

DRC: The Endurance of Child Labour in Artisanal Cobalt Mining

by Georgina Higgs

How meeting the global demand for lithium batteries and sustainable technologies encourages the persistence of child labour in artisanal cobalt mining in the Democratic Republic of the Congo



The foreman for a mining company holds up a fragment of cobalt. Photo by Trocaire

Cobalt is an essential component in rechargeable batteries found in smartphones, laptops and electronic cars, making it an important mineral as global markets and technologies look to a sustainable future. The lithium ion battery market is predicted to increase 16.6% between 2016 and 2022 due to the rising demand for electric cars.¹ This will mean that the **Democratic Republic of the Congo (DRC)**, which currently produces around half of the world's cobalt and is home to half of the world's cobalt reserves, will play a significant role in the production of this mineral as global demand rises. Yet, despite the DRC government's pledge to eliminate child exploitation in its mining sector by 2025, the Congolese cobalt found in many smartphones and lithium batteries will still originate from **artisanal mines using child labour** in years to come.

It is estimated that **a fifth of the cobalt exported from the DRC is extracted by hand** in artisanal mining. Mining is the country's largest source of export income and 1 in 5 people in the DRC are employed in the mining industry. The industry certainly has room for growth; in 2009 the DRC was estimated to have around \$214 trillion in untapped mineral reserves². Unless changes are made now, child exploitation in this sector could continue.

1. According to a research carried out by *Markets and Markets*, available at <http://markets.businessinsider.com/news/stocks/Cobalt-Demand-Projected-to-Increase-Due-to-Growing-Demand-for-Rechargeable-Batteries-1002308815> (accessed 15 December 2017)
2. News About Congo, March 2009, available at <http://www.newsaboutcongo.com/2009/03/congo-with-24-trillion-in-mineral-wealth-but-still-poor.html> (accessed 15 December 2017)

One fifth of the cobalt exported from the DRC is extracted by hand



Youngsters Working in the Mines, Photo by UNEP

A large part of the DRC's mining industry comes in the form of artisanal mining. An artisanal miner is **a small-scale miner who is not employed by a mining company but works independently**, mining minerals by hand or with rudimentary tools. Work in artisanal mines can be hazardous and accidents and death are frequent. Mines themselves are prone to collapse due to a lack of safety provisions or correct equipment.

In 2002, the DRC established a new mining code which created some provisions to formalise artisanal mining practises in the country. The mining code requires that artisanal mining can

only take place within authorised **Artisanal Mining Zones**, or ZEAs (*Zones d'exploitation artisanale*), where industrial mining is not otherwise feasible. However, the government has not created enough ZEAs in southern DRC which holds most of the country's mineral reserves and many artisanal miners end up working in unauthorised and unregulated areas. The mining code provides no guidance for artisanal miners on safety equipment or how to handle substances which pose health risks (apart from mercury), although prolonged exposure to cobalt dust can cause respiratory problems. It is in these unregulated artisanal mines where children dig for minerals and clean and collect cobalt ores which will eventually end up in lithium batteries.

Children work up to 12 hours a day

While it is not known how many children work in mining in the Democratic Republic of the Congo, UNICEF estimate that approximately **40,000 children aged 3-17 were employed in mines in just the south of the country in 2014**. According to an Amnesty International report published in 2016, children work up to 12 hours a day and earn between \$1-2 daily. Even children who attend school still work 10-12 hours a day during the weekend and school holidays. Like adult miners, they are exposed to toxic levels of cobalt on a regular basis but do not have gloves or facemasks to wear and are consequently also at risk of health issues.



15-year-old Chouchou Tshifumba hauls dirt and sifts for diamonds. Child labour is also common in artisanal mining for resources other than cobalt. Photo by Colin Crowley

Artisanal miners work in a range of different ways and locations. In some places, the miners, who are normally adult men, dig deep underground using rudimentary hand tools. In other places, miners, including many children, dig for cobalt in the discarded by-products left from the mining and refining processes of **industrial mines**. They collect rocks left on the surface often without the companies' permission. Women and children then wash, sift and sort the stones in streams near the mines.

The adults and children who collect stones containing cobalt ores are **self-employed**. They sell the ore to traders or intermediaries who will in turn sell the cobalt ore to multinational mining companies such as Huayou Cobalt, who provide cobalt to battery manufacturers who continue to sell their batteries to well-known global brands.

The children who collect, sort, wash and transport the cobalt ore are **paid per sack** of the minerals by traders. As the children have no way of knowing the exact weight of the ore they have mined, they accept what the traders will pay them, making them susceptible to exploitation.

Child exploitation and labour is by no means reserved to cobalt mining. The DRC is the sixth African country most affected by **child exploitation**. In the city of Mubuji-Mayi in Kasai-Central Province which produces half of the diamonds in the DRC, UNICEF estimate that 12,000 children in this city alone work in artisanal industries. The extent of child labour is linked to the extreme state of poverty that some Congolese parents find themselves in. Children often work in artisanal mines in order to pay for school fees, as despite the DRC's Child Protection Code (2009) which provides free compulsory primary education for all children, there is a lack of funding from the state and many schools charge parents a monthly sum to cover costs for teacher salaries, uniforms and learning



Mathieu Ilunga, 10 years old, sells cigarettes to miners and sometimes carries gravel from the mines to wash in the river. Photo by Colin Crowley

resources.³

3. According to a report by Amnesty International published in 2016, available at <https://www.amnesty.org/en/documents/afr62/3183/2016/en/>

Many international firms and companies have negligently failed to verify their **cobalt chains** and conduct **due diligence** (identify, prevent, reduce and account for their impact on human rights) when purchasing cobalt from traders and suppliers. One of the largest companies in the cobalt market is Chinese, Congo Dongfang Mining International (CDM), which has been accused of purchasing cobalt sourced from artisanal mines that exploit children. Huyaou Cobalt, is a subsidiary firm of CDM and supplies cobalt for a number of multinational companies.

