



**Resource Extraction
in Africa and
the Controversial
Role of NGOs**

May 2025

Resource Extraction in Africa and the Controversial Role of NGOs

May 2025

NGO Monitor's mission is to provide information and analysis, promote accountability, and support discussion on the reports and activities of NGOs claiming to advance human rights and humanitarian agendas.

Contents

Executive Summary	4
Introduction	5
The Extractive Industry in Africa	7
1. Legal Framework Governing Resource Extraction	8
1.1. Common Elements in African Mining Laws	8
1.2. Revenue Distribution and Taxation	10
1.3. Transparency and Corruption in Resource Extraction	12
1.4. Efforts to Improve Transparency and Accountability	13
2. Key Players in the Extractive Industry	14
2.1. Foreign powers	15
2.2. The NGO Network	19
Challenges and Criticisms of NGO Involvement in Africa's Extractive Sector	22
1. Lack of Diversity in NGO Perspectives	22
2. Shared Funding Sources	23
3. NGO Proliferation in the African Extractive Sector	25
4. Neglect of China and Russia's Roles	28
Case Study: The Democratic Republic of the Congo	31
1. Legal Framework	32
2. Corruption and Illicit Practices in the DRC Mining Sector	33
Transparency and Anti-Corruption Initiatives in the DRC	33
3. Key Actors in the DRC's Mining Sector	34
4. The Role of NGOs in the DRC's Mining Sector	37
4.1. The Case of Dan Gertler: A Window into NGO Influence	38
Conclusion and Recommendations	42

Executive Summary

This report critically examines the role of non-governmental organizations (NGOs) in Africa's extractive sector, analyzing their influence on policy, governance, and economic outcomes. While NGOs advocate for accountability, human rights, and environmental protection, this activity has not been without significant controversy. Their activities have raised concerns regarding selective advocacy, regulatory capture, and funding dependencies that can prioritize narrow political agendas and distort the policymaking process. These dynamics create an uneven regulatory landscape, where Western companies face intense scrutiny while state-owned enterprises from authoritarian regimes largely operate without comparable oversight. As a result, China and Russia have been able to monopolize critical minerals markets at great risk to global supply chains and Western security interests.

The report is structured into four main sections. The first outlines the legal frameworks governing Africa's extractive industries, including resource ownership, revenue distribution, and international investment. The second section focuses on critiques of NGO involvement, highlighting their disproportionate focus on Western actors, funding dependencies, and the accountability gaps left in relation to non-Western players. The third presents a case study of the Democratic Republic of the Congo (DRC), illustrating how NGO lobbying for US sanctions enabled Chinese firms to capture the DRC's cobalt sector, and necessitating significant policy changes to undo the damage.

The report concludes with actionable recommendations, to promote transparency, inclusivity, and accountability among all stakeholders in Africa's extractive sector. These recommendations include greater pluralism in policy discourse, strengthening legal frameworks, enhancing accountability and transparency mechanisms, and expanding scrutiny on authoritarian actors. Addressing these challenges is essential for fostering sustainable and equitable resource management.

Introduction

In May 2024, the Biden administration announced it was working on a plan to allow Dan Gertler, an Israeli businessman, to sell his copper and cobalt mining interests in the Democratic Republic of Congo.¹ The proposal, seemingly of minor US news interest, actually generated extensive media coverage. Seven years earlier, Gertler had been placed under US sanctions for alleged corruption in the DRC. In 2021, the Biden administration tightened these measures following an extensive NGO influence campaign.

The NGO lobbying, mass PR, and the resulting policy consequences had the effect of deterring Western companies from purchasing Gertler's mining interests. An economic and legal vacuum was created, affording China the opportunity to take control of 70%-80% of the DRC's cobalt market.²

Cobalt is essential for the electric vehicle industry and other green technology. When Biden announced that the sanctions policy was to be changed to protect US economic and security interests, the same NGOs that had played an integral role in the initial imposing of sanctions were incensed and immediately launched into action to block it.

These events provide a telling backdrop to the issue of resource extraction regulation in Africa, the role of NGOs in this regulation, and the dynamics and unforeseen consequences resulting from the involvement of NGOs in this sector.

Africa is a resource-rich continent, holding nearly 30% of the world's mineral reserves, including cobalt, diamonds, gold, and rare earth elements critical for global industries and energy transition. The DRC, South Africa, and Nigeria are at the heart of this wealth, playing vital roles in international supply chains. These nations provide essential materials that power the modern economy, from smartphones and electric vehicles to renewable energy systems. Yet, despite this vast economic potential, many African nations face challenges relating to the so-called "resource curse," where natural wealth often correlates with widespread poverty, inequality, political instability, and environmental harm.³

¹ Lipton, E. (2024, May 16). White House considers easing sanctions on Israeli billionaire. The New York Times. <https://www.nytimes.com/2024/05/16/us/politics/congo-cobalt-us-sanctions.html>

² King, I. (2024, September 11). Refining the Lobito Corridor: The future of cobalt in Sub-Saharan Africa. Harvard International Review. <https://hir.harvard.edu/refining-the-lobito-corridor-the-future-of-cobalt-in-sub-saharan-africa/>

³ African Development Bank (AfDB). (n.d.). African natural resources center (ANRC) brochure. African Development Bank. Retrieved from: https://www.afdb.org/fileadmin/uploads/afdb/Documents/Publications/anrc/AfDB_ANRC_BROCHURE_en.pdf

The promise of economic transformation in resource-rich countries is frequently undermined by systemic challenges. Governance failures, corruption, and weak legal frameworks prevent resource revenues from being channeled into initiatives that benefit local populations. Instead, these funds are often used to maintain political power, deepening socio-economic divides. At the same time, extractive industries have caused significant environmental damage and triggered conflicts over resource ownership and revenue allocation, further obstructing the continent's path to sustainable development.

Amid these challenges, NGOs have emerged as influential actors in the regulation of Africa's extractive sector. They have taken on critical roles, such as advocating for human rights, promoting environmental protection, and pushing for greater transparency in the management of natural resources. However, the involvement of NGOs in the African extractive sector has not been without controversy. NGO activism has led to the capture of regulatory processes by a narrow group of like-minded and similarly funded NGOs; lack of transparency; and NGO dependency on donor funding, which can skew priorities toward external agendas rather than local needs. NGOs have also faced accusations of selective advocacy, with some focusing disproportionately on Western actors while neglecting the activities of non-Western powers like China and Russia, whose state-owned enterprises have become dominant players in the mining industry, yet largely escape scrutiny from regulatory frameworks.

Guinea is an illustrative example of the risks of selective NGO engagement. Many NGOs initially supported the reformist image of President Alpha Condé, in particular surrounding extractive and economic issues. But they overlooked systemic corruption and human rights abuses during his tenure, inadvertently reinforcing a flawed governance system. Ultimately, Conde proved no different than his predecessor, and in December 2022, he was placed on the US Magnitsky sanctions list.

This report critically examines the role of NGOs in Africa's extractive sector, exploring their funding structures, advocacy strategies, and engagement with stakeholders. By analyzing these dimensions, it challenges the notion that NGOs are motivated by altruism and inherently generate positive dynamics and outcomes. The report begins by outlining the legal frameworks and key players governing Africa's extractive industries, highlighting the interplay between international institutions. It goes on to address some of the challenges and criticisms of NGO involvement, including their reliance on donor funding, selective advocacy, and neglect of non-Western authoritarian actors such as China and Russia. A detailed case study on the Democratic Republic of Congo is representative of how a narrow segment of NGOs often create and dominate the narratives in the extractive sector, sometimes overshadowing local stakeholders or exacerbating governance challenges by backing problematic players. Finally, the report concludes with actionable recommendations, emphasizing the need for transparency, inclusivity, and accountability among all stakeholders.

The Extractive Industry in Africa

Africa is a significant global supplier of precious minerals such as cobalt, diamonds, platinum, and uranium, with countries like the Democratic Republic of Congo (DRC), South Africa, Angola, and Nigeria playing pivotal roles in international supply chains. These resources are particularly critical for technological innovation and the shift to renewable energy. If managed well, Africa's resource wealth has the potential to drive economic expansion and innovation, create jobs, and generate substantial revenues that could significantly boost national development. Many countries, however, lack the technical capacity to best explore and locate viable deposits as well as the ability to extract and process mined resources. They are therefore reliant on foreign mining corporations to do this work.⁴

The reliance on foreign corporations as global demand for these minerals continues to grow creates a tension with the desire by many African governments to maintain centralized control over both the ownership of natural resources and the revenues generated from their extraction, and local communities wanting to ensure equitable benefits.⁵ Centralization often leads to corruption and inefficiency, with resource revenues diverted to perpetuate political power rather than investing in development projects like infrastructure and education. Resource-rich nations can thus succumb to the "resource curse," where instead of prosperity, they experience heightened poverty, inequality, environmental degradation, and social unrest.⁶

Beyond governance failures, the African extractive industry has been criticized for intensifying environmental degradation and triggering conflicts over resource ownership and revenue allocation.⁷ These conflicts further weaken the sector's contributions to sustainable economic development. Weak regulatory frameworks, widespread corruption, and inequitable revenue-sharing mechanisms continue to hinder the potential

⁴ Wise, H. Shtylla, S. (2007). The Role of the Extractive Sector in Expanding Economic Opportunity. Economic Opportunity Series. Retrieved from: https://www.hks.harvard.edu/sites/default/files/centers/mrcbg/programs/crri/files/report_18_EO%2BExtractives%2BFinal.pdf

⁵ Mukarakate, D. (2021) The role of extractives in Africa's inclusive green and resilient recovery. UNDP. <https://www.undp.org/africa/blog/role-extractives-africas-inclusive-green-and-resilient-recovery>

⁶ Mlambo, C. (2022) Politics and the natural resource curse: Evidence from selected African states, *Cogent Social Sciences*, 8:1.

⁷ Natural Resource Governance Institute. (2022). Triple win: How mining can benefit Africa's citizens, their environment, and the energy transition. Retrieved from: https://resourcegovernance.org/sites/default/files/documents/triple-win_how-mining-can-benefit-africas-citizens-their-environment-the-energy-transition.pdf; Toolkit and Guidance for Preventing and Managing Land and Natural resources Conflict. (2012). Retrieved from: https://www.un.org/en/land-natural-resources-conflict/pdfs/GN_Extractive.pdf

of Africa's extractive industry to transform its economies and improve the livelihoods of its citizens.

