

The Extractive Industries Transparency Initiative in the Democratic Republic of Congo

- The failing understanding and take ownership of the E.I.T.I objective prevents to reach the UN's sustainable development goals

Bitota Mudibu Sparf



The Extractive Industries Transparency Initiative in the Democratic Republic of Congo

- The failing understanding and ownership of the E.I.T.I objectives prevent to reach the UNs sustainable goals

Bitota Mudibu Sparf

Supervisor: Kjell Hansen, Swedish University of Agricultural Sciences, Department of Urban and Rural Development

Assistant Supervisor: -

Examiner: Örjan Bartholdson, Swedish University of Agricultural Sciences, Department of Urban and Rural Development

Assistant Examiner: -

Credits: 30 HEC

Level: Second cycle, A2E

Course title: Master thesis in Rural Development and Natural Resource Management

Course code: EX0889

Course coordinating department: Department of Urban and Rural Development

Programme/education: Rural Development and Natural Resource Management Master's Programme

Place of publication: Uppsala

Year of publication: 2020

Cover picture: Abandoned mining at the Gecamines site in Kolwezi (DRC). Photographer:/Bitota Mudibu Sparf 2020

Copyright: Bitota Sparf (fig 4 & 5), E.I.T.I (fig 2&3), Pagewebcongo(fig 1). All featured images are used with permission from copyright owner.

Online publication: <https://stud.epsilon.slu.se>

Keywords: Transparency, accountability, Governance, DRC, Extractive industries, SDGs

Sveriges lantbruksuniversitet
Swedish University of Agricultural Sciences

Faculty of Natural Resources and Agricultural Sciences
Department of Urban and Rural Development

Abstract

This study looks at the adaptation and implementation of the E.I.T.I principles in the Democratic Republic of Congo (DRC) and assesses whether governance through transparency and accountability practices in its extractive sector have improved. It relies on 18 interviews with stakeholders implicated in the E.I.T.I implementation, a literature review, and reports from various stakeholders. The analysis of data is based on Michel Foucault's theory of governmentality as well as a review of key concepts such as transparency, accountability and governance. The study uncovers that a culture of transparency and democratic debate is gradually gaining ground, although there is still too much resistance that prevents the E.I.T.I from leading to profound changes in policies in the extractive sector. In line with the previous studies, the E.I.T.I institutional and operational goals are progressing at the macro level of institutions but progress is almost inexistent at the micro-level. It concludes that in the DRC, E.I.T.I's development goals are far from being achieved because all stakeholders do not fully understand the standard's objectives. The study proposes that government sticks to E.I.T.I's guidelines in administrating mining revenue's, setting clear and measurable targets, implementing efficient data collection systems, put together a review system mechanism, and set up a punishment/reward mechanism that works. In sum, this study contributes to the field of natural resource management by pointing out that internal motivation, internal capacity, and external pressure appear to facilitate or limit the success of the global standard in solving the resource curse in poor countries that are rich in natural resources.

Acknowledgements

I would like to express my sincere appreciation to all my teachers at the Department of Urban and Rural Development for assisting me in diverse ways during my studies at SLU in Uppsala. I am most grateful to my supervisor, Kjell Hansen. I am indeed also thankful to Harry Fischer for the comments and encouragement. I am grateful to the various organizations in the Democratic Republic of Congo for their support during the field study: the E.I.T./DRC at Kinshasa and Lubumbashi, Asemir, World Vision, Publish what you pay (PWYP), Natural Resources Governance Institute (NRGI), Congolese anti-corruption league (Licoco), Plateforme des ONG Mines (POM), The Carter Center, Ruashi community, Kupushi community, Fungurume community and Développement de Fungurume et de Tenke (DFT). I am also thankful for the extractive industries: Ruashi mining, Mineral Metal group (MMG), Mutanda Mining (MUMI), and Ivanhoe mining. I am thankful to the various ministers in Kinshasa and the upper Katanga province governorate. My warmest regards go to my husband Fredrik Sparf, my son Sème Sparf and my daughter Fredrika Sparf for their moral support. I am also thankful for being a mother and an inspirer in my academic work.

Bitota Mudibu Sparf

Table of content

Innehåll

1	Introduction.....	8
1.1	Background	8
1.1.1	Extractive Industries Transparency Initiative	10
1.1.2	Extractive sector in the DRC	11
1.1.3	Governance challenges.....	13
1.1.4	Transparency initiatives in the DRC (Brief history).....	16
1.1	Aims and Research Questions.....	19
1.3	Thesis outline	20
2	Literature overview	20
2.1	Achievement of the E.I.T.I.....	20
2.2	Critics of E.I.T.I in the literature	21
3	Theory and key concepts.....	23
3.1	Governmentality	24
3.2	Transparency.....	26
3.3	Accountability	27
3.4	Governance	29
4	Methodology	30
4.1	Interviews with stakeholders.....	31
4.2	Document reviews	33
4.3	Data analysis	34
4.5	Framework explanation	36
4.6	Positionality statement.....	38
5	Findings.....	38
5.1	Empirical finding	38
5.2	Transparency.....	41
5.3	Accountability	45
5.4	Governance	47
6	Analysis.....	50
6.1	Has the E.I.T.I been successful over the years of implementation?.....	50
6.1.1	Policy rationality to join the E.I.T.I.....	50
6.1.2	Mentalities rationality	51
6.1.3	Technologies of performance.....	52
6.2	Transparency.....	52
6.3	Accountability	55
6.4	Governance	56
7	Discussion and Conclusion	57
8	Recommendations	60
	References	62
	Annexe 1: E.I.T.I Principles	66
	Annexe 2: Sustainable development goals related to E.I.T.I	67
	Annexe 3: Questions to Government key informants	68
	Annexe 4: Questions to Extractive Industries.....	69
	Annexe 5: Questions to communities.....	70

Figures and Tables

Figure 1: Map of minerals in the DRC	12
Figure 2: DRC's E.I.T.I membership and implementation progress	18
Figure 3: DRC's effort to increase transparency	19
Figure 4: Thesis outline	20
Figure 5: Kipushi Community workshop	33
Figure 6: Prerequisite to implement the E.I.T.I standard.....	61

Table 1: Data sources for the study	30
Table 2: Guiding framework and attributes to analyse the state of implementing E.I.T.I standard in the DRC.....	36
Table 3: Summary of key elements of E.I.T.I requirement reflecting the DRC progress in implementing the E.I.T.I standard.....	39
Table 4: Stakeholders answers on Governance and Institution	70
Table 5: Stakeholders answers on transparency and trust.....	73
Table 6: Stakeholders answers on Politic and strategy.....	77

Abbreviations

ASEMIR: Aide pour la Scolarisation des Enfants en Milieu Rural (Aid for the Schooling of Children in Rural Areas)

DRC: The Democratic Republic of Congo

E.I.T.I: The Extractive Industries Transparency Initiative

GECAMINES: La Générale des Carrières et des Mines (The General of Quarries and Mines)

IMF: International Monetary Fund

LICOCO: Ligue Congolaise de lutte contre la Corruption (Congoles League against Corruption)

MMG: Mineral Metal Group

MUMI: Mutanda Mining

NRGI: Natural Resource Governance Institute

O.E.C.D: The Organization for Economic Co-operation and Development

PWYP: Publish What You Pay

T.I: Transparency Initiative

WB: World Bank

1 Introduction

1.1 Background

Transparency initiative (T.I) was created in 2002 to manage “*the Resource curse*” explained by the fact that poor countries particularly rich in natural resources have problems benefiting from the extractive sector’s revenues in order to develop their economies (Japhace & George. 2015). The E.I.T.I global standard is a tool used to promote sustainable development. It receives an annual funding of 50 million USD from donors such as the World Bank and International Monetary Fund (E.I.T.I 2019). Several countries that are rich in oil, gas, and mineral resources are alleged to be highly corrupt. According to agencies such as the Transparency International, the extractive industries are considered among the most corrupt economic sectors worldwide and have been the target of many anti-corruption procedures in recent years (David Barrett & Okamura 2013). Transparency initiatives have become an important part of the anti-corruption strategy based on the belief that transparency will reduce corruption and improve the management of the extractive sector (David-Barrett & Okamura 2013). As a result, the E.I.T.I requires countries to build multi-stakeholder institutions that foster transparency, accountability, and provide qualitative evidence about E.I.T.I implementation.

Through the Extractive Industries Transparency Initiative hereinafter (E.I.T.I), countries dedicate themselves to improve resource governance (Lujala 2017). The initiative addresses the failure of social and economic development and the absence of democracy (Mc Gee & Gaventa 2010). It is believed that better accountability would fix corruption and incompetence, and would create better if not more noticeable positive effects on the lives of the communities and a new form of efficient accountability would emerge to include multi-stakeholders (Mc Gee & Gaventa 2010); something E.I.T.I., through its global standard, attempts to offer its members. It proposes transparency measure that cover the extractive sector’s value chain¹. The global standard is supported by members of the civil society, mining corporations and associated agents and governments who meet around a common framework to discuss overcoming aspects of the resource curse related to inequality, social stagnation, conflicts, autocratic political regimes, corruption, bad governance, and failed taxation systems (Japhace & George 2015).

¹ What the value chain steps cover: 1. Legal framework 2. distribution of licenses and contracts 3. Exploration and production 4. Revenue collection 5. revenue allocation 6.the social and economic spending (E.I.T.I. 2020)

According to Rustad et al (2017), the E.I.T.I has 12 specific goals subdivided into three categories:

1. *Institutional goals* are about making the E.I.T.I as an organization legally recognized as a global norm for the extractive industry and to put in place multi-stakeholders groups (MSGs) that inspire its sound management (ibid.).
2. *Operational goals* are about the E.I.T.I's outputs and outcomes such as publishing annual national reports, increasing public debate commitment in resource governance and make sure that the civil society's contribution is ensured by national MSGs (ibid.).
3. *Developmental goals* are about reducing corruption, accruing state revenues from the extractive sector, promoting sound governance, and stimulating social and economic progress (ibid.).

The field of transparency initiatives is growing and diverges in scales and goals especially with the support of donors. However, not much thought has been given to the impact and usefulness of new-fangled transparency and accountability initiatives (Mc Gee & Gaventa 2010). Rustad *et al* (2017) and Lujala (2010) have studied the successes of E.I.T.I's initiatives and have looked at factors that motivate countries to join the E.I.T.I. Other scholars have looked at the E.I.T.I's weak impact on the governance of natural resources value chain (see Mawejje (2019) or Sovacool & Andrews (2015). Lujala (2008) for example showed that researchers have managed to single out factors that influence the effectiveness of the E.I.T.I. He categorized them as internal motivation, internal capacity, and external pressure to implement the global standard. Miller and Rose (2008) have examined governments' programmes and the technologies used to promote the economies. They viewed government programmes as the political rationalities of government actors and the technologies of government as different set of techniques and practices organized to carry government programmes (Miller 2001). In our case, the E.I.T.I reflects elements of the technology of government in a toolbox that is aimed at ensuring economic growth and social equity in a multi-stakeholder paradigm.

The Democratic Republic of Congo (DRC) is the second-largest Sub-Saharan African country with approximately 89 369 742 inhabitants and 54% of its population living in rural areas (World Bank 2020). The country possesses an estimated wealth of 24 trillion U.S. dollars in untapped mineral deposits. It owns the world's largest reserves of coltan and significant quantities of the world's cobalt (IMF 2018). The country is finally moving on after decades of violent armed conflicts, but it remains a weak post-conflict state with a massive need to rebuild itself in order to overcome present and future challenges (Karsenty, 2007). The

country's extractive sector has grown since 2002 and has contributed highly to the national economy (E.I.T.I 2019). However, the governance of its natural resources due to poor leadership, illegal exports of natural resources, tax evasion and weak institutions remains a key issue² (Transparency Initiative, 2010). If one is to believe the promising prospects of the global standard³, the DRC should be able to solve many of its challenges in urban as well as rural areas. A stable political system and good governance, with secure property rights for local communities and sound investments, can stimulate sustainable development and empower the Congolese people to profit from its wealth (Samndong & Nhantumbo 2015), thus clearing the resource curse.

