



ANNUAL CORPORATE PILLAR REPORT 2019



A. COMMITMENT TO THE VOLUNTARY PRINCIPLES

Alphamin is a proud subscribing participant in the Voluntary Principles Initiative. Alphamin's management and executives recognize the importance of the promotion and protection of human rights throughout the world and in the communities around the Bisie Tin Project in Walikale Territory of North Kivu, in the Democratic Republic of the Congo, and the constructive role business and civil society can play in advancing these goals.

To advance the objectives and commitment to the VPI, Alphamin has proudly mentioned its commitment to the VPI on its website, including a link to the VPI website for those interested in learning more about the initiative.

The tin industry, along with the three other so-called conflict minerals (gold, tantalum and tungsten) sectors have actively developed initiatives to prevent conflict minerals from the Great Lakes Region entering the supply chain.

Alphamin's implementation of the VPI has been coordinated within the context of these of not only international initiatives, but also regional and local initiatives for the Great Lakes region and the DRC itself.

Through these initiatives, global tin and other conflict-mineral global supply chains have recognised the issue of illegal mining and the ability of criminal public security and armed groups to source financing from the production and trade of conflict minerals in the Great Lakes region. Within the industry, burden of proof falls primarily on supply chain operators and exporters to prove the direct source of the cassiterite produced for smelting. Material which is not traceable to its direct source is significantly discounted in the open market since global smelters are under increasing pressure to conduct due diligence to assure certification and chain of custody.

The complexities of certifying the source of cassiterite make the product less appealing to armed groups and so reduces the risk of an attack on the mine or transporters with the intention to steal the final product.

Up to 16 000 artisanal miners exploited Bisie surface deposits between 2002 and 2012. Their illicit production, which at one point represented about 4% of global tin supply, helped finance the conflict in the DRC and the Great Lakes region. As a result of improved governance, global supply chain monitoring (disclosure of conflict minerals), the award by the GDRC of a legal industrial production permit to Alphamin, the opening of certified conflict-free supply chains nearby, and the depletion of accessible surface minerals by the artisanal miners, artisanal production has decreased dramatically since 2012. The Bisie operation will supply conflict-free tin from the eastern DRC and the Alphamin operation will be the manifestation of what conflict mineral legislation aimed to achieve.

B. POLICIES, PROCEDURES AND RELATED ACTIVITIES

Alphamin holds a centralised risk register which includes the risk assessments done on human rights, engagement with both security forces and communities. These risks are married into the combined risk register to see the influence that perceived risks have on the business as a whole, and also directly relating to how other risks in other departments may affect the risk assessment, positively or negatively, which is conducted specifically on human rights risks.

The security department in assessing risk and mitigations, uses a flow process through 3 different types of risk assessment platforms, namely a baseline assessment to understand the greater map of risks and stakeholders, then this will flow over into an issue-based risk assessment that finally allows critical and sensitive areas to be covered under a continuous risk assessment platform.

VPI implementation is conducted through awareness by all senior executives and managers, who hold weekly and bi-weekly meetings at which VPI issues are identified and addressed. The core direct employees involved in applying the VPs are ABM's security guards, known in the DRC as Industrial Guards, who at the end of 2019 numbered 120 (almost all these are residents of the local communities) and who participate in these orientations side by side with the dedicated Mine Police detachment. In these orientations' compliance with VPI human rights principles is discussed and adapted to the planning of activities.

Alphamin's ABM operation (Alphamin Bisie Mining) has a formalised engagement with the DRC's National Police in the form of the dedicated Mines Police structure (PMH – Police des Mines et Hydrocarbures). Engagement with this partner, is structured and regulated through meetings at both provincial, territorial level and at the level of the mine site.

The company operations at the end of 2019 had a dedicated detachment of 60 trained PMH officers, posted throughout the footprint of operations. A written contract which is consistent with DRC law is used to frame this working arrangement.

Engagement with other security forces (military and intelligence services) takes place on two levels; most frequently is informal engagement on the ground at operational level when patrolling or visiting military, or intelligence services visiting the security department to inform them of their presence and purpose in the area.

This form of engagement allows the security department to have a basic understanding and knowledge of who is in the area, how many and where they will be in the area. This links back to the understanding possible issues that may arise within the local communities relating to these security services being there. At the same time, ABM Security personnel visit the headquarters and key officers

of all involved security and intelligence services to maintain contacts and relationships and share information.

A more formalised engagement is seen at the provincial and territorial level, when the company is invited to attend open meetings called by the provincial or territorial authorities. These meetings are over a diverse field of matters, but do focus on community and security, given the complexities of both in the area that Alphamin operates.

Alphamin does not make use of the services of a contracted security provider on its mine operations.

C. COUNTRY IMPLEMENTATION

For the purposes of this report, the Alphamin operations in the Walikale territory of North Kivu, Democratic Republic of the Congo, are represented and reviewed.

1. Grievance System & Analysis

No human rights or security related grievances were reported in 2019. ABM's grievance and complaint system recorded 26 grievances or complaints, all but 4 of which were resolved by year end. Two of these related to reported discrimination related to concerns ABM was not respecting its commitment to local employment, however they were both closed upon mediation and discussion between ABM's Human Resource Department and the persons submitting the grievance. The 2019 report is attached.

2. Artisanal and small scale mining (ASM) invasion

A small group of 6 artisanal miners who formerly worked at Bisie illegally before the peaceful negotiation and departure led by the Government of the DRC's Mines Ministry and the Government of North Kivu re-invaded the concession in September, 2019. They were detained by the GDRC Mines Police (PMH) and Territorial Police and transported to Goma at the written request of the GDRC Military Prosecutor. They were detained for a few weeks and then released with the requirement that they stay in Goma until their case was heard, which they did not respect and, later in January 2020, some of them returned with a larger group. The case against these released persons for this incursion has not been resolved.

3. Legal resolution of 3 claims for damages and human rights abuse by former ASM miners occurred in 2019 through a decision of the Goma based Prosecutor General of the Republic to file these three complaints as being without foundation, using the legal term, « classement sans suite », which, in fact leaves ABM with the legal right to pursue damages against the plaintiffs for unfounded

accusations. The claims had been filed in 2017 and 2018.

4. ABM commissioned a third-party human rights assessment of the 2017-2018 negotiations, moratorium and negotiated departure of about 1000 ASM miners from the Bisie concession by former U.N. Group of Expert Dan Fahey and Bally Mutumayi. The report concluded there were no human rights violations throughout the process and, in fact, commended the GDRC and ABM for the way in which it planned and facilitated the negotiation and peaceful departure. This report was issued in April, 2019 and is attached.

5. The International Tin Supply Chain Initiative (ITSCI) submitted a risk report in March 2019 accusing the same FARDC elements that have been deployed by a decision of the GDRC to protect the broader zone around ABM, including ABM's airstrip, of forced labour at an artisanal mining site outside the ABM concession, which has nothing to do with ABM. ABM responded to ITSCI, as did the Local (Mining) Monitoring Committee of Walikale Territory, raising questions about the accuracy of the reports. In any case, this led to awareness raising of all security services of the potential mis-abuse or mis-perception related to voluntary community work that is encouraged by politico-administrative authorities with the guidance for security services to avoid any involvement in such practices, at mining sites, or anywhere in Walikale Territory.

D. LESSONS AND ISSUES

Looking ahead to 2020, and with more experience and the better understanding of the VPIs and the impact they will have on more secure and safer operations for both the company and community, the following objectives are set for the year:

- Community outreach to seek annual and ongoing input to perceived community risks related directly and in-directly to the Bisie Tin Project. Better systematic integration of this data into project and ABM level VPI risk assessments, including appropriate monitoring and lobbying on all issues, but particularly those where ABM lacks direct responsibility for mitigating such risks.
- Creation of a VPI North Kivu Contact Group.
- Basic presentation for all staff, contractors and stakeholders on what the VPI is and why Alphamin is part of it and what each partner and employee's role is in being aware of and implementing the VPs.
- Continuous training of the police detachment and security guard detachments in their role as providers of security to the company and the greater community around them;
- Continuous training with and of the Lowa Alliance, Local Development Committee (LDC) leaders and members who are the front line of ABM's work in the community. They are the barometer of community attitudes and realities, and ultimately act as ambassadors for ABM.

E. Abbreviations

ABM SA	Alphamin Bisie Mining SA
ASMRP	Artisanal and small-scale miner's resettlement plan
CNLFM	Comité national de lutte contre la fraude minière
DRC	Democratic Republic of the Congo
GDRC	Government of the Democratic Republic of the Congo
IRC	International Red Cross
LDC	Local Development Committee
MONUSCO	Mission de l'Organisation des Nations unies pour la stabilisation en République démocratique du Congo (Fr) United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (Eng)
NGO	Non governmental organisation
PMH	Police des Mines et Hydrocarbures
SAESSCAM	Service d'assistance et d'encadrement du small scale mining
UK U	United Kingdom
US	United States of America
VP	Voluntary Principles
VPI	Voluntary Principles Initiative

The Transition from Artisanal to Industrial Mining at Bisie, Democratic Republic of the Congo

Daniel Fahey & Bally Mutumayi

April 2019



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1. Executive Summary

During the 2000s and until 2015, Bisie was the archetypal conflict minerals site in eastern Democratic Republic of Congo. On a hillside deep in the forest in Walikale Territory, people engaged in artisanal and small-scale mining (ASM) illegally extracted rocks containing cassiterite, from which tin is smelted. Various armed groups—as well as government army units—oversaw the mining and worked with corrupt local leaders, regional businessmen, and certification agency officials to traffic Bisie’s cassiterite to foreign markets.

Criminality and conflict characterized ASM at Bisie, but the volume and quality of the site’s cassiterite attracted the interest of international mining companies. In 2011, one of these companies—Alphamin Resources Corp.—took on the daunting task of creating an industrial mine at Bisie. Despite numerous setbacks including armed attacks on its staff and the looting and burning of its camp, Alphamin stayed the course, building relationships with local communities and national and provincial authorities while attracting the capital needed to advance the Bisie Tin Project.

In 2015, Alphamin obtained a production permit from the government and began constructing the infrastructure needed to build the mine. Yet the company’s DRC subsidiary—Alphamin Bisie Mining SA (ABM)—faced ongoing opposition from the criminal networks that had long profited from illegal artisanal mining at Bisie. Moreover, hundreds of artisanal miners—including some connected to armed groups—continued to work in ABM’s permit area.

The National Commission to Combat Mineral Fraud (CNLFM in French) played a critical role in addressing these problems and facilitating the final transition from artisanal to industrial production in Bisie. The CNLFM organized a meeting in Kinshasa that culminated in a June 1, 2017 agreement signed by ABM, artisanal representatives, the national business chamber (FEC), the international tin association’s Supply Chain Initiative (iTSCi), and local, provincial, and national officials.

The Kinshasa accord created a framework for ending the artisanal era in Bisie. In addition to enabling for a limited time the sale of minerals that had been illegally mined in Bisie, the accord required ABM to work with the CNLFM and the other signatories to design and implement a project to get Bisie’s miners to voluntarily transition to a new location or vocation.

The CNLFM and ABM created a seven-month “ASM Plan” that started with a registration process for artisanal miners at Bisie. Registrants were free to work during the seven months and to sell their minerals to accredited exporters who

had signed agreements with ABM. After consultation with artisanal miners, midway through the moratorium the CNLFM and ABM offered the registrants three options: work for ABM, move to another artisanal mining site in Walikale Territory, or return to your place of origin. About 50 people chose to work for ABM, and in December 2017, the CNLFM and ABM helped nearly 900 people (including women and children) to leave Bisie of their own accord. In contrast to Bisie’s violent history, the success of this operation is perhaps best exemplified by the fact that not one bullet was fired and no tear gas was used during the final departure operation.

With the end of artisanal mining, ABM was able to rapidly build the mine and related infrastructure. By December 2018, ABM and its subcontractors were employing more than 1,500 Congolese citizens—including hundreds of people from Walikale Territory—during the final stages of construction. When ABM begins production of tin concentrate in 2019, it will substantially increase Congo’s exports of conflict-free minerals and generate sustained, legal tax revenue for the local, provincial, and national governments.

ABM also created an innovative community development program called the Lowa Alliance. Between 2016 and 2018, ABM invested more than \$1.5 million in Lowa Alliance to fund projects in 47 communities near Bisie. Each community identifies, selects and helps manage its own projects, which have included schools, agricultural and pastoral initiatives, small enterprises, and construction of a regulation football pitch.

Yet even as ABM was poised to start mining, which will also trigger increased funding for Lowa Alliance, a small cadre of vocal detractors sought to stop the company in its tracks. These critics alleged that ABM colluded with national security forces to commit numerous human rights abuses during 2017. The detractors have demanded \$2 billion and a halt to ABM’s operations, but their claims are so filled with hyperbole and inaccuracies that they lack credibility.

The critics have exaggerated the number of people who left Bisie and made false claims about forcible eviction. They prevaricated about lost investments and arrests. They promoted fake stories about destroyed homes. And they equivocated about ABM’s environmental plans and community development efforts. The detractors’ allegations of human rights abuses and other violations of norms and law have been intentionally misleading, grossly negligent, and false. There was no forcible eviction from Bisie or widespread, arbitrary arrests.

This report analyzes the transition from artisanal to industrial mining at Bisie with a focus on the miner migration process. Through fieldwork and desk research, this investigation determined that ABM complied with Congolese law during the process to end artisanal mining on the company's industrial concession. Moreover, this inquiry found no credible evidence that either Congolese government security forces involved with the work of the CNLFM or Alphamin staff committed any human rights abuses during the miner migration process. Indeed, the miner migration effort at Bisie might serve as a model for other similar situations in Congo and elsewhere.

ABM's application of the Voluntary Principles and the IFC Performance Standards during the design and implementation of the miner migration process contributed to the operation's success. ABM conducted ongoing risk

assessments and worked closely with CNLFM and other government agencies to identify and address security threats and potential human rights issues, in accordance with the Voluntary Principles.¹ Moreover, ABM conducted assessments of the social and environmental effects of its Bisie project and worked closely with the CNLFM committee in charge of the design and implementation of the miner migration process, consistent with IFC Performance Standards 1 and 5.²

This investigation also found widespread community support for ABM in Walikale Territory. A few people in Walikale and Goma expressed concerns about the scale and nature of local employment as well as the pace of community development efforts, but the common theme expressed in dozens of interviews was the view that ABM's operations and community engagement herald a better future for the people of Walikale.



Miners inside the Bisie tin mine, December 2018

2. Introduction

This report is the product of research by Daniel Fahey and Bally Mutumayi, independent consultants hired by Alphamin Bisie Mining to investigate issues related to the transition from artisanal mining to industrial mining and potential human rights issues at Bisie, a site in Walikale Territory of North Kivu province, in the Democratic Republic of the Congo (DRC).

