-conflict sexual violence...This is problematic, since it risks producing misguided interventions" (p. 2). Interventions that look only at rape as a result of conflict have produced highly-focused and specialized services that may not address the wider range of issues that women face. Baaz and Stern (2010) further note that "...a single focus on sexual violence committed by men in uniform masks other forms of gender based violence and discrimination against women ...which might be equally – or more – problematic in the daily lives of women in conflict and post-conflict areas" (p. 3).

This is a particularly important realization for women's issues in mining towns. In these contexts, women face a unique and complex set of issues around sexual relationships, power dynamics and access to employment. Bashwira, Cuvelier, and Hilhorst (2013) discuss the mismatch between popular depictions of women's problems in DRC and how these contrast with reality, noting "a one-dimensional emphasis on rape risks obscuring the complexity of gender dynamics in the artisanal mining areas in eastern DRC" (p. 1). Mahy (2011) describes the complexity of sexual relationships of women's situation at select mines. The author describes how the distinction between types of sex – as a form of exploitation, as a form of economic transaction, and as a form of social transaction – is blurred in the minds of the men and women interviewed. More strikingly, the author's respondents considered "rape" as not simply a violent act without consent of both parties but rather as subtle and pervasive in mining settings and often non-violent. These manifold manifestations of gender-based violence, and not only "conflict rape," raise significant conceptual questions for current efforts to address what outsiders label sexual violence. Yet, there continues to be a mismatch between women's needs and donor priorities in mining towns.

Many responses to sexual and gender-based violence (SGBV) in eastern DRC are related to clinical management of medical issues arising from rape, with an overwhelming emphasis placed on conflict-related rape. These services may also focus on giving survivors psychosocial support through individual and group counseling, and sometimes providing income-generating activities such as training as seamstresses or helping women join a cooperative that undertakes a small trade. Often, despite the best efforts of the local and international organizations providing these services, the different types of assistance becomes fragmented. Funding streams are unpredictable and fluctuating: the result is that services may be short-lived, poorly-integrated between medical, psychological and economic care, and poorly-adapted to the context. Often, there is a perception that services are only available for women who have been raped by armed men, and there is less awareness that abuse from family members, friend or acquaintances is also rape, and that victims of this violence have a right to access SGBV services. Similarly, women who may have to turn to transactional sex as a way to survive may not feel that SGBV services are meant for them, despite the high levels of abuse these women face. These problems are particularly evident in mining towns where services are much more limited than in more accessible and secure town centers. The actual quarries where mining takes place are even more remote and sometimes only accessible by long walks on foot. Often, no services are available in these areas, even though this is arguably where some of the greatest need exists.

The consistent and accessible provision of medical care in these towns would be a quantum leap forward and would benefit men, women and children. However, other types of services, which take into account the specialized needs of women in mining towns, are also critically important. Yet, to date initiatives to address women's roles in mining have been focused on simply removing them from these towns altogether. As Bashwira et al. (2013) describe,"...Women's reasons for spending their lives in and around the mines are not taken seriously, and their direct and indirect roles in the artisanal mining industry are systematically being ignored" (p. 1).

The nuanced and morally-challenging issues – blurred distinctions between consensual, transactional and coercive sex – discussed in the previous section make it difficult for those working on ASM in eastern DRC to understand how to address women's issues. In the place of context-appropriate and locally-owned initiatives, a simplistic storyline has taken hold, springing from the conflict minerals discourse and drawing on conceptions of DRC as a barbaric and incomprehensible war zone. The resulting typology that emerges from this narrative pays little attention to the subtle ways in which women negotiate access to employment, and how sex is both a profession and a bargaining tool for livelihoods. Rather, the narrative of victimhood perpetuated largely by outside advocacy organizations emphasizes SGBV as the culmination of women's exposure to unregulated ASM environments. The few programs that are available for women were subsequently organized by development organizations seeking to address "victimization" or to remove women entirely from the places that, as we will see in the next section of the paper, they actively seek out. This section shares the experiences of women working in mining towns, in the process, revealing concrete opportunities for intervention.