1.1.1 Extractive Industries Transparency Initiative

The E.I.T.I is a global alliance of governments, industries and civil society organizations that seek to improve governance and accountability for everyone in the management of oil, gas and minerals for the benefit of the citizens of countries rich in natural resources (E.I.T.I 2020; Poncian & Kigodi 2018; Wilson & Van Alstine 2014). It was founded in June 2002 when six London-based civil organizations gathered around the *Publish What You Pay campaign*⁴ and challenged the extractive industries to publish their payments (revenues) to host governments and enhance extractive sector management (E.I.T.I 2020). Global Witness, Open Society Foundation, OXFAM, Save the Children Transparency International and Catholic Agency for Overseas Development (CAFOD) that are E.I.T.I's founding members (PWYP, 2020). They discovered that the states rich in natural resources were going through a set of economic and socio-political problems. They joined forces to influence the global industry's main players in adjusting policies and practices in the industries and in governments (E.I.T.I 2020). They were persuaded that the declaration of oil, gas or mining revenues would lead nations to hold their leaders accountable for the management of dividends generated by the extraction of natural resources (Poncian & Kigodi, 2018; E.I.T.I, 2020). As a rule, E.I.T.I, requests that extractive companies disclose what they pay to the state and that the latter discloses all revenues from taxation, fees and royalties paid by private or state-owned companies into the national Treasury (Poncian & Kigodi 2018; E.I.T.I 2020).

The government, extractive companies and civil societies are organized around a tripartite group whose function is to guarantee the effective implementation E.I.T.I standards and to

² Seventy-two percent of its population lives in severe poverty on less than two dollars a day, especially in the rural area (World Bank 2018). The paradox of plenty seems to be a permanent shadow planning over the land

³ The E.I.T.I. views the resource of a country as belonging to its people for the purpose to create social and economic welfare (E.I.T.I. 2020),

⁴ "Is the worldwide campaign for an open and accountable extractive industry". <https://www.pwyp.org/> [2020-08-16]

encourage public debates on the government spending of revenues generated from the industry (E.I.T.I 2020). Disclosed revenues are settled by the Independent Administrator hired by the Executive Committee and published in an E.I.T.I report (E.I.T.I 2020). This mechanism allows citizens to view the impact of their natural resources on the national economy, to assess the management of resources and revenues, to hold governments accountable (Gupta 2010; Poncian & Kigodi 2018; E.I.T.I 2020). The E.I.T.I also requires collaboration between the government, extractive companies and civil societies, thus forcing the state in increasing transparency to meet budgets (Poncian & Kigodi 2018; E.I.T.I 2020). The ultimate goals of the E.I.T.I are poverty reduction, economic growth and sustainable development (Aaronson 2011; Independent Evaluation Group 2011; Papyrakis, Rieger, and Gilberthorpe 2016; Wilson and Van Alstine 2014; see Poncian & Kigodi 2018). The goal of its global standard is to increase transparency over the revenues from a country's oil, gas and mineral resources (E.I.T.I 2020). This aim has evolved since 2002 and its execution is supervised by a multi-stakeholder board of directors constitute of representatives of governments, active companies in the extractive sector, civil society organizations, institutional investors and international organizations at international and local level (E.I.T.I 2020)

1.1.2. Extractive sector in the DRC

The Democratic Republic of the Congo (DRC) is divided into 26 provinces. The Upper Katanga is one of the mining provinces this paper focuses on. It possesses more than 15% of the world's copper reserves and more than 50% of the cobalt reserves, with grades significantly higher than those of other producing countries (Ngoy 2003). The Upper Katanga province is situated in the South-East of the country. It is marked by the presence of several mining companies mostly extracting copper and cobalt (E.I.T.I 2019). The DRC is the world's fourth largest producer of copper and supplies 55% of the world cobalt production (E.I.T.I 2019) and it is among the top 15 gold producers in the world. It is also the world's largest producer of industrial diamond (E.I.T.I 2019). Indeed, since independence the mining sector in the DRC has been generating substantial income for the country GDP (E.I.T.I 2020). Figure 1 below offers us a layout of the DRC's mineral wealth.

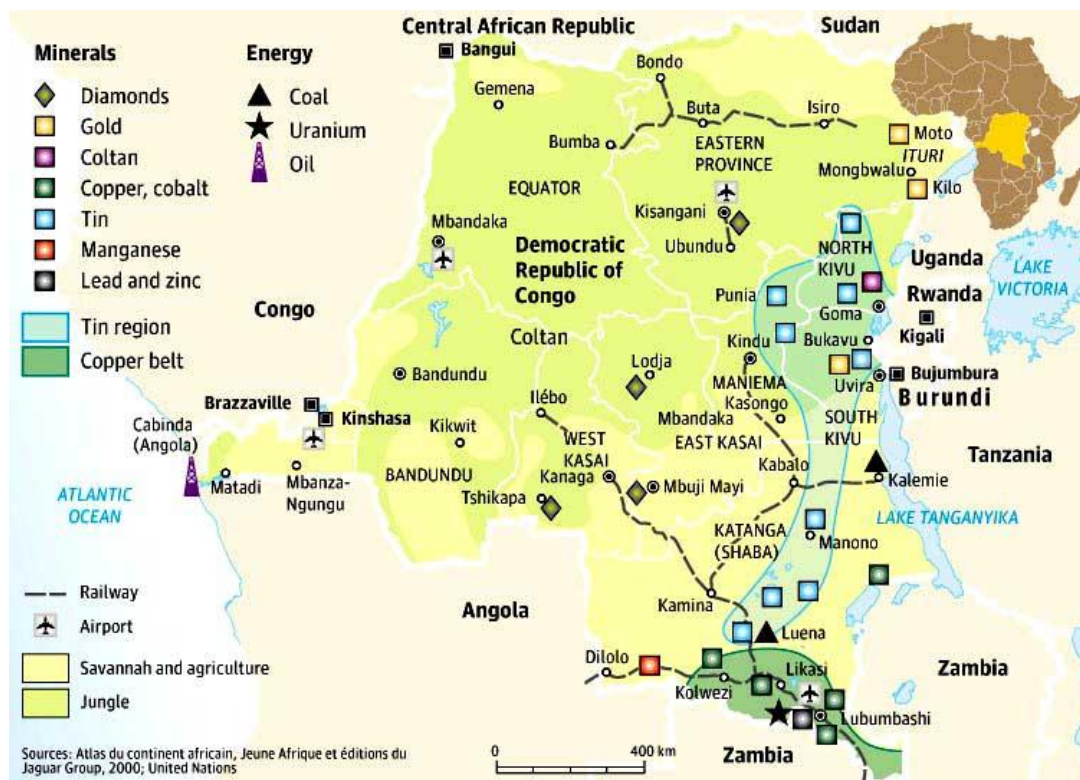


Figure 1: Map of minerals in the DRC Source:

http://www.pagewebcongo.com/actions.php?a=dbo_articles&rid=45&lang=en

The DRC's economy deteriorated during the 1990s because of repeated armed conflicts that claimed the lives of 3 million people (OECD 2005). Human development indicators such as malnutrition, life expectancy and literacy were destabilized severely according to the OECD (2005). Peace was reinstated in 2001 in some areas although conflicts continued in the eastern part of the country (ibid.). During that period the government presented a policy of economic stabilisation with some financing from the International Monetary Fund (IMF) and the World Bank. The DRC secured a credit of 1.2 billion dollars in order for its new economic programme (OECD 2005) that ran from April 2002 to July 2005 and grew the economy from 3.5% in 2002 to 5.7% in 2003 (OECD 2005). The programme's objectives were to ease up prices and trade issues, to restructure the banking sector, and to exploit growth possibilities (ibid.). The DRC's economy grew to 7 per cent in 2005 and 2006 thanks to the national recovery and foreign investments according to OECD (2004/2005). However, the country remains one of the poorest in the world with a human development indicator of .0,459 in 2018, which is one of the lowest in the world (UNDP, 2018).

The legal framework imposed on the mining sector was a crucial decision the DRC made after the armed conflicts of the 1990s. Outdated mining legislations were revamped with the 2002 mining code (loi no 007/2002) and resulted in an increase of foreign direct investments and a steady growth in copper production (NRGI 2018), but the mining code of 2002 was seen as being very liberal. Existing factors such as poor governance of the mining sector,

illegal exports or tax evasion explained why natural resources did not benefit the majority of the Congolese population and the development of the country (Smyth 2019). The DRC situation as a poor but rich-resources country raised an important question: would the natural resources stand for a blessing that enhance the socio-economic situation of the country or would it continue to be a curse as discussed by Collier et al. (2009)? rather a source of conflict and civil war (Gelb 1988; Sachs and Warner 1999; Gylfason 2011; Venables 2016). Perhaps this could be the reason why the DRC joined the E.I.T.I and pledge to adopt its procedures.

1.1.3 Governance challenges

This section explores the claims civil societies groups made about extractive sector governance in the DRC. It discusses illegal and artisanal mining, corruption, contractual agreements between parties, trust as an issue that plagues management, the perception of the institution and lastly indigenous communities' rights.

1.1.3.1 Illegal artisanal mining

Unlawful high-quality mining is a serious problem for resource-rich poor countries (World Bank 2006). These activities spoil extractive areas and make soil less manageable, causing the loss of income to the state. The World Bank argues that such a climate does not help the administration and adds to the development of destitution and social clashes (World Bank 2006). In January 2014, a UN gathering of specialists assessed the amount of loss in gold revenue in the RDC. They concluded that 98% of gold mined in the DRC with an estimation of \$383 to \$409 million was smuggled out of the country and/or linked to tax evasion, resulting in loss of revenues to the government (BTTI, 2018). This loss reflects the weaknesses of the mining codes, the institutions, and the ability to enforce existing codes

1.1.3.2 Corruption

Corruption is for the most part seen as the mistreatment of endowed force for private gain (FAO 2001; Korwin 2016). There can be economic corruption which includes the trading of bribes in the form of money, official positions, material products, etc. Social corruption mostly includes trading non-physical things, for example, favours, economic wellbeing or the use of force to influence the outcome of a deal (FAO, 2001; Korwin, 2016). In the DRC's extractive sector, the lack of proper public tracking in the granting of licenses and concessions is a source for corruption; so is the lack of both accountability and transparency in contracts; the trading of political influence; nonconformity with procedures and legal requirements;

inadequate consultations with property-owners and the civil society; as well as the inadequate corporate accountability due to opaque chains of contracting and the lack of annual financial reports.

1.1.3.3 Unclear contract

The principles of natural resource management are legally represented in the RDC's Constitution of February 18, 2006 and amended by Law No. 11/002 January 20, 2014 (E.I.T.I 2019). Indeed, article 9 of the Constitution stipulates that "The State exercises permanent sovereignty notably over the soils, the underground, the waters and the forests, over Congolese air, rivers, lakes and maritime spaces as well as over the Congolese territorial sea and on the continental shelf". The State, through the Central Government, has the exclusive competence to legislate in the economic sphere by promulgating the laws on mining minerals and mineral oils; the laws industry, energy sources and the conservation of natural resources⁵ (E.I.T.I/DRC 2018). Mining licenses or research exploitation licenses are granted by the office responsible for registering mining lands, the Cadastre Minier (CAMI). Whoever has a license can sign the exploitation that is regulated by the national mining code with the State. The national mining code determines the rules of exploitation of sovereign assets such as the minerals while the contract only stipulates the terms agreed upon by government between two stakeholders, one being a representative of the state and the other a foreign company. Actors can obtain an exploration licence without having financial capacity to exploit the deposit. The holder of a license who is unable to develop the mine or does not have enough resources (technical, financial) could seek out a foreign partner. The state is the public administrator through CAMI and the Congolese tax administration although the Ministry of finance may request to review any contract with a private actor. Because the DRC has not efficient tools to value their mineral deposits contractors can take advantage of the government's the lack of information and sign contracts that are not in best interest of the country.

1.1.3.4 Unreliability of the extractive sector's management plans

Extractive sector's management plans in the DRC are not systematically developed. According to E.I.T.I (2008) this is not unique to the DRC since developing countries lack access to consistent mining production, exportation, employment data. They also lack the proper methodologies to get relevant and trustworthy information (E.I.T.I, 2018). The manner in which governments collect, use and evaluate information about their mineral resources give insights to policy priorities or biases, incomplete and often deficiency of information. The

⁵ DRC Constitution article 202, point 36, litera f (E.I.T.I 2019).

E.I.T.I lists institutions that have statistics on mining productions and exports. There are four such organisations active in the DRC (INS, OCC, Central Bank, INSS.). When cross analysing their respective data it is not uncommon to receive contradictory information that does not facilitate the implementation of management plans. Additionally, mining management plans do recognize the stake of local communities and the civil society in the maintenance and use of biodiversity. Yet, their roles need to be acknowledged as we will see later on, large communities in Kipushi, Tenke Fungurume, Kolwezi and Ruashi who had their biodiversity destroyed by the mining activities. This information is not clearly represented in official plans regarding the affected areas where a majority of people still live.