Daniel Fahey is a consultant and writer based in Maryland, USA. He served on the UN Group of Experts on DRC (2013-2015) and has extensive experience working in Africa and Asia. He has a Ph.D. from the University of California, Berkeley; a master's degree from the Fletcher School at Tufts University; and a bachelor's degree from the University of Notre Dame.

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2.1 Objective

The objective of the consultancy was to evaluate the miner migration process in 2017 and 2018 at Bisie. Of specific interest was the conduct of government services and ABM staff during the design and implementation of the migration process in light of allegations of human rights abuses.

2.2 Methodology

This report is based primarily on fieldwork in Walikale Territory and Goma between November 25 and December 6, 2018. Prior to beginning the fieldwork, the consultants conducted background research and developed a plan of investigation in consultation with staff at ABM. ABM staff provided several documents and data cited in this report; additional ABM documents were downloaded from the SEDAR database (www.sedar.com) through the profile for Alphamin Resource Corp.

ABM arranged for the consulting team to fly from Goma to the Kokoli-Bisie airstrip in Walikale Territory. The team stayed in ABM's camps at Bisie and Logu. The consultants hiked to the 15 Minutes mine site, Ma Noire (twice), and Kalay Boeing. ABM provided the team with transportation to visit Biruwe, Tengeneza, Mafombi, Ndjingala, Mubi, and Walikale Center.

The consultants interviewed 80 people and had informal conversations with dozens more during their time in the field. Interviews were conducted in French, Swahili, Lingala, and English. Following is a summary of the organizations and individuals the consulting team met with in each key location:

- **Goma:** the North Kivu Ministry of Mines; FARDC *Auditorat Militaire* (Military Prosecutor's Office); CNLFM provincial representative; Caritas-Goma; residents and community leaders from Walikale Territory; ABM; BEDEWA (a Walikale-focused NGO)
- **Bisie:** ABM staff
- **Ma Noire:** FARDC *Auditorat Militaire* (Military Prosecutor's Office); former artisanal miners and current ABM employees
- **Kalay Boeing:** artisanal miners who had worked in Bisie; former pit owner; two women who had moved from Ma Noire to Kalay Boeing; Better Sourcing Program; COMIMA cooperative; COCABI cooperative; customary chief and local leaders
- **Logu:** leaders of the Bangandula clan; PNC officer; ABM staff
- **Ndjingala:** local community leaders
- **Mubi:** civil society leader; FARDC regimental commander
- **Walikale Center:** Catholic priest; Lowa Alliance leaders; *Comité d'Accompagnement des Projets Communautaires d'Low Alliance* (Committee of Support of Community Projects of Lowa Alliance—CAPCA) leaders and members; Walikale Territory Administrator; customary leader

In addition, the consultants had calls in November 2018 with one member of the UN Group of Experts on DRC and two staff from the International Peace Information Service (IPIS).

This report is also available in French.

2.3 Acknowledgements

The consultants are grateful to everyone who took the time to share their thoughts and observations about the issues discussed in this report. Local leaders and community members in Kalay Boeing, Logu, Ndjingala, Mubi, Walikale Center, and Goma were particularly helpful and generous with their time. The consultants also express their gratitude to ABM staff in Goma, Bisie, and Logu, in particular Richard Robinson, Valery Tshipaka, Yvette Mukenge, Jacques Katchunga, and Pascal Ngalume. Mike Loch from Responsible Trade, LLC provided invaluable guidance.

Thanks also to Jonathan Mead for creating the maps, Quinten Smith for technical support, and Randi Hazan and Aisha Belgrave of Hazan+Company for graphic design and layout. Daniel Fahey took all photos appearing in this report.

2.4 Disclaimer

The authors prepared this report from sources and data they believe to be reliable. The report is for informational purposes and is not an endorsement of any particular organization or policy. The views expressed are those of the authors and not necessarily those of the organizations that provided support and information.

3. Acronyms

ABM—Alphamin Bisie Mining

ANR—*Agence Nationale de Renseignements* (National Intelligence Agency of DRC)

ASM—Artisanal and small-scale mining

ASMRP—Artisanal and Small-scale Mining Repositioning Program of ABM

BEDEWA—*Le Bureau d'Études et d'appui au Développement du territoire de Walikale* (The Office of Studies and Help for the Development of Walikale Territory)

CAIMB—*Le Comité d'Accompagnement de l'Implementation de la Mine à Bisie* (Committee to Accompany ABM during the implementation and opening of its Mine at Bisie)

CAPCA—*Comité d'Accompagnement des Projets Communautaires d'Lowa Alliance* (Committee of Support of Community Projects of Lowa Alliance)

CEEC—*Centre d'Expertise, d'Évaluation et de Certification des Substances Minérales Précieuses et Semi-précieuses* (Center for Expertise, Evaluation and Certification of precious and semi-precious mineral substances)

CNLFM—National Commission to Combat Mineral Fraud (*Commission Nationale de la Lutte contre la Fraude Minière*)

DRC—Democratic Republic of the Congo (*République Démocratique du Congo*)

ESHIA—Environmental, Safety, and Health Impact Assessment

FARDC—*Forces Armées de la République Démocratique du Congo* (Armed Forces of the Democratic Republic of the Congo)

FEC—*Fédération des Entreprises du Congo* (Federation of Businesses of Congo)

GATT-RN—*Le Groupe d'Appui à la Traçabilité et la Transparence dans la gestion des Ressources naturelles* (The Support Group for Traceability and Transparency in the Management of Natural Resources)

GoE—Group of Experts

ICGLR—International Conference on the Great Lakes Region (*Conférence Internationale sur le Région des Grands Lacs*)

IFC—International Finance Corporation

IPIS—International Peace Information Service

ITRI—International Tin Research Institute (the former name for the International Tin Association, ITA)

iTSCi—ITRI Tin Supply Chain Initiative

MISEREOR—The German Catholic Bishops' Organization for Development Cooperation

MNC/CIRGL-DRC—*Mécanisme nationale de coordination de la Conférence Internationale sur la Région des Grands Lacs* (The National Mechanism of Coordination of the International Conference on the Great Lakes Region)

MONUSCO—United Nations Organization Stabilization Mission in the Democratic Republic of the Congo

MOU—Memorandum of Understanding

MPC—Mining and Processing Congo (former name of ABM SA)

PNC—*Police Nationale Congolaise* (Congolese National Police)

PMH—*Police des Mines et Hydrocarbures* (Mines and Hydrocarbons Police)

SEDAR—System for Electronic Document Analysis and Retrieval (the electronic filing system for information provided to Canadian securities regulatory authorities)

4. Background

Tin is a metal used in a variety of commercial applications, including chemicals, plating, solder, and alloys.³ In 2004, international demand for tin surged after new environmental regulations in Japan and the European Union required manufacturers to curb the use of lead in circuit boards for electronics.⁴ This in turn led to a spike in prices and increased exploration and production of tin reserves.

Most tin is smelted from cassiterite (tin oxide or SnO₂), a mineral typically found in granite and other igneous rocks, often near deposits of tantalum (coltan), tungsten, and other minerals.⁵ The Democratic Republic of the Congo has the largest known deposits of cassiterite in Africa and is the continent's principal producer.⁶ First discovered in 1933,⁷ Congo's tin fields span a large area in eastern Congo including the provinces of Haut-Katanga, Tanganyika, Maniema, South Kivu, and North Kivu.⁸

In North Kivu province, the territory of Walikale has recently become the center of Congo's cassiterite mining. Walikale sits at the eastern edge of the Congo Basin, bordering Maniema and South Kivu provinces. The territory contains a vast equatorial forest as well as numerous waterways, the largest of which is the Lowa River.

Walikale is the largest of the six territories in North Kivu province. It covers about three-quarters the area of Belgium and is nearly the size of nearby Rwanda, but due to the expansive forest and isolation (*enclavement*) caused by poor infrastructure, the territory is sparsely populated. Most settlements are along one of two main roads, both of which pass through the territorial capital, called Walikale Center. National Route 3 connects Walikale Territory to Kisangani and Bukavu, and the other major roadway (RP 529) links Walikale Center to Goma (map 1).

Unlike many of the areas around it, very limited industrial mining took place in Walikale Territory during the colonial era. Its mineral wealth was largely concealed within the dense forest until around 2000,⁹ when an international spike in demand for cassiterite and coltan (also used in electronics like cell phones and laptop computers) brought miners to Bisie's granite outcroppings. Despite its remote location—in the forest about 26 km (16 miles) linear distance from the nearest road (National Route 3)—Bisie quickly became a significant artisanal mining site.

The Bisie site takes its name from a stream that flows at the base of a mineral-rich hill called Mpama. Bisie's early artisanal miners harvested coltan and bauxite,¹⁰ but the hillside's most abundant mineral was cassiterite. The main access route to Bisie was a footpath through the forest from the town of Ndjingala, which stretched about 35 to 40 km (22-25 miles) through the forest. Despite the logistical challenges, people moved to Bisie by the hundreds during the early 2000s, cutting down trees and clearing land to facilitate mining and to build settlements.

The primary Bisie site—mines and settlements included—was relatively small, covering only about 2 km² (0.75 mi²) at its peak.¹¹ The principal encampment was called Ma Noire, located in a riparian area at the base of Mpama hill and so-named for the black rocks mined in that area. From Ma Noire, miners walked to various mine sites, each named after the amount of time it took to walk there. The most productive sites were underground and surface operations called 15 Minutes and 45 Minutes on the west side of Mpama hill. A second settlement called Ma Rougé, because of its red rocks, grew up on the ridgeline east of the 45 Minutes site.¹²



Map 1. Walikale Territory and environs

Bisie quickly became the most fertile cassiterite mine in DRC. Although precise production numbers are elusive, Bisie might have been the origin of 70% of Congo’s cassiterite production during the period 2004 to 2010,¹³ amounting to several thousand metric tons per year.¹⁴ Bisie’s remote location and isolation required porters to make a 1-to-2 day trek carrying 50 kg (110 lb.) sacks of rocks to the trailhead at Ndjingala, where some was stored and some was put in trucks for stockpiling down the road in Mubi.¹⁵



A man in Ndjingala at the trailhead of the path to Bisie, December 2018

Overland transport to Goma and Bukavu—where the merchants who purchased Bisie’s cassiterite were based—was difficult and insecure. The roads were (and remain) dilapidated, and for many years, various rebel groups controlled parts of the routes. As a result, most of the supply was ferried out in two-tonne loads in small planes that landed on a paved stretch of National Route 3 at Kilambo.¹⁶ Some of Bisie’s cassiterite landed in Bukavu, but most arrived in Goma from where it was either officially exported or smuggled to foreign markets.¹⁷

4.1 The Legacy of Artisanal Mining at Bisie

Artisanal mining existed for about 15 years at Bisie, from 2002 until 2017. During that time, cassiterite production directly and indirectly employed thousands of people per

year. But despite extracting millions of kilograms of rocks worth tens of millions of dollars, artisanal mining produced no discernible lasting, positive effect on Walikale Territory.

At the peak of its mining boom, prior to 2010, Bisie was home to about 10-15,000 people,¹⁸ including up to 2,500 miners (see Table 1). Many Migrants came to Bisie from other provinces, especially South Kivu, and even from foreign countries. Yet economic insecurity was high as incomes fluctuated and many Bisie residents were indebted to small businessmen and moneylenders.¹⁹

Source	Year	Estimated # of miners
Pole Institute ²⁰	2007	1,000
Garrett ²¹	2007	1,732
IPIS ²²	2009	2,500
Rudahigwa (Pole Institute) ²³	2010	2,000
UN GoE ²⁴	2010	2,000
IPIS	2013	2,000
IPIS	2015	539
ABM ²⁵	2016	800-900
IPIS	2017	1,116

Table 1. Estimated numbers of artisanal miners at Bisie, 2007 to 2017

With no effective regulation of mining activity at Bisie, miners also faced the daily prospect of death or injury, for example from landslides or cave-ins.²⁶ Porters carrying large, heavy sacks of rocks over rough terrain for 35-40 km (22-25 miles) also faced grave risks.²⁷ Women faced numerous challenges at Bisie, including being banned from the pits after male miners accused some women of witchcraft.²⁸

Artisanal mining has the potential to provide viable livelihoods and advance socio-economic development,²⁹ but in Bisie it was characterized by corruption and violence. As has been amply described in numerous reports,³⁰ a dynamic network of elite actors—including local authorities, mining cooperatives, rebel groups, army officers, business operators, and cassiterite traders—organized the production and trade of cassiterite to enrich themselves at the expense of the miners and communities in the area. Numerous violent attacks took place within and around Bisie, often directly related to control of profits from artisanal mining and attempts to forestall industrial mining.³¹

The networks that managed the production and trade of cassiterite arguably prolonged conflict and insecurity in Walikale in order to retain its ability to profit from the labor of Bisie’s miners and porters. From roughly 2006 until 2011, two brigades of the Congolese army (*Forces Armées de la*

République Démocratique du Congo, FARDC) militarized and profited from artisanal mining at Bisie.³² As noted by Global Witness in 2011, Walikale’s mineral wealth provided “a major incentive for elements of the [Congolese] army to foment conditions of violence and instability as a pretext for their continued presence in mining areas.”³³

After FARDC departed Bisie in 2011, a notorious rebel group moved in. From August 2011 to February 2012, the Mai Mai Sheka armed group, also known as Nduma Defense Congo, occupied Bisie.³⁴ Its leader, Sheka Ntabo Ntaberi, had been a member of one of the cooperatives at Bisie (COMIMPA)³⁵ and had close ties to the Bangandula clan, which is the customary owner of the Bisie land.³⁶ Sheka worked closely with Bangandula leaders to tax mining and trade.³⁷ (Sheka surrendered to MONUSCO in September 2017; as of April 2019 he was on trial in a Congolese military court in Goma for various crimes including mass killings and rape, as well as the use of child soldiers.³⁸)

In return for enduring years of militarized control, having to pay illegal taxes, and doing the backbreaking work of supplying tin ore for foreign markets, the residents of Bisie received almost nothing. In the words of Primo Pascal Rudahigwa, who visited Bisie in January 2010, “Those who benefit[ed] from the minerals of Bisie live[d] elsewhere.”³⁹

And beyond Bisie—out on National Route 3, where cash flowed freely during the boom years in towns like Ndjingala and Mubi—there is little to show for the treasure that passed by on its way to foreign markets. As several people interviewed for this report said, you cannot point to one hospital, one bridge, or one water source that was built by the criminal network that traded away the territory’s wealth.

The legacy of artisanal mining in Bisie is a dualism. One aspect is profoundly negative: the three pillars of criminality, conflict, and poverty that characterized the artisanal era. But the second is more favorable: the years of digging demonstrated the size and quality of the tin ore deposits, and made industrial exploitation economically attractive for further exploration and ultimately development. Large-scale industrial mining has the potential to create significant, lasting, and positive effects for local communities, as well as sustained legal tax revenue for the local, provincial, and national governments.