1. Legal Framework Governing Resource Extraction

The [extraction of natural resources](#) is governed by rules that define the rights and responsibilities of governments, companies, and citizens. These regulations form part of a broader legal and institutional structure that organizes state institutions and economic activities. A well-designed framework addresses the processes through which companies acquire licenses, the fiscal terms regulating payments between the state and corporations, environmental protection measures, relationships between extractive projects and neighboring communities, the conduct of public officials, and mechanisms for revenue management. It also emphasizes transparency and public accountability, ensuring that information is accessible and governance is effective.⁸

In Africa, the mining industry operates under a diverse and complex combination of national laws and international agreements that varies widely across the continent, reflecting different governance structures, legal traditions, and resource endowments. A major challenge lies in balancing the need to attract foreign investment and technology with the imperative to protect human rights and the environment. In many cases, however, governments have adopted less stringent regulations to appeal to investors, often at the expense of local populations and ecosystems. This has resulted in inadequate protection for mining host communities, leading to poverty, displacement, and ecological harm.⁹

Corruption and weak institutional capacity further undermine the effectiveness of these frameworks. Even when regulations are well-designed on paper, their implementation is often hindered by governance failures, leaving communities exposed to exploitation and environmental harm. Ultimately, the success of legal frameworks in regulating resource extraction depends on the strength of enforcement mechanisms and the political will to prioritize sustainable and ethical development.¹⁰

1.1. Common Elements in African Mining Laws

⁸ Natural Resource Governance Institute. Legal frameworks for natural resource governance. https://resourcegovernance.org/sites/default/files/nrgi_Legal-Framework.pdf

⁹ Natural Resource Governance Institute. (2022). Triple win: How mining can benefit Africa's citizens, their environment, and the energy transition. https://resourcegovernance.org/publications/triple-win-mining-africa-environment-energy-transition#footnote82_cnwuy1x

¹⁰ Igbayiloye OB, & Bradlow, D. (2021) 'An assessment of the regulatory legal and institutional framework of the mining industry in South Africa and Kenya for effective human rights protection: Lessons for other countries'. 21 African Human Rights Law Journal 363-388 <http://dx.doi.org/10.17159/1996-2096/2021/v21n1a16>

A key feature of mining laws in many African nations is the principle of national ownership of natural resources. In most countries, resources found on or beneath the surface are considered state property, with the government asserting ownership and control.¹¹ This ownership is often defined in the country's laws or constitution. In certain instances, such as in Ghana, Kenya, and Ethiopia, the constitution explicitly designates the people as the owners of natural resources, though this ownership is usually mediated through the state, or in some cases, the president.¹²

Another common element in African mining laws is the regulation of licensing for resource exploration and extraction with an increasing emphasis on improving transparency and combatting corruption.¹³ In recent years, resource-rich countries have established systems for license allocation to companies wishing to explore and exploit oil, gas, and minerals. These licensing procedures are usually defined by publicly available legislation and regulations, which outline the conditions under which companies can acquire rights to exploit resources.¹⁴ For example, Ghana's Minerals and Mining Act of 2006 governs the granting of licenses, while the DRC follows the Mining Code of 2018, which details the processes involved in obtaining licenses and the obligations of mining companies.¹⁵

Bilateral investment treaties (BITs) also play a significant role in the extractive industry in Africa. Many African nations are signatories to these treaties, which govern the legal and regulatory framework for foreign investment in the sector.¹⁶ Foreign investors typically seek assurance that once they invest in mineral exploration and identify commercially viable minerals, an incredibly expensive endeavor, they will be granted the right to mine and trade those minerals. Additionally, BITs provide security against the expropriation of

¹¹ Natural Resource Governance Institute. Granting rights: How governments can best manage mineral and oil resources. Retrieved from:
https://resourcegovernance.org/sites/default/files/nrgi_Granting-Rights.pdf

¹² Revenue sharing of natural resources in Africa : reflections from a review of international practices (English). Washington, DC: World Bank Group.
<http://documents.worldbank.org/curated/en/890931468209041225>

¹³ Contract and license allocations. (2021). EITI. Retrieved from:
<https://eiti.org/guidance-notes/contract-and-license-allocations>

¹⁴ Natural Resource Governance Institute. Granting rights: How governments can best manage mineral and oil resources.
https://resourcegovernance.org/sites/default/files/nrgi_Granting-Rights.pdf

¹⁵ Ghana. (2006). Minerals and Mining Act, 2006 (Act 703).
<https://faolex.fao.org/docs/pdf/gha85046.pdf>; Democratic Republic of the Congo. (2018). Mining Code of 2018 (Law No. 18/001 of 9 March 2018).

¹⁶ United Nations Economic Commission for Africa. Investment landscape study: A comprehensive review of investment opportunities and challenges in Africa.
https://archive.uneca.org/sites/default/files/PublicationFiles/eng_investment_landscaping_study.pdf

investments and ensure that foreign investors receive fair treatment by the host country.¹⁷ In some cases, however, countries like South Africa have reviewed and even terminated certain BITs, citing concerns that they restrict the state's ability to pursue its constitutional agenda.¹⁸

1.2. Revenue Distribution and Taxation

The design of revenue-sharing and taxation systems for resource extraction is both politically sensitive and context-specific. In general, taxation regimes can be problematic when rates are too low, either because companies exploit tax loopholes or inconsistencies in mineral valuation, or because the enforcement of the tax regime is inadequate. Over recent decades, many African countries have reduced taxes and royalties in the extractive sector to attract and retain foreign investment. Several foreign companies operating in Africa's extractive sector have benefited from highly favorable tax concessions, such as low royalty rates and exemptions from customs duties, VAT, export taxes, and corporate taxes. As a result, foreign firms often leverage their power to extract excessive economic rents, sometimes operating within multinational cartels that grant them monopoly power in negotiations. The cumulative impact of these practices is a reduction in tax revenues for host governments, even as foreign investors reap substantial profits.¹⁹

The distribution of revenues from natural resource extraction varies across countries, shaped by governance structures, partnerships with multinational corporations, and the effectiveness of revenue-sharing mechanisms. In most African countries, tax instruments related to resource extraction are centralized, meaning the central government typically oversees the collection and distribution of revenues. Separate or concurrent taxation systems involving both local and central governments are uncommon. However, some countries, such as Nigeria, have adopted revenue-sharing systems that allocate oil and tax revenues between different levels of government.²⁰

- **Fiscal Regimes**

A 2014 study by the World Bank describes how African countries employ a variety of fiscal regimes to determine how revenues from natural resources are shared. One

¹⁷ Saroni, C. (2023). PhD thesis. University of Cologne.
<https://kups.ub.uni-koeln.de/71092/1/Caroline%20Saroni%20PhD%20Thesis.pdf>

¹⁸ Akin, O. (2019). Leveraging natural resources for sustainable development in Africa. *Afronomics Law*.
<https://www.afronomicslaw.org/2019/07/30/leveraging-natural-resources-for-sustainable-development-in-africa/>

¹⁹ Besada, H et al 2015 Regulating Extraction in Africa: Towards a Framework for Accountability in the Global South. *Governance in Africa*, 2(1): 2, pp. 1–12, DOI: <http://dx.doi.org/10.5334/gia.ah>

²⁰ Revenue sharing of natural resources in Africa : reflections from a review of international practices (English). Washington, DC: World Bank Group.
<http://documents.worldbank.org/curated/en/890931468209041225>

approach is the auctioning of exploration and exploitation rights, which is considered a potentially preferable method for capturing rent. This system allocates rights to the most efficient bidder and helps capture the expected rent value. It is used in both concession and contractual regimes.

Concession fees are another fiscal instrument where the investor owns the resource after extraction, manages production and sale, and pays taxes. In some cases, governments use equity in projects to gain direct control and revenue. This can be acquired either by payment or for free. However, potential disadvantages of government equity include political interference and conflicts of interest.

Production sharing contracts are also common, where a company extracts the resource, is refunded for its costs, and shares the remaining profit with the government. These contracts are often combined with other fiscal instruments like royalties and income tax. Developing countries tend to use contractual regimes, while developed countries typically prefer concession regimes.²¹

- **Taxation Instruments**

Common taxation instruments used in the extractive sector include fixed fees/bonuses, royalties, income/profit taxes, and resource rent taxes. These taxes are integral to the revenue-sharing systems in place and directly affect the distribution of wealth generated from resource extraction.²²

- **Revenue Distribution- Key Examples**

Several countries provide notable examples of revenue distribution systems. In Botswana, for instance, the diamond partnership with De Beers is often cited as a successful model of transparency and equitable revenue sharing. Since the 1960s, the government of Botswana has entered into a joint venture with De Beers to form the “Debswana Mining Company,” which is 50% owned by each party.²³

In Ghana, the Minerals Development Fund (MDF), established under the Minerals Development Fund Act of 2016, allocates a portion of mining royalties to support development projects in mining communities.²⁴ Similarly, in South Africa, the Mineral and

²¹ World Bank. (2014). The World Bank Group’s support for extractive industries: The role of the public sector in the governance of the extractive industries. Retrieved from: <https://documents1.worldbank.org/curated/en/890931468209041225/pdf/902520WP0P1437000Final00April020140.pdf>

²² Revenue sharing of natural resources in Africa: reflections from a review of international practices (English). Washington, DC: World Bank Group. <http://documents.worldbank.org/curated/en/890931468209041225>

²³ De Beers Group. Building on diamonds: Creating a future with sustainable value in Botswana. <https://www.debeersgroup.com/~media/Files/D/De-Beers-Group-V2/documents/reports/botswana/deb081-03-buildingondiamonds.pdf>

²⁴ Ghana. (2016). Minerals Development Fund Act, 2016 (Act 912).

Petroleum Resources Royalty Act of 2008 requires mining companies to pay royalties to the state based on their gross sales, which are then used to fund national and local development.^{25 26}

1.3. Transparency and Corruption in Resource Extraction

Corruption remains a persistent issue in Africa's resource extraction sector, where a lack of transparency and governance failures often undermines resources from leading to national development.

One critical area of concern is corruption in the licensing process. While many African countries have formal systems for granting extraction rights, these processes are frequently clouded by opacity, creating several opportunities for corruption.²⁷ Licensing agreements are often negotiated in secrecy, with minimal public oversight, and confidentiality clauses in contracts prevent access to crucial information, such as details on royalties and tax obligations.²⁸

The mismanagement of resource revenues exacerbates the problem. In many cases, income generated from resource extraction fails to translate into meaningful development due to corruption and poor governance. For instance, in Nigeria, a substantial portion of oil revenue has been diverted through illicit channels or misappropriated by government officials. This diversion of funds has contributed to persistent poverty and underdevelopment in oil-producing regions.²⁹ Similarly, in Togo, where the government holds a free 10% stake in mining companies, an analysis of the 2021 EITI Report revealed inconsistencies: many companies could not verify the government's participation, highlighting ongoing issues of revenue mismanagement and a lack of accountability.³⁰

²⁵ South Africa. (2008). Mineral and Petroleum Resources Royalty Act, No. 28 of 2008.

²⁶ Webmaster. (2024). Mineral and Petroleum Resource Royalty. South African Revenue Service. Retrieved from: <https://www.sars.gov.za/types-of-tax/mineral-and-petroleum-resource-royalty/>

²⁷ Sayne, S. F. A. (2025). Red Flags, Green Future: Tackling corruption in mining licensing. Natural Resource Governance Institute. <https://resourcegovernance.org/articles/red-flags-green-future-tackling-corruption-mining-licensing>

²⁸ Natural Resource Governance Institute. Contracts and confidentiality: How the lack of transparency in extractive sector contracts fuels corruption. <https://resourcegovernance.org/sites/default/files/RWI-Contracts-Confidential.pdf>

²⁹ Offor, O. C. (2023). Oil Wealth and Illicit Financial Flows in Nigeria's Petroleum Sector. *Journal of Academics Stand Against Poverty*, 3(1), 17–36. <https://doi.org/10.5281/zenodo.8167750>

³⁰ Unveiling the invisible: Combatting corruption in Togo's extractive sector. (2024). EITI. Retrieved from: <https://eiti.org/blog-post/unveiling-invisible-combatting-corruption-togos-extractive-sector>; Togo 2021 EITI Report. (2024). EITI. <https://eiti.org/documents/togo-2021-eiti-report>

1.4. Efforts to Improve Transparency and Accountability

Despite the existence of treaties, laws, and other legal frameworks intended to define the relationship between governments and private companies, contracts in the extractive sector often remain inaccessible to the public.³¹ To address this lack of transparency, various international and regional initiatives have been launched. While African countries are gradually adopting these guidelines, progress has been uneven, and low administrative capacity in many states set back their full implementation.

- **International initiatives**

Internationally, frameworks like the Kimberley Process Certification Scheme (KPCS) play a pivotal role in combating illicit activities in the mining industry, particularly the trade of conflict diamonds. The KPCS, established in 2003, requires member states to enforce stringent certification processes to ensure that diamonds are conflict-free.³² This initiative has improved monitoring of the rough diamond trade in the vast range of producing, trading, and consuming countries and has facilitated the design of detailed maps of diamond deposits in producing countries. Most recent estimates suggest conflict diamonds compose less than one percent of all rough diamonds traded, compared with up to 15 percent in the 1990s.³³

Other global initiatives, such as the Extractive Industries Transparency Initiative (EITI), focus on enhancing accountability and transparency in resource revenue management.³⁴ EITI sets standards for disclosing information on company payments and government revenues from oil, gas, and mining, encouraging member countries to improve resource governance. Many African countries, such as Nigeria, Ghana, and Zambia, are EITI members, requiring them to disclose revenues from extraction activities.