4. Women in South Kivu mining towns: calculating risks and rewards

The paper presents results from data collected during June to August 2012 in six gold, coltan and cassiterite mining sites in two territories, Walungu and Kalehe, in South Kivu Province of eastern DRC (see Table A1, Annex 1), and is informed by years of collaboration between a Congolese NGO providing psychosocial services and a US-based academic institution. A qualitative questionnaire was drafted by the two project partners and then refined after preliminary testing to capture issues of importance to women working in mining towns.[4] The questionnaire was a semi-structured interview guide addressing topics related to

[4] This study was approved by the Internal Review Board (IRB) of the Harvard School of Public Health (HSPH) and a Congolese Community Advisory Board (CAB) of subject matter experts. All members of the research team underwent training in ethical research practices.

decisions to access mining towns, daily realities of this work, ways that state and non-state armed groups affected those working in mining towns, government services offered, challenges to employment and issues with personal safety in these areas. To address the fact that gold, coltan, cassiterite and tantalum all have different extraction processes and supply chains, and mining processes for each mineral have many steps and contributing players, research focused on the initial stages of the extractive process: the on-the-ground miners at mine sites, and surrounding economic and social systems.

Data were collected through key informant interviews and focus group discussions. Transcripts of the discussions were analyzed independently by two team members who generated a list of emerging themes, which were then collaboratively refined. Themes that two team members identified as important defined categories, and consistent variations within a category were captured as subcategories. This process allowed the team to identify key unifying topics, explore complexities in the narratives, and generate hypotheses where appropriate.

4.1. Seeking out work in mining towns: "Their bodies are their business"

Migration frames the stories of women's pursuit for opportunity in mining towns. Overwhelmingly, women interviewed for this project described coming from other areas in order to seek work around the mines. Mining towns are seen as economic engines – providing an extremely rare opportunity for employment. Women interviewed for this research exhibited agency and planning when seeking out work in mining communities. Rather than being the helpless victims of abduction or coercion, they described traveling days or weeks to seek work in mining towns. This first supports findings from recent research conducted on female migration in ASM environments in southern Katanga by Hayes and Perks (2012).

Respondents described the various roles that women can fill once in mining towns. One female respondent noted, "There are women that clean and sift sand, others do restaurants, bars, and others are prostitutes". Yet, running a restaurant, engaging in sex work, and transporting materials are not mutually exclusive. Rather, women say they often must engage in transactional sex in order to obtain employment as a restaurant owner or sand sifter.

Miners emphasized the transitory nature of women employed as sex workers in mining towns. One explained in an interview that "There are also many prostitutes from all over, Uvira, Bukavu [and]...They [are] here when there is action here. They call their friends, everyone comes...We don't even know their faces". As the leader of a sex worker's association explained in an interview:

> It depends, some women come for 5 months, get tired, go to a different mine. Some have kids here they become permanent here... [There is] movement – activities involving money, commerce – their bodies are their business. [They go to] Misisi, Moroc, Walikale. They are used to moving to different places for money.

Many women spoke about being compelled to engage in transactional sex simply to survive, but it could also serve as a way to carve out a space and gain patronage in the fluid social context of mining towns. Women stated that they did not have a husband or other male relative to bring income home, forcing them to support themselves. As on woman in Nyabibwe explained, "When I was carrying bags and fetching water so that my children could eat, it then turned into prostitution because they (men) say they have no money to pay me...I have to carry bags and sand because I don't have a husband to do anything".

Both male and female respondents noted that women's displacement from their home villages meant they arrived at mine sites with no social networks, peer support or other resources to help them in their new surroundings. Deprived of normal peer and family support, transactional sex emerged as a way to create a space within a fluid and complex social environment. A woman from Nyabibwe described in an interview how providing sexual favors was one of the only ways to get patronage for small jobs in mining towns:

> People also make women have sex with them by saying that if you don't sleep with me you won't get to keep carrying bags, he tells his friends not to work with her because she refused to have sex with them. People do the prostitution so that they can get other work. You are selling yourself, tiring yourself to get some money for your children.