Indeed, the promise of a better future through industrial mining was the thread that wove through a years-long process of discussion and negotiation among local communities, government authorities, and the industrial company, finally leading to agreements signed in 2016 that enabled ABM to construct the Bisie mine and to launch the Lowa Alliance.

4.2 The Bisie Tin Project

ABM is planning to begin production of cassiterite and tin concentrate in April 2019 at Bisie, but the path to this point has been long and arduous.

In 2006, several years after artisanal mining began at Bisie, the DRC government issued a research permit (PR 5266) to Mining and Processing Congo (MPC) SPRL for exploration at Bisie. MPC established an office on the Mpama ridge between 45 and 15 Minutes, but its presence threatened the interests of the mining cooperatives, businessmen, and military officers who profited from artisanal production. In 2006, 2007, and 2008, MPC staff and offices were attacked,⁴⁰ leading the company to obtain the legal status of force majeure, which was in effect from 2009 to 2012.⁴¹

In 2012, Alphamin Resources Corporation completed its acquisition of MPC and its mineral rights for the Bisie Tin Project.⁴² (Alphamin did not change MPC’s name to Alphamin Bisie Mining (ABM) until 2015.⁴³) MPC’s research permit gave Alphamin exclusive right to explore the permit area and to take samples for analysis at a laboratory or factory of the company’s choosing.⁴⁴ MPC lifted the force majeure due to improved security conditions and commenced exploratory drilling in July 2012,⁴⁵ which showed high-grade cassiterite deposits in Mpama North (in the area formerly known as Gecamines, or 45 Minutes).⁴⁶

During 2013, as MPC continued its exploratory activities and sought financing to move the project forward, artisanal mining continued in Bisie. The artisanal activities were technically illegal, since the Ministry of Mines had not declared the site an “artisanal exploitation zone” (*un zone d’exploitation artisanale*), in accordance with the national Mining Code.⁴⁷ In addition, artisanal miners had for many years violated the Mining Code by digging tunnels up to 150 meters deep⁴⁸—far in excess of the maximum legal depth of 30 meters.⁴⁹

MPC’s exploration activities were interrupted several times due to insecurity. In November 2012, MPC withdrew its staff from Bisie due to threats posed by Mai Mai Sheka.⁵⁰ MPC returned to Bisie in March 2013, but the situation remained volatile. On two occasions in 2013, official missions to assess the potential for validation of artisanal mining at Bisie were canceled due to the actions of Sheka’s group.⁵¹ In August 2013, Alphamin evacuated its staff due to the arrival in Bisie of militants from the Mai Mai Simba group, who were in conflict with Mai Mai Sheka.⁵² On November 9, 2013, locals raided MPC’s camp and damaged company equipment and assets.⁵³

In March 2014, a joint mission by MONUSCO and a representative from Walikale office of the provincial Division des Mines visited Bisie to assess the potential for validation of artisanal mining sites. Due to several factors—including MPC’s disinterest in artisanal validation, insecurity in the Bisie area, the dangerous conditions of the mining activities, and the prevalence of illegal taxes—the joint mission advised against considering Bisie for artisanal mining certification.⁵⁴ Artisanal mining thus remained illegal.

Probably the most serious threat to Alphamin’s work came on July 16, 2014. At around noon, Sheka’s rebels attacked and looted the camp on Mpama ridge.⁵⁵ Immediately following this assault, artisanal miners from Ma Noire arrived and began looting MPC’s property.⁵⁶ They destroyed two drilling machines, broke the exploratory sample cores, and burned the company’s camp.⁵⁷ Alphamin immediately suspended all exploration activities and evacuated the site.⁵⁸ (ABM has said it received information that a rogue ASM trader of South African origin based in Rwanda planned and financed the attack.⁵⁹) The governor of North Kivu subsequently issued a decree suspending the activities of three cooperatives at Bisie that were implicated in the violence and demanding that all miners leave the site.⁶⁰ Alphamin resumed operations in September 2014 at Bisie.⁶¹

On February 3, 2015, the Congolese Ministry of Mines granted a production permit (PE 13155) for the Bisie mine in response to MPC’s feasibility study and environmental impact assessment.⁶² This event carried great legal significance. Under the national Mining Code, the production permit conferred the exclusive right to Alphamin to research, development, construction, and production of minerals within the permit area.⁶³ Artisanal mining had already been illegal at Bisie because the site was not validated, but after the government issued the production permit, further artisanal mining at Bisie effectively constituted theft from Alphamin.

A final bout of troubles hit in March 2015. On March 6, two days after a disagreement between MPC staff and artisanal miners at the 45 Minutes site about installation of a drill,⁶⁴ a group of about 35 miners and eight women marched on MPC’s camp. Some among the miners fired shots toward the MPC camp, reportedly utilizing the women as human shields.⁶⁵ The mining police (*Police des Mines et Hydrocarbures*, PMH) kept the group from approaching ABM’s camp, in turn, by firing in the air. The PMH arrested five people and seized five guns from the protestors.⁶⁶

The then-Territorial Administrator of Walikale, Marie-Claire Bangwene, immediately ordered the evacuation

of all artisanal miners and traders from 45 Minutes.⁶⁷ The cooperatives—which had been suspended by government decree after the July 2014 attack on ABM’s camp—claimed that buildings had been burned and goods looted when people left 45 Minutes; however, no corroborating evidence emerged to support these charges.⁶⁸

Following these incidents, Alphamin kept its staff in Bisie and moved forward with exploration. The company started construction of a road to the project site and advanced its community development program (discussed further, below). On March 25, 2015,⁶⁹ Alphamin changed MPC’s formal name to Alphamin Bisie Mining, Société Anonyme (ABM SA).⁷⁰

During 2016, ABM continued to get positive results from its exploration and was able to begin raising capital. In September 2016, ABM completed construction of a new road stretching 32 km (20 miles) from Logu, on National Route 3, to the Bisie mine (the road was later extended to a total length of 38 km).⁷¹ This enabled ABM in 2017 to start transporting construction equipment and supplies, as well as underground mining equipment to the project site.⁷² Mine construction began in the third quarter of 2017, and construction of the processing plant began in 2018.⁷³

In retrospect, the events of March 2015 were a turning point. After that final spasm of conflict at Bisie, ABM advanced its exploration activities and raised the capital needed to fund construction. ABM also collaboratively developed a plan to reduce and ultimately end artisanal mining in its permit area and formalized its commitment to community development in an April 2016 memorandum of understanding (see Annex 1).⁷⁴ Resistance to ABM did not completely disappear, but after March 2015, hostility declined as community perspectives shifted toward viewing industrial mining as the key to a better future in Walikale.⁷⁵

4.3 The Kinshasa Agreement

As ABM moved from exploration to construction of the Bisie mine, it started planning how to end artisanal mining and relocate the miners. After February 2015, when the DRC government granted ABM a production permit, artisanal mining became doubly illegal because the un-validated site was now in the middle of an industrial exploitation zone. The last attempt to determine if a validation mission was possible had taken place in March 2014, when a MONUSCO-led team found that activity at Bisie was too insecure, unsafe, and corrupt to merit consideration for validation.⁷⁶ Moreover, ABM had to formally grant permission for a validation mission and ASM mining to take place in its permit area,⁷⁷ which was not agreeable to the company⁷⁸

ABM could not easily curtail artisanal mining in its permit area, but doing so was critical to assuring the long-term security needed to move the industrial project forward. The company repeatedly raised its concerns about the illegality of mining in its concession to national and international agencies, and called their attention to security and safety issues, such as the seizure of weapons cached around Bisie and the illegal use of explosives in artisanal pits.⁷⁹ Yet these entreaties failed to stir the Ministry of Mines, the International Tin Research Institute's Supply Chain Initiative (iTSCi), or other vested interests into action.

Finally, in December 2016, North Kivu's Governor, Julien Paluku Kahongya, took the first step forward by creating a Committee to Accompany ABM in Implementing its Mine at Bisie (*Le Comité Accompagnera l'ABM dans la mise en œuvre de sa Mine à Bisie*, CAIMB) to support and advise the industrial mine, including in the areas of security and artisanal mining.⁸⁰

In February 2017, the National Commission to Combat Mineral Fraud (*Commission Nationale de la Lutte contre la Fraude Minière*, CNLFM) got involved. Created in 2010 in response to the Dodd-Frank Act,⁸¹ the CNLFM is an inter-ministerial commission led the Ministry of Mines' Center for Expertise, Evaluation, and Certification (CEEC) of mineral substances to prevent and address fraud in mineral supply chains.

The provincial branch of the CNLFM started its work by undertaking an investigation of the illicit production and trade of minerals in Bisie. The commission found that local authorities were illegally taxing the minerals being produced illegally at the un-validated Bisie site. But of greater significance, the CNLFM also confirmed the existence of a criminal network that included Bisie-based cooperatives, local authorities, iTSCi agents, and large exporters (*comptoirs*) in Goma, which had conspired to identify minerals from Bisie as coming from validated sites, in a process which they called *originalisation*.⁸²

This network applied official "validated" iTSCi tags to sacks of Bisie minerals,⁸³ which allowed exporters to sell the minerals at a higher price than they could get for un-tagged minerals that would have to be smuggled out of Congo. In August 2017, the UN Group of Experts on DRC said that ITRI Ltd.—then the secretariat for iTSCi—"authorized the tagging of cassiterite...from the non-validated site of Bisie between February and November 2016."⁸⁴ In October 2017, Alphamin requested clarification from iTSCi about this issue.⁸⁵ An iTSCi official responded by disputing the Group's claim but did not explain how iTSCi tags ended up on bags of minerals produced illegally at Bisie.⁸⁶

While the CNLFM conducted its investigation, ABM continued to inform global and DRC supply chain actors about the situation. In May 2017, at the annual meeting of the OECD Forum on Responsible Mineral Supply Chains in Paris, ABM organized a side session on mining in North Kivu. A major topic of discussion in this session was the ongoing artisanal production at Bisie and illegal exports of cassiterite from Walikale.⁸⁷ One outcome of this meeting was a commitment by key actors to formalize a process to resolve the dual problems of illegal artisanal mining at Bisie and the illicit trade in Bisie cassiterite.

The CNLFM organized the follow-up meeting on May 31 and June 1, 2017 in Kinshasa. Meeting attendees included various stakeholders from Walikale and North Kivu (including some of the exporters (called *négociants* in DRC) involved in the illegal tagging and trade of Bisie minerals), national government officials, ABM leaders, the Chamber of Mines of the national business federation (*Fédération des Entreprises du Congo*, FEC), and iTSCi staff. CNLFM invited representatives of the three suspended cooperatives to participate, but only one representative attended.⁸⁸

After two days of discussions and debate about the situation at Bisie, the attendees signed an agreement with 15 resolutions. The accord created four commissions that were tasked with resolving the issue of illegal minerals stocks, registering the remaining artisanal miners at Bisie, identifying and improving validated sites where the artisanal miners could work, and promoting information about the process and plans.⁸⁹

The Kinshasa agreement heralded the conclusion of artisanal mining at Bisie and the end of the illegal trade in Bisie's cassiterite. Work began almost immediately to figure out what to do with thousands of sacks of tin ore sitting in Bisie, Ndjingala, and Mubi, which was mined in the un-validated Bisie site, and therefore did not meet the criteria for official, conflict-free certification and export.⁹⁰

5. The Miner Migration Process

In light of the long history of violence at Bisie, the CNLFM and ABM wanted to secure the voluntary migration of miners from the site. In June 2017, when the CNLFM began designing such a process, the memories of past violence were still fresh among ABM staff.⁹¹ Only three years had passed since ABM's camp had been burned to the ground, and just over two years earlier, men with guns had marched toward and fired over the heads of company staff.

To coordinate the company's work with the CNLFM, ABM assigned its Artisanal & Small Scale Mining Repositioning Program (ASMRP), which consisted of three ABM staff, to liaise with the CNLFM. The CNLFM created a Monitoring Committee for the process, which was led by the deputy prosecutor from the Prosecutor General's office in Goma and included local authorities, mines services staff, and ASMRP.

By late June 2017, the collaborative work of the CNLFM and ASMRP produced a plan that had four elements. The first involved resolving the "residual stocks" consigned at Ndjingala. The second was a registration process for artisanal miners, who would receive an official identification card from the provincial government, which allowed them to continue to work and sell their production during a seven-month moratorium. Third was the evaluation of other artisanal mining sites that could be improved to accommodate miners from Bisie. The last part was a process of giving miners three options, each with its own incentives but all rooted in the understanding that they required voluntary migration at the end of the moratorium period.

5.1 The Ndjingala Stocks

The commission charged with resolving the stocks in Ndjingala first had to ascertain the origin of the minerals and their owners.⁹² Once this identification process was complete, the Kinshasa accord called for creation of a process to enable the sale of the minerals,⁹³ despite the fact that they were produced at an un-validated site on an industrial concession.

The commission determined that the Ndjingala stocks consisted of about 370 metric tons of cassiterite, nearly all of which had been illegally mined at Bisie.⁹⁴ Moreover, the commission identified government officials and iTSCi staff who had been involved in the *originalisation* scheme to fraudulently tag and export Bisie cassiterite, leading to sanctioning of some staff.

Next, the commission created a process to clear the stocks. After the owners of the minerals paid a nominal fine of \$80 per metric ton, iTSCi would tag the minerals, which allowed them to be legally exported and sold at market prices.⁹⁵ The powerful financial interests—namely the *comptoirs* in Goma—that had profited for years from the illegal mining and violence in Bisie agreed to this solution. This process also improved the relations among the *comptoirs*, the CNLFM, and ABM, leading to further agreements that allowed the *comptoirs* to purchase minerals from miners during the moratorium.⁹⁶

5.2 Registration and Moratorium

The miner registration process was the foundation of the entire plan. CNLFM and ASMRP needed to know exactly with whom they were dealing in order to allow the artisanal miners to work legally during the moratorium, and to create a departure plan and select alternative mining sites.