- **Regional initiatives**

On a regional level, the African Mining Vision (AMV), established by the African Union in 2009, seeks to ensure that Africa's mineral wealth contributes to broader development goals.³⁵ The AMV calls for the "Transparent, equitable and optimal exploitation of mineral

³¹ Chikwanha, A. B. (2017). Combating corruption in the extractive industry in Africa. Paper produced as part of the project Exploring New Approaches and Strategic Entry Points for Anti-Corruption Efforts. Retrieved from: <https://issafrica.s3.amazonaws.com/site/uploads/iss-sida-1.pdf>

³² Kimberley Process Certification Scheme. Retrieved from: <https://www.kimberleyprocess.com/>

³³ Milovanovic, G. A. (2012). The Kimberley Process: Building on a decade of achievement. The Ambassadors REVIEW. Retrieved from: https://s3.amazonaws.com/caa-production/attachments/17/C_Pages24to28_Milovanovic.pdf?1366918841#:~:text=The%20Kimberley%20Process%20has%20facilitated,good%20of%20the%20general%20population.

³⁴ EITI. Our mission. Retrieved from: <https://eiti.org/our-mission>

³⁵ International IDEA. (2017) Enhancing natural resource governance in Africa. International Institute for Democracy and Electoral Assistance. Retrieved from:

resources to underpin broad-based sustainable growth and socio-economic development.” Institutions like the African Minerals Development Centre oversee and coordinate its implementation.³⁶ However, the AMV has faced criticism for its slow implementation, with only a limited number of African countries fully integrating it into their national policies.³⁷

2. Key Players in the Extractive Industry

The extractive industry in Africa is a complex and multifaceted sector, involving a diverse range of stakeholders with often conflicting interests.

In most countries, the state owns all natural resources within its territory, both on land and at sea. When resources are discovered, governments often partner with experienced extraction companies, as they lack the expertise, capital, or equipment to exploit these resources themselves. Governments generate revenue through ownership stakes, taxes, or royalties on profits.³⁸

Multinational corporations are also dominant players in the extractive sector. Companies like Glencore, Rio Tinto, and China Molybdenum are major players in mining operations across Africa, often partnering with local governments to access resources. At the same time, small- and medium-scale mining enterprises, including informal or illegal operations, play an important role in local economies, although these activities frequently operate outside the scope of regulatory frameworks.³⁹

International bodies and multilateral organizations, such as the World Bank, further shape the governance of Africa's extractive industries.⁴⁰ Through conditional loans, these organizations encourage transparency and anti-corruption measures, influencing the way resource-rich countries manage their extractive industries.

<https://www.idea.int/sites/default/files/publications/enhancing-natural-resource-governance-in-africa.pdf>

³⁶ African Minerals Development Centre. African Union. Retrieved from: <https://au.int/en/amdc>

³⁷ Oxfam. (2017). Africa mining vision: A shared vision for the future of Africa's mining sector. <https://oxfamlibrary.openrepository.com/bitstream/10546/620208/1/bp-africa-mining-vision-090317-en.pdf>

³⁸ Buster, J. (2021). The players and the game - Covering Extractives. NRGi <https://coveringextractives.org/handbook/chapter-1/>

³⁹ Signe, L. (2023). Africa's Mining Potential: Trends, Opportunities, Challenges and Strategies. Africa Portal. Retrieved from: https://africaportal.org/wp-content/uploads/2023/05/PP-10-21-Landry-Signe_1-1.pdf

⁴⁰ The World Bank. Extractive industries. Retrieved from: <https://www.worldbank.org/en/topic/extractiveindustries>

At the national level, state-owned enterprises (SOEs) play an important role in utilizing natural resources and overseeing the extractive sector. These entities can provide substantial revenue for the state, enhance government oversight of the industry, foster the development of local skills and technologies, and help navigate challenges related to the energy transition.⁴¹

2.1. Foreign powers

In Africa, there is growing rivalry and competition for influence and resources among the European Union, the United States, Canada, Russia, and China. Historically, Africa has drawn considerable international attention due to its abundant natural resources and economic potential. Moreover, Africa's geostrategic location makes it especially significant, as it is strategically positioned close to the major global consumption hubs.⁴²

- **China**

Over the past 20 years, China, mainly through its state-owned enterprises, has established a dominant presence in the African market across multiple sectors, including mining, through significant investments and consumption. By 2022, trade between China and Africa approached USD 300 billion, nearly three times the trade volume between the United States and African nations. Additionally, Chinese mining and battery companies have invested USD 4.5 billion in lithium mines, driving several lithium projects in countries such as Namibia, Zimbabwe, and Mali.⁴³

As of 2024, Chinese companies control approximately 8% of mining operations across the continent.⁴⁴ Both the Chinese government and private enterprises maintain a strong presence in mining activities across various Africa particularly in unstable regionsn countries, with recent expansions into processing operations to add value locally to extracted raw materials. China's strategic approach offers significant advantages to its

⁴¹EITI. State-owned enterprises. Retrieved from: <https://eiti.org/state-owned-enterprises>

⁴² De Freitas, M, V. (2023) The impact of Chinese investments in Africa: neocolonialism or cooperation? Policy Center. <https://www.policycenter.ma/publications/impact-chinese-investments-africa-neocolonialism-or-cooperation>

⁴³ Benabdallah, L. (2024). China's Role in Africa's Critical Minerals Landscape: Challenges and Key Opportunities. APRI. Retrieved from: <https://afripoli.org/chinas-role-in-africas-critical-minerals-landscape-challenges-and-key-opportunities>

⁴⁴Doyle, C., Herzer Risi, L. (2023) Examining China's impact on mining in Africa: critiques and credible responses. Wilson Center. Retrieved from: <https://www.wilsoncenter.org/blog-post/examining-chinas-impact-mining-africa-critiques-and-credible-responses>

enterprises.⁴⁵ The Chinese government provides a range of lucrative incentives, including subsidies in the form of below-market loans, tax breaks, and extensive financial and diplomatic support. These benefits often include hosting high-level visits and fostering relationships with political elites, leveraging initiatives like the Belt and Road Initiative,⁴⁶ to strengthen bilateral ties and deepen cooperation. Even in relatively stable regions, such incentives give Chinese companies a competitive edge in securing mining contracts.⁴⁷

However, China's extractive practices have been criticized for their negative impact on human rights, poor labor conditions, and lack of environmental sustainability in host countries.⁴⁸ Several reports documented violations of human rights and environmental laws at Chinese-operated mines across the African countries. For instance, in 2024, Liberia's Environmental Protection Agency shut down China's Bong Mines for multiple environmental infractions.⁴⁹ In the DRC, authorities arrested a group of 17 Chinese nationals for their involvement in illegal gold mining.⁵⁰ The same year, the CAR suspended a Chinese mining company's operations, accusing it of cooperating with armed groups.⁵¹

Key commodities dominated by Chinese companies highlight significant concerns over economic and regulatory practices in Africa. In the Central African Republic (CAR),

⁴⁵ Reale, H. (2023). China's Stake in Africa's Mines. The Wire China. Retrieved from: <https://www.thewirechina.com/2021/06/27/chinas-stake-in-africas-mines/>

⁴⁶ McBride, J. (2023). China's massive belt and road initiative. Council on Foreign Relations. Retrieved from: <https://www.cfr.org/backgrounder/chinas-massive-belt-and-road-initiative>

⁴⁷ Reale, H. (2023). China's Stake in Africa's Mines. The Wire China. Retrieved from: <https://www.thewirechina.com/2021/06/27/chinas-stake-in-africas-mines/>

⁴⁸ Adf. (2023) Chinese mines in DRC, Zimbabwe accused of violating human rights. Africa Defense Forum - Africa Defense Forum. <https://adf-magazine.com/2023/08/chinese-mines-in-drc-zimbabwe-accused-of-violating-human-rights/>

⁴⁹ Reuters. (2024). Liberia closes China Union's Bong Mines for violations, regulator says. Retrieved from: <https://www.reuters.com/markets/commodities/liberia-shuts-down-china-union-iron-ore-bong-mines-environmental-violations-2024-08-29/>

⁵⁰ Amani Matararo, T. (2025) China's illegal mining operations in the Democratic Republic of Congo. Harvard Kennedy School. <https://www.hks.harvard.edu/centers/carr/publications/chinas-illegal-mining-operations-democratic-republic-congo>

⁵¹ TRT World. (2023). CAR accuses Chinese mining company of aiding armed groups, halts ops. TRT World. Retrieved from: <https://www.trtworld.com/africa/car-accuses-chinese-mining-company-of-aiding-armed-groups-halts-ops-18171469>

Chinese firms have been accused of smuggling substantial quantities of gold to Cameroon, circumventing export taxes and depriving host countries of critical revenues. While only a small fraction of the gold output is taxed, the majority is illicitly transported across borders for export to China. In the DRC, Chinese companies held control over 72% of the cobalt and copper mines in 2023, including the Tenke Fungurume Mine, which alone accounts for approximately 12% of global cobalt production.⁵² Additionally, Chinese mining and battery companies have invested USD4.5 billion in lithium mining operations across Namibia, Zimbabwe, and Mali, cementing China's position as a dominant force in global lithium supply chains.⁵³

- **Russia**

In 2020, Russia was the world's second-largest exporter of mineral products, with exports totaling \$166 billion. These exports were primarily directed to China, the Netherlands, Germany, Italy, and South Korea. However, the international sanctions imposed on Russia throughout 2022, following its invasion of Ukraine, caused significant disruptions in global raw commodities markets. In response, many governments began reducing reliance on Russian materials.⁵⁴ To counteract these shifts, Russia pivoted its focus toward strengthening ties with West African governments, particularly in the gold mining sector.⁵⁵

As part of its efforts to revive its economy, Russia has increasingly exploited Africa's extractive resources, particularly in instable regions.⁵⁶ While not the root cause of these challenges, Russia's involvement, primarily through its Africa Corps (formerly the Wagner Group), has exacerbated instability by providing security assistance to fragile

⁵² Egyin, D. (2024) Addressing China's Monopoly over Africa's Renewable Energy Minerals. Wilson Center.

<https://www.wilsoncenter.org/blog-post/addressing-chinas-monopoly-over-africas-renewable-energy-minerals>

⁵³ Benabdallah, L. (2024). China's Role in Africa's Critical Minerals Landscape: Challenges and Key Opportunities. APRI.

<https://afripoli.org/chinas-role-in-africas-critical-minerals-landscape-challenges-and-key-opportunities>

⁵⁴ Chance, C. (2023) Mining arbitrations in Africa. Global Arbitration Review.

<https://globalarbitrationreview.com/review/the-middle-eastern-and-african-arbitration-review/2023/article/mining-arbitrations-in-africa>

⁵⁵ Re-examining Russia's presence in West Africa's gold sector. Risk Bulletin #3 (2022) Retrieved from:

<https://riskbulletins.globalinitiative.net/wea-obs-003/01-russias-presence-in-west-africas-gold-sector.html>

⁵⁶ Omollo, O. (2024). Africa's extractive industry: Navigating Russian exploitation amidst global tensions. African Business.