This quote illustrates the close links between economic and sexual exploitation. Women described how they were not paid or were underpaid for the work they did; were sexually harassed or raped while working; were beaten; and forced to perform sexual favors in order to get clients or employment. The miners, women and community leaders interviewed all described the importance of women being forced to exchange sex simply to be able to engage in other economic activities. If women refuse to perform sexual favors or attempt to protest against their treatment, they are threatened or excluded from the mines. As one young sex worker explained, "If you refuse them (sexually), they will tell you if you return again to the area they will kill you".

All actors interviewed as part of this research – wives of miners, community leaders, miners and women working mining communities – spoke frankly about the sex trade in mining towns, portraying it as widespread and commonplace. As one man said, "The *soko* (market) of the prostitutes is the mining quarry". It is so commonplace, in fact that miners described how women could be seen climbing up toward the mines with their mattresses on their backs:

> It is [the prostitutes'] territory there [in the mines]. That is the main work there, actually. Once the movement in the mining area starts again, for example, you will see women climbing up towards the mines with their mattresses, and while you may think they are soldiers wives they are really prostitutes.

The existence of prostitution was overwhelmingly mentioned in connection with poverty. Miners' wives interviewed in the town of Mulamba spoke openly about prostitution in the town where their husbands work. One woman married to a miner stated:

> Yes – it [prostitution] exists because of poverty. Around the mines, women prostitute themselves to get money that the miners give them and because otherwise they wouldn't have anything to eat.

In a focus group, a community leader in Mushinga elaborated:

> Yes, there are "loose women" here with their children. There are no women in the mines that belong to a particular person – so every woman belongs to the whole world. These women [in the mines] don't work. They just wait until the miners find money and then come sleep with them, that's their work. A man who gets ten dollars will go eat with five of the dollars and give five dollars to a whore and go spend the night with her. And that's how life continues.

Young women spoke about the slippery slope that brings them into sex work. One young woman described her entry into the work, "It [sex for money] will happen and you won't even know, all of a sudden you just find yourself with a man so that you can survive. Oftentimes we don't tell anyone else about it because we are embarrassed. . .It just happens".

Once they engage in sex work, these young women may not be welcomed back in their home communities due to stigma, which is worsened if they have a child out of wedlock. This means that once women begin engaging in such work in mining towns they may have no choice but to continue, traveling in search of areas with the most profitable quarries, and by association men with disposable income.

Possibly because the "choice" to engage in sex work is often made out of desperation and the conditions are highly coercive, participants in the research saw sexual violence and transactional sex as closely linked. While rape was often defined as forcing a woman to have sex against her will, people also noted that there were other ways women were raped, for instance, if a sex worker is not paid for her services or if a man and woman did not agree to a price before the man forced a woman to have sex with him. As one miner explained in an interview, "The meaning of rape is to take someone by force and even if you haven't already agreed to do it you make them have sex with you, this is a common thing in our area". Many female transporters interviewed reinforced these claims. One stated clearly that "When a man is drunk he can also rape a woman without having a conversation, and even if it looks like prostitution, it is rape. . .this happens a lot of time to prostitutes". One young miner simply stated, "*Ya kila qualite na aina iko hapa nyabibwe* (There is sexual violence of every quality and kind here in Nyabibwe). When god built the mine here, he knew that rape would be there as well with the mine".

Many men interviewed were of the view that it is a woman's fault if she is raped, and that women can avoid this by not dressing provocatively or getting themselves into dangerous situations. The onus for combatting rape was put on women's shoulders. In a focus group with young miners, one man explained:

> How can we fight rape? It is a personal decision. You [a woman] must protect yourself, if you don't expose yourself in front of a man they cannot rape you. . . Here there is more sexual violence because there are rebels up high in the mountains, that is why it is here. But the real reason that there is rape here is because the women expose themselves and comport themselves in a certain way.