The number of miners at Bisie fluctuated greatly over time. In its period of peak production, during 2009 and 2010,⁹⁷ perhaps 2,500 miners worked at Bisie (see Table 1). During the mining ban ordered by President Kabila that lasted between September 2010 and March 2011,⁹⁸ many miners left Bisie.⁹⁹ Although some later returned, there was another exodus in 2015 after police cleared the large artisanal site of 45 Minutes. A further migration took place in early 2016 after a deal among iTSCi, the DRC government, and other global supply chain actors allowed "residual stocks" of cassiterite to be legally exported from Bisie.¹⁰⁰ In August 2017, IPIS estimated there were about 1,100 miners left in Bisie.¹⁰¹

The Kinshasa accord gave artisanal miners seven months to leave Bisie from June 1, when the accord was signed;¹⁰² this meant everyone should depart by the end of December 2017, but the end date was later pushed back to January 2018. CNLFM kicked off the process with awareness-raising meetings held throughout Walikale Territory, led by the president of North Kivu Civil Society and the president of the provincial *négociants* association.¹⁰³

On June 21, 2017, CNLFM organized a meeting in Ma Noire to inform the community about the terms of the accord, the process for registration, the moratorium period, and the creation of plans for miners' voluntary migration. Representatives from CNLFM including the North Kivu Minister of Mines and other provincial and local authorities

attended this meeting, along with ABM’s ASMRP team and hundreds of residents of Ma Noire. Prompted in part by aggressive and threatening behavior by some cooperative leaders toward CNLFM members during the meeting,¹⁰⁴ the CNLFM subsequently deployed 35 police (PMH) and soldiers (from a Military Justice unit) to Ma Noire to provide additional security.¹⁰⁵

The registration process began shortly after the community meeting in Ma Noire and finished in early July. Spoilers among the cooperatives and miners initially tried to discourage people from registering, and even attacked and broke the arm of the first miner who registered.¹⁰⁶ The CNLFM leadership, including the provincial Minister of Mines, repeatedly visited Ma Noire to explain the process and encourage people to register. As a result, the provincial Ministry of Mines issued 1,055 biometric cards to people who claimed to be miners or porters.¹⁰⁷ This figure was broadly consistent with IPIS’s 2017 estimate of miners in Bisie (see Table 1), but among the registrants were some residents of Ma Noire who believed they needed the card to continue residing in the town, as well as others who believed they would derive some benefit by registering as a miner.¹⁰⁸

The registration process confirmed impressions that most of the people living and working in Bisie were not locals. Of 1,055 people who registered, 607 (58%) were from South Kivu province (see Table 2). Of the 321 registrants (30%) from North Kivu, 232 people (22% of total registrants) were from Walikale Territory.

Province	Number
Maniema	67
North Kivu	321
Other	60
South Kivu	607
Total	1,055

Table 2. Province of origin of registrants at Ma Noire, July 2017¹⁰⁹

Accompanying the registration process was the creation of a new system of control for access of the 15 Minutes site. Starting in July, a siren sounded every morning at 6 a.m. to announce 15 Minutes was “open.” Miners had to show their card at a checkpoint at the edge of Ma Noire village, at the head of the trail leading to 15 Minutes, and officially log in before going to work.¹¹⁰ The siren blared again at 5 p.m. to alert miners they had 30 minutes to vacate the site.¹¹¹



Former checkpoint at Ma Noire in November 2018

A PMH outpost at the 15 Minutes site monitored the miners to make sure everyone working there had a valid registration card. Three former miners who worked at 15 Minutes during the moratorium said that PMH chased away some people who sneaked into the mine site, and in some cases, arrested people who were there after hours.¹¹² The same miners said that the rules about working in 15 Minutes during the moratorium were clear and well understood within the artisanal mining community at Ma Noire.

Although more than one thousand people signed up for cards, not everyone was working at 15 Minutes. Between September 11 and October 11, 2017, a total of 507 people officially logged in to access 15 Minutes, according to a logbook kept by ASMRP.¹¹³ Based on the logbook and ASMRP’s interviews with miners, ABM estimated that about 650 people actually worked at 15 Minutes at some point between July and December 2017.¹¹⁴

Consistent with the June 1 agreement, ABM allowed Goma-based exporters to purchase the minerals produced during the moratorium period at Bisie. ABM signed agreements with five exporting *comptoirs* that required each buyer to adhere to the legal frameworks and safety requirements for mineral production, as well as support a local development project.¹¹⁵ iTSCi validated and tagged about 363 tonnes of minerals that the five companies exported.¹¹⁶ ABM facilitated this process by allowing trucks to load minerals near Ma Noire, thus obviating the need for porters to carry the minerals to Ndjingala.

5.3 The Three Options

In parallel with the registration process, the CNLFM and ASMRP began to design a departure plan for the artisanal miners at Ma Noire. During this process, ASMRP staff sought to adapt the requirements of the International Finance Corporation's (IFC) Performance Standards to develop an "ASM Plan" and to comply with the Voluntary Principles on Security and Human Rights (Voluntary Principles).¹¹⁷ The IFC standards describe a company's responsibilities for managing the environmental and social risks of projects, while the Voluntary Principles provide guidance on managing security and human rights risks.¹¹⁸

The CNLFM and ASMRP consulted with artisanal miners and pit bosses in Ma Noire regarding their preferred options at the end of the moratorium. The result was a plan with three choices:

- to receive a monetary payout to return home (only about 20 percent of registrants were from Walikale);
- to receive cash and a mining kit to continue working as an artisanal miner in Kalay Boeing, a validated cassiterite mine near Bisie, which would receive several improvements (optimization); or
- to work for ABM or its subcontractors.

During October 2017, ASMRP staff met individually with 648 people out of the 1,055 who had initially received biometric cards. In Ma Noire, the staff surveyed each person about their preference among the three options and had each person sign the survey form. About 550 people (85%) chose to "return home," about 50 (7.5%) chose to continue mining at a new site, and about 50 chose to work for ABM.¹¹⁹



House in Ma Noire, November 2018

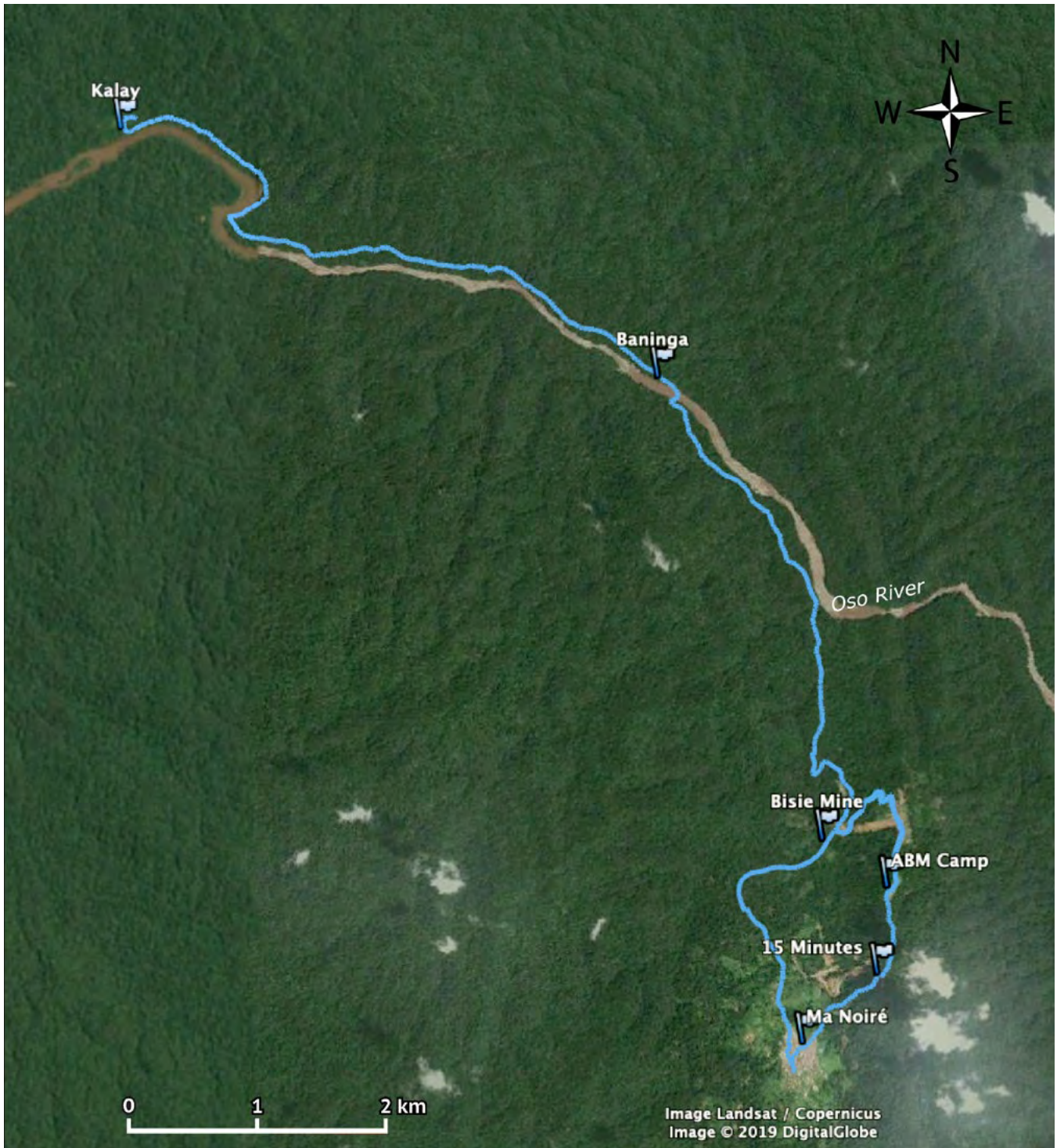
ABM believes that the 648 cardholders who participated in the survey roughly correspond to the number of people who were actually engaged in mining during the moratorium.¹²⁰ There is no clear reason why 411 people who registered for cards in June and July failed to participate in the ASMRP survey. Some may have temporarily or permanently left Ma Noire, while others may have originally registered because they believed it was required to continue living in Ma Noire or because they thought it would help them to access benefits at the end of the moratorium period.¹²¹

5.4 Finalizing the Departure Plan

After cardholders made their choices, the Monitoring Committee of the CNLFM used the survey information to finalize the design of the departure plan. Several changes were made to various options, but these were communicated to the Ma Noire community through public meetings and sensitization efforts involving the pit owners at 15 Minutes prior. Although the official end of the seven-month period was January 1, 2018, as specified in the June 1, 2017 Kinshasa accord, the Monitoring Committee—which worked closely with ASMRP—informally extended this for several weeks.

The popular return-home option required the most planning. The CNLFM Monitoring Committee approved payments of \$250 each for departing miners and \$800 for departing pit owners. One owner of seven pits and a cassava field received \$2,000. The committee also considered about 30 "special cases," which resulted in payments of \$250 to \$900 to each person.

ASMRP wanted to make staggered payments in accordance with guidance in IFC Performance Standard 5.¹²² The initial plan was to transport people to Biruwe, on National Route 3, where they would get \$100 each, with the final payment of \$150 made once they returned to their home or desired location. On December 14, 2017—the day before the departure operation began—miners at Ma Noire demanded immediate payment of the entire sum before leaving. After negotiations with the CNLFM, the miners agreed to let ABM pay each registered person \$100 at Bonjour—a small settlement near Ma Noire where miners and their families would board trucks—and give each registrant the final \$150 at the Wassa *groupement* office in Biruwe.



Map 2. Kalay Boeing and Bisie

Another commission authorized by the Kinshasa accord finalized the continue-artisanal-mining option. With a mandate to identify sites sufficiently large and productive to accommodate all 1,055 people who had registered as miners, this commission evaluated evidence gathered by geologists and other researchers at various locations in Walikale Territory.¹²³ The commission focused on sites the Ministry of Mines had already validated as “green,” meaning those areas were conflict-free and had met other administrative and socio-economic criteria.¹²⁴ During 2015 and 2016, the ministry had validated 19 mining sites and 10 artisanal exploitation zones in Walikale.¹²⁵

In November 2017, the alternative sites commission selected four of the validated locations,¹²⁶ but since only 50 miners and pit owners chose this option, the commission chose Kalay Boeing as the primary alternative site. Kalay Boeing was the closest validated mine site to Bisie (see Map 2).¹²⁷ Poised on the east bank of the Oso River and surrounded by forest, Kalay Boeing is about 9 km (5.6 miles) linear distance northwest of Ma Noire, or, measured in time, about a 4-5 hour hike through the forest and across the Oso at Baninga. Kalay’s mining site is on Mont Agoma,¹²⁸ about 1.2 km (0.75 miles) linear distance from Kalay, or about a 45-minute walk.¹²⁹

The CNLFM and ABM planned to undertake a program of “optimization” (*viabilisation* in French) at Kalay Boeing to help the community and mining site absorb the Bisie miners and improve productivity.¹³⁰ The North Kivu Ministry of Mines and three exporting companies—which had illegally sourced from Bisie in the past but signed the June 1 Kinshasa accord—also financially supported this program. The optimization would involve three projects:

1. Providing a water tank and improved water supply for the mining site to expand the washing of minerals on site.
2. Improving the route from Kalay Boeing to Biruwe, on National Route 3. The linear distance between the towns is 27 km (17 miles), but the trail is somewhat longer. Porters carrying 50 kg (110 lbs.) sacks of cassiterite rocks take about 36 hours to complete this distance, but CNLFM said it would upgrade the path to make it usable by bicycles and motorcycles.
3. Donating a motor for the boat used to ferry people and sacks of cassiterite across the Oso River from Kalay Boeing to the trail that leads to Biruwe.

The final element of the departure plan was the employment of Bisie miners. The employment issue had political overtones because many of the miners were from other parts of Congo (see Table 2) and local leaders in Walikale from the *groupements* closest to Bisie wanted the company to prioritize hiring the indigenous community. But the results of the survey—which showed only about 50 miners wanting to work for ABM—helped to limit controversy.

ABM hired 26 artisanal miners in November 2017, during the moratorium, to work on construction of the road from Logu to Bisie. ABM and its subcontractors later hired the rest of the miners who chose this option.

Bisie’s artisanal miners generally had many skills and were hard workers, but their experience was not easily transferable to the highly technical positions needed to build an industrial mine and processing plant. As discussed further below, ABM and its subcontractors provided on-the-job training to former artisanal miners and local community members on issues ranging from using heavy machinery to following safety procedures.

As the end of the moratorium approached, the CNLFM Monitoring Committee and ASMRP held meetings with the community in Ma Noire to inform them about the final plans and the dates for departure.¹³¹ ABM also paid \$35,000 to pit owners for their assistance in developing lists of those who would leave Ma Noire.



Motorized boat at Kalay Boeing, November 2018

5.5 The Departure

The departure operation started on December 15 and lasted for eight days, ending on December 22. The CNLFM Monitoring Committee was in charge of the operation, but ABM staff helped to implement it. The main effort involved transporting 822 people from Bisie to various points on National Route 3, but the operation also included disbursement of money and kits to those going directly to Kalay Boeing by footpath from Bisie.

ABM rented three large, open-roof trucks from merchants in Kisangani to transport those who chose to “return home.” ABM’s costs included \$15,600 for the trucks, \$2,300 for fuel, and expenses for the drivers and other ABM staff that oversaw the departure.¹³²

The first day of the transportation process went smoothly. ABM paid each cardholder \$100 at Bonjour, and then miners and families boarded three trucks for the trip to Biruwe. In Biruwe, ABM staff collected the registration cards and had each person sign a form (*Acte d’Engagement Personnel*), written in French, which affirmed the signatory was freely and definitively leaving ABM’s site. The form also stated that the signer would not demand anything further from ABM, and that no one else could make a claim on the signer’s behalf. Finally, the form said that the signer wished ABM full success. ABM staff verbally summarized the language of the form into Swahili for registered miners and pit owners that could not read French. After the cards were collected and the forms signed, ABM paid each miner the remaining \$150 in cash.