<https://african.business/2024/10/partner-content/africas-extractive-industry-navigating-russian-exploitation-amidst-global-tensions>

governments in exchange for access to valuable resources. Over the past year, Moscow has intensified its activities in Africa's Sahel region, including countries such as Mali and Burkina Faso, leveraging existing governance gaps, Western policy missteps, and rising anti-European sentiment.⁵⁷

According to the 2023 Blood Gold Report, produced by the Consumer Choice Center and 21Democracy—a nonprofit that tracks corruption and advocates for government transparency—Russia has extracted approximately \$2.5 billion worth of gold from Africa over the past two years, with multiple instances of Russian involvement in the sector. In the Central African Republic (CAR), the Wagner Group, a Russian state-funded private military company, gained exclusive control over the Ndassima gold mine, CAR's largest, through a front company, in exchange for military support to the authoritarian regime, generating up to \$1 billion annually in profits. In Sudan, a Russian-controlled refinery has positioned Wagner as the dominant buyer of unprocessed gold, with reports suggesting that Russian military planes have transported billions of dollars' worth of gold, bypassing official export channels. In Mali, Wagner receives a monthly retainer of \$10.8 million to support a ruthless military junta, which funds Wagner's payments through revenue from a few Western mining companies.⁵⁸

- **Canada**

Africa is the Canadian mining industry's second-largest investment destination after the Americas, with Canadian mining assets on the continent valued at \$37 billion, according to government figures. Between 2021 and 2022, the value of Canadian mining assets in Africa grew by 4.9%, with notable increases in the DRC (+\$469.2 million), Mali (+\$488.6 million), South Africa (+\$327.6 million), Tanzania (+\$370.2 million), and Zambia (+\$622.1 million).⁵⁹

In Zambia, Canadian companies have significantly expanded their operations. In 2023, First Quantum Minerals launched a \$1.25 billion campaign to increase copper production at the Kansanshi Mines by 25%. Similarly, Barrick Gold announced a \$2 billion investment in 2022 to expand the Lumwana Copper facility. In the DRC, Canadian companies increased their investments by \$488.6 million. For instance, "Ivanhoe Mines"

⁵⁷ West, S. (2024). Africa's Extractive Industry: Navigating Russian Exploitation Amidst Global Tensions. African Business. <https://african.business/2024/10/partner-content/africas-extractive-industry-navigating-russian-exploitation-amidst-global-tensions>

⁵⁸ Berlin, J., Clement, D., Elufisan, L., Hicks, E., & Kész, Z. (2023). The Blood Gold Report 2023. Retrieved from: <https://bloodgoldreport.com/wp-content/uploads/2023/12/The-Blood-Gold-Report-2023-December.pdf>

⁵⁹ Thomas, D. (2024). Canadian miners eye African expansion for transition minerals. African Business. <https://african.business/2024/04/resources/canadian-miners-eye-african-expansion-for-transition-minerals>

achieved commercial production at the Kamoā-Kakula Copper Complex, boosting annual copper output by 150,000 tons in 2024. The company also resumed operations at the Kamoā-Kakula zinc-copper mine in July 2024, with plans to produce 278,000 tons of zinc concentrate annually.⁶⁰

- **United States**

The United States depends heavily on imports of essential minerals, such as cobalt, graphite, and manganese, particularly from China. Many experts believe the US is overly dependent on China for minerals, which is a concerning position given the geopolitical and economic rivalry between the two nations.⁶¹

In response, the Biden administration prioritized strengthening economic and national security by collaborating with African nations to develop critical mineral resources. In August 2022, the administration introduced a US Strategy toward Sub-Saharan Africa to assist African countries in transparently leveraging their natural resources, including critical minerals, for sustainable development. This strategy also aimed to build supply chains that are diverse, open, and predictable.⁶² By December 2022, a memorandum of understanding was signed with the DRC and Zambia to cooperate in developing their battery industries. In 2023, senior officials announced investments, known as the Lobito Project, by the US International Development Finance Corporation in critical minerals and infrastructure in key African mineral-producing countries.⁶³ This strategy was crafted to serve as an alternative and pushback to China's "Belt and Road" initiative.⁶⁴

2.2. The NGO Network

The commodities boom of the mid-2000s significantly accelerated the growth of Africa's extractive industries. Rising prices for resources like copper, zinc, and nickel resulted in

⁶⁰ Nhede, N. (2024). CMA to highlight Canada's growing impact on African critical minerals. Energy Capital & Power.

<https://energycapitalpower.com/cma-to-highlight-canadas-growing-impact-on-african-critical-minerals/>

⁶¹ Sheehy, T. P. (2024) Why Africa's critical minerals are key to U.S. national security. United States Institute of Peace. Retrieved from:

<https://www.usip.org/publications/2024/04/why-africas-critical-minerals-are-key-us-national-security>

⁶² The White House. (2022). U.S. Strategy Toward Sub-Saharan Africa,

<https://www.whitehouse.gov/wp-content/uploads/2022/08/U.S.-Strategy-Toward-Sub-Saharan-Africa-FINAL.pdf>.

⁶³ <https://www.lobitocorridor.org/history-background>

⁶⁴ Ibid.

higher revenues and increased investments in resource-rich regions of the continent.⁶⁵ As global demand for resources increased, attention was drawn to challenges such as corruption, environmental degradation, and human rights abuses. This, in turn, triggered a surge of NGO activity targeting these issues.

The extraction of "blood diamonds" and "conflict minerals" gained particular attention during this period due to their role in fueling armed conflict and human rights violations. In response, various NGOs such as Global Witness and Amnesty International launched campaigns to raise awareness and pressure governments and corporations to end the trade in these resources.^{66 67} Prominent initiatives such as the EITI and the Publish What You Pay Coalition emerged, seeking to promote transparency, combat corruption, and address governance gaps in resource-dependent nations.

During this period, NGOs shifted their focus from merely providing direct aid to advocating for systemic political and economic change. By the mid-2000s, they sought to directly influence policies and decisions relating to the regulation of the extractive sector at local, national, and international levels.⁶⁸

Today, a wide range of NGOs are significantly involved in the creation and implementation of policies in Africa's extractive sector. They are active in lobbying governments, serve on government and international committees that shape and enforce policy, and are influential in driving media coverage. Moreover, there is often the phenomenon of the "revolving door" between civil society and government, where government officials involved in policy making will leave their roles (often during administration changes), join NGOs lobbying on the very issues that were under their government purview, and then rejoin government exercising regulatory power over the same policy. These activities, therefore, can blur the lines between government and civil society, and raise troubling questions regarding transparency and democratic governance.

- **International NGOs**

Several international NGOs are active and present themselves as champions for accountability and human rights in the extractive sector. The most notable are Global Witness, Amnesty International, and Human Rights Watch (HRW). Global Witness, for

⁶⁵ Hyde, T. (2017) A "dark side" to the commodity boom in Africa. American Economic Association. Retrieved from: <https://www.aeaweb.org/research/a-dark-side-to-the-commodity-boom-africa>

⁶⁶ Global Witness. Conflict diamonds. Retrieved from: <https://www.globalwitness.org/en/campaigns/conflict-diamonds/>

⁶⁷ Amnesty International. (2021, May). Democratic Republic of the Congo: Unprotected: The impact of mining on human rights and the environment in the DRC. Amnesty International. <https://www.amnesty.org/en/wp-content/uploads/2021/05/AFR1924942015ENGLISH.pdf>

⁶⁸ Nagora, L. (2023). The Evolution of NGO'S - Lavisha Nagora - Medium. Retrieved from: <https://medium.com/@lavishanagora2003/the-evolution-of-ngos-bd58616af649>

instance, asserts it works “to hold companies and governments to account for their destruction of the environment, their disregard for the planet and their failure to protect human rights.” Through campaigns, it aims to “end corporate corruption and ensure companies in the natural resource sector can no longer operate above the law.”⁶⁹ Similarly, HRW claims to “investigates how lucrative and politically important extractives projects can become entangled with abuses by unaccountable security forces; undermine the livelihoods of families forced to relocate to make way for them; and fuel government corruption.”⁷⁰ Whether these groups live up to their claims is open to debate.

Governance and equitable resource management are critical issues within Africa's extractive sector, with several NGOs claiming to promote responsible practices. One such organization, the Natural Resource Governance Institute (NRGI), purports to work on improving governance within the resource extraction industry. NRGI asserts its mission to support “informed, inclusive decision-making about natural resources.”⁷¹ However, the effectiveness of NRGI’s initiatives often depends on the political will of governments to implement its recommendations, underscoring the challenges of translating advocacy into actionable reform.⁷²

Some NGOs operate across multiple levels, combining advocacy with technical assistance to address governance and sustainability challenges. NRGI, for example, collaborates with governments, local organizations, and international bodies to promote responsible resource extraction. The capture of stakeholders by a narrow sector of NGOs, however, can hamper policy making and lead to counterproductive outcomes.⁷³

- **Sector-Specific NGOs**

One of the most influential groups is the Publish What You Pay (PWYP) coalition. Founded in 2002 by Global Witness, the Open Society Foundation, Oxfam, and other NGOs, PWYP is “a global network of civil society organisations” that claims to “fight[] to ensure these [extractive] industries are both open and accountable.”⁷⁴ The Platform to

⁶⁹ Global Witness. Taking on governments & companies fueling climate crisis and undermining human rights. Retrieved from: <https://www.globalwitness.org/en/about-us/>

⁷⁰ Human Rights Watch. Oil, mining, and Natural Resources. Retrieved from: <https://www.hrw.org/topic/economic-justice-and-rights/oil-mining-and-natural-resources>

⁷¹ Natural Resource Governance Institute. About Us. Retrieved from: <https://resourcegovernance.org/about-us>

⁷² Chikwanha, A. B. (2017). Combating corruption in the extractive industry in Africa. Paper produced as part of the project Exploring New Approaches and Strategic Entry Points for Anti-Corruption Efforts. Retrieved from: <https://issafrica.s3.amazonaws.com/site/uploads/iss-sida-1.pdf>

⁷³ National Resource Governance Institute (NRGI). (2020). NRGI 2020-2025 strategy. Retrieved from: <https://resourcegovernance.org/sites/default/files/documents/nrgi-strategy-2020-2025.pdf>

⁷⁴ Publish what you pay. EITI. <https://eiti.org/supporters/publish-what-you-pay>

Protect Whistleblowers in Africa (PPLAAF), a France-based NGO, is also active on extractive issues in Africa.

- **Grassroots NGOs**

At the grassroots level, organizations like Lucha RDC in the DRC “advocates for social justice and accountability in the DRC through campaigns and encourages Congolese citizens to fight for the promotion and respect of human rights.”⁷⁵ Similarly, the Congo is Not For Sale Coalition (Le Congo n’est pas à Vendre), a network of grassroots NGOs including ODEP and Congo Nouveau, “have made the fight against corruption their priority.”⁷⁶

Challenges and Criticisms of NGO Involvement in Africa's Extractive Sector

As noted, non-governmental organizations (NGOs) have emerged as significant actors in Africa's extractive industries, presenting themselves as critical watchdogs committed to accountability, human rights, and environmental protection. However, their involvement is far more complex and problematic than their public image suggests.

1. Lack of Diversity in NGO Perspectives

A critical challenge in Africa's extractive industries is the dominance of Western-based international NGOs (INGOs) in shaping policy discourse and governance frameworks. These INGOs often present similar critiques of mining practices and shared advocacy perspectives, which, while addressing significant issues, frequently marginalize local voices and perspectives. Community leaders, regional governments, and domestic NGOs frequently find their priorities and concerns inadequately represented in major policy discussions and initiatives.

INGOs often have more resources, international visibility, and influence than their local counterparts. This allows them to set and dominate the advocacy agenda, particularly in international institutions (such as the UN and OECD), and parliaments (EU, UK, Canada, Australia, and the US) that are far removed from Africa, but their priorities may not always align with the realities on the ground. Local stakeholders in resource-rich African nations bring vital perspectives to extractive industry governance. These actors, including

⁷⁵ Lucha. (2018). Front Line Defenders. <https://www.frontlinedefenders.org/en/organization/lucha>

⁷⁶ Le CNPAV (Congo n’est pas à vendre). <https://www.corruptiontue.org/>

domestic NGOs, community organizations, and regional governments, emphasize the immediate socioeconomic benefits of resource extraction, such as employment opportunities and infrastructure development. They seek to balance these immediate needs with long-term sustainability goals. However, their nuanced understanding of local contexts and priorities is frequently overshadowed by the more generalized approaches of international organizations.⁷⁷

For example, while Publish What You Pay has emphasized the importance of community-level input in resource governance, many international campaigns continue to struggle with meaningful local engagement.⁷⁸ Local NGOs even criticized INGOs for taking credit for local successes, shifting blame for failures onto local actors, and lacking mutual respect.⁷⁹ This disconnect underscores a persistent gap between global advocacy strategies (and fundraising) and the realities experienced by local communities.

2. Shared Funding Sources

The lack of diverse perspectives among NGOs operating in Africa's extractive sectors can be traced primarily to their shared funding sources. This raises fundamental questions about organizational independence, local representation, and the ability to serve community interests effectively.