1.1.3.5 Lack of coordination by institutions

The extractive industries' value chain recognizes five important steps in coordinating natural resource management: *the granting of licenses / access to resources, the exploitation, revenue collection, revenue allocation and the outcomes*. Each step requires the involvement of a specific institution or agency in sustainably managing natural resources within a country. However, the lack in collaborations and transparency in sharing information weakens the institutions and the country cannot prosper from its resources. In the DRC, as the Cadastre Minier (CAMI) grants licenses to exploit the deposits it also activates several other institutions in various stages of exploitation. For example, sub-institutions such as DGI, DGDA, DGRAD that intervene in collecting revenues. However, collaboration between these institutions is asynchronous and inefficient. Institutions that are implicated in the administration of the mines do not collaborate well with the DGI. When a mining operator makes its declaration the DGI lacks the tools to verify exactly what the operator has declared etc.

Collecting and safekeeping data from operations are important to all stakeholders but archiving is not effective in the DRC. A system that would stock data and information regarding the production and the exportation of extractive resources does not exist in the RDC, and this makes difficult the possibility of a follow up. Before the 2002 mining code reform the mining sector was managed only by the state. After the mining reform the country experienced a change from being a monopoly in managing the extractive sector towards including multiple actors, thus creating a highly fragmented ecosystem. A multiplicity of actors and the state have hard time coordinating everything. Whenever there has been a legal mining reform in the Congo institutional reforms have not always followed the change because of a power struggle between institutions. There are four to five institutions that

control the information about mining production, exportation and employment; information that are often contradictory in nature.

1.1.3.6 Violation of local community people's rights

The CIVICUS Monitor, online tools that tracks and compare civic freedom worldwide presents data from May 2017, showing that the space for common society - community space - is presently genuinely limited in 38 of 51 E.I.T.I nations (CIVICUS, date). This means that local communities' privileges and rights to organize, to stand up and to participate in local development are systematically violated by many of governments that have implemented E.I.T.I. Civic society organizations (CSOs) and human rights groups in most E.I.T.I nations face serious obstacles including dangers to their own security, refusal of the option to dissent, denial to conduct observation and repression. The Violation of Communities' rights in the E.I.T.I countries, specifically the DRC is very disturbing, given that the E.I.T.I seeks to promote accountability by government to all citizens and to explicitly recognize the importance and contribution of the CSOs. The degree of limitations uncovered by the CIVICUS report challenges the suitability of the E.I.T.I. It brings up major issues and raises serious questions about E.I.T.I states failing to protect CSOs and viewing them as foes instead of as partners in development sound governance and accountability. Perhaps, the E.I.T.I ought to perform an introspection on its functioning and the implementation of its standard; perhaps it ought to pay more attention to CSOs and activists' complaints and incorporate some of the solutions they propose in its framework (Counsell, 2009; Global Witness, 2017).

1.1.4 Transparency initiatives in the DRC (Brief history).

1.4.1.1 The initial phase

After the E.I.T.I.'s second International Conference of London in March 2005, the DRC organized an international discussion in Kinshasa with the World Bank (W.B) and the Department for International Development (DFID). The goal of the gathering was to think about a way toward implementing E.I.T.I in the country (Kiangu 2018). The forum invited different industry stakeholders active within the DRC's extractive sector, i.e. national and international mining companies, national or international NGOs, offices of the United Nations framework, international financial institutions, collaboration organizations, etc. (Kiangu 2018).

This happened after United Nations produced a report on the smuggling of natural resources out of country (Kiangu 2018). The gathering resulted in a system called the *Centre national d'appuis au developement et a la participation populaire* or CENADEP that was created under

the impulse of Hamuli Baudouin, its first General Manager (Kiangu 2018). CENADEP's role at the time was to develop a powerful and dynamic cooperation with Congolese civil society associations (Kiangu 2018). Civil society groups have been involved with right issues in the DRC's extractive industry since 2002 (E.I.T.I 2019). This collaboration was further boosted by the Publish What You Pay International Coalition (Kiangu 2018).

Additional gatherings were organized to launch the E.I.T.I in the DRC.^{6,7,8} They resulted in building up an administrative system for the implementation of the E.I.T.I. A report was published in order to provide guidance and focus in the administration of the E.I.T.I standards as far as selected natural resources were concerned, i.e. copper, cobalt, and related metals (E.I.T.I 2019; Kiangu 2018). In spite all good efforts, the project of fully implementing E.I.T.I/DRC came to a halt due to the national election periods of 2007 and 2008 that took precedent over everything else (Kiangu 2018). The fully and legally operational E.I.T.I-DRC exists since 2009⁹ (E.I.T.I 2016; Kiangu 2018). As described in *figure 2* below, the DRC join the E.I.T.I in 2005 and went through several stages. The DRC is a full member of the E.I.T.I since 2019 (E.I.T.I, 2019).

1.1.4.2 DRC E.I.T.I development of a legal framework (2005-2016)

E.I.T.I/DRC has published 11 reports since it was implemented. The technical secretariat in Kinshasa and Lubumbashi ensure the timely execution of the reports (E.I.T.I 2020). The board of executive members and the national coordinator are designated by decree and are represented by the multi-stakeholders group made of the Ministry of Planning, the Ministries of Mines, Hydrocarbons, Environment and Finance (E.I.T.I 2020). However, the DRC's Candidate status was in temporarily suspended on 18 April 2013, after the publication of the 2010 report by the E.I.T.I. The DRC was found not to meet E.I.T.I.'s requirements and the country has since corrected the issues that caused its suspension (E.I.T.I 2019). E.I.T.I implementation had an impact on the quality of reforms in the extractive sector. It allowed the country to integrate the global standard requirements when passing laws that have an

⁶ On November 18, 2005, the President of the Republic H.E. Joseph Kabila Kabange issued a decree No. 05/160 establishing the National Committee of the Initiative on Transparency in the Management of Income from Extractive Industries in the Democratic Republic of Congo (E.I.T.I/DRC). see figure 2

⁷ On May 3, 2006 Order No. 001/CAB.MIN/PL/2006 of the DRC's Minister of Planning, publicly appointed a Chairman of the E.I.T.I-DRC's steering committee which designed the partner structures and nominated individuals to the E.I.T.I-DRC Technical Committee that was completed on June 12 to 13, 2006 (E.I.T.I 2016, Kiangu 2018).

⁸ On September 19, 2006, the Technical Committee of E.I.T.I/DRC commissioned an initial study of the mining sector (E.I.T.I 2019, Kiangu 2018).

⁹ as indicated by decree n ° 09/27 of July 16, 2009, organizing and operating the National Committee of the Initiative for Transparency in the administration of the extractive businesses in the Democratic Republic of Congo, CN-E.I.T.I/DRC in abbreviation (E.I.T.I 2016; Kiangu 2018).

impact on the stakeholders¹⁰. The E.I.T.I./DRC's execution plan for the 2018-2020 states that the complete objective of E.I.T.I implementation is to enhance sustainable development within the country. By implementing transparency for the governance of its natural resources, the DRC is hoping to improve the populations' the standard of living while securing a better future for generations to come (E.I.T.I 2020).

Democratic Republic of Congo

Last updated February 2019

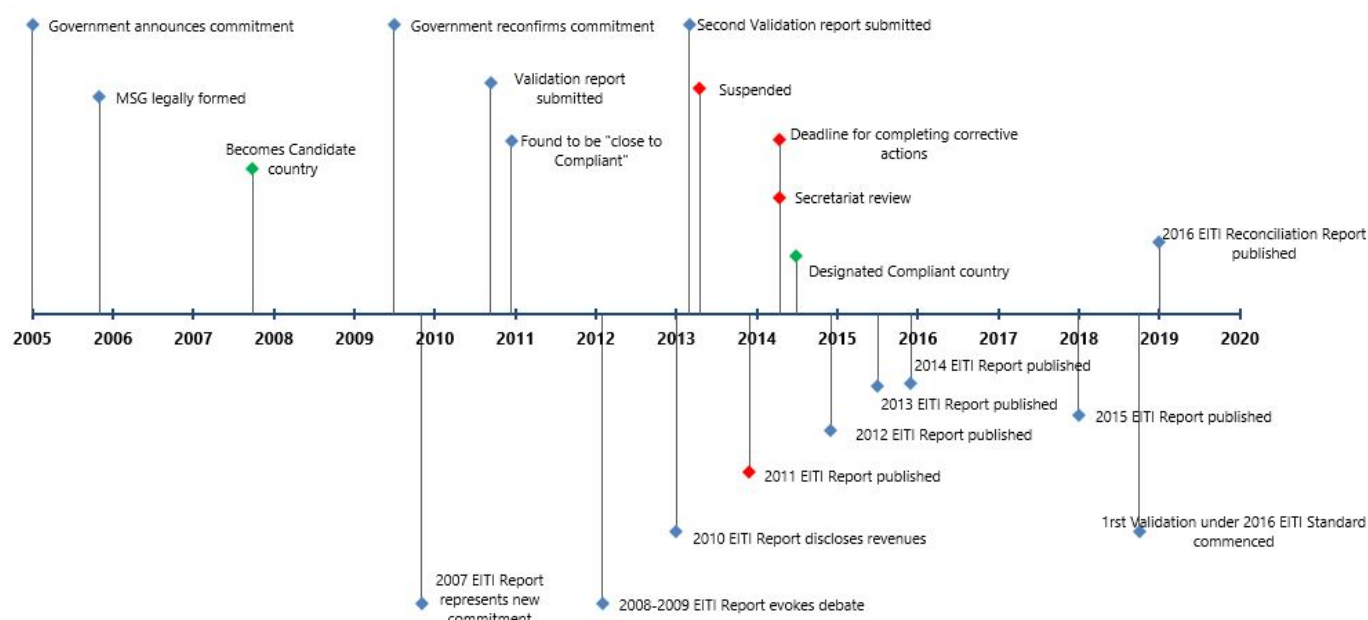


Figure 2: DRC's E.I.T.I membership and implementation progress Source:

https://EITI.org/files/inline/drc_timeline_feb_2019_1.jpg

1.1.4.3 DRC Revenue collection and revenue allocation

The E.I.T.I.'s reconciliation report of 2006 showed the income that the DRC received from the extractive sector (*see figure 3*), with \$ 756 million or 67% of the whole profits deposited into the national bank account (E.I.T.I 2020). Article 175 of the DRC's constitution mandates that 40% of the national income be assigned to the province (E.I.T.I 2020) and article 242 of the Mining code directs owners of mining exploitation titles to deposit royalties into the state's national bank account (E.I.T.I/DRC 2020). The distribution of revenues is as follows: 60% are to be retained by the central government; 25% are to be transferred to an account chosen by the provincial administration where mining occurred; 15% of the revenue are to be transferred to an account chosen by the city or the zone where the activity is taking place; and 15% are to be relocated to decentralised local entities (E.I.T.I/DRC 2020). However, findings

¹⁰ Decrees such as No. 05/160 of November 18, 2005 on the creation, organization and operation of the National Committee of the Initiative for Transparency in the Management of Extractive Industries in the Democratic Republic of Congo, "CNITIE / DRC" or No. 0186 of 2012 obligating companies to declare income were signed in order to improve accountability and transparency in the extractive sector (E.I.T.I 2019).

revealed that revenues were seldom distributed in agreement with the agreed upon sharing mechanism (E.I.T.I/DRC 2020). Civil society pushed for more transparency regarding the sharing mechanism and in 2018, the mining code was modified in favour of direct payments from companies to local entities (E.I.T.I/DRC 2020).

DRC's effort to increase transparency begins to pay dividends

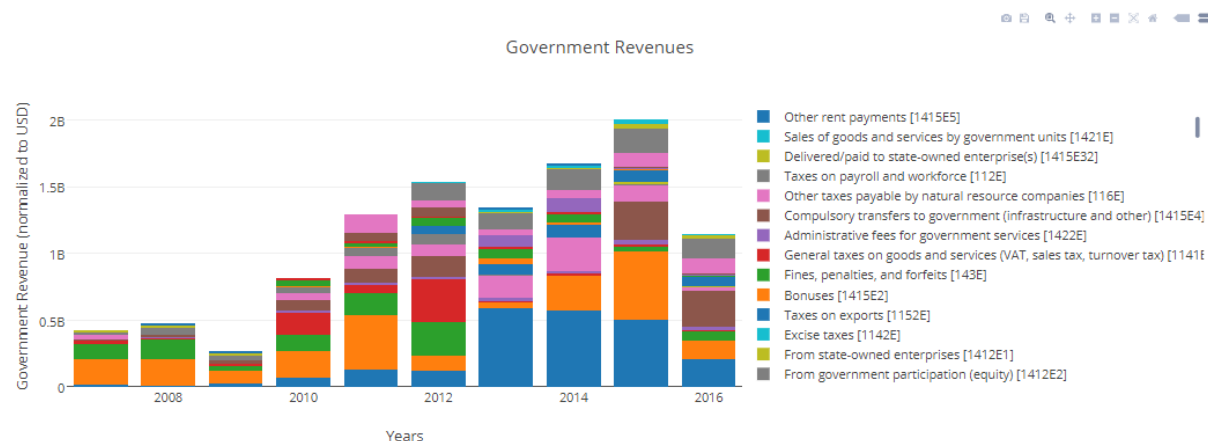


Figure 3: DRC's effort to increase transparency Source: <https://EITI.org/democratic-republic-of-congo>.