On the second day, December 16, an incident at Biruwe necessitated a change in plans. Only two trucks were available that day, which transported 68 people (see Table 3). The trucks arrived at 4 p.m. in Biruwe. ABM staff began to collect miners’ cards, have them sign the forms, and pay them the \$150 balance. While the out-processing was going on, a drunken soldier caused a disturbance outside the office, which escalated when other soldiers arrived on the scene. ABM staff became concerned not only for their own safety, but also for the security of the miners and their families. ABM staff believed that if they departed and left the others behind, the soldiers in Biruwe might extort or rob the miners and their families.

ABM staff quickly organized everyone to re-board the trucks, drove them back to Logu, and then continued the disbursements at the Luuka primary school. From there, ABM took everyone to Mubi. ABM staff acknowledged that it was not optimal to have deposited two truckloads of people at night in Mubi, but believed it was important to move the group farther away from the predatory soldiers in Biruwe.¹³³ Due to ongoing security concerns, from December 17-22, ABM gave the initial payment at Bonjour, finished the paperwork and made the final payment in Logu, and then transported everyone to Mubi.

Date	Drop-off Location	Number			Total
		Men	Women	Children	
Dec. 15	Biruwe	75	19	14	108
Dec. 16	Ndjingala, Mubi	50	11	7	68
Dec. 17	Ndjingala, Mubi	90	15	12	117
Dec. 18	Ndjingala, Mubi	87	12	8	107
Dec. 19	Ndjingala, Mubi	75	22	9	106
Dec. 20	Ndjingala, Mubi	85	17	8	110
Dec. 21	Ndjingala, Mubi	83	20	5	108
Dec. 22	Ndjingala, Mubi	78	12	8	98
Total		623	128	71	822

Table 3. People transported from Bisie, December 15-22, 2017¹³⁴

The miners and pit owners who wanted to go to Kalay underwent a process similar to those who chose to return home. After turning in their registration cards and signing the form confirming their departure, the Kalay-bound miners received \$150 in cash plus a kit worth about \$100 consisting of tools, boots, clothing, and a tarp. Some miners who had declared an interest in returning home received \$250 in cash and went directly to Kalay, while pit owners who chose to go to Kalay got \$800 each plus the kit.

As noted above, some people who obtained a registration card at the start of the moratorium were probably not miners. This was confirmed through the registration lists of people who worked in 15 Minutes and the number of people who participated in the process to select among the options. The Monitoring Committee decided to offer \$50 each to such persons who returned the registration card and signed the departure form. As shown in Table 4, 179 people took advantage of this offer.

After the migration operation ended on December 22, 2017, fewer than 100 people remained in Ma Noire, including soldiers and police. An additional 27 miners and two pit owners who had not registered or otherwise been part of the miner migration process identified themselves to the CNLFM committee and requested assistance to return home. The committee authorized payment of \$150 to each of these miners and \$500 to each pit boss.

As shown in Table 4, ABM paid \$182,450 to 743 people during the departure operation. Including the additional expenses of paying for the trucks and fuel, as well as the payments to pit owners who helped create the departure lists, ABM says the entire cost of the operation was about \$272,000.¹³⁵

Category	Number of people	Cash paid per person (US\$)	Total cash paid (US\$)	Kit provided (value \$100)	Total value of cash and kit (US\$)
“Return home”	438	250	109,500	No	109,500
Pit owners “returning home”	22	800	17,600	No	17,600
Pit owners going to Kalay Boeing	8	800	6,400	Yes (8)	7,200
Miners going to Kalay Boeing (cash and kit)	24	150	3,600	Yes (24)	6,000
Miners going to Kalay Boeing (cash only)	9	250	2,250	No	2,250
People who turned in the card	179	50	8,950	No	8,950
Special cases	28	Various	24,400	No	24,400
Other	6	250	1,500	No	1,500
Non-registered miners	27	150	4,050	No	4,050
Non-registered pit owners	2	500	1,000	No	1,000
Total	743	-	179,250	-	182,450

Table 4. Payments to miners, pit owners, and others upon departure from Ma Noire, December 2017 and January 2018¹³⁶

6.0 Conclusion

Overall, the miner migration process was highly successful. At a site previously known for its violence, not one bullet was fired and no tear gas was used during the seven-month moratorium, including in the final exodus of more than 870 people from Ma Noire who went home or to Kalay Boeing. Credit is due to the CNLFM leadership in North Kivu, their technical staff on the ground in Bisie, and to ABM staff, particularly the ASMRP team and Security department. Provincial and local leaders, including civil society, also played key roles in negotiating solutions to complex problems that enabled the process to achieve a positive and peaceful outcome. Finally, the miners and others living at Ma Noire behaved responsibly and in accordance with the law.

Several themes emerged during interviews in Walikale Territory and Goma about why the operation was a success. One key element was the improved relations between ABM and the local communities in Ma Noire and Walikale Territory. The April 2016 memorandum of understanding that established the Lowa Alliance was a significant step forward.¹³⁷ The process to create the MOU involved regular dialogue and negotiations, leading to greater understanding and acceptance of the industrial project. ABM's initiation of

a development program before the mine was even built¹³⁸ also helped to marginalize the spoilers who wanted to preserve the corrupt and illegal exploitation at Bisie.

Another change that facilitated the process was the increased presence and positive active role of the national, provincial, and local governments. The North Kivu governor provided critical support in December 2016 when he created a committee to support the industrial mine.¹³⁹ In 2017, new FARDC and PMH troops deployed by the DRC government helped to stabilize the area. In addition, the CNLFM and its provincial team became committed partners with ABM, helping to dismantle the commercial networks that profited from illegal exploitation at Bisie.¹⁴⁰

ABM's outreach to the community also helped to build goodwill with local populations. The company's effort created a belief that the opening of an industrial mine by ABM was an important step forward for a better future for the people of Walikale. Local leaders in Logu, Ndjingala, Mubi, and Walikale, as well as Walikale community leaders living in Goma expressed this view during interviews conducted for this investigation.



View of the Bisie mine from Mpama hill, December 2018

ABM's application of the Voluntary Principles and the IFC Performance Standards during the design and implementation of the miner migration process also contributed to the operation's success. ABM conducted ongoing risk assessments and worked closely with CNLFM, PMH, FARDC, ANR, and others to identify and address security threats and potential human rights issues, in accordance with the Voluntary Principles.¹⁴¹ Moreover, ABM conducted assessments of the social and environmental effects of its Bisie project and worked closely with the CNLFM committee in charge of the design and implementation of the miner migration process, consistent with IFC Performance Standards 1 and 5.¹⁴²

The success of the miner migration process is evident in both the lack of violence during its last phase and the new, secure environment the departure created that has enabled ABM to develop its mine and processing plant. This has also allowed ABM to create employment for more than 1,500 Congolese people and to move forward with its community development work.

This investigation did not find any evidence of human rights violations during or after the migration process. There was no forcible eviction from Bisie or widespread, arbitrary arrests. Nearly 900 people voluntarily boarded trucks to leave Bisie or moved to Kalay Boeing to continue artisanal mining, with both groups receiving more than \$180,000 in cash and goods as they left Bisie.

Claims of abuses have been characterized by contradictions, exaggerations, and falsehood, which make the motivations of the detractors difficult to discern. The next chapter of Bisie's history is beginning, and with it, so is a new future for impoverished and isolated Walikale Territory. Robust discussions about ABM's social and economic engagement in Walikale Territory are useful and even desirable, but such debates should be rooted in fact.

Annex 1. Analysis of Allegations of Wrongdoing against Alphamin by local NGO's

ABM arguably deserves praise for its role in designing and implementing a successful artisanal miner migration process, and for creating significant local employment and an innovative community development program that is achieving concrete results. Yet running counter to these favorable outcomes is a different narrative, spread by a small number of people, which tells an inaccurate story of corporate malfeasance.

The principal critic is Prince Kihangi Kyamwami,ⁱ who has harshly criticized ABM using three platforms:

- As the secretary general of an NGO called BEDEWA (The Office of Studies and Help for the Development of Walikale Territory)
- As the chairman of an NGO called GATT-RN¹⁴³ (The Support Group for Traceability and Transparency in the Management of Natural Resources)
- As director of the Thematic Group for Mines and Natural Resources of North Kivu's Civil Society organization

In addition, in December 2018, Mr. Kihangi became a proclaimed provincial deputy for Walikale Territory, although his election was not legally validated as of April 2019.¹⁴⁴ Among Mr. Kihangi's principal collaborators are the Goma branch of Caritas, the Catholic Church's development unit; the German Catholic bishops' group MISEREOR;¹⁴⁵ and Fidel Baflemba, coordinator of GATT-RN.

Mr. Kihangi and his allies alleged in January 2018 that ABM was responsible for human rights abuses during the miner migration process; that ABM did not have an environmental management plan; and that ABM did not have a community development program. In a court filing in June 2018, Mr. Kihangi, Mr. Baflemba, the Goma director of Caritas, and several others asked the court to require ABM to pay \$2 billion and suspend the project.¹⁴⁶ The remainder of this annex examines ten issues raised by the detractors.

1. How many people left Bisie in 2017?

When artisanal mining was at its peak before the 2010 mining ban,¹⁴⁷ perhaps 2,500 miners and an additional 10,000 people worked and lived in Bisie. Many miners voluntarily left Bisie during the mining ban of 2010 to 2011,¹⁴⁸ and while some returned, assessments by IPIS and others suggest a much smaller population by 2017, when the miner migration process began (see Table 1).

Based on information from ABM and interviews conducted for this report during November and December 2018, it is likely that at least 870 people left Bisie at the end of the moratorium, including at least 670 ASM miners. ABM staff said they transported 822 people—including men, women, and children—during the departure operation from December 15-22, 2017 (see Table 3). In addition, 50 people chose the “continue artisanal mining” option in Kalay Boeing, of which about 43 received compensation (see Table 4). About 50 former ASM miners requested to work for ABM and its subcontractors, and presumably stayed in the Bisie area.

In contrast, ABM's critics have offered several different and much higher estimates:

- Between 5,000 and 10,000 miners were forced “to leave their mines” in recent years.¹⁴⁹
- There were more than 10,000 miners in 2017 in Bisie.¹⁵⁰
- About 10,000 people including miners were forced to leave Bisie in 2017.¹⁵¹
- About 2,400 people including miners left Bisie during the departure operation in December 2017.¹⁵²

It is difficult to know what to make of these figures. Years of reporting on Bisie never produced an estimate higher than 2,500 miners, so claims of 5,000 or 10,000 miners appear to be exaggerations. The same goes for claims of 2,400 or 10,000 people “forced” to leave Bisie in 2017: these appear to be fictional numbers intended to cause shock and alarm. The integrity and motivation of those who promote grossly exaggerated and patently false figures must be called to question.

2. Did people leave Bisie voluntarily?

Mr. Kihangi and his allies have repeatedly claimed that ABM forcibly evicted people from Bisie.¹⁵³ An investigation by the ICGLR National Coordinator for the DRC in March 2018 refuted this allegation,¹⁵⁴ and research conducted in November and December 2018 for this report reached the same conclusion: there was no forcible eviction from Bisie.

The authors of this report interviewed nine people who had lived and worked in Bisie in late 2017:

- four former miners still living in Ma Noire;
- two former miners who had moved to Kalay Boeing;

ⁱ Prince Kihangi is not royalty, despite his name.

- one former pit boss who had moved to Kalay Boeing; and
- two women who had lived in Ma Noire but moved to Kalay Boeing.¹⁵⁵

All nine people said they had clearly understood the process to end artisanal mining in Bisie. They each said that they had voluntarily stayed in Ma Noire (if awaiting employment) or migrated to Kalay Boeing.

Even though some interviewees complained about their employment with ABM or the pace of the optimization of the Kalay Boeing mine, not one person indicated they had been forcibly removed from Bisie. Moreover, no claims of forced migration or human rights abuses related to the departure operation emerged during interviews with community leaders in Ndjingala, Mubi, Walikale, and Goma.¹⁵⁶ Out of 80 people formally interviewed for this report, Mr. Kihangi is the only person who claimed forced evictions and human rights violations had taken place.¹⁵⁷

3. How much were people paid when they left Bisie?

As shown in Table 4, a total of 743 people received \$182,450 when they vacated Bisie in December 2017 and January 2018. The individual payments varied depending on whether the person had obtained a registration card; whether the person was a miner, a pit boss, or a member of the community; and whether the person chose to “return home” or move to Kalay Boeing.

Most registered miners received \$250 in cash or an equivalent combination of cash and a mining kit, which was intended to correspond to three months of income.¹⁵⁸ Most registered pit bosses received \$800, although some received \$900 and in one case, \$2,000. People who registered but had never engaged in mining received \$50 to return the registration card.

Yet in October 2018, MISEREOR stated in a letter to ABM “only relatively small sums were paid to a few people.”¹⁵⁹ MISEREOR further said that \$500 given to “gallery owners” (pit owners) was the largest amount dispersed to those who left Bisie.¹⁶⁰ The January 2018 report from BEDEWA and other groups report made the same claim about \$500 being paid to pit owners, but was silent about other payments.¹⁶¹ These false assertions could appear to be part of an intentional pattern of deceit about what took place in Bisie during the moratorium.

4. Did people lose investments when miners left Bisie?

Artisanal mining is like industrial mining in the sense that both require investments of money and access to technology in order to exploit mineral resources.¹⁶² Goma-based minerals traders and local pit owners often provided the necessary money and tools to artisanal miners at Bisie that enabled them to extract cassiterite.¹⁶³ In 2012, declining production at Bisie and lower prices for cassiterite led to reduced investment; however, some people continued to invest in artisanal mining at Bisie despite the fact that they knew the production could not be legally exported because the site was not validated.¹⁶⁴

In 2016, IPIS said it had been unable to identify who had pre-financed the production of cassiterite at Bisie between 2012 and 2015.¹⁶⁵ However, ABM says five Goma-based exporting entities acknowledged their actions and participated willingly in the June 1 Kinshasa negotiations. Moreover, the CNLFM and ABM worked with these companies to resolve the problem of the Ndjingala stocks. Three of the five companies supported the optimization of Kalay Boeing.¹⁶⁶

One must assume that these investors conducted their own due diligence before making their investment. Given the considerable publicity about Bisie within Congo and in the international arena between 2005 and 2015,¹⁶⁷ these investors must have been fully aware that they were financially supporting mining in an illegal site within an industrial exploitation zone.

A popular refrain from ABM’s critics is that some people lost “thousands” of dollars when the 15 Minutes mine site shut down at the end of December 2017.¹⁶⁸ The January 2018 Thematic Group report described several people as “miners” (*creuseurs*) who claimed they lost thousands of dollars in investments; however, miners are generally very poor and lacking access to that kind of credit or capital. It is likely that the people described as “miners” were actually businessmen or stand-ins for financiers living elsewhere in Walikale Territory or in Goma.¹⁶⁹ These investors took a risk in an illegal activity, and while they may agitate against ABM because of their lost money,¹⁷⁰ they are hardly the innocent victims worthy of indemnification as proclaimed by ABM’s critics.