In a number of cases, the issue of rape was specifically associated with soldiers and armed men, despite the fact that civilians were linked to sexual abuse as well. These findings reinforce the discussion in the previous section of the paper on how the exclusive focus on conflict-related rape means that people do not think of SGBV as something that is perpetrated by civilians. People spoke of miners abusing women by promising money and not paying, yet this was not always recognized as rape in the same way that soldiers were perceived as raping. One female transporter described how rape started with soldiers but then is a practice that has continued, "Is it here – yes when there is war – Ntaganda, Nkunda – their soldiers rape IDPs (internally displaced persons), then others keep the practice going". The leader of the *Femmes Libres* association in Nyabibwe explained in an interview that "Soldiers they usually don't pay for sex, sometimes demobilized soldiers as well, but even miners themselves, many don't pay for sex after they do it".

4.2. Ignorance of mining laws and marginalization from political and justice processes

This research revealed that ignorance and misconceptions about the current mining laws are widespread, particularly issues pertaining to the roles and rights of women in mining communities. In effect, measures concerned with a woman's right to mine under equal, safe conditions are interpreted falsely by state and non-state actors to keep women from engaging in legitimate mine employment. Consider the following example below.

The 2002 Congolese Labor Code states that pregnancy is not grounds for discriminating against women, except for jobs that are forbidden for pregnant women because these pose risks both for the mother and fetus (Article 128). This includes hard labor in the mines and the transporting of heavy loads of minerals from mining tunnels to sites where raw materials are washed and sorted, but does not extend to other jobs such as running a restaurant or acting as a buyer for gold. There is special sensitivity about having pregnant women in mining sites since, according to a 2011 memo from the Ministry of Mines, those sites that pregnant women working at hard labor will not be eligible to receive certification as a

"conflict-free" mineral site (V. Mukasa Mwanabute, Transmisson TDR des equips conjointes pour la validation des Mines, April 18, 2011).

In the areas where this research was undertaken, however, this clause was widely interpreted to mean that women are not legally allowed to work in any official mining activities. This misconception has effectively relegated women to menial support tasks and to sex work – a legal "excuse" for not giving women opportunities to work in the mines.

A lack of female representation in decision-making bodies ensures that women remain ignorant of national laws and incapable of influencing current practices to better their situations. Local authorities, mining cooperatives and armed groups are all seen as part of the same entrenched system, which does not represent women or other marginalized groups such as the displaced and disabled. Participants shared similar opinions on local political economies, describing them as being rampant with corruption and nepotism.

In a focus group with young women in Nyabibwe, one participant illustrated this phenomenon, saying, "Leaders don't care about people, they only care about themselves, mines are like the market, everyone does their work, but no one cares about others". This lack of social cohesion can be exacerbated by the transient nature of mining work and the high rates of displaced populations that seek employment in these areas.

When people feel they are victims of injustice, they often point out that they have few if any avenues for recourse. Respondents in focus groups and key informants interviewed stated that rampant corruption in both state and non-state institutions severely restricted access to justice. For the majority of participants, demands for justice after suffering violations of rights are at best unrealistic and, at worst, dangerous. Indeed, there is a perception that those responsible for justice are some of the worst perpetrators of human rights abuses themselves. This leads to a pronounced lack of confidence among communities in available mechanisms for seeking and receiving justice. Women bear the brunt of this discrimination – traditional gender imbalances in Congolese society are acutely realized in the justice sector. Female transporters from the mining community of Mushinga framed restricted access to justice as part of a larger picture of gender discrimination and corruption in their communities. One woman described:

> Women are despised here – people don't want women asserting their rights. However, we would like to see an organized structure to defend women's rights here in our community. Some of these structures do exist but they are very discriminatory, because one cannot help you if you have no money or if you don't have influence in the organization.