1.1 Aims and Research Questions

The six internationally approved conditions that describe the result of a successful EITI process can be found on the organizations website¹¹. They are also mentioned in Chapter 2, EITI Rules (2011). Yet there remains an evidence gap with regards to the mechanisms linking E.I.T.I adoption and development outcomes with respect to the communities living around the extractive industry's sites. This study is therefore interested by this specific development outcomes gap in the context of the DRC it addresses with the following research questions:

1. Has the E.I.T.I been successful over the years of implementation?
2. What opportunities and challenges does E.I.T.I face when it comes to improving extractive sector management?
3. How do communities living around extractive industries secure their livelihood and how do they experience the impact of E.I.T.I?

In sum, these three research questions demand we answer the ultimate question of whether all stakeholders see the E.I.T.I success in the same way, based on the information they have at hand.

¹¹ <http://eiti.org/eiti/principles>

1.3 Thesis outline

This study is arranged as follow see figure 4 below:

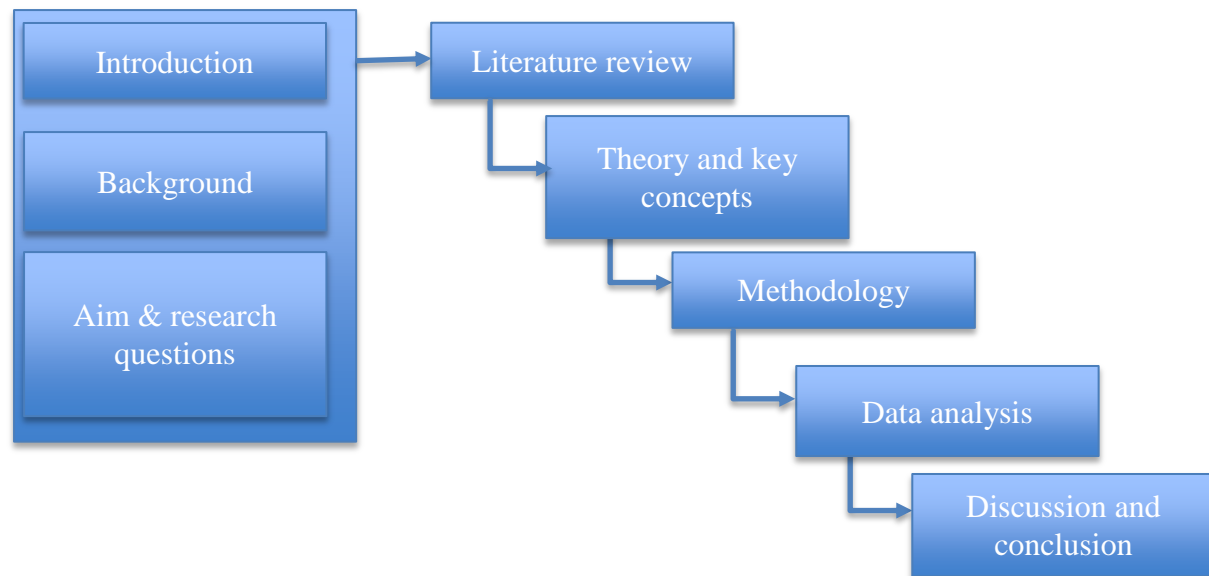


Figure 4: Thesis outline

The first section is the introduction. It provides the background of the study; the history and circumstances that allowed from the creation of EITI and for the DRC to join the organisation and to implement the initiative. At the end of the introduction we state the problem in discussion and the aim of our study. In the second part we proceed with a review of the literature on EITI implementation. We follow with a third section that introduces the key concepts and the theory that underpin our study: governmentality, transparency, accountability and governance. In the fourth section we proceed with explaining our methodology, meaning our collection of data and our reasoning with the subject matter of the thesis. In section five we present the data in discussion. We study these data in section 6 in light of sections 3 and 4. Section 7 focuses on a discussion of our findings before we conclude our work and offer some recommendation about improving the view of EITI in the DRC in section 8.

2 Literature overview

2.1 Achievement of the E.I.T.I

The E.I.T.I currently has 53 members; a number that reflects the adequacy and interest of the global standard E.I.T.I proposes to its stakeholders (E.I.T.I 2020). A great deal of the discussion about the achievement of the initiative is built around its main believes and objectives (Poncian & Kigodi 2018). One such objective is to help resource rich countries in

defeating predatory economic practices that harm the populations by gaining control of a country's assets and revenues that should benefit all (Poncian & Kigodi). The initiative has been used as a governance tool in reducing corruption and improving transparency and accountability (David-Barrett and Okamura 2013; Papyrakis, Rieger, and Gilberthorpe 2016; see Poncian & Kigodi 2018). There are studies that point out to the failure of the initiative in fighting corruption; see Öge(2016), Corrigan(2014), or Poncian & Kigodi(2018) who mentioned such studies. For Example, Barr and Aniche (2013), cited in Poncian & Kigodi(2018), argued that Nigeria implementing the initiative did not eliminate the culture of impunity and corruption. Studies that report the positive impacts of implementing the E.I.T.I in order to reduce corruption in country rich in natural resources are limited. Nonetheless the E.I.T.I compels government to publish information related to its extractive sector (David-Barrett and Okamura 2013; Öge 2016; Sovacool and Andrews 2015; see Poncian & Kigodi 2018) and to give the local communities access to critical information essential to their welfare thereby making it difficult for government to exercise the rentier politic (Pontian & Kigodi 2018).

In sum, the E.I.T.I appears to offer useful tools for the effective management and governance of natural resources (Lehmann 2015; Sovacool et al. 2016; Pontian & Kigodi 2018). The initiative focuses on transparency issues along the extractive industries value chain (production to exportation) (Sovacool et al 2016) and does not limit its activities solely to the disclosure of information connected to the extractive sector. It endeavours to show how generated income is used to improve the socio-economic aspects of the country (Poncian & Kigodi 2018) through a local deliberation with host communities (Shaxson 2008; Sovacool et al. 201), and it makes it possible for government and local communities to engage in discussions regarding governance and transparency (Aaronson 2011). But Sovacool and Andrews (2015) argue that it is very challenging to reconcile progress in the governance of the extractive sector with the E.I.T.I's implementation (ambitions); although, this way not be the case of Tanzania where progress was made in the governance of its extractive sector by implementing the E.I.T.I (Poncian & Kigodi 2018).

2.2 Critics of E.I.T.I in the literature

The successful implementation of E.I.T.I has been met by mixed reviews. Aaronson (2011) points out some limitations and posits that the E.I.T.I partnership was unsuccessful because stakeholders (governments, civil society, and businesses) have different understandings of E.I.T.I. In some cases, countries members implementing the global standard have not allowed

the civil society to be involved in the process and have denied them access to the information they need to claim their rights on the natural resource management. In Azerbaijan and Kazakhstan for example, Öge (2017) found out that the civil society was not involved in the decision-making process as required by the global standard because of political, technical, financial and bureaucratic limitations within the country. Öge (2016) also analysed the impact of E.I.T.I membership on transparency and corruption in 46 countries and showed that the global standard has a significant impact on helping the country to disclose information on natural resource management. However, how transparency can impact corruption is still unclear.

Studies about the impact the E.I.T.I's implementation on targeted outcomes tend to focus on the way countries view or approach transparency. A small set of studies find that the E.I.T.I can be effective in its interactions with the governments if presented as a tool to prevent corruption and enhance transparency (Ravat & Kannan, 2012; Malden, 2017). Another set of studies examines institutionally structured and purposeful efforts to help countries engage in E.I.T.I in the form of both policies and politics to allow them to be accountable (Öge, 2016; Aaronson, 2011). Öge (2016) argued that E.I.T.I has become the policy of choice for countries with questionable natural resources governance. Klein (2017) claimed that stakeholders view the global standard as a tool for managing natural resources and providing transparency. Malden (2017) found out that countries implementing the global standard attract investments in the mining sector because E.I.T.I implementation can offer multinational mining companies the government's commitment to maintain a stable and transparent operating atmosphere. Rustad, Billon, & Lujala, (2017) put the global standard goals into categories: institutional, operational and development. They found out that the E.I.T.I institutional and operational goals are most successful compared to the latter. Institutional goals create a brand and make transparency into a global norm. The operational goals putting together safeties such as standards for auditing, reporting, and civil society participation in multi-stakeholder groups (Rustad, Billon, & Lujala, (2017).

Hilson & Maconachie (2008) argued that the E.I.T.I is been promoted in Western policymaking spheres as a mechanism that enables natural resources management "through the verification and full publication of company payments and government revenues from oil, gas, and mining" (E.I.T.I 2007). According to E.I.T.I (2007), such transparency might be the strategy to develop country integrity, especially among donors and investors. However, the study concludes that the E.I.T.I is incapable of reducing corruption, especially in extractive industries.

In 2008, the World Bank published a report entitled "Implementation Lessons Learned: E.I.T.I Policy Implications." The report recounts the experiences of countries that have implemented the E.I.T.I between 2004 and 2007 (World Bank Group, 2008). It also serves as a practical guide to stakeholders by providing examples of good practices (ibid.). Improvement in E.I.T.I guidelines and procedures were significant and became the established global standard actively implemented by many countries (Ravat & Kannan 2012); a level of acceptance that leads us to explore the implementation and the impact of the E.I.T.I in countries with questionable governance of natural resources. Many factors can influence the choices of implementing the E.I.T.I in a natural resources rich country, such as internal motivation (corruption), internal capacity (quality of institutions), and external pressure (aid and development assistance) to implement the Standard (Lujala 2018). Only a few studies have specifically examined whether the E.I.T.I's end goals are factors influencing Sub-Saharan African countries to implement the global standard; whether the integration of the E.I.T.I in policy and politics is a condition to better governance, such as in the case of the DRC.

Since 2007, the governance of natural resources in the Democratic Republic of Congo has been managed by following the Extractive Industries Transparency Initiative (E.I.T.I 2019). The country has published yearly financial reports showing a steady increase in government revenues (E.I.T.I 2019). However, the International Monetary Fund (IMF, 2019) questioned the latest E.I.T.I. report from the DRC because of the divergence between tax revenues paid by extractive industries and what the government received (IMF, 2019). The IMF also argued that the disclosure of payments made by extractive industries and revenues received by the government could help enhance transparency. However, not much was shown in the report leading the IMF to question whether the government was receiving a fair share of the revenues from the exploitation of natural resources (IMF, 2019). In October 2019 the E.I.T.I Boards published an article about the DRC making significant improvement in executing the E.I.T.I global standard. Yet the E.I.T.I board was still concerned about the persistence of corruption and mismanagement of resources in the country's extractive sector (E.I.T.I, 2019). This begs for a closer look at key concepts that guide our investigation of perception of the impact of the standard in the RDC.

3. Theory and key concepts

Accountability, Transparency and governance as components of governmentality:

These past decades, transparency, accountability, ethical governance mechanisms turn out to be embodied within corporate life especially in the developing world (Spence & Rinaldi 2014, Katomero 2017). These mechanisms have been influenced by stakeholders' concerns, institutional pressures and legality issues because they all consist of the drive for democracy and good governance (Hoffman, 1999, O'Dwyer, 2003, Katomero xxxx). In this section, the concept of transparency, accountability and good governance are interpreted within a governmentality framework

3.1 Governmentality

This study uses governmentality as the overall theoretical framework to illuminate and to analyze transparency, accountability, and governance practices in the context of the DRC implementing the global standard E.I.T.I in the extractive sector.

To cite Abdullah and Khadaroo (2016), Foucault's governmentality is:

“the ensemble formed by institutions, procedures, analyses and reflections, calculations, and tactics that allow the exercise of this very specific, albeit very complex, power...that we all call ‘government’ and which has led to the development of a series of specific governmental apparatuses (appareils) on the one hand, [and, on the other] to the development of a series of knowledges (savoirs)”(Foucault, 2007, p.108)

Governmentality was spearheaded by Michel Foucault in the 1970 when analyzing the concept of political power (Rose et al 2006). Another way to comprehend governmentality is “how we think about governing with different rationalities, mentalities and technologies” as they are linked to governing (Miller and Rose 1990 cited in Dean 2010:24). Dean (2009) describes governmentality as a form of power concerned with the *conduct of conduct*. To the author, it is more or less a calculated and rational activity (a way of reasoning to respond to a problem); agreed by stakeholders using different techniques and forms of knowledge with the aim to shape citizens' behavior. It includes techniques and strategies by which a society is rendered governable such as laws, transparency initiatives, etc. (Foucault 2002 in Miller 1990). Rationality according to Dean (2010) is therefore linked to moral questions and it is comprehended here as a way influence stakeholders within the extractive sector in the DRC through the practice of transparency and accountability for the good governance of natural resources. The rational attempt to influence the conduct of stakeholders becomes an important feature of government (Katomero 2017). Thus, government's rationality in terms of morality is to put in place good and responsible policies and practices at the national and local levels,

using specific forms of knowledge in implementation of transparency, accountability and sound governance (Dean, 2010).