5. Were people arrested during the miner migration process and final departure from Bisie?

Yes, PMH arrested people during the moratorium and the final departure from Bisie, but there are diverging accounts of who was arrested and why.

The March 2018 ICGLR inquiry said that police had arrested “several miners who wanted to prevent the continuation of the works of the [CNLFM] commission and disturbed the public order by threats, assaults, battery and insults.”¹⁷¹ Some cooperative leaders and members organized an intimidation campaign to discourage miners from registering, and even allegedly beat up and broke the arm of the first miner who registered.¹⁷² The ICGLR also noted that a cooperative leader was arrested for alleged collaboration with armed groups, and that “a small number of miners” were arrested for “attempted fraud and for use of false biometric cards.”¹⁷³

According to three former artisanal miners interviewed for this report who had registered and were in Bisie at the end of 2017,¹⁷⁴ the police arrested people on several occasions for illegal mining at 15 Minutes. Some people who had not

registered—perhaps because they were away during the registration process or had arrived in Bisie after it ended—snuck into the mine to work, according to the former artisanal miners. PMH officers at 15 Minutes monitored the site and arrested those without the card, charging them with “illicit mining activities.”¹⁷⁵

In contrast to reports that arrests were relatively few in number and likely justified, the January 2018 Thematic Group report alleged “arbitrary arrests and illegal detentions” of artisanal miners and civil society actors.¹⁷⁶ It cited arrests of eight people for allegedly “refusing the special artisanal miners card,” “refusing to identify [oneself] as an artisanal miner,” and opposing the migration of people from Bisie.¹⁷⁷ Information provided by ABM identified seven of the eight cases cited in the January 2018 report as being arrests for either illegal mining or ties to an armed group, which is consistent with ICGLR’s findings.

ABM compiled a list of 32 people arrested by the police between July 2017 and January 2018—the period of the moratorium—plus another four arrests in March and April 2018.¹⁷⁸ The infractions included engagement in illicit mining activities, incitement of civil disobedience, participation in an insurrectional movement, violations of



Houses in Ma Noire, December 2018

health and safety rules, theft of minerals, and rape. ABM officials stated in April 2019 that they have verified that all those arrested had been released; however, the CNLFM and Prosecutor’s offices in Goma and Walikale Center have not confirmed this in writing as of the issuance of this report.

6. Did police destroy buildings during the departure operation?

The January 2018 report from the Thematic Group for Mines and Natural Resources of North Kivu’s Civil Society organization (a group, it should be noted, that some Walikale and North Kivu civil society leaders consider illegitimate¹⁷⁹) alleged that the police spitefully destroyed houses of people who left Ma Noire, but offered no specific information to back up the claim.¹⁸⁰ During two tours of Ma Noire for this report,¹⁸¹ the consultants saw no signs that any buildings had been destroyed, although many mud-and-stick structures were in poor condition. In addition, two residents of Ma Noire said that no such destruction had taken place during the departure operation.¹⁸² Many people working for ABM or its subcontractors lived in Ma Noire in late 2018, as many structurally sound huts were available for rent. The claim of destruction of homes appears to be baseless.

7. Did ABM violate the human rights of people who left Bisie?

The January 2018 Thematic Group report alleged that the PMH and FARDC troops at Bisie engaged in human rights abuses including “arbitrary arrests and illegal detentions,” and “torture, harassment, and degrading and inhumane treatment similar to practices of modern slavery.”¹⁸³ As noted above, PMH arrested people during the moratorium, but if any mistreatment took place during those arrests and detentions—and that is not clear—it was not ABM who is responsible, but the PMH.

The January 2018 report highlighted a case of a man whose buttocks were burned when the police allegedly pushed him down onto a boiling pot of beans.¹⁸⁴ The ICGLR inquiry gave a different account of this incident alleging the man was drunk and disorderly and fell into the bubbling beans during a struggle with police.¹⁸⁵ Yet in light of the numerous errors and exaggerations in the Thematic Group report, the ICGLR’s account is more credible.

The ICGLR responded to ABM’s critics in this way:

The alleged accusations on the violations of human rights during the voluntary evacuation of the artisanal miners from the Bisie sites are not supported by any tangible proof. All seem to be false accusation,

falsehoods and fallacious allegations...It must be acknowledged that the stakeholders of the mining sector of the province of North-Kivu managed the issue of the voluntary evacuation of the artisanal miners from Bisie tactfully and with calm.¹⁸⁶

The investigation conducted for this report supports the ICGLR’s findings: ABM is not responsible for any violations of human rights during the miner migration process. Moreover, it is not clear that any such violations even took place. In September 2018, Mr. Kihangi submitted a list of 300 people who allegedly suffered human rights violations; however, according to ABM, this submission lacks sufficient detail to determine if, when, or how violations took place.¹⁸⁷

8. Has ABM conducted and published a social and environmental risk assessment?

ABM commissioned two major environmental and social assessments of its project,¹⁸⁸ which included an evaluation of the risks and impacts of relocating artisanal miners.¹⁸⁹

In 2012 and 2013, Alphamin commissioned an environmental impact study (*Etude d’Impact Environnemental*, EIE) and plan for environmental management of the project (*Plan de Gestion Environnementale du Project*, PGEP).¹⁹⁰ In accordance with the version of the DRC Mining Code then in effect, which required an EIE and PGEP as part of a company’s application for a production permit,¹⁹¹ Alphamin submitted the consolidated EIE/PGEP report to the Ministry of Mines in early 2014, and as discussed in section 4.2 of this report, on February 3, 2015, the Congolese Ministry of Mines granted Alphamin a production permit (PE 13155) for the Bisie mine.¹⁹²

ABM states that it circulated the EIE/PGEP report in 2016 after signing the MOU and its amendment with local communities.¹⁹³ In addition, ABM has copies of the report available at its office in Logu and at the office of the Lowa Alliance in Walikale Center for public review; the report is also available on Alphamin’s website.¹⁹⁴

In 2015, ABM commissioned a second, more comprehensive assessment, to meet the expectations of international lenders and shareholders. Completed in August 2016, the comprehensive “Environmental, Social and Health Impact Assessment” (ESHIA) of the Bisie project complied with IFC Performance Standard 1. Alphamin has posted on its website executive summaries in English, French and Swahili, along with a longer impact assessment in English.¹⁹⁵



Logu primary school, December 2018

On June 6, 2018, Mr. Kihangi, Mr. Bafilemba, and seven others filed a legal complaint with the Court of Appeals of North Kivu in Goma.¹⁹⁶ The petitioners alleged that ABM failed to consult with local communities about protecting the environment; however, the environmental study and the IFC-level ESHIA clearly show that consultants working on behalf of ABM discussed a range of environmental issues with local communities. Moreover, the court filing alleged the Bisie Tin Project posed a “serious and evident threat against the conservation of nature and the protection of the environment” because ABM did not have an EIE or PGEP. The court will decide on the merits of this case, but on its face, this claim is false.

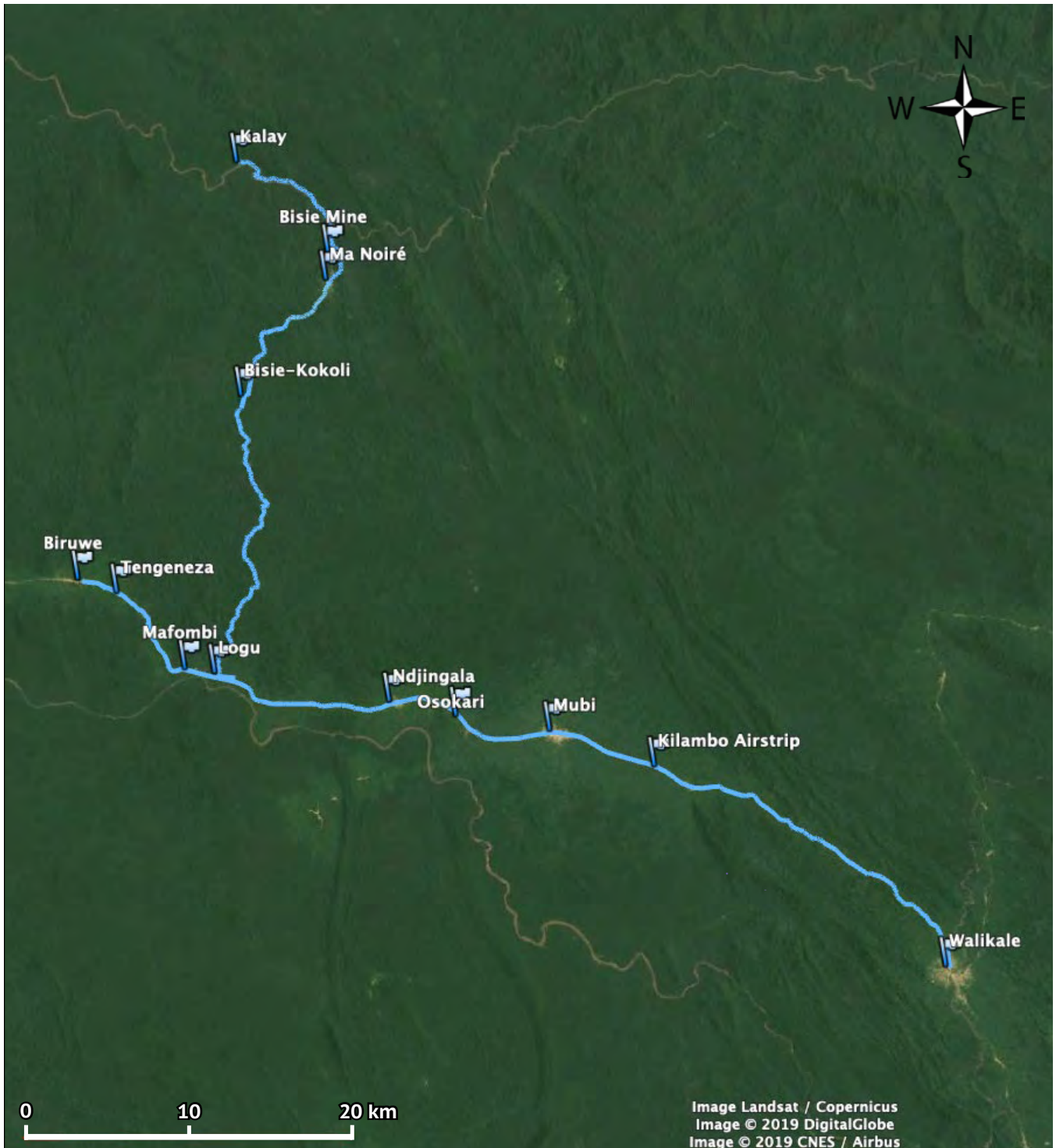
9. Does ABM have a community development plan?

ABM started to develop a community engagement plan in 2014.¹⁹⁷ After more than a year of consultations with dozens of local community groups, ABM finalized a plan for the Lowa Alliance. On April 6, 2016, ABM and various local stakeholders in Walikale signed an MOU that formalized the development project.¹⁹⁸ In accordance with the MOU,¹⁹⁹ ABM provided Lowa Alliance with more than \$1.5 million by the end of 2018. This sum enabled Lowa Alliance to undertake and complete dozens of community projects as of December 2018. These included a primary school in Logu, an impressive football pitch in Mafombi, a market stall in Kighoma, numerous palm oil and rice processing sites, and various agricultural and forestry projects (see Map 3).

Yet in the legal complaint of June 6, 2018, Mr. Kihangi and his allies have accused ABM of failing to “elaborate and approve a plan for the [company’s] contribution to the development of local communities affected by the project.”²⁰⁰ Although ABM clearly has created and funded a substantial community development plan as a result of the 2016 MOU, the June 6 letter alleges that ABM has not respected an earlier (2010) agreement signed by MPC²⁰¹—the company ABM acquired in 2012.²⁰² The 2010 agreement was between MPC, the Walikale Mining Division, the three mining cooperatives, and others.²⁰³

Richard Robinson, Managing Director of ABM, disputes Mr. Kihangi’s claim about the 2010 MOU. At the June 1, 2017 negotiations in Kinshasa, the director asserted that ABM had respected all of its commitments under the 2010 MOU, while the cooperatives in Bisie and Government of DRC agencies had not respected their commitments.²⁰⁴

The 2016 MOU that established Lowa Alliance would appear to supersede the 2010 agreement signed by MPC before ABM acquired it, but does not explicitly negate the 2010 agreement.²⁰⁵ During interviews conducted for this report, some people had legitimate questions and concerns about Lowa Alliance regarding the budget and pace of various projects, but no one with the exception of Mr. Kihangi suggested that the 2010 MOU was still valid and worthy of consideration.



Map 3. The Lowa Alliance project area. Bisie-Kokoli is the airstrip constructed by ABM; the Kilambo Airstrip on National Route 3 is no longer in use

10. What motivates ABM's vocal detractors?

The people and organizations accusing ABM of wrongdoing might have noble intentions, but their messages are completely undermined by false narratives and inflammatory rhetoric. Although the persons making these accusations are few in number, their claims are numerous and given more visibility and credibility than they deserve due to social media and political and financial support from international organizations.

Local leaders in Walikale and Goma interviewed for this report harshly criticized ABM's vocal detractors.²⁰⁶ Speaking of the authors of the January 2018 Thematic Group report, one local leader in Walikale said, "They exploit the artisanals for their own interests."

But what are those interests, which prompt such vitriol? Based on this investigation and other sources including the ICGLR report, it appears a complex interplay of individual ambitions, criminal networks, political actors, and social forces, as well as well-intentioned but misguided concerns might be motivating the critiques of ABM.

Some of the principal antagonists have found receptive audiences internationally, where people far removed from the reality of Walikale are sympathetic to claims that irresponsible mining companies are taking advantage of poor artisanal miners. Yet in the case of Bisie and ABM, this narrative is built upon hyperbole and distortions. If the detractors had their way and ABM was forced to cease all its operations and pay \$2 billion for alleged damages,²⁰⁷ the result could be a social and economic disaster for the Walikale community and an economic loss to the government of North Kivu and the DRC.

Dozens of interviews in Walikale and Goma during November and December 2018 indicated ABM had widespread public support. The same sources have also made clear that they believe ABM's critics are acting selfishly and promoting a return to the era when the labor of artisanal miners made other people rich.

The naysayers have not adequately been held to account for spreading distortions and making incendiary claims, but funders who have invested in those people and groups should more closely analyze their statements. If the June 2018 legal complaint signed by nine Goma-based civil society leaders is declared by the Goma Prosecutor as being a *classement sans suite* (file without follow up), ABM has the legal right to sue for damages and compensation under criminal and civil law.

