

# Transformative Cohabitation: Artisanal Mining Governance in the DRC

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## Introduction

- ASM supports an estimated 225 million people worldwide
- The DRC produces 76% of global cobalt (USGS 2025), yet ASM contributes 15–30% of national cobalt production with virtually no legal protections.
- Despite over \$1 billion invested in formalization globally, the World Bank (2019) found traditional approaches insufficient and called for a new way of working with ASM.
- Miners lack legal recognition, workplace protections, and meaningful recourse when displaced. Formal mechanisms that might confer legal standing remain inaccessible by design. This is a global health equity failure.
- We propose transformative cohabitation: a rights-based governance framework organized around three pillars, working with informality rather than against it.

## Methods

**42 semi-structured interviews** with artisanal copper and cobalt miners, mineral traders, cooperative leaders, washers, small business owners, and community members in Haut-Katanga and Lualaba provinces, DRC (2019–2024)

**Participant-centered, qualitative methodology** to foreground miners' lived experiences and policy suggestions

**Thematic analysis** identifying three systemic governance failures: land, labor, and legitimacy

*“As a miner, you initiate exploitation in your place to earn. Companies will start coming, checking the content and taking samples... The next day, they come and chase you away, giving you 48 hours’ notice. They have soldiers, you have no strength, and you are forced to leave.”*

- Artisanal miner, Kolwezi, DRC

## Results

- **Land:** Miners identify and develop deposits only to be evicted with 48-hour notice when industrial operators arrive with military backing. Concession-sharing provisions in DRC mining law are rendered ineffective by corporate discretion and elite capture.
- **Labor:** Miners face systematic value extraction through manipulated assay testing (“Metorex” machines) and rigged pricing at buying houses, with no independent verification or recourse. One miner received only 25% of fair market value for his ore (Int-12, 2024). Another received a receipt written entirely in Chinese, making it impossible to verify their ore grade or payment (Int-31, 2024).
- **Legitimacy:** Miners are systematically criminalized on and near industrial concessions despite their essential supply chain contributions. Informality is actively produced by state and corporate exclusion, not individual choice. Miners themselves demand rights-based recognition as legitimate economic actors, not formalization.

## Transformative Cohabitation: A Three-Pillar Framework

*Transformative cohabitation works with informality rather than against it, recognizing miners as legitimate economic actors based on historical presence and contribution, not bureaucratic compliance.*