The government decides on control techniques related to the self and citizens (Foucault 2002). E.I.T.I can be seen as a rationality choice used to govern the extractive sector and monitor the government's practices vis-à-vis the industry. There is an emerging debate in political and a social science that focuses on changes connected to E.I.T.I's relations to a nation's social matters in the large common sense (Lujala 2018). In this regard, E.I.T.I emerged as the global standard for the good management for oil, gas and mineral resources and transparency, accountability and good governance could be viewed as dispositive for the success of its implementation (Lujala 2018). Miller and Rose (2008) argued on the matter of governmentality and differentiate between the *programs of government* and the *technologies of government*. *The programs of government* are the political rationalities of government authorities putting together ideas, conceiving projects and policy requirement for governments (Miller & Rose 2008). *The programs of government* are the methods by which government bodies seek to build and influence life (ibid.). In our case, the global standard E.I.T.I is such a programme deployed to improve the governance of the extractive sector and to contribute to the sustainable development of poor countries rich in natural resources. *The technologies of government* are techniques and procedures through which different government actors seek to implement the conceived programmes (Miller & Rose 2008). These two concepts, *technologies* and *programmes of governments* are interconnected (Miller 2001). It is through *the technologies of government* that the political rationalities and the *programmes of government* that expressed them are implemented (Burchell, Gordon, and Miller 1991).

The problematics of government are analyzed in different ways as pointed by Miller and Rose (2008); mostly in terms of their political rationalities such as seen fit by the ruling classes for the exercise of power. Miller and Rose (2008) suggested to study the problematics of government in terms of governmental technologies, the complex of initiatives, calculations, techniques, tools, documents and measures through which the ruling classes seek to express and carry out in practice to execute their ambitions. The DRC has joined the E.I.T.I since 2005 and has since managed the extractive sector according to the E.I.T.I's requirements. Based on Miller and Rose (2008), to detect the problematic of the government, the study will have to explore reasons behind the government's decision to join the E.I.T.I and measure if the decision was to enhance the social-economic aspect of the country or the action was just a strategy to control the sector and the citizens.

According to Foucault (1984) Governmentality deals with more than to discipline and to trap individuals through different strategies (i.e. apparatuses of power). It also manipulates individuals and become a tool for government manipulation (Abdullah & Khadaroo 2016). Townley (1993) in Abdullah & Khadaroo (2016) argue that governmentality processes, aim to shape and reshape individuals or institutions into obedient entities. They also coerce individuals or institutions to observe and analyze their own conduct (Foucault, 1984). In our case, the efficient way to implement the E.I.T.I is to practice transparency, accountability and good governance in the management of the extractive sector. In following section, we explore how the concept of transparency accords itself with Foucault's governmentality.

3.2 Transparency

According to Bellver and Kaufman (2005) there is not yet a well-defined meaning for transparency. They argue that transparency is a wide idea that has been the main focus of numerous researchers. Han (2005) believes that transparency is a neoliberal mechanism that is more concerned about the programme of government. Nowadays, to produce efficiently depends on the communication of available information (Han 2015). However, confidentiality or secrecy on the other hand hinders productivity but transparency dismantled secrecy issues Han (2015). The idea of transparency has been identified with resident's entitlement to know and access to data (Bellver & Kaufman 2005). We live in a new era, transparency and public openness, a revolution that benefits investors, the public and regulators (E.I.T.I 2019). Transparency is a requirement for extractive industries, with the aim to discourage corruption and improve reputation (E.I.T.I 2019). Linked to Foucault's governmentality, transparency can be viewed as a *technology of government* (Miller and Rose 1990) use to have control over a programme established by the government. In this study, transparency is an important attitude that helps to bring about efficiency within the DRC's extractive sector. However, a culture of transparency can only take shape when leaders are transparent and encourage such attitude around them. That is to say, transparency starts with people. Transparency can also be seen as a two-edged-sword: that presents on the one hand an opportunity for government to take control over the programme they establish and on the other hand gives the citizens the ability to hold the government's authorities in check. In fact, Stiglitz argues about transparency as an essential right of the citizens to know and to be educated about what government is doing and why it is doing it (Stiglitz 1999 see Bellver & Kaufman (2005). This reasoning certainly underpins government action (political rationality) and influences government decision-making.

Political economy describes transparency as the capability of data expanding effectiveness in the distribution of assets and helping to ensure that the benefits of development are reallocated effectively among all stakeholders (Bellver & Kaufman 2005). Foucault governmentality discusses the *programme of government* and *technology of government* shaping people life. Technical rationality here can be the instrumental reasoning around how much information the government is willing to disclose to allow citizens to debate how the revenues generated by extractive sectors is being allocated. When the same information does not reach all concerned stakeholders, we experience information asymmetry, that creates a lack of trust. Nobel Prize in 2001 George Akerlof, Michael Spence and Joseph Stiglitz analyzed the asymmetry of information causing economic imbalances that result in adverse selection (one party have more information than other) and moral hazards (one party entering to agreement provides misleading information).

If we believe Byung & Shul Han (2015), transparency should create trust. When the information is easy to collect, the social systems change from trust to control. What the authors mean is that where transparency take place, there is no room for trust, instead control prevails (Han 2015). As a result, a transparent society becomes a society of control (Han 2015;p vii) and in control. A society of control and surveillance reflects the panopticon, used by Michel Foucault as a metaphor for the modern disciplinary society (Foucault, 1977). He argued that the techniques used to discipline society in the 18th has developed. Nowadays, society uses different techniques and mechanism to ensure discipline (Foucault 1977) Transparency as a technology of government has been used as a requirement to discipline extractives sectors in country rich in natural resources. The lack of transparency in the management of natural resources can have a devastating effect such loss of investment. Within the dynamic of transparency, holding information can be related to control, operating within the panopticon of sorts. Transparency is not a bad thing for the society or the institutions. It is a powerful instrument of social control in term of accounting and audit linked to governmentality and accountability.

3.3 Accountability

Accountability is about checking and oversight crucial for discovering realities and producing proof (Schedler, Diamond & Plattner 1999). However, it is also related to the power mandated by laws and needed to engage actors in public debates (ibid.). According to Diamond and Plattner (1999), accountability has two dimensions: the answerability and the enforcement (requirement). The answerability dimension is "*the capacity to guarantee that*

authorities in government are liable for their activities" (Schedler, Diamond & Plattner 1999 p.14). It suggests that the government has the commitment to answer to any inquiries regarding the management of their activities. Answerability is about actors explaining the reasons to their choices. To be effective, answerability should be followed by enforcement measures. Enforcement measurements are about asking what has been done or will be done, and giving the reasons that framed decision-making., there. It contains components of implementation such as rewarding good behaviours and punishing bad conducts (Schedler, Diamond & Plattner 1999); it is about concerned actors having to answer for their actions and to endure the consequences of their bad behaviours (ibid.). The lack of enforcement makes accountability appear to be weak (Schedler, Diamond and Plattner (1999). The sanction mechanism has been used to monitor and prevent accountability failure in management, has “to get the incentives right” (Schedler, Diamond & Plattner 1999 p 16) and to prevent the impunity to keep on prospering. Accountability can be dissociated from enforcement measurement in some situation. There are situations wherein questions of answerability do not matter, such as demanding actors to resign without any explanation to avoid discourses in narrations (Schedler, Diamond & Plattner 1999).

Governmentality views accountability as a rationality that enlightens practices in relationship with institutions and actors (Katomero 2017). It shows how institutions should be governed in a well-established plan to regulate and control their behaviour (Katomero 2017). The people involved are appointed “officeholders”, persons in a position of power within a government or an organization (ibid.). Consequently, formal accountability agreed by law or decree established in advance the power relation between two different officeholders such as members of parliament and executive officials (Katomero 2017). In the case of this study, E.I.T.I as a programme of government reflects a way to regulate and control the governance of extractive sector within the DRC. The multi-Stakeholders hold the power assign to them by a national decree. Expectations are formulated on the E.I.T.I requirements and actors are allocated to execute as mentioned in *"Accountability as an element of governmentality"* Katomero (2017) dissertation. Katomero's (2017) point of view is that E.I.T.I multi-stakeholders accountability power is already pre-defined by decree, rationalized by well-organized actions with the goal of maximum efficiency (Scott, 2003 in Katomero 2017). Governance practices are also formalized to the extent that actors are aware of their responsibilities and can act independently (Scott 2003 see Katomero 2017), which lead to a normalisation of behaviours.

Governmentality views accountability in term of mentalities wealth that comprehends the regime of practices expressing certain forms of knowledge and beliefs (Katomero, 2017). It is about cultural and unwritten knowledges which actors are enclosed by, like the concept of transparency. Consequently, mentality involves common thinking, belief and opinion in which actors are within to (Dean 2010:27). Mentality according to Katomero (2017) is collective and often is not questioned by individuals who dwell it. Thus, it can be referred to “Habitus¹²” of Bourdieu (1984).

Governmentality also views accountability as a technology of government. The focus here is how the government organizes and design particular systems for accountability relationships (Katomero 2017). The E.I.T.I technical office in the DRC constitutes the organizational sense of design for accountability. It has the task to inform extractive sector accountability improvements. Furthermore, to evaluate the E.I.T.I implementation, requirements are to be followed (E.I.T.I 2020) such as reporting. The study will focus on reporting accountability and the following section we developed the third practice of governmentality: governance.

3.4 Governance

Müller (2016) defined governance in the realm of projects as the value system, structures processes and policies that allow projects to achieve organizational objective. Governance requires the use of control and trust as mechanisms to reduce risk of hazard (Williamsons, 1991). In a booklet published by the *World Bank* in 1992, entitled "Governance and Development", governance is defined as the manner in which power is exercised in the management of a country's economic and social resources for development”. According to the UNDP, good governance is, among other things, participatory, transparency and accountability. It must be effective and equitable by promoting the rule of law. Additionally, good governance must ensure that political, social and economic priorities are based on broad consensus in society and that the voices of the poorest and the most vulnerable are heard in decision-making over the allocation of development resources. Governance link to the concept of governmentality is “*the mentality, rationality and way of interaction, chosen by the governance roles to implement, maintain and change the governance structure*” (Müller, 2016, p20). Governance addresses the use of control and trust as operating mechanisms (Dean 2010). Here, the global standard E.I.T.I is implemented in the DRC as a governance tool using transparency and accountability as mechanisms to perform efficiently. According to

¹² “Habitus” a system of practice-generating schemes which expresses systematically the necessity and freedom inherent in the collective conditions of life of a certain group of people” (Inglis 2019. P. 200).

Foucault (2002) transparency and accountability are tactics developed by institutions to discipline stakeholders and to take control over actors' minds and attitudes in the management of natural resource. He expressed it as a modality of power called panopticon¹³ (Foucault 1975). Thus, the implementation of the global standard reflects a mechanism to make power operate more efficiently in the management of the extractive sector within the DRC. By implementing transparency and accountability, the government watches or controls stakeholders and hope to reach a self-regulation of actors to act in the ways demanded of them by the global standard.

In summary, Transparency, accountability and governance are organized practices for governing connected to governmentality framework. They are created by institutions to have power over managerial of natural resources. Here, they are used to analyse the governance of the extractive sector in the DRC.

4 Methodology

This study used a mixed (qualitative and quantitative) exploratory sequential design (Creswell & Creswell 2018) to explore the implementation of a phenomenon within a setting. It is appropriate here because the researcher bases the inquiry on the assumption that collecting diverse types of data best provides a more complete understanding of a research problem than either quantitative or qualitative data alone. It starts with the qualitative research phase (methods rely on text and image data) and explores the views of participants (Creswell & Creswell 2018, p15). Moreover, the data are analysed, and the information used to build into a second, quantitative phase (ibid.). The qualitative phase was important for the establishment of questionnaire. The use of qualitative phase helps to select various actors implicated to this research.