Notes

1. “What Are the Voluntary Principles?” Voluntary Principles on Security and Human Rights (website), n.d., accessed December 17, 2018, <http://www.voluntaryprinciples.org/>.
2. International Finance Corporation, “Performance Standards on Environmental and Social Sustainability,” January 1, 2012.
3. US Geological Survey, “Mineral Commodity Summaries 2018,” January 2018, p. 172.
4. Global Witness, “Undermining Peace,” June 2005, p. 14; Nicholas Garrett, “Walikale: Artisanal Cassiterite Mining and Trade in North Kivu; Implications for Poverty Reduction and Security,” *Communities and Small-Scale Mining (CASM)*, June 1, 2008, p. 13.
5. C.L. Sainsbury, “Tin Resources of the World,” *US Geological Survey Bulletin 1301*, 1969, pp. 1, 33-34.
6. US Geological Survey, “Mineral Commodity Summaries 2018,” January 2018, p. 173.
7. Sainsbury identifies the year as 1933, but Garrett states cassiterite was first discovered in the Kivus in 1910. C.L. Sainsbury, “Tin Resources of the World,” *US Geological Survey Bulletin 1301*, 1969, p. 34; Nicholas Garrett, “Walikale: Artisanal Cassiterite Mining and Trade in North Kivu; Implications for Poverty Reduction and Security,” *Communities and Small-Scale Mining (CASM)*, June 1, 2008, p. 12.
8. IPIS, “Interactive Map of Artisanal Mining Exploitation in Eastern DR Congo—2018 Update,” version 5, March 19, 2018, accessed December 30, 2018, http://ipisresearch.be/publication/interactive-map-artisanal-mining-exploitation-eastern-dr-congo-2018-update/?_sft_country=democratic-republic-of-the-congo.
9. There are several different accounts of when artisanal mining began at Bisie. A report by Synergy states it may have begun as early as 1982. The Pole Institute published a report that stated coltan mining started in Bisie in 1998, and cassiterite production began in 2001; however, most other sources identify 2002 as the start of artisanal cassiterite mining at Bisie. Cf. Synergy, “Initiative d’ITRI pour la chaîne d’approvisionnement de l’étain (ITSCI); Evaluation indépendante du processus d’évacuation des minerais de Bisie, territoire de Walikale, Province du Nord-Kivu, RDC,” December 2015, p. 34; Aloys Tegera and Dominic Johnson, “Ressources Naturelles et Flux du Commerce Transfrontalier dans la Région des Grands Lacs,” Pole Institute, July 2007, p. 28; Nicholas Garrett, “Walikale: Artisanal Cassiterite Mining and Trade in North Kivu; Implications for Poverty Reduction and Security,” *Communities and Small-Scale Mining (CASM)*, June 1, 2008, p. 25.
10. Amis de la Forêt et de l’Environnement pour le Développement (AFED), “Rapport General de l’Etude sur l’Exploitation Artisanale des Ressources Minières en Territoire de Walikale: Cas du Coltan,” 2007, p. 7; Michael Nest, *Coltan* (Cambridge, England: Polity Press, 2011), p. 36.
11. Author’s estimate based on GPS data collected in November and December 2018. Cf. Sarah Zingg Wimmer and Filip Hilgert, “Bisie. A one-year snapshot of DRC’s principal cassiterite mine,” IPIS and Fatal Transactions, November 28, 2011, pp. 8-9.
12. Primo Pascal Rudahigwa, “Seventy-Two Hours at the Mining Sites of Bisie,” in Pole Institute, “Blood Minerals: The Criminalization of the Mining Industry in Eastern DRC,” August 2010, p. 13.
13. Different sources identify Bisie as either the source of the majority of exports from either North Kivu or DRC in general. Cf. Thomas R. Yager, “The Mineral Industry of Congo (Kinshasa),” in US Geological Survey, “2010 Minerals Yearbook,” August 2012, 11.4; Global Witness, “Undermining Peace,” June 2005, pp. 18-20, 27-29; Nicholas Garrett, “Walikale: Artisanal Cassiterite Mining and Trade in North Kivu; Implications for Poverty Reduction and Security,” *Communities and Small-Scale Mining (CASM)*, June 1, 2008, p. 31; UN Group of Experts on the Democratic Republic of the Congo, Final Report, S/2009/603, November 23, 2009, § 201; Global Witness, “Congo’s minerals trade in the balance,” May 2011, p. 8.
14. Global Witness, “Undermining Peace,” June 2005, p. 27; US Geological Survey, Mineral Commodities Summaries, “Tin,” January 2010, p. 171; UN Group of Experts on the Democratic Republic of the Congo, Final Report, S/2010/596, November 29, 2010, § 188, Annex 27; Aloys Tegera and Dominic Johnson, “Rules for Sale: Formal and informal cross-border trade in Eastern DRC,” Pole Institute, May 2007, p. 46.
15. Nicholas Garrett, “Walikale: Artisanal Cassiterite Mining and Trade in North Kivu; Implications for Poverty Reduction and Security,” *Communities and Small-Scale Mining (CASM)*, June 1, 2008, pp. 32-33.
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54. MONUSCO, JMAC-Goma, “Mpama-Bisié Joint Mission Report 27th-29th March,” 2014; cf. Alphamin Resources Corporation, “Activity Update on Alphamin’s 100% Owned Bisie Tin Project, DRC,” News Release 2014-04, April 28, 2014, p. 3.
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- 72.** The MSA Group, “Alphamin Resources Corporation, Bisie Tin Project, North Kivu Province, Democratic Republic of the Congo—NI 43-101 Technical Report—Mineral Resource Estimate,” March 23, 2017, § 24.3.1.
- 73.** The MSA Group, “Alphamin Resources Corporation, Bisie Tin Project, North Kivu Province, Democratic Republic of the Congo—NI 43-101 Technical Report—Mineral Resource Estimate,” March 23, 2017, § 24.1.1.
- 74.** “Protocole d’Accord entre Les Communautés du Territoire de Walikale dans la Province du Nord-Kivu et La Société Alphamin Bisie Mining SA,” April 6, 2016.
- 75.** This sentiment was expressed to the author during numerous interviews in Walikale territory and Goma between November 26 and December 6, 2018.
- 76.** MONUSCO, JMAC-Goma, “Mpama-Bisié Joint Mission Report 27th-29th March,” 2014; cf. Alphamin Resources Corporation, “Activity Update on Alphamin’s 100% Owned Bisie Tin Project, DRC,” News Release 2014-04, April 28, 2014, p. 3.
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- 80.** Alphamin Resources Corp, “Alphamin Announces Establishment of Government Committee to Support Development of Bisie Tin Project,” January 16, 2017.
- 81.** Martin Kabwelulu, “Observations de la République Démocratique du Congo concernant le projet de suspension ou de révision de la Section 1502 de la Loi Dodd-Frank du 21 juillet 2010 de réforme de Wall Street et de protection du consommateur,” Democratic Republic of the Congo, Ministry of Mines, March 2017, p. 2.
- 82.** Alphamin Bisie Mining, “Statement and incident report by ABM on GDRC investigation of fraud and illegal mining in Walikale Territory, North Kivu, and its impact on local security,” April 27, 2017, pp. 1-2; cf. International Conference on the Great Lakes Region, “Report of the Mission Performed at Bisie, in the Mining Perimeter of the Company Alphamin, (Walikale Territory, in North Kivu), (From 4-10 February 2018),” February 2018, p. 20.
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- 87.** Alphamin Bisie Mining SA, “Stakeholder Communication: Advancing Responsible and Conflict-Free Tin Artisanal Mining Production in North Kivu, DRC,” September 25, 2017, p. 1.
- 88.** Democratic Republic of the Congo, National Commission to Combat Mineral Fraud, “Rapport des Travaux d’Echanges Organises par la Commission Nationale de Lutte Contre la Fraude Minière sur la Problématique de la Production Existante a Walikale,” June 2017.
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- 95.** Information provided by ABM staff, March 2019.
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- 97.** IPIS, “Third Party Review of the Bisie Security Report,” July 2016, p. 13.
- 98.** Democratic Republic of the Congo, Ministry of Mines, Arrete Ministeriel No. 34/CAB.MIN/MINES/01/2011 du 1 MAR 2011 Portant Levee de la Mesure de Suspension des Activités Minières dan les Provinces du Maniema, du Nord-Kivu et du Sud-Kivu, March 1, 2011.
- 99.** Sarah Zingg Wimmer and Filip Hilgert, “Bisie. A one-year snapshot of DRC’s principal cassiterite mine,” IPIS and Fatal Transactions, November 28, 2011, p. 8.

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- 103.** Information provided by ABM staff, March 2019.
- 104.** International Conference on the Great Lakes Region, “Report of the Mission Performed at Bisie, in the Mining Perimeter of the Company Alphamin, (Walikale Territory, in North Kivu), (From 4-10 February 2018),” February 2018, p. 9; interviews in Ma Noire, November 2018, and Goma, December 2018.
- 105.** Interview with ABM staff in Bisie, November 2018.
- 106.** International Conference on the Great Lakes Region, “Report of the Mission Performed at Bisie, in the Mining Perimeter of the Company Alphamin, (Walikale Territory, in North Kivu), (From 4-10 February 2018),” February 2018, p. 22.
- 107.** Interview with ABM staff in Bisie, November 2018.
- 108.** Interviews with ABM staff in Goma and Bisie, November 2018.
- 109.** Data provided by ABM, January 2019.
- 110.** Interviews with four former artisanal miners in Ma Noire, November 2018.
- 111.** Interview with ABM staff at Bisie, November 2018.
- 112.** Interviews with three former miners at Ma Noire, November 26, 2018.
- 113.** Based on review of a logbook for the period September 11 to October 11, 2017 shown to the author by ABM staff in Bisie, November 2018.
- 114.** Interview with ABM staff in Goma, November 2018.
- 115.** Agreement between SOGECOM sarl and ABM, July 11, 2017.
- 116.** “Rapport de la Descente pour Harmonisation des Statistiques d’Approvisionnement en Minerais de Bisie pendant la Période Moratoire,” May 19, 2018.
- 117.** Interviews with ABM staff in Goma and Bisie, November 2018.
- 118.** International Finance Corporation, “Performance Standards,” n.d., accessed December 17, 2018, https://www.ifc.org/wps/wcm/connect/Topics_Ext_Content/IFC_External_Corporate_Site/Sustainability-At-IFC/Policies-Standards/Performance-Standards; Voluntary Principles on Security and Human Rights website, n.d., accessed December 17, 2018, <http://www.voluntaryprinciples.org/>.
- 119.** Interviews with ABM staff in Goma and Bisie, November 2018; review of data provided by ABM.
- 120.** Interview with ABM staff in Goma, November 2018.
- 121.** Interviews with ABM staff in Bisie, November 2018.
- 122.** International Finance Corporation, “Performance Standards on Environmental and Social Sustainability,” January 1, 2012, p. 28, fn. 15.
- 123.** Interviews with ABM staff in Bisie, November 2018.
- 124.** Democratic Republic of the Congo, Ministry of Mines, “Arrêté Ministériel n°0919/CAB.MIN/MINES/01/2015 du 29 Oct 2015 Fixant les Procédures d’Inspection, de Qualification et de Validation des Sites Miniers des Filières Aurifère et Stannifère en République Démocratique du Congo,” October 29, 2015, Arts. 4, 8.
- 125.** During 2015, seven artisanal sites were validated in Walikale territory: Matamba, Chantier Plaine, Chantier Briques, Lubilinga, Amamokoa, Angisi, and Bisagowa. Kalay Boeing was one of 12 sites validated green in March 2016 in Walikale; two were gold mines and the rest were coltan and/or cassiterite mines. Democratic Republic of the Congo, Ministry of Mines, “Arrêté Ministériel n°0028/CAB.MIN/MINES/01/2016 du 7 Mars 2016,” March 7 2016, p. 4; Synergy, “Initiative d’ITRI pour la chaîne d’approvisionnement de l’étain (ITSCI); Evaluation indépendante du processus d’évacuation des minerais de Bisie, territoire de Walikale, Province du Nord-Kivu, RDC,” December 2015, p. 37; cf. Alphamin Bisie Mining, “Statement and incident report by ABM on GDRC investigation of fraud and illegal mining in Walikale Territory, North Kivu, and its impact on local security,” April 27, 2017, p. 3.
- 126.** Angisi and Matamba were validated in March 2015; Kalay Boeing and Kibindobindo were validated in March 2016. Democratic Republic of the Congo, Ministry of Mines, “Arrêté Ministériel n°0028/CAB.MIN/MINES/01/2016 du 7 Mars 2016,” March 7 2016, p. 4; Synergy, “Initiative d’ITRI pour la chaîne d’approvisionnement de l’étain (ITSCI); Evaluation indépendante du processus d’évacuation des minerais de Bisie, territoire de Walikale, Province du Nord-Kivu, RDC,” December 2015, p. 37.
- 127.** IPIS, “Third Party Review of the Bisie Security Report,” July 2016, p. 20.
- 128.** Interviews in Kalay Boeing, November 29, 2018; IPIS, “Third Party Review of the Bisie Security Report,” July 2016, p. 12.
- 129.** Interviews with miners and cooperative officials in Kalay Boeing, November 29, 2018.
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- 131.** Interviews in Ma Noire and Kalay Boeing, November 2018.
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- 139.** Alphamin Resources Corp, “Alphamin Announces Establishment of Government Committee to Support Development of Bisie Tin Project,” January 16, 2017.
- 140.** Alphamin Bisie Mining, “Statement and incident report by ABM on GDRC investigation of fraud and illegal mining in Walikale Territory, North Kivu, and its impact on local security,” April 27, 2017.
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- 144.** Gisèle Mbuyi, “Nord Kivu: les élus provinciaux s’insurgent contre la criminalité dans plusieurs territoires,” Digital Congo (website), March 1, 2019, accessed March 9, 2019, <https://www.digitalcongo.net/article/5c7932d9c98d5c0004d2bca7/>.
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- 146.** “Plainte des Organisations de la Société Civile du Nord-Kivu Spécialisées dans les Ressources naturelles,” June 6, 2018, accessed December 28, 2018, https://oenz.de/sites/default/files/plainte_contre_aphamin_bisie_mining.pdf.
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- 156.** Interviews in Ndjingala with two community leaders, in Mubi with a civil society leader, in Walikale with clergy and local officials, and in Goma with community leaders from Walikale, November and December 2018.
- 157.** Interview with Prince Kihangi in Goma, December 2, 2018.
- 158.** Information from ABM staff, April 2019.
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- 160.** Letter from Martin Bröckelmann-Simon, Director of International Cooperation for MISEREOR, to Boris Kamstra, ABM, October 4, 2018, p. 2.
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- 173.** International Conference on the Great Lakes Region, “Report of the Mission Performed at Bisie, in the Mining Perimeter of the Company Alphamin, (Walikale Territory, in North Kivu), (From 4-10 February 2018),” February 2018, p. 22.
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- 182.** Conversations with residents of Ma Noire, December 5, 2018.
- 183.** Les organisations du Groupe thématique Mine de la société civile du Nord-Kivu, “Le déguerpissement illégal des populations affectées par le projet minier de la société Alphamin Bisie Mining (ABM SA) dans le territoire de Walikale en Province du Nord-Kivu à l’Est de la République Démocratique du Congo (RDC),” January 2018, p. 12.
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N°	Lieu&Date	Nom du Plaignant	Organisation	Nature de la plainte/doléance	Moyen de communication utilisée	Résumé de la plainte	Observation
1	BISIE, le 10/01/2019	KATEMBO KAVEHO	Communauté riveraine	Mauvais comportement des employés, retard de payement de la dette et politique d'achat des vivres	Rencontre	Le plaignant déclare sa dette de \$ 670 contractée par ATS via Issa KASAUTI, \$ 800 pour une ruse d'achat d'or et une chèvre de \$ 110 pour la fête d'ATS. Il réclame ses droits	Clôturée
2	LOGU, le 23/01/2019	BUMANI ISSA	Communauté riveraine	Destruction mechante de l'église de Bisie	Rencontre	Plaignant réclame que la société ABM les remette dans leur droit car ces sont eux qui avaient construit en 2009 l'église CEPACE de Bisie/MPAMA qu'ABM occupe aujourd'hui.	En cour
3	LOGU, le 18/02/2019	REHEMA MUHINDA	Communauté riveraine	Retard de payement des récoltes et politique d'achat des vivres	Téléphone	La plaignante réclame 6.300.600 FC de ses produits vivriers livrés à ISSA KASAUTI, Agent ATS pour livraison d'Ananas et des citrons car un acte d'engagement a été signé entre elle et ISSA. Elle réclame son payement.	Clôturée