Women and other vulnerable groups lack representation in influential organizations, so their only access points become cash, material goods or sex. Mechanisms or institutions that effectively address the nature of harm caused by discrimination in the field of economic, social, and cultural rights simply do not exist for the majority of people living in ASM communities in South Kivu. Instead, paths to justice are seen as confusing, intimidating, and predatory. Young women in Nyabibwe described the importance of cash in getting assistance from authorities if you have a problem in the mines. As one focus group participant explained:

> There are also security people there [in the mines], but they can help you only if you have money, if you don't there is nothing. Even if you get help in the first place from an authority, if someone comes with more money your dossier gets put to the ground. Here there are no rights for women or anyone else – money is what determines all.

Lacking both money and influence, women have little choice but to look at the concept of political participation as unrealistic. Young women stated that fighting for their rights could expose them to both domestic consequences (anger from spouse or family) and threats from those in charge. In Nyabibwe, women described the fatigue resulting from trying to seek a more just reality. One female transporter stated, "We also feel tired because we have been stolen from so many times and now there is nowhere to go to work, our rights are also always violated, if you follow-up on this you will be seen as an enemy of the group in charge".

In addition to stigma from the community or those in power, participants stated that they fear government retaliation for speaking out about human rights abuses. Another woman from Nyabibwe described:

> We see that the government doesn't follow-up on anything related to the rights of people (human rights) because it will look like a rebellion against them, meaning that if you follow-up a lot on one of your problems, the problem won't die, but you will.

Participants described how women are often prevented from seeking political participation and just working conditions not only because of a lack of faith in the system, but also due to intimidation and harassment from perpetrators. Men use their economic power over women to deter them from advocating for change. Women are frequently told that if they complain about abuse, they will never get a job again in or around the mine, leaving those with no viable economic alternative few options but to accept the current conditions.

Participants frequently said "*hawatuoni sisi wafupi*", that they (big men, powerful people), don't "see" us short people (the impoverished, marginalized populations). They often used the two words together to emphasize their point – they do not see us short, poor people (*wafupi, wakosefu*). The leader of a sex worker's association in Nyabibwe summarized the situation saying, "[We must] show people the value of women, that they are people here, they shouldn't be worked like animals, they are humans, respect their rights, they are like slaves, used like tools, something we throw around like dirt and just throw to the side".

5. Discussion and concluding remarks

Two dominant narratives have characterized the conflict in eastern DRC: (1) the horrific abuse of women through sexual violence, and (2) the use of "conflict minerals" to fuel the fighting. However, these simplified accounts lead to flawed understandings of women's lived realities in mining towns and obscure the fact that these areas, rather than being lawless foci of conflict, are important centers of economic activity. Accounts from women in the research reported here show that: (i) women display clear agency in seeking out employment in mining towns; (ii) women emphasize their desire to participate in meaningful employment in these areas, but face enormous obstacles in finding safe and non-exploitative opportunities; and (iii) there are government and customary structures in these areas that could be leveraged to improve human protection in general, and women's rights in particular, but which are currently exclusionary and, in some cases, predatory. We will examine each of these findings in turn and then propose potential programming and policy actions based on these results.

Firstly, rather than trying to avoid mining towns due to fear of conflict-related predation, women actively seek out these areas. As narrated by respondents who participated in this research, women migrate to these centers in the hopes of finding gainful employment. Mining is described as a catalyst for a wide variety of income-earning activities in an otherwise-debilitated economic landscape. However, this relocation brings vulnerability: being far from the support offered by family and social support structures, women face physical, sexual and economic predation. But they continue to recognize the importance of work in mining towns and describe their struggles to access employment.