Table 1: Data sources for the study

	Primary source	Secondary source
Qualitative	Interviews, participant observations, informal conversation	Government documents, NGO reports, WB, IMF, E.I.T.I, NRGI, PWYP reports, published and unpublished articles, websites, blogs, social media,
Mixed	Complemented with semi-structured interviews	Government documents, NGO reports, published and

¹³ The Panopticon(all-seeing eye in Greek) was a ring –shaped building with at the center a tower (Inglis 2019,p170). A prison system, invented by Jeremy Bentham as a symbol for modern authority and discipline in the western world.

		unpublished articles, WB reports, IMF reports, E.I.T.I reports
--	--	--

The mixed research design of this study used qualitative and quantitative methods of collecting data. Qualitative research reviews the prerequisites of potential setting for the proposal or study (Creswell & Creswell 2018)

This study is a fieldwork performed in the Democratic Republic of Congo (DRC) from 1 February to 18 March 2020. It tailed all necessary research formalities, including clearance from the Swedish University of Agricultural Sciences (SLU). This study took a limited selection of actors from a larger one with a view to reaching an in-depth understanding of the studied phenomenon (Sörqvist, 2000). However, in combination with the limited actors, the result cannot be generalized (Holme & Solvang 1997).

The E.I.T.I/DRC technical secretariat in Kinshasa and in the Upper Katanga in Lubumbashi (mining province in the DRC) served as my anchorage during the fieldwork and the team that assisted me during the all period. The E.I.T.I/DRC also assisted me with sharing information and services such as contact with mining companies and access to technical data. For the period of five weeks in Lubumbashi I visited and interviewed four extractive companies, four communities, two national NGOs and two international NGOS, and three public institutions.

The Lubumbashi province was selected because it is one of the biggest mining provinces in the DRC and the E.I.T.I/DRC has an antenna there. Lubumbashi is strategically situated and there are several mining companies in the region. Income generated from the mines and ancillary activities contribute largely to the country. The study also relied on independent informants associated with the implementation of E.I.T.I/DRC such as the former prime minister and select senior advisers to the initiative. Some limits in the path of data collection occurred and led to cancelation of interview appointments because of the Covid-19 pandemic. To get a deeper understanding of how stakeholders were organized and the impact of implementing E.I.T.I in relation to their activities, the study was made of two methods: interviews with different stakeholders and document reviews

4.1 Interviews with stakeholders

I conducted *the one-on-one interview* with political and administrative officials at the national and local government levels. I had a semi-structured interview¹⁴ guide organized around the

¹⁴ A semi-structured interview is a meeting in which the interviewer does not strictly follow a formalized list of questions. Instead, they will ask more open-ended questions, allowing for a discussion with the interviewee rather than a straightforward question and answer format (Creswell & Creswell 2018)

themes of Transparency and trust; Governance and institution; Politic and policy to motivate actors in the interviews. (See annexe 3, 4, 5). It provides reliable and comparable qualitative data.

I had a discussion sessions with community groups using a semi-structured interview as well in order to have the emic picture of how there have understood and been experiencing the implementation of the E.I.T.I global standard.

A total of 18 meetings were held during the visit in the DRC including different organizations from government, civil societies, private sector and communities. All these actors are dealing at different level with the implementation of the E.I.T.I standard.

There are up to five ministries that are directly involved with the E.I.T.I implementation in the DRC; planning, finances, mines, Hydrocarbon and environment. There are provincial ministries and national ministries. Out of these five ministries, three was available for interviews (mines, finances, and planning). An email with questions was sent ahead to prepare the interview (see annexe 2) on the day of their convenience. Regarding extractives companies, with the help of the E.I.T.I/DRC, we send eight emails with our intention for the interviews attached with a questionnaire (see annexe 3). Four of them were available for interviews and of course on the day of their convenience. Concerning civil societies, we choose those dealing with mining and all issues around it.

Community group

Three international NGOs located in the DRC were contacted via e-mail and questions were sent to them as an attached document (see annexe 4). All three were available and accepted to be interviewed. Four national NGOs were contacted via telephone and interviewed based on an open-ended questionnaire were conducted. The leader ASEMIR, a Lubumbashi based national NGO organised meetings with different communities. After 15 years on the filed ASEMIR has had time to build good relationship with local communities. This helped with scheduling the discussion sessions. Before starting the interviews, ASEMIR leader and I organised a planning meeting. We targeted the communities that live around mines, with a goal was to have a focus group of 10 people comprised of neighbourhood leaders, tribal/ethnic group chief, church leader, schools' employees, women and children. The community group had to be homogeneous, meaning constituted of people sharing the same experience. A heterogeneous group would have been less efficient, because the study was about governance issue and not all local people are informed about how resources are managed within the country. Gathering literate and illiterate in the same group would have created frustration and resulted in less openness.



Figure 5: Kipushi Community workshop. A group composed of neighbourhood leaders, customary/tribal chief, church leader, and people working in schools, women and children.

Mainly, interviews were semi-structured and explorative and focused on the following matters

- general knowledge of the initiative
- the impact of the initiative in their activities
- sustainability of the initiative
- the constraints they encounter in implementing the initiative

4.2 Document reviews

The documentary review furnishes one with a prospect to engage with the literature that has already been completed for other purposes. The document review process described here take account of the review of studies that had been previously collected by various organizations and individuals. They include both published and unpublished materials by researchers, government agencies and NGOs. The process of reviewing them was done systematically by identifying, analysing and developing useful information from them

The literature relied on a broad search of peer-reviewed journal articles from databases and information portals such as Springer, research gate, Academia, science direct, Jstor, web of science, Scopus, Google Scholars, Sage Research Methods and PubMed-Common key words used to search these sources included *transparency, governance, natural resources, accountability, transparency initiative, resource curse, corruption*. The reference part for

each article found was examined in order to find additional relevant articles. Third, key scholastic and technology journals from around the world were searched independently and included the following publications; the journal of development studies, Science Direct, U4, E.I.T.I, World Bank, IMF, OECD. The search process uncovered 53 peer-reviewed articles published from 2007-2020.

4.3 Data analysis

Data analysis is a process of segmenting, taking apart the data and modelling data to discover useful information (Creswell & Creswell 2018). Schatzman and Strauss in Creswell & Creswell (2018:208) also discussed data analysis as a step to frame information collect on the field by using index and code. Creswell & Creswell (2018:194) discussed steps to consider during a qualitative analysis to make sense out of interviews, documents, images, records, images collected on the field. This study did not use code or index. However, we categorized interviews questionnaire into themes (see annex 3, 4, 5). Following are the steps considered in this study:

- **Step 1:** the organization of data into source categories. i.e. by stakeholders: government, extractive companies, Civil society (national and international NGOs and national communities).
- **Step 2:** capturing the general ideas of the participants' discourse. Creswell & Creswell (2018) argued the use of 'Winnow' as a process of focusing on important data and ignoring less relevant ones. Interviewing political representatives and civil society actors was a challenge because of the large amount of information received during the interviews, as result winnow was an efficient method to deal with the collected data.
- **Step 3:** we focus on combining all data and decide for the use of a framework to evaluate transparency level in the DRC. Used themes are governance and institution, transparency and trust, politic and strategy, and the E.I.T.I requirements were used as a framework to guide and to evaluate existing transparency within the national extractive industries.
- **Step 4:** focused on transcribing collected information from French to English and it has been time and energy consumption. However, this step involves connecting information to empirical theories. The administrative concepts that guide our analysis are transparency, accountability and governance. It is important to mention that these concepts are present with the actors without a clear and defined theme. Actors understood them according to the context (emic terms) and under data analysis I reflect on them using my scholarly interpretation (etic terms). For instance, when we

point out solid mineral management among actors, key word such as corruption, governance, power, and politic was mentioned by them to express how badly manage the resources were. This is to say that key words repetition under discussion strengthened the concepts of choice linked to the study.

- **Step 5:** was the framework table establishment with attributes to help analysing and discussing transparency in the discussion section.
- **Step 6:** will be categorizing coded themes to make sure to have diverse perspectives of the findings.
- **Step 7:** was to find the theory to guide all study in relation to concepts use during the field work
- **Step 8:** focused on ranging the concepts information to have a big picture of the finding.
- **Step 9:** focused on writing a description for each concept. A summary of interview was made to perceive harmonies and discrepancies between stakeholders' point of views (see table 4, 5, 6).

E.I.T.I Attributes	Explanations
Oversight by the multi-stakeholder group.	Government commitment; company engagement; civil society engagement, multi-stakeholder group; work plan
Legal, institutional framework & allocation of contracts and licenses.	Legitimate structure and financial system; agreement and permit distributions; Register of licenses; contracts; Beneficial Ownership, state support
Exploration and production.	Exploration, production, exports
Revenue collection.	Far reaching exposure of charges and incomes , offer of the a lot of creation or different incomes gathered in kind; framework arrangements and trade courses of action, transportation incomes, exchanges identified with state – possessed ventures (SOEs), subnational instalments , level of disaggregation, information practicality, information quality and confirmation
Revenue allocations.	Dispersion of extractive industry incomes, subnational moves, income administrations and uses
Social and economic spending.	Social and ecological uses by extractive organizations; semi monetary consumptions, the commitment of the extractive part to the economy; natural effect of extractive exercises

Outcomes and impact.	Open discussion, information availability and open information, proposals from E.I.T.I usage, survey the results and effect of the E.I.T.I execution
----------------------	--

Table 2: Guiding framework and attributes to analyse the state of implementing E.I.T.I standard in the DRC

4.5 Framework explanation

The Legal, institutional framework and allocation of contracts and licenses

The E.I.T.I requires the disclosure of information related to management of the extractive industries to allow interested party to comprehend the laws and procedures for granting production and exploration constitutional rights; the legal, regulatory and contractual framework which applies to the extractive sector and the institutional responsibilities of the State in the managing of alleged sector (E.I.T.I, 2019). This requires a transparent legal framework for the granting of mining rights and includes:

- The legal framework & tax regime
- The granting of licenses
- The license registers
- The contracts
- Beneficial ownership
- State participation in the extractive sector

The Exploration and production

The E.I.T.I (2019) requires the publication of exploration and production information that allow shareholders to comprehend the fullest potential of the extractive sector. This requirement is linked to a transparency in exploration and production deeds and consists of information on prospecting activities, production data and export data.

Revenue collection

Understanding how corporate payments and state revenues are received and allocated can improve public debate and can become a way for everyone to participate in the management of the extractive industries. The E.I.T.I (2019) requires a complete balancing of corporate payments and government revenues from the extractive industries as follows in order to further develop the industry:

- Full disclosure of taxes and revenues
- Full disclosure of the trade of state production, shares or other income received in kind

- Groundwork supplies and barter agreements
- Income from transport
- Operations related to state enterprises
- Sub-national payments
- The level of disaggregation
- The accuracy and quality of the data

Revenue allocations

Revenue allocations require the disclosure of information related to distributed income. This allows stakeholders to understand how income is distributed in national, local government budgets as well as community spending by companies (E.I.T.I, 2019). The E.I.T.I Requirements relating to the allocation of income include:

- Income distribution,
- Subnational transfers and
- Income and expense management

Collective and economic spending

This requires disclosure of information related to social spending and the impact of the extractive sector on the economy, thereby helping stakeholders to assess the extent to which the extractive sector is achieving the desired social and economic outcomes. E.I.T.I Requirements related to social and economic spending include:

- Community spending by company
- Additional taxes expenditures of state-owned enterprises
- Synopsis of the contribution of the extractive sector to the economy (E.I.T.I, 2019).

Results and impact

Companies and state governments are encouraged to regularly disclose data linked to management and governance in the extractive industries. These data are only useful in practice if the general public is aware of the significance of the figures published and disclosed in a public debate on the efficient use of resource revenues (E.I.T.I, 2019).

The E.I.T.I's Results and Impact Requirements seek to ensure stakeholder engagement in a discussion on the governance of natural resource revenues. The E.I.T.I reports give rise to agreement with E.I.T.I principles and bring a wider public debate (ibid.). This requirement highlights the implementation of lessons learned and that the gaps identified in E.I.T.I reports are illuminated and if possible corrected for sustainability of the E.I.T.I's process on a constant and sustainable basis (ibid.).

4.6 Positionality statement

My work experience has influenced my views on politics and politics. At the beginning of June 2014 until January 2017, I worked as a research analyst at the Prime minister office in the Democratic Republic of Congo. As a fellow of the Prime minister cabinet I was implicated to different kinds of high-level administrative deeds. I was part of decisions making particularly for huge projects planned to improve citizen's livelihood. I operated closely with different local ministries, foreign organizations as well with the President board of trustees. I believe my background gave me advantages and have easy my work on the field for this study. However, I did not escape challenges. The world I faced is a world dominated by men. Latest in the DRC do not have much consideration for women. Educated or not educated, they always feel superior. I had with me an understanding of how high ranked public officials patronize educated women and the awareness kept me from being offended. However, my objectivity side takes over the subjective side in order to avoid mixing my personal experience during the data interpretations.