Current legislation to eradicate child exploitation

In 2011 the Congolese government drafted plans to eradicate child labour from the mining industry. This has been followed up by **the government's recent pledge in August 2017 to completely abolish child exploitation in this sector by 2025**. By engaging with local communities and working with local and private media, the government hopes to carry out this policy. However, the conditions that force children into labour such as poverty also need to be addressed. Furthermore, multinational companies who profit from and fund the cobalt supply chain and market must accept responsibility and cooperate with their suppliers and national authorities if the abolition of child labour in mining is to be successful by 2025.

It is also hoped that the changes made to the Congolese provinces in 2015 which saw 11 provinces divided into 26 administrative regions will encourage economic development and strengthen local governance in all areas of the DRC. These improvements would inherently help to eradicate some of the economic factors which force children into labour by encouraging development.

The intricate supply chain of unregulated cobalt mining allows multinational companies the cover of deniability. In 2016, Amnesty International reported that no country legally requires firms to publish their supply chains for cobalt. More work needs to be done on a global scale if child labour in Congolese artisanal mining is to be completely eradicated. Multinational companies have a duty to take action if human rights abuse have occurred at any point in their supply chain and should publicly disclose their due diligence practices; a standard practice required by the United States' **Dodd-Frank Act** for minerals such as gold and tungsten, but currently does not include cobalt.

They must also cooperate with other actors including their suppliers and national authorities to this end. It will remain to be seen what the impact on artisanal mining will be with the Congolese government's efforts to abolish child exploitation as technology becomes more sustainable and the demand for cobalt increases.

Bibliography:

Amnesty International, (2016) “‘This is what we die for’ Human Rights abuses in the Democratic Republic of the Congo Power the Global Trade in Cobalt’, (January 2016) *Amnesty International*, available at <https://www.amnesty.org/en/documents/afr62/3183/2016/en/>

Business & Human Rights Resource Centre, ‘Implementation of US Dodd-Frank Act rule on conflict minerals: Commentaries, guidance, company actions’, available at <https://business-humanrights.org/en/conflict-peace/conflict-minerals/implementation-of-us-dodd-frank-act-rule-on-conflict-minerals-commentaries-guidance-company-actions> (Accessed: 14 December 2017)

Crawford, Alex (2017) ‘Meet Dorsen, 8, who mines cobalt to make your smartphones work’ (2017) *Sky News*, available at <https://news.sky.com/story/meet-dorsen-8-who-mines-cobalt-to-make-your-smartphone-work-10784120> (Accessed: 1 December 2017)

Grossman, Guy and Lewis, Janet I. (2015) ‘The Democratic Republic of the Congo might break up its provinces. Then what?’ (4 June 2015) *The Washington Post*, available at https://www.washingtonpost.com/news/monkey-cage/wp/2015/06/04/the-democratic-republic-of-congo-might-break-up-its-provinces-then-what/?utm_term=.3b6a55547bf5 (Accessed: 20 November 2017)

Sakho, Kadiatou (2017) ‘RDC : le travail des enfants dans les mines en chiffres’ (14 septembre 2017), *Jeune Afrique*, available at <http://www.jeuneafrique.com/474326/societe/rdc-le-travail-des-enfants-dans-les-mines-en-chiffres/> (Accessed: 7 December 2017)

Photos available on Flickr

Youngsters working in the mines. Photo by United Nations UNEP

https://www.flickr.com/photos/unep_dc/8569477948/in/photolist-e4fPeN-mCvEb-cyz2UW-qE4iNn-ciLjS5-ciGabN-cyzBF7-mCFbW8-cyzqK3-ciLAGy-ciGLes-ciLu3C-ciLtAS-71kG1P-cyCcss-rjgWNU-ryxFDS-TLn2vg-k1qXn6-rAJwHB-e4m19H-ryxFNu-aFr6gV-rAJwk2-6AJ4Zz-ciLyJ3-deom1j-cyChhy-ciLskh-cyC8Hd-cyCc3q-cyChME-cyCe3L-cyCn9N-cyC5N5-cyCjyE-cyCqK7-cyCmKL-ciLHdy-eKpcBx-cyCpRf-cyCgH9-cyCjVd-cyC6z7-cyCeQQ-cyCp4u-cyC95w-cyyZKJ-cyzrmG-rAJvXt

15 year old Chouchou Tshifumba hauls dirt and sifts for diamonds. Child labour is also common in artisanal mining for resources other than cobalt. Photo by Colin Crowley

<https://www.flickr.com/photos/newbeatphoto/9026000360/in/photolist-ciLyJ3-ciLxL7-ciLuJN-kwfxXR-eKpcBx-eKpbov-eKABRu-e4acJD-eKABFm-eKpbbF-eKAAeA-fJ7ooy-eKABrS-eKAAZu-fHPQix-fJ7oL3-eKAAqb-fHPPDk-eKABdL-fHPQme-fHPPXH-fJ7pCA-fHPQeB-fHPPpK-fJ7ovw-fHPQ5X-fHPPgX-fJ7odu-fJ7oTS-fJ7oQ3-fJ7p4U-yCVetp>

Cobalt, the foreman for a mining company holds up a fragment of cobalt...Photo by Trocaire

<https://www.flickr.com/photos/trocaire/37030433776/>

Mathieu Ilunga, 10 years old, sells cigarettes to miners and sometimes carries gravel from the mines to wash in the river.

Photo by Colin Crowley <https://www.flickr.com/photos/newbeatphoto/9026001730/>