Second, while women do face a multitude of risks and high levels of abuse, this does not conform to archetypal notions of rape in conflict. Rather, women describe a complex topography of sexual vulnerability where the lines between forced, coerced and transactional sex are blurred. Female participants in this research commonly described having to engage in transactional sex out of desperation, a profession that puts them at increased risk of physical and sexual violence as well as other forms of abuse. Engaging in transactional sex, however, brings women only marginal economic access to the mineral value chain. Indeed, many respondents described engaging in transactional sex not only as a way to earn income, but also as a requirement for gaining access to other forms of employment. In all cases, women exercise lesser economic roles in the mineral value chain, such as washing, sorting and transporting ore or providing support services such as bringing food to the mines. No women interviewed seemed to have aspirations of attaining high-earning roles in the mineral value chain, such as becoming a mine owner or mineral trader. This is largely a result of women's general lack of awareness of their rights under the Congolese mining laws: while specifically providing for employment of women in mines and contains protections for women, the law appears, at least in the towns mentioned in this paper, loosely and unevenly applied. The absence of legal knowledge concerned with women's rights to safe and fair work in the mines of DRC creates a governance vacuum in which individual power and negotiation – often involving sex as a transaction – assumes a more profound role for female "protection" than do legal or political measures. While sexual predation by armed men was viewed as a concern, it was generally seen as less pressing than the everyday violence and abuse that women suffered from miners and other civilians. Women noted that even those who did not identify themselves as sex workers faced high levels of risk for sexual exploitation.

Third, while resource capture is a contributing factor to on-going instability in eastern DRC, the conflict minerals discourse has overshadowed equally-important discussions on political participation, security sector reform, and more effective promotion of women's rights through state, customary, and civil society mechanisms. While respondents for the research noted that authority structures in the towns visited for this work are currently exclusionary at best and predatory at worst, they may still be leveraged to improve conditions for people working in mining towns. Local and national government agencies and customary authorities must be engaged with, and held accountable for, those who work in these areas.

These findings reveal concrete policy and programming opportunities. As noted by Bashwira et al. (2013), current programming efforts often focus on helping women leave the mining industry and develop alternative livelihoods. While it can be a valuable option for some women, the reality is that women continue to work in the mining sector; programs should therefore recognize and support their rights to do so. Efforts are needed to promote rights and education to ensure safe and fair working conditions for those doing work in and around mining tunnels. These efforts should educate individuals as well as government and customary organizations about the mining code and rights of those in mining towns. Women stated that they would like help with organizing themselves into associations and cooperatives, which would put them in a better position to help them realize their rights through local and state governments – a narrative that has been neglected to date.

In the study sites visited, there were relatively few services for women experiencing sexual abuse; those that did exist had a focus on women who had experienced conflict-related rape. There is still limited awareness that sexual and gender-based violence includes abuse by civilians, and that women who do choose to engage in transactional sex in order to survive need reproductive health services, psychosocial counseling and medical care. These are often limited in mining towns. Expanding medical care is a critically-important intervention that will benefit all individuals. Women in particular can benefit, however, if service providers are trained in screening for abuse and providing appropriate referral mechanisms. Microcredit services, as we have seen from the opening vignette, can also have significant positive impact when implemented well.

The evidence discussed in this paper, and illustrated by Mama Constance's story, emphasizes that women are active agents in mining towns. The individuals who participated in this research stated that while conflict and armed actors are important security concerns in their daily lives, perhaps most critical to them is the realization of their rights through local and state governments and the opportunity to access safe and fair employment. The singular focus on "conflict minerals" creates a tendency toward a homogeneous representation of ASM, one that necessarily occludes the varying motivational

structures, complex economies, and decision-making processes in mining towns. With an improved understanding of the vulnerabilities, opportunities, and human rights threats in conflict-affected ASM areas, government and NGO partners can better address violations of rights, and improve economic and social outcomes for women and communities. As development efforts in this area expand, they should embrace the reality of women's economic participation in mining towns. The narrative of women's helplessness will require re-writing – an effort that, ideally, will be led by women and communities themselves.

Annex 1

Table A1
Populations interviewed in each field site.

Key informant interviews	Focus groups
Walungu Territory	
Chief of nursing at Mulamba Health Center	Women transporters of minerals
Chief of Center, Mubumbano	Women traders in village
Chief of Center, Mushinga	Male community leaders
	Men in the community (miners, tradesmen)
	Service providers and community activists
Kalehe Territory	
Leader of women's sex work association	Women transporters of minerals
Leaders of mining cooperative	Women sex workers
	Male miners
	Men in the community (tradesmen)
	Service providers and community activists

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