Major international organizations dominate the extractive industry discourse, supported heavily by Western governments, multinational corporations, and large foundations.⁸⁰ While such funding is often essential for operations, it creates complex dynamics that affect organizational independence.⁸¹

This funding structure has led to several interconnected challenges. First, it raises questions about the very nature of these organizations – the term "non-governmental" becomes questionable when substantial funding comes from government

⁷⁷ Megersa, K. (2022). Strengths and Weaknesses of INGOs in Delivering Development Outcomes. The Institute of Development Studies.

⁷⁸ Spriet-Mezoued, Z. (2023). Transition minerals could transform the DRC, but local communities must have their say - Publish What You Pay.
<https://pwyp.org/transition-minerals-could-transform-the-democratic-republic-of-congo-but-local-communities-must-have-their-say/>

⁷⁹ D'Arcy, M. (2020). When international NGOs try to "help" local ones and fail. African Arguments.
<https://africanarguments.org/2019/05/when-international-ngos-try-to-help-local-ones-and-fail/>

⁸⁰ See chart below.

⁸¹ Freedom House. (2020) The spread of Anti-NGO measures in Africa: Freedoms under threat. Retrieved from:
<https://freedomhouse.org/report/special-report/2019/spread-anti-ngo-measures-africa-freedoms-under-threat>

sources.⁸² Second, as NGOs become increasingly dependent on these funding streams, their accountability often shifts from local communities to distant donors. Third, international financial institutions and private foundations, while providing crucial resources, tend to align advocacy work with their own geopolitical interests and economic strategies.

The impact on local representation is particularly concerning. While international NGOs operate with significant resources and influence, local African civil society organizations, despite possessing valuable context-specific insights and alternative solutions, often lack the financial resources to expand their impact. This creates a paradox: NGOs originally valued for their grassroots connections and local responsiveness now frequently implement projects designed thousands of miles away, guided by externally imposed frameworks.⁸³

Moreover, this funding concentration has created a concerning trend where NGOs sometimes function as state substitutes, particularly in humanitarian contexts. This development bypasses democratic mechanisms and can weaken citizen influence, especially when international NGOs, driven by Western agendas, overshadow local initiatives and disregard the needs of the populations they aim to serve.⁸⁴

This centralized funding structure has significant consequences. It not only limits the effectiveness of advocacy efforts by narrowing the scope of solutions considered but also reinforces Western-centric narratives that often overlook or diminish the expertise of local communities. This issue is especially concerning in Africa's extractive industries, where local knowledge is essential for creating sustainable and fair solutions.

The following chart illustrates the overlap in funding for the most influential NGOs operating in the extractives sector:

NGOs	Shared Funders
Publish What You Pay	Open Society Foundations, Ford Foundation, Luminare ⁸⁵

⁸² Wright, G. W. (2012). NGOs and Western hegemony: causes for concern and ideas for change. *Development in Practice*, 22(1), 123–134. <https://doi.org/10.1080/09614524.2012.634230>

⁸³ Matthews, R. (2017) *NGOs and Social Justice in South Africa and Beyond*. University of KwaZulu-Natal Press.

⁸⁴ Joachim, J. M. (2016). NGOs in world politics. In P. Owens, J. Baylis, & S. Smith (Eds.), *The globalization of world politics: An introduction to international relations* (7th revised ed., pp. 347-362). Oxford University Press.

⁸⁵ Publish What You Pay, 2023 Annual Report <https://pwyp.org/wpcontent/uploads/2024/05/ANNUAL-REPORT-2023-ENGLISH-1.pdf>

Global Witness	Open Society Foundations, Ford Foundation, Luminate ⁸⁶
Amnesty International	Open Society Foundations, Ford Foundation, Luminate
Human Rights Watch	Ford Foundation, Open Society Foundations.
Natural Resource Governance Institute (NRGI)	Ford Foundation, Open Society Foundations, Rockefeller Foundation, Luminate ⁸⁷
Transparency International	Open Society Foundations ⁸⁸

3. NGO Proliferation in the African Extractive Sector

The role of NGOs in Africa’s extractive sector has grown considerably in recent decades, leading to an increase in their number and influence. However, this growth has also given rise to an "NGO industry," characterized by oversaturation, lack of coordination, and a duplication of efforts, which often results in inefficiencies. The proliferation of these organizations presents significant challenges that limit the sector’s effectiveness and ability to drive meaningful change.

First, the rapid increase in the number of NGOs in the extractive sector can overwhelm existing regulatory and oversight mechanisms. This issue is further compounded by the fact that many NGOs lack robust self-regulation mechanisms and transparency in their auditing processes, making it harder for authorities to ensure accountability and proper oversight. It also makes it difficult for stakeholders—such as donors and affected communities—to assess the true impact of the organizations’ efforts. Furthermore, inadequate monitoring and reporting on the outcomes of their activities can perpetuate inefficiencies, preventing stakeholders from making informed decisions on how best to address the complex issues within the extractive sector.⁸⁹

Another significant challenge stemming from NGO proliferation is the legislative response it has triggered across the African continent.⁹⁰ Many nations have grown

⁸⁶ Global Witness 2023 Annual Report and Financial Statement.

⁸⁷ Funders | Natural Resource Governance Institute. <https://resourcegovernance.org/funders>

⁸⁸ Transparency International 2023 Financial Statement
<https://files.transparencycdn.org/images/Download-2023-Financial-Statements-PDF.pdf>

⁸⁹ El-Gack, A. (2016). The Power of Non-Governmental Organizations in Sudan: Do Structural Changes Matter?. *Australasian Review of African Studies*, 37(1). Retrieved from:
https://afsaap.org.au/assets/vol37no1june2016_el-gack_pp52-72.pdf

⁹⁰ Freedom House. (2020). The spread of Anti-NGO measures in Africa: Freedoms under threat. <https://freedomhouse.org/report/special-report/2019/spread-anti-ngo-measures-africa-freedoms-under-threat>

increasingly concerned about NGOs occupying substantial space in key areas, perceiving them as a potential threat. In response, governments have increasingly sought to suppress NGOs they view as opponents, implementing restrictive policies targeting their operations. These measures often include limits on foreign funding, restrictions on international hiring, complex registration requirements, and provisions for increased government intervention in NGO activities.⁹¹

The growing presence of multinational corporations in the extractive sector adds another layer of complexity. As more multinationals establish operations in extractive industries, they create an environment where NGOs proliferate alongside them, often gaining power through corporate partnerships. Through these NGO networks, corporations are able to exercise control over postcolonial states, using multistakeholder corporate social responsibility (CSR) frameworks to gain legitimacy while continuing harmful social and environmental practices. While such partnerships provide critical funding for NGOs, they also risk compromising the independence of these organizations, undermining their mission, and reinforcing corporate interests in the sector.⁹²

Selective Criticism of Leadership

NGOs operating in Africa's extractive sector have selectively engaged with political leaders, focusing their advocacy efforts on certain regimes while neglecting others with equally problematic records. This selective approach can manifest in several ways, such as similar violations going unchallenged in different countries, applying different standards of criticism to different governments, or forming partnerships that may legitimize flawed governance practices. The risk here is twofold - it can undermine the NGOs' credibility as impartial actors and potentially reinforce the very governance problems they aim to address.

- **Case Study: Guinea, Alpha Condé and NGOs**

The presidency of Alpha Condé in Guinea illustrates this dynamic. When elected in 2010, Condé was initially celebrated as a reformist committed to curbing corruption and improving governance, especially in the country's bauxite and iron ore sectors.⁹³ Many international NGOs promoted his agenda, presenting him as representing a new era for

⁹¹ Chaudhry S. (2022) The Assault on Civil Society: Explaining State Crackdown on NGOs. *International Organization*. 76(3):549-590.

⁹² Iwilade, A. (2022). Manufacturing consent in Africa? Multinationals, NGOs and the (re)invention of resistance in the Niger Delta's oilscapes. *Third World Quarterly*, 44(1), 39–56. <https://doi.org/10.1080/01436597.2022.2122951>

⁹³ The fall of Alpha Condé's regime in Guinea: A critical appraisal. (2021) orfonline.org. <https://www.orfonline.org/expert-speak/the-fall-of-alpha-condes-regime-in-guinea-a-critical-appraisal>

Guinea.⁹⁴ They actively collaborated with his government, especially in the realm of mining reform. NGOs played a key role in shaping Guinea's mining review process, working closely with Condé to provide technical support, draft recommendations, and facilitate discussions between the Guinean government and influential international bodies such as the Open Society Foundation (OSF).

Among the key contributors to the reform process was Revenue Watch (now NRG), which conducted a thorough review of existing mining contracts. NRG was also heavily involved in implementing the mining reform plan, serving as a technical advisor and acting as a central point of contact for the government.⁹⁵ ⁹⁶ The Guinean branch of PWYP was equally influential, with its head being a member of Guinea's Technical Committee for the mining reform.⁹⁷ PWYP also played a significant role in promoting the EITI, which required compliance to it as prerequisite for companies to keep their mining licenses.

While these actions were presented as part of a broader effort to improve Guinea's mining code and to promote the "development" of its people, Alpha Condé's administration soon became a focal point of controversy. Accusations of human rights abuses, arbitrary arrests and constitutional violations surfaced, particularly during his contentious bid for a third term in 2020, which involved amending the constitution to extend his rule of access.⁹⁸ Additionally, while Guinea experienced a relatively high economic growth during Condé's presidency, this growth failed to translate into tangible

⁹⁴ It should be noted that Condé had a strong friendship with George Soros, who promoted him as a reformer to world leaders. <https://www.newyorker.com/magazine/2013/07/08/buried-secrets>; https://www.facebook.com/Alexandersorospublic/photos/great-few-days-in-guinea-with-alpha-cond%C3%A9-pr%C3%A9sident-one-of-the-most-respected-le/1139495459546135/?_rdr. Most of the NGOs involved in publishing positive information about Condé were also recipients of Open Society funding.

⁹⁵ Comité Technique de Revue des Titres et Conventions Miniers. <https://web.archive.org/web/20130304061737/http://www.contratsminiersguinee.org/about/liens.html>

⁹⁶ Nsengiyumva, M. (2023). Responsible Mineral Development Initiative roundtable launches in Guinea. Natural Resource Governance Institute. <https://resourcegovernance.org/articles/responsible-mineral-development-initiative-roundtable-launches-guinea>

⁹⁷ Nsengiyumva, M. (2023, July 4). Responsible Mineral Development Initiative roundtable launches in Guinea. Natural Resource Governance Institute. <https://resourcegovernance.org/articles/responsible-mineral-development-initiative-roundtable-launches-guinea>

⁹⁸ The fall of Alpha Condé's regime in Guinea: A critical appraisal. (n.d.). orfonline.org. <https://www.orfonline.org/expert-speak/the-fall-of-alpha-condes-regime-in-guinea-a-critical-appraisal>

benefits for the population, with approximately 55% of Guineans living below the national poverty line.⁹⁹

Despite these concerning developments, the same NGOs that had initially promoted Condé and bolstered his image as a legitimate, democratic, and reformist leader were slow to criticize his administration. These organizations seemed reluctant to speak out against a leader they had previously backed and cooperated with, even as evidence of his authoritarianism and corruption grew. On 9 December 2022, Condé was placed under Magnitsky sanctions.¹⁰⁰ There is little evidence of any statements from NGOs that previously supported Condé, addressing his sanctioning, or their role in promoting him as a reformer.

4. Neglect of China and Russia's Roles

In recent decades, natural resource extraction in Africa has seen a dramatic shift, with Chinese and Russian state-owned enterprises (SOEs) seeking to outflank Western corporate players and gain control of critical mining sites and markets. The way NGOs approach these international actors has varied significantly, raising important questions about their priorities, agendas, accountability, and oversight.

The traditional focus of NGO advocacy has centered predominantly on Western companies, emphasizing corporate responsibility, environmental standards, and human rights considerations. In contrast, the activities of Chinese and Russian SOEs often receive less scrutiny, despite their significant involvement in resource extraction across the continent. For example, the Natural Resource Governance Institute (NRGI) has not updated its “country profile” on China since 2017; RAID’s last report on Chinese activities dates back to 2009; and Amnesty International’s most recent report on the topic was published in 2020. This oversight gap stems from several interconnected challenges that complicate NGOs credibility.¹⁰¹

The opaque nature of Chinese and Russian business operations and the lack of transparency in these authoritarian regimes present significant barriers to scrutiny.