### PILLAR 1: Land Security

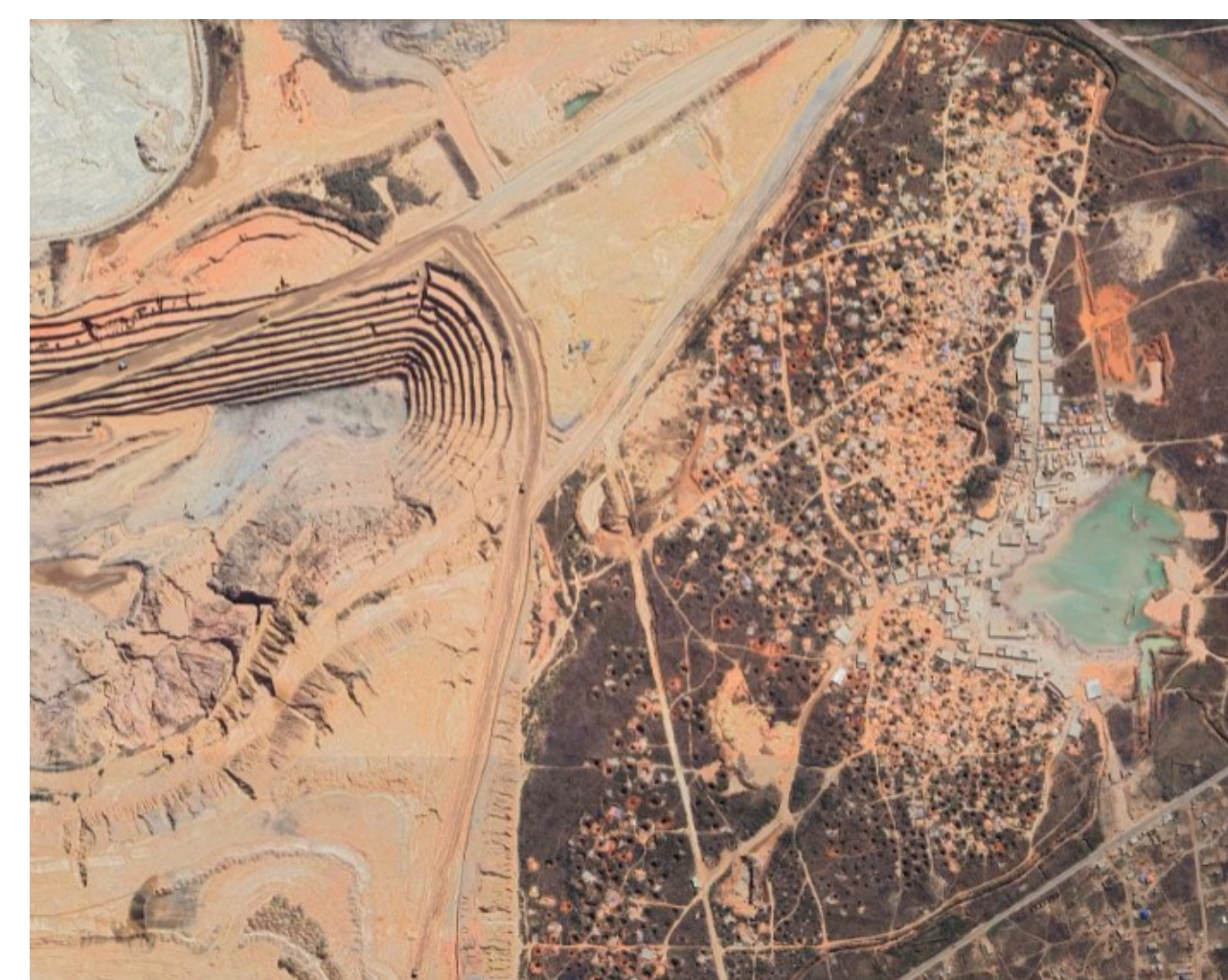
*Legally binding access agreements within or adjacent to industrial concessions. First-refusal rights where miners have identified deposits through their own labor. Enforceable relinquishment of concession areas for ASM use. Independent conflict resolution and compensation for unavoidable displacement.*



Kolwezi, DRC

### PILLAR 2: Labor Protection

*Independent third-party assay laboratories and transparent buying houses to eliminate price manipulation. Fair pricing verified by independent audit. Direct market access to break forced dependency on exploitative intermediaries.*



Large-scale and small-scale mines in Kolwezi

### PILLAR 3: Legitimacy Recognition

*Legal recognition based on historical presence, economic contribution, and livelihood necessity, not licensing compliance. End criminalization of ASM on industrial concessions. Rights secured through arbitration frameworks.*



Near the city of Lubumbashi, bags of crude cobalt hydroxide await road transport to African ports before being shipped to China. Image credit: Brandon Marc Finn

**References:** Finn, B.M., Backstrand, S., & Lukobo, E.M. (2026). *Transformative Cohabitation: A New Approach to Artisanal and Small-Scale Mining Interventions in the DRC*. Energy Research & Social Science. | Sources: Authors' field research (2019–2024); World Bank (2019); U.S. Department of Labor (2023); USGS (2025).

Formalization has failed. A new approach is urgently needed.

The clean energy transition is built on the labor of workers with no protections.

Transformative cohabitation: three pillars to fix what formalization cannot.

Protecting ASM workers is a global health equity imperative.