As mentioned above, I must deal with high ranked public officials and my expectations to collect important information to the study was not high because of power relations. Power did manifest itself in different form such once I have to wait five hours in the office before being received. With this in mind inquirers explicitly identify reflexively their biases, values, and personal backgrounds such as gender, history, culture, and socioeconomic status that shape their interpretations formed during the study. I have studied the governance of natural resources, and conflict around natural resources which means that I had some pre-understanding of what transparency might mean for the actors I have to meet. However, I must admit that I became emotional when I had to meet local communities and witness extreme poverty in one side and countless extractive industries around them and I questioned the impact of the initiative.

5 Findings

5.1 Empirical finding

The section presents E.I.T.I's implementation progress in the DRC. Based on the data collected using the framework and attributes presented in the method section, and data generated from individual interviews and focus groups. The questionnaires used to interview stakeholders are shown in annexes, 3, 4, 5. The answers received from stakeholders are summarized and shown in tables 4, 5, 6. It is important to point out transparency,

accountability and governance main concepts to the study were not always easy to explain to actors. Concepts such as trust were used to gather proper information about accountability and institution, politics and policies connected to governance.

Table 3: Summary of key elements of E.I.T.I requirement reflecting the DRC progress in implementing the E.I.T.I standard

Attributes	Progress in the DRC
Oversight by the multi-stakeholder group	<p>March 2005, The DRC organised an international forum in Kinshasa with the support of the World Bank and the DFID to discuss how to implement the E.I.T.I in the DRC. The participants were industry representatives, the government, national and international NGOs</p> <p>On November 18, 2005, the President of the Republic published decree No.05/160 establishing and structuring the National Committee for the Initiative on Transparency in the Management of Revenue from Extractive Industries in the Democratic Republic of Congo (E.I.T.I /DRC 2018)</p> <p>On May 3, 2006, the speech of adhesion was ratified by the decree n ° 001 / CAB.MIN / PL / 2006 of the Minister of the Plan, President of the Steering Committee of the E.I.T.I-DRC which designated the structures of the stakeholders the members of the E.I.T.I-DRC Technical Committee.</p> <p>On September 19, 2006, the diagnostic studies of the mining sector based on the first group of products that were the subjects of the publication of the report (copper and related metals, cobalt and diamond) was decided in order to allow the Technical Committee to identify the priority E.I.T.I application points and the multi-stakeholders was legally formed</p> <p>July 16th 2009, E.I.T.I-DRC legally exists according to decree n ° 09/27 of July 16, 2009 establishing, organizing and operating the National Committee of the Initiative for Transparency in the management of extractive industries in the Democratic Republic of Congo, CN-E.I.T.I / Ground floor in acronym.</p>
	<p>The DRC mining sector, which is supposed to bring substantial revenues to the state for its economic and social development, has failed to meet these expectations, leading to a review of the Mining Code and its application.</p>

<p>Legal, institutional framework, and allocation of contracts and licenses.</p>	<p>March 09, 2018 - Law n ° 18/001 amending and supplementing Law n ° 007/2002 of July 11, 2002 bearing on the Mining Code was published.</p> <p>The DRC through its mining code provides information connected to the legal framework and the granting of constitutional rights in the extractive sector. The articles 32-49 of the DRC mining code allow interested party to comprehend the laws and measures relating to the granting of exploitation and production rights, the monitoring and contractual legal framework applying to the extractive sector and the State's institutional responsibilities in the executive of the sector.</p> <p>The mining code is public and can be found at the E.I.T.I/DRC and government websites.</p> <p>The DRC have a declarative regime (This regime means that it is up to taxpayers to file their tax returns on specific deadlines). (Can they choose not to do it?)</p>
<p>Exploration and production.</p>	<p>The E.I.T.I/DRC publishes the contextual report and the conciliation report. As required by the E.I.T.I, extractive companies publish information on their production, sales and what they pay to the state in a timely manner.</p> <p>The DRC stakeholders use online software (transparencies/SL) to automate reporting by companies and government representations. They publish information related to exploration and production. Extractive companies enforce E.I.T.I measures also follow the DRC's the mining.</p>
<p>Revenue collection</p>	<p>There has been significant progress to advocate transparency of extractive sector revenue collection in the DRC. However there have been successes and failures. The financial information related to the extractive sector has been published in the E.I.T.I/DRC's website and on the government's websites, as well as the results of audits and other valuations that focus on the financial information. E.I.T.I/DRC highlight weaknesses and other issues linked to the data collection. Need of capacity building to understand this requirement among stakeholders.</p>
	<p>The new mining code provides for a new distribution of the mining royalty. It is indeed planned that 50% of the royalty go to the national province,</p>

Revenue allocations.	25% to the administration of the province, 15% to the decentralized territorial entity (ETD) where the exploitation takes place and 10% to a mining fund for future generations (Agathe smyth 2019)
Community and economic spending.	The E.I.T.I/DRC publishes data linked to the extractive industries revenue management and economic spending in order to help stakeholders to evaluate their impact with regards to social, economic and environment responsibilities. Meanwhile, companies do publish their CSR, and on the other hand Government have to work harder to do the same. The impact of activities on the environment is present and local communities complain about the authorities. The mining code mentions questions related to the environment and how to deal with them.
Results and impact	Since joining the E.I.T.I, the DRC has published 11 reports. These reports are voluminous, and the technical secretariat publishes summary reports taking up a concise and well-adjusted analysis of the data presented in the E.I.T.I report. In addition, there is a version adaptable to communities. Two third of the communities approached during this study had never heard of the initiative and were not aware of the income allocations generated by the extractive industries or the revenues allocated to the communities.

In summary, all aspects of E.I.T.I requirements have been executed by stakeholders according to the framework and, the DRC has made meaningful progress. In fact, in 2019 the DRC was validated as a country making satisfactory progress in implementing E.I.T.I (E.I.T.I 2020). Moreover, some aspects of requirements has been implemented beyond the requirements; legal framework, policy on contract disclosure and public debate (E.I.T.I 2020). However, the success of the initiative must be reflecting on stakeholders. The following chapter, leads us to the findings on transparency, accountability and governance emic understanding from actors to analyse the success of the E.I.T.I

5.2 Transparency

Summary of answer base on transparency concept see table 5

Government actors' emic understanding on transparency

Transparency is associated to the traceability of revenues and transparency implemented through the E.I.T.I initiative makes it possible to reconcile the production of companies in the extractive sector with the incomes collected by the Government (National Finance ministry DRC 2020). The Extractive industry is the main contributor to the country's GDP. By bringing these elements together, the E.I.T.I plays an important role in improving transparency, governance of the extractive industries and the public finances of the DRC (Former Prime Minister DRC 2020). These elements put together make it possible to consolidate the country's position in the rating of organizations and agencies (Former Prime Minister DRC 2020). The publication of the E.I.T.I/DRC reports should be systematic in order to allow the country to better assess the progress made in the transparency and the governance of extractive sector, and to take appropriate action for improvement in these areas. The multi-stakeholder group is tasked to diligently publish an annual progress report about the extractive sector (see requirement 7.4) (E.I.T.I 2020). During the course of our interview we learned that the publication of reports is no longer systematic. The last report was published in 2017. The delayed in report publication is a signal the institutions are weak in their follow up (Former Prime Minister DRC 2020).

The transparency and traceability of resources linked to finance are very important for the extractive sector because the finance ministry needs reliability in the channels in order to fight the corruption that erodes public services. Such is the told of systematically publishing information (National Finance Minister DRC 2020). The market assesses a high index of corruption to the DRC. Transparency within the extractive sector at national and international levels will improve the country's reputation, just as the lack of information contributes to an uncertain and questionable marketplace (Province Finance Minister DRC 2020). Nowadays, the world is standardized, and it is important to take into account the change in the market (former Prime minister senior adviser DRC 2020). The E.I.T.I-reporting has led to implementing laws that prevent the loss of revenues (Former province Finance Minister DRC 2020). Furthermore, transparency has served as an indicator for Doing Business, for Human development Index (HDI), for corruption and for sovereign rating.

Extractive industries emic understanding on transparency

Informants from the local extractive industry, Ruashi Mining, Mutanda Mining, Mineral Metal Group and Ivanhoe mining, stated that transparency is more related to corporate social responsibilities (CSR), meaning contributions to the local communities such as building schools, hospitals, etc. However, they all questioned the transparency of revenues state officials transfer to the public treasury. According to them the State does not initiate projects

and is not knowledgeable about how the industry operates, therefore, it should not have control over the proceeds from the industry's activities. Transparency to be successful, however, should be based on political will. Industry informants noticed the failure to pass legislation, enforce sanctions, etc. Authorities are too involved in the extractive value chain with an abundance of red tapes across various jurisdictions and corruption involving major companies and corporate vehicles used to cover up payments that compromise the efficiency of the E.I.T.I/DRC technical office's data collection (Anonymous source DRC 2020). It is an E.I.T.I requirement for the industries to declare publicly the taxes they pay to the state. It is also a requirement for the state to disclose publicly what it perceives from the industries. However, what is declared by industries is not what it is supposed to be declared because the mineral deposit's value is underestimated due to the lack of technology and an inadequate control system put in place by the government.

Civil society's emic understanding on transparency (Civil societies dealing only with extractive sector in the DRC)

Interacting with the civil society revealed that transparency is related to the publication of information regarding revenue generated by the extractive industries. The civil societies that informed us, NRGI, PWYP, Licoco, the Carter center, Pom DRC, are more concerned about truth and governance in the interest of the people they assist. According to these organizations, the E.I.T.I initiative has had a positive impact on the DRC in that it provides the populations with information relating to extractive income and enables them to debate about it and hold leaders accountable. However, they question the information they receive from the E.I.T.I/DRC technical secretariat when they find incoherence in the reported. Crosschecking the information plays an important role in strengthening transparency, they point out. The civil society's performance in the DRC has led to their form of mining code in 2018. In fact, in 2019, the E.I.T.I board reported the amazing advancement made by civil societies in organizing public debate.

Our informants also mentioned that as civil societies in the DRC they face additional challenges as part of the multi-stakeholders group. They depend on aids from developed countries. The delay of aid endangers their performances in the field, and they are often not able to attend multi-stakeholders' meetings because of missing or delayed transport allowances. If they cannot perform as members of multi-stakeholders group, the country will not see the positive impact of the global standard through the multi-stakeholders group. Therefore they, as representative of the most vulnerable members of society, will not fulfil their role in in advocating transparency with companies and government. t.

For example, they estimate that the process in granting exploitation contract does not take place in a transparent manner; yet transparency in the granting contract is more important than the publication of contract which is not transparency in itself. Finally, the informants were unanimous of the fact that E.I.T.I is caught in a political system that holds back the institution from accomplishing its intended mission. Where there is no freedom of expression, the availability of information does not truly exist to benefit the citizens and transparency does not really takes roots.

Communities' emic understanding on transparency

Communities of Ruashi, Kipushi, Tenke Fungurume, Kolwezi communities look at transparency in terms of the benefits the rip from the revenues generated from the extractive sector. They expressed the belief that the government is deceptive and does not inspire confidence. In their view accountability is needed before transparency. The revenues from extractive industries are supposed to have an impact on reducing poverty and mining companies voluntary contribute to the local communities' welfare by building schools, hospitals, roads etc. These projects are however decided without implicating them in the decision-making process. The DRC has laws regarding voluntary and compulsory social spending. However, the communities revealed that they unable to monitor the application of that law with regards to the extractive sector hence the lack of transparency. There exist two forms of spending: compulsory spending and voluntary spending. Extractives industries are mandated to report the compulsory spending's to communities but they often misrepresent the facts by reporting voluntary social spending's as compulsory spending and gate away by bending the laws. Extractive sector policies in the DRC focus on creating jobs and develop capacity in the population. However, according to the local communities, the industry does not live up to its mission and many youth people find themselves involved in illegal mining and exporting activities.

E.I.T.I/DRC technical secretariat emic understanding on transparency

Stakeholders should view the E.I.T.I as a standard that is set up for promoting transparency, accountability in the extractive sector. A culture of transparency and democratic debate is gradually gaining ground even if there is still too much resistance that prevents the E.I.T.I/DRC from leading far-reaching policy changes in the extractive sector. Disclosing information is supposed to be voluntary according to the E.I.T.I/DRC but it hasn't been easy for the stakeholders to publish information on time; sometimes the information published was incomplete and required additional work of the technical secretariat especially when dealing with Public. Sometimes the technical secretariat can collect contradictory information between public institutions. For example, The Central Bank of the DRC would provide statistical data on production and exportation that would not always match with the data from the National Institute for Statistics (INS). Informants at the E.I.T.I opine that the institution more than often need to work extra hard in order to deliver on the promise of a transparent extractive sector by taking the fight to the country's institutions.