⁹⁹ Buchanan-Clarke, S. (n.d.). Guinea’s coup: why it happened and where to from here? | Good Governance Africa. <https://gga.org/guineas-coup-why-it-happened-and-where-to-from-here/>

¹⁰⁰ Conakry, U. E. (2022). *U.S. Treasury Department Sanctions Former President Alpha Condé for Serious Human Rights Abuses in Guinea - U.S. Embassy in Guinea*. U.S. Embassy in Guinea.

¹⁰¹ Resource Governance Index. Retrieved from: <https://resourcegovernanceindex.org/country-profiles/CHN/oil-gas?years=2017>; RAID. (2009). *Chinese Mining Operation in Katanga Democratic Republic of the Congo*. RAID. <https://raid-uk.org/wp-content/uploads/2023/03/drc-china-report.pdf>; Amnesty International. (2020) *Central African Republic: Chinese Mining Companies Have moved on but need for investigations, accountability and remedy remain*. <https://www.amnesty.org/es/wp-content/uploads/2021/05/AFR1927082020ENGLISH.pdf>

Limited reporting regulations and restricted access to corporate documentation add to these difficulties, often preventing NGOs from conducting the same depth of analysis they perform on Western corporations.

Political considerations also play a crucial role in shaping NGO approaches to oversight. Many organizations express concerns about potential diplomatic repercussions or the risk of losing operational access in certain territories if they adopt an aggressive stance toward Chinese or Russian interests. These fears are often well-founded, given the strategic relationships between many African host nations and these powerful state actors. NGO focus on Western interests also reflects their ability to achieve impact. It is much easier to obtain “wins” in open societies where it is easier to generate public pressure and have influence. Additionally, the funding dynamics of the NGO sector itself can influence research priorities, as many organizations rely heavily on Western donors whose interests, not to mention the postcolonial and Marxist ideologies prevalent in the NGO sector, may align more closely with scrutinizing Western corporate behavior than those of China and Russia.

The difference in NGO scrutiny between Western and Chinese and Russian mining operations in Africa becomes clear when comparing specific cases. The Och-Ziff Capital Management Group case from 2016 demonstrates this pattern, where the US hedge fund faced extensive investigation from multiple NGOs. Organizations like Global Witness and RAID documented specific transactions, mapped bribery networks, and named individuals involved.¹⁰² These findings, widely cited in international media, led to additional investigations by regulatory bodies, ultimately leading to a \$213 million criminal fine with the U.S. Department of Justice.¹⁰³

In contrast, corruption cases involving Chinese actors, such as Sam Pa, the leader of the Hong Kong-based Queensway Group, have received significantly less attention from major NGOs. Pa's company facilitated access to natural resources like oil, diamonds, and iron ore by offering financial and military support to political elites in several African countries.¹⁰⁴ Despite the severity of these actions, international NGOs like Amnesty International, HRW, and RAID, failed to investigate or report the case. Instead, it was primarily covered by media outlets.

¹⁰² RAID. (2017) Bribery in its purest form': Och-Ziff, asset laundering and the London connection. Retrieved from: https://raid-uk.org/wp-content/uploads/2023/03/oz_bribery_in_its_purest_form_full_report_rev.pdf

¹⁰³ RAID (2023). Press follow-up to RAID's report on Och-Ziff. Retrieved from: <https://raid-uk.org/press-follow-up-to-raids-report-on-och-ziff/> ; Och-Ziff Capital Management admits to role in Africa bribery. (2025). <https://www.justice.gov/archives/opa/pr/och-ziff-capital-management-admits-role-africa-bribery-conspiracies-and-agrees-pay-213>

¹⁰⁴ Burgis, T., & Sevastopulo, D. (2024). China in Africa: how Sam Pa became the middleman. Financial Times. <https://www.ft.com/content/308a133a-1db8-11e4-b927-00144feabdc0>

The implications of this uneven scrutiny extend beyond simple matters of fairness or balance. The selective application of oversight has created significant accountability gaps within the extractive sector, potentially allowing certain actors to operate with minimal transparency or responsibility to local communities. This situation has led to market distortions, where different international players effectively operate under varying standards of accountability, potentially creating competitive advantages for those subjected to less rigorous scrutiny.

The path forward requires a transformation in how NGOs approach their role in monitoring Africa's extractive sector. This change must maintain high standards of scrutiny while ensuring more equitable attention to all major players in the industry. As the sector continues to evolve with the increasing influence of non-Western actors, the need for balanced, thorough oversight becomes ever more critical.

Case Study: The Democratic Republic of the Congo

The Democratic Republic of the Congo (DRC) serves as an example of the complexities of resource rich countries in Africa. Possessing vast deposits of minerals essential to modern industries—such as copper, cobalt, gold, diamonds, and coltan—the DRC holds a pivotal role in global supply chains driving both technological innovation and the transition to renewable energy.¹⁰⁵

In 2022, the DRC solidified its position as the world's largest cobalt producer, extracting 130,000 tons—nearly 68% of the global supply—an essential resource for lithium-ion batteries powering electric vehicles. The country was also the fourth-largest producer of industrial diamonds that year, producing 4.3 million carats for manufacturing and industrial applications. Moreover, its emerging lithium sector, centered around the Manono-Kitolo site with an estimated 120 million metric tons of lithium ore, positions the DRC as a future leader in green energy technologies.¹⁰⁶ The country's high-quality copper reserves, with ore grades exceeding 3%—well above the global average—further highlight its strategic importance in renewable energy and electrical infrastructure.

Despite this immense wealth, the DRC remains one of the poorest countries in the world, ranked among the top five poorest nations globally. In 2022, 62% of its population lived below the international poverty line, underscoring the disconnect between the country's natural riches and the well-being of its people.¹⁰⁷ Governance issues, systemic corruption, and weak legal frameworks undermine the equitable distribution of mining revenues, leaving the DRC heavily dependent on external actors. In conjunction, the DRC has been the site of intense armed conflict for more than two decades, exacerbating the challenges of regulating the mining sector.¹⁰⁸

NGOs have reported on governance challenges and human rights abuses in the DRC's mining sector. However, their reports often overlook the roles of major international actors, particularly China, which dominates the DRC's extractive industry. Addressing this gap is essential to understanding the broader dynamics of the sector. This section uses the DRC as a case study to explore the roles of NGOs in the extractive industries

¹⁰⁵ Democratic Republic of the Congo. EITI. <https://eiti.org/countries/democratic-republic-congo>

¹⁰⁶ Masilela, P. (2023). Top 10 largest lithium mines in Africa. Retrieved from: <https://www.miningreview.com/energy/top-10-lithium-producers-in-africa/>

¹⁰⁷ Overview. World Bank. <https://www.worldbank.org/en/country/drc/overview#1>

¹⁰⁸ Center for Preventive Action. (2025). Conflict in the Democratic Republic of Congo | Global Conflict Tracker <https://www.cfr.org/global-conflict-tracker/conflict/violence-democratic-republic-congo>

and assess their limitations, particularly regarding their engagement with external actors like China.

1. Legal Framework

The DRC's mining sector operates under the 2002 Mining Code and the 2003 Mining Regulations, both of which were updated in 2018 to address issues like transparency, local benefits, and environmental protection.¹⁰⁹

According to the DRC's Constitution and Mining Code, underground minerals are state property. However, the government can grant private entities the right to explore and extract these resources through mining titles. Landowners, including those with customary land rights, do not have ownership over subsoil minerals. Instead, the ownership of extracted minerals belongs to those holding mining or quarry rights. Mineral deposits are legally treated as a distinct property right, separate from land concessions. This means landowners have no claim to minerals, groundwater, or geothermal resources found on their land.

The 2018 revisions to the Mining Code were a turning point, designed to boost state revenues from mining. Key changes included raising royalties to 3.5% for base metals like copper and 10% for strategic minerals, while removing a tax stability clause that, for a decade, had shielded mining companies from increased taxes. The updated code also placed stricter rules on the transfer of mining rights, emphasized local development contributions, and increased transparency. Importantly, it stipulated that mining permits could only be granted to legal entities, not individuals.¹¹⁰

*Despite these reforms, oversight bodies lack the resources to implement, monitor or enforce the law, leaving room for corruption, illegal practices, and exploitation by both domestic and foreign actors.*¹¹¹

¹⁰⁹ Democratic Republic of the Congo. (2002). Mining Code of 2002 (Law No. 007/2002 of July 11, 2002); Democratic Republic of the Congo. (2003). Mining Regulations of 2003 (Regulations No. 038/2003); Democratic Republic of the Congo. (2018). Mining Code of 2018 (Law No. 18/001 of March 9, 2018).

¹¹⁰ Koné, L. (2023) Democratic Republic of the Congo: A rights-based analysis of mining legislation. Forest Peoples Programme (FPP).
<https://www.forestpeoples.org/en/report/2023/drc-rights-based-analysis-mining-legislation>

¹¹¹ World Bank. (2023). Democratic Republic of Congo: Country Economic Memorandum. Case Study 1: Mining Value Chains.

2. Corruption and Illicit Practices in the DRC Mining Sector

Corruption is deeply entrenched in the DRC's mining sector, distorting the benefits of its vast mineral wealth.¹¹² In October 2022, the Financial Action Task Force placed the DRC on its grey list, highlighting risks of money laundering, financial fraud, and terrorism financing within the country.¹¹³ Key forms of corruption in the mining sector include bribery, smuggling, and human rights abuses.

Bribery in the licensing and contracting process is a significant challenge. Government officials frequently demand bribes to issue or renew mining licenses, while contracts are often awarded to politically connected individuals or foreign companies with little to no transparency.

*Smuggling and illicit trade in high-value minerals such as cobalt and coltan exacerbate these issues. Smuggling operations deprive the state of critical revenue and regulatory oversight while fueling conflict, particularly in the DRC's eastern regions where armed groups control many mining sites. Cobalt mining, in particular, has been plagued by corruption. Environmental advocates and civil society actors report that law enforcement officials visit cobalt mining sites at night to illegally obtain minerals from artisanal miners, reselling them for profit. Smuggling networks exploit porous borders with Zambia, Burundi, and Tanzania, where poorly paid officials are easily bribed.*¹¹⁴

The mining sector is also closely associated with human rights abuses, including unsafe working conditions, forced labor, and child labor. Artisanal miners, especially those operating under the control of armed groups, face exploitation and violence.¹¹⁵ A 2019 study found that children under the age of 15 were working at 16% of mining sites, with most involved in gold extraction.¹¹⁶

Transparency and Anti-Corruption Initiatives in the DRC

The DRC has taken steps toward improving transparency in its extractive sector, most notably by implementing the Extractive Industries Transparency Initiative (EITI) in

¹¹² Overseas business risk for DRC. (2023). GOV.UK. Retrieved from: <https://www.gov.uk/government/publications/overseas-business-risk-for-drc/overseas-business-risk-for-drc>

¹¹³ "Black and grey" lists. FATF. Retrieved from: <https://www.fatf-gafi.org/en/countries/black-and-grey-lists.html>

¹¹⁴ Rampant cobalt smuggling and corruption deny billions to DRC | ISS Africa. (n.d.). ISS Africa. <https://issafrica.org/iss-today/rampant-cobalt-smuggling-and-corruption-deny-billions-to-drc>

¹¹⁵ World Bank. (2023). Democratic Republic of Congo: Country Economic Memorandum. Case Study 1: Mining Value Chains.

¹¹⁶ IPIS/ULULA, Assessing the impact of Due Diligence programmes in eastern DRC: A baseline Study, IPIS report, April 2019.

