

Abstract

The Democratic Republic of the Congo (DRC) is a mineral resource-rich country that has seen significant growth in mining over recent decades. This has provided a space for the Artisanal and Small-Scale Mining (ASM) sector to emerge as an important source of employment in this impoverished country. ASM in the DRC is primarily an unregulated informal sector that directly employs one million Congolese people. The ASM sector is plagued by complex issues, including facilitating the trade in conflict minerals, which is a funding mechanism for ongoing armed conflicts in the Eastern Provinces of North and South Kivu. ASM mining activities are also the cause of significant health and environmental impacts and contributes to the exploitation of child labour. This means there is a need to establish both a policy and a regulatory framework to support the ASM sector while protecting people and the environment from harmful consequences.

This thesis investigates attempts by the DRC government to establish a cohesive mining policy that incorporates an ASM regulatory framework and the challenges that prohibit it. A desktop review of the secondary literature was undertaken using key search terms focused on secondary sources from specific databases to extract archived sources and data. The databases searched included: ProQuest, Google Scholar, SpringerLink, Wiley Online Library, and the OECD Library.

The research found that the attempts by the DRC state and local level governments to regulate have been motivated by economic interests rather than to address the environmental effects, which has been the case in some comparative countries. Economic interests have focused on maximising profits, whereas countries that have focused on environmental interests have focused on minimising the environmental impacts of ASM. In the DRC, a state-based partnership with a private actor created a monopoly that only served two specific commodities in the ASM sector. More recently, the state has restricted export trade in Cobalt to affect market pricing to drive prices upward. This illustrates that state interference in the sector is a distinct barrier and deterrent to attracting more private actors with Foreign Direct Investment (FDI). The way forward is for the DRC to resolve the conflicts and not exert power over

PPPs by limiting export trade and potential profitability. Without establishing a peaceful environment, there can be no successful attempt to regulate the ASM sector and reduce poverty, which has been achieved in one of the comparative countries examined in this thesis.