4	WALIKALE, le 19/02/2019	Valentin MBOKANI	Communauté riveraine	retard dans le financement des projets communautaires et menace d'attentat	Personnes interposée, FIKIRI SHABANI, V/Préside nt du CAPCA BIRUWE	Plaignant s'inquiétude de sa sécurité dans son site de travail (WASSA) pour cause, il y a menace d'attentat montée par un groupe à Biruwe, du fait que Alliance- Lowa ne réalise pas ses projets en temp y compris FIKIRI SHABANI, V/Président du CAPCA BIRUWE	Clôturée	
5	LOGU, le 28/02/2019	MOKE MABISI	Communauté riveraine	Retard de paiement des factures	Rencontre	Le plaignant veut à tout prix le paiement de ses factures de Congo-River pour Décembre 2018 et Février 2019 de 4.425.00 USD et chez Faustin de procurement pour 3.250.00 USD car tous les travaux sont finis et les madrriers et chevrons livrés.	Clôturée	
6	LOGU, le 26/03/2019	BAHATI Emmanuel & SELINA ROSA	Communauté riveraine	Politique d'achat des vivres frais/retard dans le paiement	Rencontre	Les deux plaignants demandent comme PTER et IMANI sont présents que leurs factures de \$ 220.5 de SELINA et de \$ 1064.7 de BAHATI soient honorées.	Clôturée	

						La plaignante dénonce la mauvaise politique et discrimination liées sur le ravitaillement des produits vivriers et la manière de sélectionner les fournisseurs. La société ABM tient des fournisseurs étrangers au détriment de ceux de Walikale. Qu'ABM mette fin à cette discrimination.	Clôturée
7	LOGU, le 05/04/2019	FAIDA NDOOLE Lycie	Communauté riveraine	Politique d'achat des vivres et de sous-traitance.	Rencontre	Le plaignant ne comprend pas pourquoi, le paiement de la portion de terre de KOKOLI cédée à ABM traîne; il sollicite le paiement dans un délai raisonnable.	Clôturée
8	LOGU, le 05/04/2019	NYANGENYANG E KOKOLI	Communauté riveraine	Retard de paiement de la compensation	Rencontre	Le plaignant et consort dénoncent la mauvaise politique de recrutement en la qualifiant de marginalisation contre les communautés locales car étant appelé par les RH/ABM encore rejetée sans justification par les mêmes RH/ABM.	Clôturée
9	Bisie, le 18/04/2019	BINGWA BONDA et consort	Communauté riveraine	Politique de recrutement	Rencontre		

						Le président de la société civile dit être mécontent de voir depuis début Janvier 2019 sur les 35 postes publiés par AB, aucun des locaux retenus. Il demande aussi, la disponibilité de l'EIES, mais surtout revoir le processus de recrutement pour ne pas ternir l'image de la société.	Clôturée
10	LOGU, le 25/04/2019	KISSA MASUDI	Société civile	Politique de recrutement	Lettre ouverte à ABM		
11	LOGU, le 26/04/2019	MAFUMO KITAMBERE et consort	Communauté riveraine	Politique d'achat des vivres frais/retard dans le payement	Rencontre	Les plaignants, au total 8, victime de détournement des fonds des vivres fournis à ATS via BAHATI EMMANUEL et certains agents ATS Hervé et Jonas respectivement Comptable et logisticien ATS, aussi bien des sommes d'argent que des vivres fournis. Ils demandent qu'ATS et BAHATI leur commissionnaire honorent leurs factures sans condition.	Clôturée

12	LOGU, le 06/05/2019	TABU MWANGA AMISI	Communauté riveraine	Retard le paiement journalier	Rencontre	Le plaignant déclare le paiement d'un jour, solde congé, pour les heures supplémentaires et d'autres avantages liés au travail. Que les ressources humaines de Reliant Congo puissent trouver solution à ce problème.	Clôturée
13	LOGU, le 07/05/2019	KANYANDE SHEBUTINDA Pelin	Communauté riveraine	Politique d'achat des vivres/Retard de paiement.	Rencontre	Au nom des tous les plaignants dans une liste était établie en annexe, le plaignant dénonce la mauvaise politique d'achat des vivres frais par ATS via Mr ISSA KASAUTI qui a agi au nom et pour le compte d'ATS. Ils déclarent le paiement sans délais d'une somme d'1.097.000 FC et de \$ 5062.1	Clôturée

						En date du 22 et 29 Mars 2019, le responsable de procurement, Mr Faustin/ABM a pris des tôles, clous et portes cadenas équivalant de \$ 2957, que le plaignant réclame car l'Agent d'ABM est dans les manoeuvres dilatoires et ne communique plus avec le Plaignant. Il sollicite son paiement, avant car c'était auktion	Clôturée
14	LOGU, le 24/05/2019	CIRHIMWAMI MALEKIZI	Communauté riveraine/Com mercant	Retard de paiement des matériaux de construction	Rencontre		
15	BISIE, le 13/06/2019	SHAURI LWANGO	Communauté riveraine	Politique d'achat de vivres frais/Retard de paiement	Rencontre	Le plaignant dénonce cette mauvaise politique d'achat et réclame une somme de \$ 436 pour les produits livres, à tout prix, il exige son paiement.	Clôturée
16	MANDELE, le 15/06/2019	MADAWA MBULA	Communauté riveraine	Politique d'achat de vivres frais.	Rencontre	La plaignante dénonce l'exclusion dont leur CAPCA est victime car leurs produits vivriers ne sont pas achetés or cela pourrait accroître leur économie locale. La population demande à la société que les achats locaux soient aussi réalisés à Mandele.	Clôturée

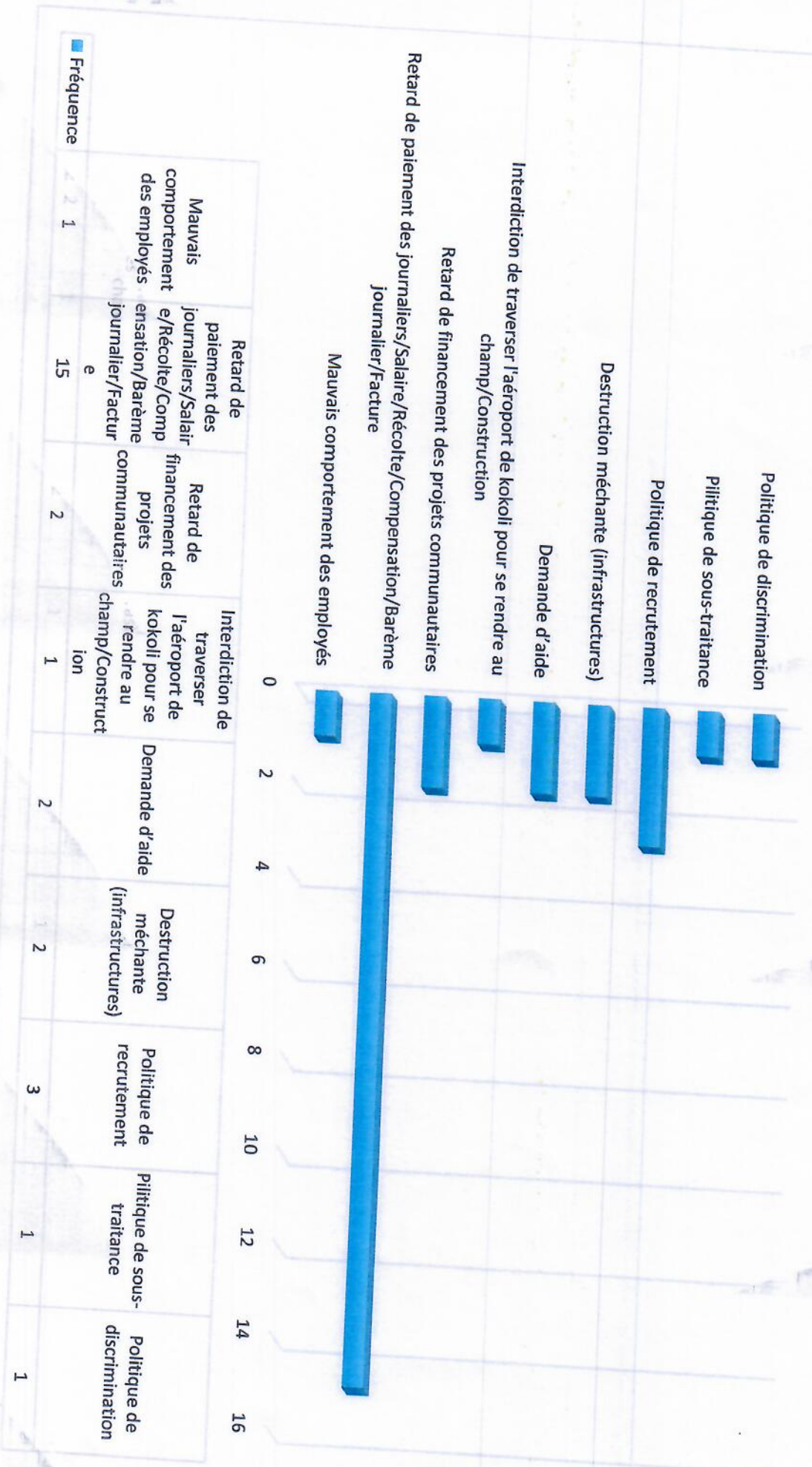
17	LOGU, le 18/06/2019	MOKE MABISI	Communauté riveraine	Politique de sous- traitance	Rencontre	Le plaignant dénonce le détournement de marché de fourniture des bois par certains agents ABM or, ce marché revient à OCEBABIDE, le marché doit revenir aux Bangandula.	Clôturée car la commande Clôturée car réellement la commande fournie était demandée en urgence et les responsables de ces travaux de construction disent être entente d'harmonisation avec les Bangandula .
18	BISIE, le 21/06/2019	Jules SALUMU BALAMULE	Communauté riveraine/Agent ABM	Retard de paiement de salaire	Rencontre	La plaignante réclame son dû de 6 Jours car il a un CDD.	Clôturée, il était payé par la suite

19	BISIE, le 22/07/2019	KILIMA TABU	Communauté riveraine/Coutu mier	Retard de fincement des projets communautaires	Rencontre	Le plaignant, Chef de Groupement Wassa se plaint contre la mauvaise qualité de l'eau consommée par la population de Logu et agent d'ABM. Il demande la priorisation de ce projet d'adduction à Logu.	Clôturée car i été démontré au Chef que le projet d'adduction d'eau est prév pour cette année à Logu à Bisie et les fonds seront disponible à bientôt, les projets vont démarrer.	
20	LOGU, le 24/07/2019	KODI YABILI MAKUSUDI	Communauté riveraine	Politique de discrimination	Lettre	Le plaignant et consort demandent qu'Alphamin intègre leur clan BAWANA/MUTAWENZA dans la gestion et avantages de la colline MPAMA-BISIE car se disent avoir droit sur cette colline.	Clôturée	
21	BISIE, le 25/07/2019	NDARU KATORORORO	Communauté riveraine	Retard de paiement d'une partie de salaires.	Rencontre	Le plaignant, Agent ABM réclame une partie de ses salaires du mois de Janvier, Février et Mars 2019.	Clôturée	

22	BISIE, le 15/08/2019	AIME MESHE	Communauté riveraine	Retard de paiement de salaire	Rencontre	Le plaignant est un agent d'ABM qui réclame son du de 9jours pour le mois d'Avril 2019 car pour lui, les RH traite cette question avec légèreté.	Clôturée
23	LOGU, le 16/08/2019	Marceline MUTOKOTOKO	Communauté riveraine	Politique de recrutement/Hausse de salaire	Lettre	La plaignante, membre de la famille Bangandula et signataire du protocole d'accord dénonce et rappel à l'entreprise toutes les sacrifices et en souffrance pour le compte de l'entreprise, elle veut voir son salaire être revu à la hausse.	En cour.
24	LOGU, le 07/10/2019	ANASA KOKOLI	Communauté riveraine	Interdiction de passage sur l'aéroport	Rencontre	La plaignante, membre de la famille Bangandula déclare plusieurs fois solliciter le passage pour la récoltes de son champ des manioc; mais en vain; elle demande qu'elle soit indemnisée car la position de l'aéroport l'empêche à récolter ses cultures déjà pourries.	En cour.

						<p>La plaignante est membre de la famille Bangandula déclare que les chauffeurs de TMK sont en train de détruire son mandarinier avec leur véhicule à Bulambo. Elle sollicite la réparation.</p>	<p>En cour.</p>
25	<p>BISIE, le 22/10/2019</p>	<p>MARCELINE MUTOKOTOKO</p>	<p>Communauté riveraine</p>	<p>Destruction méchante</p>	<p>Rencontre</p>	<p>Le Plaignant, animateur du CAPCA BATTIRI II, relais des fournisseurs était déjà menacé par les producteurs pour le 118kgs de MAHOLE, non payés. Il sollicite le paiement pour le bon climat entre Alliance Lowa et les communautés locales.</p>	<p>Clôturée</p>
26	<p>LOGU, le 02/11/2019</p>	<p>KIZALIWA</p>	<p>Communauté riveraine</p>	<p>Rétard de paiement des vivres</p>	<p>Téléphone</p>		

NATURE OF GRIEVANCES IN 2019



■ Fréquence