2007.¹¹⁷ In addition, the DRC has signed the UN Anticorruption Convention, signaling its commitment to addressing corruption within its institutions.¹¹⁸ However, challenges remain in fully enforcing these measures due to political interference, a lack of political will, and institutional weaknesses.¹¹⁹

Several international initiatives have been introduced to support these efforts and improve governance in the DRC's mining sector. The US Dodd-Frank Act, passed in 2010, plays a key role by requiring US companies to disclose their use of conflict minerals—such as tin, tungsten, tantalum, and gold (3TG)—that are often linked to fueling conflict and violence in the DRC and its neighboring regions. Under this law, companies must perform due diligence on their supply chains, which may include third-party verification, and report the origins of these minerals or, if the origin cannot be traced, disclose this information on their websites and in their annual reports.¹²⁰ Similarly, the EU's Conflict Minerals Regulation, introduced in 2017, mandates that European importers ensure the responsible sourcing of 3TG minerals from conflict-affected areas.¹²¹ Additionally, initiatives like the COTECCO Project have been launched to combat child labor in the cobalt supply chain, particularly in artisanal and small-scale mining operations. This project seeks to improve labor conditions and promote sustainable practices in mining, offering a critical step toward reducing exploitation in the sector.¹²²

3. Key Actors in the DRC's Mining Sector

The DRC government, through the Ministry of Mines and the state-owned mining company Gécamines, controls access to mineral resources, granting mining licenses and

¹¹⁷ Democratic Republic of the Congo. EITI. <https://eiti.org/countries/democratic-republic-congo>

¹¹⁸ United Nations. (2003). United Nations Convention Against Corruption (Resolution 58/4, adopted on October 31, 2003). Retrieved from: https://www.unodc.org/documents/brussels/UN_Convention_Against_Corruption.pdf

¹¹⁹ Cerc. (2022). CERC releases its first report on the UNCAC implementation in the Democratic Republic of Congo. Centre De Recherche Sur L'Anti-Corruption. <https://cerc.cd/cerc-releases-its-first-report-on-the-uncac-implementation-in-the-democratic-republic-of-congo/>

¹²⁰ U.S. Congress. (2010). Dodd-Frank Wall Street Reform and Consumer Protection Act (Public Law 111-203, July 21, 2010). Retrieved from <https://www.congress.gov/bill/111th-congress/house-bill/4173/text>

¹²¹ European Precious Metals Federation. (2024). Responsible Sourcing - EPMF. <https://www.epmf.be/responsible-sourcing/>

¹²² Combatting child labor in the Democratic Republic of the Congo's Cobalt Industry (COTECCO) Retrieved from: <https://www.dol.gov/agencies/ilab/combating-child-labor-democratic-republic-congos-cobalt-industry-cotecco>

enforcing regulations.¹²³ Gécamines became the exclusive gatekeeper to exploitation rights for the copper and cobalt mines, taking advantage of a provision in the mining code that allowed state-owned enterprises to keep their mining permits and transfer them to other companies. Gécamines is now primarily a minor partner in more than 20 joint ventures with foreign firms, with some reports indicating that these arrangements have resulted in opaque transactions that allegedly never reached the government treasury.¹²⁴

Artisanal and small-scale mining involves the extraction of minerals by individuals, groups, families, or cooperatives, typically using little to no machinery and often operating within the informal market sector.¹²⁵ Certain cobalt and copper sites in the DRC are associated with illegal interference from corrupt political and military actors, a lack of transparency in production and export data, and widespread human rights abuses. These include child labor, environmental degradation, and unsafe working conditions.¹²⁶ The Mining Code requires that any adult citizen involved in artisanal mining must be a member of an authorized cooperative and hold an artisanal mining permit, obtained through formal registration.¹²⁷ Despite lacking permits, many miners view their activities as lawful. In 2016, around 2 million Congolese were dependent on artisanal mining activities.¹²⁸

In eastern DRC, the situation is further complicated by the presence of armed groups that control many mining areas. A study from 2019 found that armed groups were present in 35% of mining sites and interfered in 26% of them.¹²⁹ Research undertaken by IPIS and Association Africaine de Défense de Droits de l'Homme demonstrates that non-state

¹²³ Embassy of the Democratic Republic of Congo. (2019) Retrieved from: <https://www.ambardcusa.org/invest-in-the-drc/industries/mining/>

¹²⁴ World Bank. (2021). Cobalt in the Democratic Republic of Congo: Market Analysis. Retrieved from: <https://documents1.worldbank.org/curated/en/099500001312236438/pdf/P1723770a0f570093092050c1bddd6a29df.pdf>

¹²⁵ Hentschel, T., Hruschka, F., & Priester, M. (2002). Artisanal and Small-Scale Mining: Challenges and Opportunities. Retrieved from: <https://www.iied.org/sites/default/files/pdfs/migrate/9268IIED.pdf>

¹²⁶ Cerc. (2023). Building accountability in the mining sector. Retrieved from: <https://cerc.cd/building-accountability-in-the-mining-sector/>

¹²⁷ Rampant cobalt smuggling and corruption deny billions to DRC. (2024) ISS Africa. <https://issafrica.org/iss-today/rampant-cobalt-smuggling-and-corruption-deny-billions-to-drc>

¹²⁸ DELVEDatabase. (n.d.). Country profile: Democratic Republic of the Congo. Retrieved from <https://www.delvedatabase.org/uploads/resources/Delve-Country-Profile-DRC.pdf>

¹²⁹ IPIS/ULULA, Assessing the impact of Due Diligence programmes in eastern DRC: A baseline Study, IPIS report, April 2019.

armed groups in eastern Congo have been financing a substantial part of their activities through extortion, illegal taxation, and solicitation of bribes.¹³⁰

Established mines in the DRC are primarily owned by international companies like Ivanhoe, CMOC Group, Eurasian Resources Group, and Zijin Mining Group.¹³¹ Among them, the Swiss-based Glencore remains a major player due to its scale. It operates Mutanda, the world's largest cobalt mine, as well as the prominent Kamoto Copper Company.

The DRC's mineral wealth attracts significant interest from several foreign powers.¹³² Although Western mining companies operated in the DRC during the 2000s, many have gradually pulled out since the early 2010s due to economic challenges and other factors, including reputational risks and concerns over sanctions related to conflict minerals. During this period, a downturn in mineral markets and growing financial pressures led many Western companies to sell their stakes, creating an opportunity for Chinese firms to step in.

- **China**

China is the largest investor in the DRC's mining sector, holding significant stakes in cobalt and copper mines. As of 2023, Chinese companies owned 72% of the cobalt and copper mines, including the massive Tenke Fungurume Mine, which produces around 12% of the world's cobalt.¹³³ Three Chinese state-owned enterprises (Sinohydro, China Engineering Machinery Corporation, and Zhejiang Huayou Cobalt [ZHC]) have signed joint ventures with DRC state-owned Gécamines, often gaining favorable terms in exchange for infrastructure investments.¹³⁴ In addition to mining operations, China operates at least seven cobalt processing entities in the DRC. However, most extracted

¹³⁰ IPIS. (2017). Les creuseurs miniers artisanaux et communautés environnantes, victimes des services de sécurité et de la justice au Sud-Kivu, à l'est de la RDC. Retrieved from: https://issuu.com/ipisresearch/docs/voicesasadho?utm_medium=referral&utm_source=ipisresearch.be

¹³¹ Democratic Republic of the Congo: Five largest mines in 2021. GlobalData. <https://www.globaldata.com/data-insights/mining/democratic-republic-of-the-congo--five-largest-mines-in-2090645/>

¹³² KPMG. (2014). Democratic Republic of Congo: Mining guide. Retrieved from <https://assets.kpmg.com/content/dam/kpmg/pdf/2014/09/democratic-republic-congo-mining-guide.pdf>.

¹³³ Addressing China's Monopoly over Africa's Renewable Energy Minerals. (2001). Wilson Center. <https://www.wilsoncenter.org/blog-post/addressing-chinas-monopoly-over-africas-renewable-energy-minerals>

¹³⁴ Anderson, P. (2023). Cobalt and Corruption: The Influence of Multinational Firms and Foreign States on the Democratic Republic of the Congo. *Journal for Global Business and Community*, 14(1). <https://doi.org/10.56020/001c.72664>

minerals are shipped to China for processing and manufacturing to meet growing global demand for critical minerals and finished products.¹³⁵

One landmark example of China's influence is the Sicomines Project, a deal between a Chinese consortium and the DRC government. Finalized in October 2009, the agreement granted the consortium a 68% stake in copper and cobalt production, with Gécamines retaining a minority share. It also involved a \$3 billion infrastructure loan from China Eximbank, with the possibility of further extensions tied to mining revenues. The financing was structured in phases, aligning funding with mine output. While this project set a precedent for subsequent Chinese investments, critics have raised concerns over a lack of transparency and disproportionate benefits for the DRC. The Sicomines Project exemplifies China's broader strategy: leveraging infrastructure investments to secure long-term access to critical minerals while expanding its economic and geopolitical footprint.¹³⁶

- **Russia**

Russia has also shown interest in the DRC's resource wealth, but employs different tactics, including disinformation campaigns. On March 8, 2024, the DRC government refuted claims of a military cooperation agreement with Russia. The Russian state-owned news agency TASS had reported that a draft deal included provisions for joint military training, cooperative drills, and visits by Russian warships and warplanes. These claims, although unsubstantiated, raised alarm across Africa. Russia's motives for making these assertions remain speculative. Analysts suggest it could be an attempt to establish a foothold in the DRC under the guise of military support, with the ultimate goal of exploiting its vast mineral resources to strengthen Russia's struggling economy amid international sanctions.¹³⁷

4. The Role of NGOs in the DRC's Mining Sector

The challenges faced by the DRC government, constrained by weak institutional capacity and corruption, have allowed NGOs to dominate narratives around resource governance in the DRC. The government's inability to enforce its own policies has further entrenched the role of NGOs as both advocates and regulators, in particular regarding Chinese mining companies.

¹³⁵ Addressing China's Monopoly over Africa's Renewable Energy Minerals. (2001, February 10). Wilson Center.
<https://www.wilsoncenter.org/blog-post/addressing-chinas-monopoly-over-africas-renewable-energy-minerals>

¹³⁶ Scungio, L. (2021) China's global mineral rush, Learning from experiences around controversial Chinese mining investments. Somo.

¹³⁷ West, S. (2024). Africa's Extractive Industry: Navigating Russian Exploitation Amidst Global Tensions. African Business.
<https://african.business/2024/10/partner-content/africas-extractive-industry-navigating-russian-exploitation-amidst-global-tensions>

Prominent organizations such as Global Witness and Human Rights Watch have sought to focus on selected high-profile cases of alleged corruption and human rights violations. Other NGOs, including Resource Matters, Public Eye, Afreewatch, and RAID, have also published several reports on abuses in the DRC mining sector.

However, the influence of NGOs has created an interesting dynamic in how mining sector issues are perceived and addressed. Their investigations and reports tend to focus disproportionately on Western actors and corporations while giving less attention to non-Western actors, particularly Chinese state-owned enterprises that now dominate the DRC's cobalt and copper industries. The emphasis on high-profile cases and Western actors perpetuates a "monopoly of thought," sidelining more comprehensive assessments of governance and development challenges in the DRC's extractive sector. The DRC presents a compelling case study of how NGO advocacy can sometimes lead to adverse policy outcomes when pursued without consideration for broader geopolitical and economic implications.

4.1. The Case of Dan Gertler: A Window into NGO Influence

The case of Israeli businessman Dan Gertler illustrates how NGOs' selective focus and narrow political agendas can create significant challenges for Western interests and global security.¹³⁸

Following NGO allegations of corruption, Dan Gertler was sanctioned under the United States' Global Magnitsky Act in 2017.¹³⁹ NGOs played a significant role in lobbying the US State Department to place Gertler under sanctions. For instance, The Sentry, an NGO founded in 2016 by George Clooney and John Prendergast to "analyze how armed conflict and atrocities are financed, sustained, and monetized,"¹⁴⁰ noted in their 2021 Annual Impact Report that "the combined efforts of The Sentry and other organizations resulted in sanctions imposed in 2017 under the US Global Magnitsky program."¹⁴¹

When the first Trump administration attempted to ease restrictions by granting Gertler a one-year license to conduct business with US entities, NGOs immediately mobilized to

¹³⁸ Elodie, T. (2023). NGOs urge continued sanctions against DRC mining giant Dan Gertler.

Mongabay Environmental News.

<https://news.mongabay.com/2023/05/ngos-urge-continued-sanctions-against-drc-mining-giant-dan-gertler/>

¹³⁹ United States. (2016). Global Magnitsky Human Rights Accountability Act, 22 U.S.C. § 2656. Retrieved from <https://www.congress.gov/bill/114th-congress/senate-bill/284>.

¹⁴⁰ The Sentry, "About the Sentry," <https://thesentry.org/about/>. The Sentry is supported by the same network of funders financing other NGOs active in the extractive industry including Open Society Foundation and The Ford Foundation. Government funding comes from the Dutch Ministry of Foreign Affairs, USAID, and the National Endowment for Democracy.

¹⁴¹ The Sentry, "2021 Annual Impact Report,"

<https://thesentry.org/wp-content/uploads/2023/12/TheSentry-2021-Annual-Impact-Report.pdf>.

maintain the sanctions.¹⁴² Again, The Sentry and other NGOs “launched a major media and advocacy campaign against this unprecedented action.”¹⁴³ For instance, a group of NGOs including Global Witness, Publish What You Pay, Human Rights Watch, Open Society Foundation, and RAID, wrote a letter on February 2, 2021 to US Secretary of State Anthony Blinken and Treasury Secretary Janet Yellen asking the in-coming Biden administration to reverse the license decision.¹⁴⁴

In an interesting turn, in May 2022, DRC President Tshisekedi wrote his own letter to Biden asking Gertler be removed from the Magnitsky list, noting that the sanctions had achieved their purpose, but their continuing application was having a “negative impact on the economic interests of our country” and has led to a situation where the DRC has had “difficulty attracting foreign investors.” He also noted that Gertler had been “one of the few, if not the sole” people willing to engage with the DRC in an “innovative process” for a settlement, and that the two sides had reached an “unprecedented amicable agreement that we believe is optimal for the Democratic Republic of Congo and its people.”¹⁴⁵

In 2023, when it appeared that sanctions relief might be imminent, there was an extensive uptick in NGO lobbying to block any changes.¹⁴⁶ For instance, on March 8, 2023, the NGO coalition again wrote a letter to US Secretary of State Anthony Blinken and Treasury Secretary Janet Yellen demanding the US government act to block any agreement between Gertler and the DRC government.¹⁴⁷ The campaign failed to take into account the need for such a settlement, namely to protect access to critical minerals and prevent Chinese capture of the industry. It also failed to address opposing civil

¹⁴² Elodie, T. (2023). NGOs urge continued sanctions against DRC mining giant Dan Gertler. Mongabay Environmental News.

<https://news.mongabay.com/2023/05/ngos-urge-continued-sanctions-against-drc-mining-giant-dan-gertler/> See also, <https://www.hrw.org/news/2021/02/03/joint-letter-us-dan-gertlers-license>; In addition, because Gertler was Israeli and a visibly Orthodox Jew, many of the campaigns against him involved antisemitic imagery and tropes.

¹⁴³ The Sentry, “2021 Annual Impact Report,” <https://thesentry.org/wp-content/uploads/2023/12/TheSentry-2021-Annual-Impact-Report.pdf>; Eric Lipton, “Sanctions are Reimposed on Israeli Billionaire Granted Relief Under Trump,” *New York Times*, March 8, 2021; Eric Lipton, “Tough Sanctions, Then a Mysterious Last-Minute Turnabout,” *New York Times*, February 21, 2021.

¹⁴⁴ Letter, <https://thesentry.org/wp-content/uploads/2021/02/Letter-Gertler-License-February2021.pdf>.

¹⁴⁵ Eric Lipton and Dionne Searcey, “Fight Over Corruption and Congo’s Mining Riches Takes a Turn in Washington,” *New York Times*, April 2, 2023.

¹⁴⁶ Robinson, M. (2024). Letters regarding Dan Gertler. The Sentry. <https://thesentry.org/2023/05/17/7662/letters-regarding-dan-gertler/>

¹⁴⁷ The Sentry, “Civil Society Groups Warn Against Sanctions Relief for Mining Tycoon Dan Gertler,” July 3, 2023, <https://thesentry.org/2023/03/07/7613/potential-sanctions-relief-gertler/>.

society voices in the Congo, which believed that the ongoing sanctions and lack of resolution regarding Gertler’s assets were becoming counterproductive and against the interests of the Congolese people.¹⁴⁸

By 2024, despite the Biden administration tasking energy advisor Amos Hochstein with finding a solution to Gertler’s case, organizations such as The Congo is Not for Sale and Transparency International continued their rigid opposition to any settlement. These NGOs focused exclusively on maintaining sanctions against Gertler without addressing the broader implications for resource governance in the DRC.

The rigid stance of NGOs inadvertently created an opportunity for Chinese state-backed companies to consolidate their position in the DRC’s mining sector. As Gertler faced increasing scrutiny and compliance requirements, Western firms became hesitant to invest in his assets, fearing litigation, sanctions, and other repercussions. As Hochstein noted, “sanctions are blocking Western investments,” creating a vacuum that Chinese firms quickly filled.¹⁴⁹

Meanwhile, Chinese companies quickly acquired mining assets, often operating with minimal oversight and little international scrutiny. Their dominance has severely impacted the Congolese population. Chinese firms have been repeatedly documented for exploiting workers and disregarding environmental regulations. Cobalt mining, in particular, is associated with severe human rights violations, such as hazardous working conditions, widespread use of child and forced labor, and significant environmental damage.¹⁵⁰ The absence of environmental protections has resulted in extensive pollution, with toxic waste contaminating both water sources and land, further deepening the struggles faced by local communities.¹⁵¹

The resulting Chinese monopoly over critical minerals essential for modern technology and green energy transition created profound economic and security vulnerabilities for the United States and its allies. Moreover, US efforts to implement climate change

¹⁴⁸ December 16 2022 letter from DRC Civil Society for Mining and Hydrocarbon Governance and Development
<https://int.nyt.com/data/documenttools/2023-ng-os-supporting-gertler-effort-letters/5d745de7dc85d481/full.pdf>.

¹⁴⁹ Martin, P., & Kavanagh, M. J. (2024, July 22). US says billionaire Gertler’s royalties must go to Congo for sanctions deal. Bloomberg.com

¹⁵⁰ From Cobalt to cars: How China exploits child and forced labor in the Congo | CECC. (2024, August 27). CECC.
<https://www.cecc.gov/events/hearings/from-cobalt-to-cars-how-china-exploits-child-and-forced-labor-in-the-congo>

¹⁵¹ Mednick, S. (2024). Chinese gold mining threatens a protected UN heritage site in Congo | AP News. AP News.
<https://apnews.com/article/congo-world-heritage-site-gold-mining-china-5e9499fd939c3c2d798a6165f3fc487b>

initiatives, particularly in the electric vehicle sector, have been severely compromised by dependence on Chinese-controlled mineral supplies.¹⁵² In 2023, in an interview with the Financial Times, DRC Finance Minister Nicolas Kazadi noted that “there is a time for sanctions and there is a time to do something different...the priority is to operate those assets to...get revenue for our people.”¹⁵³

The incoming Trump administration immediately implemented policy measures reflecting a shift towards US prioritization of national security interests. On February 10, 2025, President Trump signed an executive order suspending the enforcement of the Foreign Corrupt Practices Act (FCPA) pending a 180-day review of the law. The reasoning in the order for the move was that “overexpansive and unpredictable FCPA enforcement against American citizens and businesses — by our own Government — for routine business practices in other nations not only wastes limited prosecutorial resources that could be dedicated to preserving American freedoms, but actively harms American economic competitiveness and, therefore, national security.”¹⁵⁴

The NGO community’s approach to the Gertler case demonstrates the dangers of pursuing policy objectives in isolation. As US Secretary of State Marco Rubio emphasized, every policy decision must answer three simple questions: “Does it make America safer? Does it make America stronger? Does it make America more prosperous?”¹⁵⁵ The NGOs’ singular focus on anti-corruption efforts and selective targeting failed to consider crucial strategic dimensions. The NGOs showed little consideration of the impact, both locally and globally, of Chinese control over critical mineral markets, nor did they acknowledge the risk to anti-corruption efforts and transparency initiatives of creating opportunities for non-democratic actors, with little commitment to good governance principles, to gain control. NGOs seemed unaware of the potential impact of their advocacy for the Congolese people, on global supply chains and security interests, and the implications for climate change initiatives and green technology development.

¹⁵² Barbanell, M. (2023) Overcoming critical minerals shortages is key to achieving US climate goals. World Resources Institute. <https://www.wri.org/insights/critical-minerals-us-climate-goals>

¹⁵³ Times, F. (2023). DRC finance minister talks mining, smuggling and building batteries [Video]. Financial Times. <https://www.ft.com/video/2a7c09ef-4a71-4b9d-ac63-98eb97158dcc>

¹⁵⁴ Executive Order, February 10, 2025, <https://www.whitehouse.gov/presidential-actions/2025/02/pausing-foreign-corrupt-practices-act-enforcement-to-further-american-economic-and-national-security/>.

¹⁵⁵ Lee, M. (2025). Trump suspends US foreign assistance for 90 days pending reviews | AP News. AP News. <https://apnews.com/article/trump-foreign-aid-9f5336e84c45a6e782fa95f60a919f47?>

Conclusion and Recommendations

The role of NGOs in Africa’s extractive sector has undeniably become central. Their advocacy has shed light on systemic issues that perpetuate the resource curse. However, as this report demonstrates, the effectiveness and credibility of these organizations have been constrained by a range of challenges, including donor-driven agendas, selective advocacy, and insufficient attention to the growing roles of non-accountable, authoritarian actors like China and Russia. Addressing these challenges is critical to ensuring that Africa’s resource wealth becomes a foundation for sustainable and inclusive development rather than a driver of inequality and conflict.

NGOs’ dominance in the extractive sector has led to a “monopoly of thought,” where their narratives and priorities overshadow diverse perspectives, particularly those of local communities and governments. This has created an imbalance in policy discourse, with international NGOs often shaping the agenda to align with donor-driven priorities rather than grassroots realities. While their expertise and resources make NGOs important players, their proliferation in the sector has resulted in a crowded and sometimes counterproductive advocacy landscape.

The complexities of resource governance in Africa are exemplified by the mining sector in the Democratic Republic of Congo, where political, economic, and social dynamics intersect to shape the industry. Specifically, the role of NGOs in the extractive sector highlights the urgent need for comprehensive reforms. To address the challenges outlined in this report and optimize the potential for meaningful change, the following recommendations are proposed:

1. **Promote Pluralism in Extractive Sector Policy Discourse** – Too much of the debate is captured by a narrow sector of ideologically aligned and similarly funded NGOs. This group of organizations not only dominate policy discussions within local governments, but also in regional and international institutions at the UN, the EU, and the OECD. A broader sector of civil society involvement promoting a diverse set of views will enhance policy formation.
2. **Strengthen Transparency and Accountability Mechanisms**- Transparency is essential for fostering trust and ensuring responsible governance. All stakeholders—governments, corporations, and NGOs—should commit to publishing detailed reports on funding sources, advocacy priorities, and financial transactions. Expand initiatives like the Extractive Industries Transparency Initiative (EITI) to cover more regions and promote open access to contracts and agreements related to resource extraction.
3. **Address Selective Advocacy**- To enhance credibility and fairness, NGOs should broaden their focus to include all influential actors, particularly players like China and Russia. More attention must be paid to the regulation and activities of state-owned companies.

4. Support Robust Legal Frameworks- African governments must strengthen and enforce their legal frameworks to ensure sustainable and equitable resource governance. This includes: enhancing oversight mechanisms to eliminate corruption and illicit practices; implementing equitable revenue-sharing systems that support economic development, benefit local communities, respect human rights, and promote environmental protection in resource extraction activities.

By addressing these recommendations, Africa's extractive industry can transition from a source of conflict and exploitation to a driver of growth and sustainability. NGOs, in particular, as opposed to being vectors of controversy, have a unique opportunity to refine their strategies and strengthen their impact, ensuring that their interventions contribute to lasting and meaningful change.