5.3 Accountability

Summary of Answer base on the interviews connected to the trust concept to refer to accountability (see table 4& 5)

Government emic understanding on accountability

Accountability is related to behaviour. According to the former prime Minister of the DRC, National or local officials expected to abide by the letter of the laws that govern the extractive sector and to provide efficient qualitative and quantitative services to. The E.I.T.I as goals that cover the entire value chain of the industry, from the decision to extract to the collection and management of revenues, as stated by the National Finance minister of the DRC. It could be said the government and institutions are guided by rules to avoid poor outcomes, therefore the requirement to disclose all relevant information to E.I.T.I/DRC on a timely basis. Citizens have the right to hold the government and the industry accountable for the mismanagement of natural resources and any negative.

Extractive industries emic understanding in accountability

The extractive industries relate accountability to political economy. The extractive sector is an important sector to the DRC. It generates revenues that contribute up to 18% of the country GDP (World Bank 2019) and is viewed as a strategic sector for the country's economy. There, accountability is seen as very important to the contribution of the welfare of the citizens according to Ruashi mining, Mumi, MMG, and Ivanhoe mining. The extractive

sector's management in the DRC is not systematic. The country went through several conflict periods that impacted the economy. Before the armed conflicts, the mining sector was solely managed by the state. Aspects such as transportation, communication, import, export, health, were under the state's purview. After the 1990s armed conflict, the country's economy was down and there was a need to boost it. The 2002 mining code was published in favour of investors. The country stopped being the industry's sole manager and a joint venture system took place. Public institutions were impacted by legislative changes as mentioned in previous paragraphs; changes that for a while unsettled the institutions. Corruption, already present, increased due to the fact that many contracts were signed privately, and nobody knew who were behind the licences. Opacity in natural resources' deposits also impacted the revenues collected and production data. So, E.I.T.I/DRC came to be viewed as an auditor in the mind of the industry.

Civil Society emic understanding on accountability

For the civil societies such as PWYP, NRGI, POM, the Carter Center DRC, accountability is related to review government pledges and compare that with the reality encountered by citizens. the E.I.T.I/DRC's technical secretariat has published yearly the progress report ever since the DRC have joined the E.I.T.I. It has been is a significant mean of communication between stakeholders. It offers an opportunity to exhibit what the E.I.T.I implementation did accomplish in order to improve transparency and reinforce natural resource management in compliance with E.I.T.I's standards. According to PWYP, NRGI, POM, the Carter Center DRC, Civil societies have contributed to the technical secretariat's reports through while-blowing, visiting the most vulnerable villages, talking to government officials, extractives industries' representatives and any person who could provide useful information. ; they validate their investigations against the information reported by the , the technical secretariat reported; they shared their findings with an audience of mostly NGOs so that they can use the information to call and hold the government accountable for its actions through international accountability mechanisms (i.e. The International Council on Mining and Metals (ICMM)) or government officials in the position of affecting changes. A key setback is that the government that the ability to sensor information and often does (the Center Carter DRC 2020). Accountability for the management of natural resources needs to reach across the entire government, not just for institutional dealings with the extractive sector. This is something E.I.T.I's report highlight.

Communities emic view on accountability. During the meeting we used the concept trust to connect to accountability

To local communities, accountability is related to the ways in which businesses are embedded in their communities (Kipushi, Tenke Fungurume and Kolwezi communities DRC 2020). The mining venture is in the corporate of extracting valued natural resources for return. However, poverty, health and education challenges across the upper Katanga (mining province in the DRC) are related to the lack of economic growth. Mining have taken place in poor areas where social infrastructure social services (health and education) are limited. However, the hope that mining companies would step up and be answerable for basic services in lieu of the the government is high. Companies should engage in a dialog with the communities in order to better contribute to local development (Tenke Fungurume community DRC 2020). Mining ventures tend to improve local employment opportunities, but it is not enough (Kipushi community DRC 2020). Communities have experienced negative effects such as low income and many contracts such as providing for electricity and water that never materialized (Kipushi and Ruashi communities DRC 2020).

E.I.T.I/DRC technical secretariat emic understanding on accountability

Accountability is related to the implementation of E.I.T.I as an indicator of performance in the management of natural resources. The E.I.T.I/DRC collects information from stakeholders and reconciles them. However, the information requires auditing before publishing. Experts in audit are mostly implicated to ensure information accountability and reliability. International audit agencies collaborate with local audit agencies in order to collect reliable information that would be included in the E.I.T.I's annual report. Sometimes audit agencies have challenges due to the fact that some companies and institutions refuse to disclose.

5.4 Governance

This section summarizes the answers based on interviews connected to governance as political and strategical concepts (see table 6). To communities we use politic and strategy concepts to refer to governance.

Government emic understanding on governance

The Government related governance to leadership. According to the former prime minister in the DRC (2020), good governance (process of decision making) and strong leadership (a person influencing and leading others) exercised at the top of the State would make it possible to take advantage of the information published by E.I.T.I/DRC in order to make appropriate decisions and significantly reducing corruption. The policies developed are supposed to

contribute to the wellbeing of the citizens; in this context they deserve to be made aware of various policy decisions that have a direct impact on their way of life. Also, the citizens must be informed about the results of the policies established and implemented by the government. This allows on the one hand to evaluating said policies and on the other hand to continuously adjust and improve them if and when necessary. The E.I.T.I is a tool of governance, and institutions to abide by requirements of the global standard and to be responsible in order to achieve mandated goals (former senior advisor at the prime minister office DRC (2020).

Extractive Industries understanding of governance

The Extractive industries related governance to t mining laws and to the *mining code (code minier)*, including set of rules, procedures to regulate the identification of potential deposits, the exploration and exploitation of gas, oil and solid minerals(Ivanhoe mining DRC 2020). the DRC Recently adjusted its mining code (the “2002 Mining Code”) because it was adopted to revamp the industrial mining sector after the Congo Wars of 1996 to 2003. But the Congolese citizens had hard time to understand what the new code was trying to achieve. Bad socio-economic situation did. The new mining code was introduced in March 2008 and applied to all holders of mining rights (NRGI DRC 2020). However, it faced strong resistance from major mining companies operating in the DRC such as Ivanhoe mines, MMG and Ruashi mining. The New Mining Code includes the increase of mining royalties payable by the mining companies among other things. (Ruashi mining DRC 2020)

Civil societies understanding on governance

The civil society organizations related governance to informing the people and explaining them their basics rights and obligations. In truth, governance is more about developing a dialog with citizens on matters related to natural resources management and playing a part in the democratic process by representing citizens’ interests and helping them improve their capacity; as it should be done in collaboration with the government or international NGOs (POM DRC 2020). National civil society organisations such as PWYP, Licoco, and POM, in partnership with National and local international NGOs (World Vision, NRGI, Asemir, the Carter Center) organize debates to help the public understand how government revenues are generated from the extractive sector and spent over time. However, civil society organisations can only play this role if they have the freedom to work. Despite the progress made in the area of freedom of expression within the DRC, the E.I.T.I implementation has been limited in regions that are rich in natural resources due to threats by armed organisations (the Center Carter DRC 2020).

Communities' emic understanding on governance. We use politics and policy concept to relate to governance

Kipushi, Ruashi, Tenke Fungurume and Kolwezi communities related governance to royalties and environmental waste from extractive activities. The DRC mining code has been revised in 2018, increasing royalties paid to communities living in mining areas. The holders of mining rights have to contribute to development projects for mine activities that affect the communities at a tune of at least 0, 3% of their turnover. Yet, the communities are complaining that the code has not been implemented accordingly. There is no clarity as to which account this 0.3% will be paid to and the populations are worried that the royalties might be embezzled. Local Communities are hoping to manage this 0.3% mentioned in the mining code.

The lack in the management of waste from mining industries by companies and government worsened local communities' health and the living environment. The communities are complaining about women pregnancies that do not come to term; women giving birth to malformed children; residues from industrial smoke, unproductive soils, and poisoned water. Furthermore, mining sites are subject to a non-resident workforce. The presence of Chinese in mining sites are impacting mining communities as pointed the by majority of communities visited. These communities express concern for their children's safety because of the antisocial behaviour from the non-resident workforce. The communities experience critical housing shortage as well shortage of critical infrastructure and services, and those with lower incomes become homeless (Kipushi, Ruashi, Tenke Fungurume and Kolwezi communities DRC 2020)

E.I.T.I/DRC technical secretariat understanding on governance

When discussing governance, the technical secretariat of E.I.T.I/DRC expresses the desire that stakeholders would consider the E.I.T.I standards as an index/indicator of performance. Corruption as an indicator needs to be improved in the extractive sector and the technical secretariat believes that by implementing transparency measures corruption can be considerably reduced. When discussing performance, the technical secretariat encounters some challenges with companies that refuse to disclose information regarding production, taxes payed to the state, and exportation. The lack of information hinders the technical secretariat's effort to publish the reports required by the E.I.T.I international board. The delayed in publishing reports send a bad signal to investors or donors about the soundness of doing business in the country. Moreover, the technical secretariat depends on the state to be proactive, meaning to actively collect data and to implement planned activities. Finally, the

delayed in receiving financial data has an impact in the preparation of the yearly report E.I.T.I Requirement 7.1 states that the multi-stakeholder group should take into account recommendations arising from E.I.T.I Reports. Yet gaps in government systems make it difficult for the stakeholders to follow the recommendations made in the E.I.T.I Reports.

6 Analysis

The ambition of this study is to find the evidence gap with regards to the mechanisms linking E.I.T.I adoption and development outcome to the communities living around the extractive industry's sites. In this section we will analyze results from interviews presented in section 5 with support from the chosen theoretical concepts in order to provide answers to the initial research questions:

1. Has the E.I.T.I been successful over the years of implementation?
2. What opportunities and challenges does E.I.T.I face when it comes to improving extractive sector management?
3. How do communities living around extractive industries secure their livelihood and how do they experience the impact of E.I.T.I?

According to governmentality theoretical framework based on Foucault (2003), E.I.T.I as a global standard is an organized set of practices policymakers use to manage the extractive industries through the implementation of transparency and accountability. Foucault governmentality focuses on three organized practices: rationalities, mentalities and technologies. These organized practices are used to govern activities and subjects (The governed) for the purpose of securing the welfare of the population in the short and long runs (Foucault 1991a: 100).

Foucault guides our understanding of E.I.T.I implementation in the DRC's, extractive sector. his understanding of rationalities, mentalities and technologies is used in combination with the E.I.T.I requirements reflecting the country's progress in implementing the global standard.

6.1 Has the E.I.T.I been successful over the years of implementation?

6.1.1 Policy rationality to join the E.I.T.I

Our study reveals that E.I.T.I implementation in the DRC could be viewed in light of Foucault's organized governmentality practices (*Rationality, mentalities and technologies*) as they shaped the country's policy choice to join the E.I.T.I. In fact, these practices permeate different stages of the process in relation to the extractive sector. Several variables have

motivated the country to implement the global standard: Primarily, societal challenges such as resource efficiency and raw materials, health, food security, wellbeing, unemployment, identify at different levels of society. Secondly, internal motivation factors such as the resource curse, the development level, and corruption. Thirdly, we account for, internal aptitude such weak institutions and lastly external pressure such as external debts or development assistance (Lujala 2018).

Choosing The E.I.T.I global standard can be said to primarily derived from the failing management of natural resources in the DRC (Lujala 2018) and. the failure of governance in the oil, gas and solid minerals(Former DRC prime Minister 2020). Foucault's view of rationality explains this choice. Indeed, he calls for rationality of political choices as a mean to solve a problem (Foucault 2003) , in this case reviewing the problems the country faced and choosing to join the E.I.T.I as a mean to becoming a business and development friendly country(E.I.T.I/DRC 2019); doing so requires to accept the beliefs, that a country's natural deposit belong to its citizens (E.I.T.I 2020). Practical goals as well as thoughtful decisions in 2005 to help the country to enhance governance of it natural resources after a long period of armed conflicts according to the Former Prime minister of the DRC led to the establishment of the E.I.T.I to encourage an open and liable management of oil, gas and solid mineral resources (E.I.T.I 2020). Thus, we could argue that E.I.T.I global standard, viewed within the governmentality paradigm, illustrates a political rationality and the extractives industries and agencies conducting business in the DRC are regulated by the implementation of the E.I.T.I.

6.1.2 Mentalities rationality

The E.I.T.I adoption has become the common ground for poor countries rich in natural resources to promote sound management and public development in the extractive sector (Lujala 2018). The relevance of the E.I.T.I has been credited with changing attitudes and mentalities in the extractive industries. It is expected that the global standard will provide a popular basis for transparency and accountability in the governance and reduce corruption (Lujala, Rustad, Le Billon (2017). Foucault (2007) viewed mentality as a way of thinking as much as a set of practices, hence the argument that the E.I.T.I is a process of managing resources and mentalities (Foucault 2007). Before the implementation of E.I.T.I revenues from the extractive industries were known only to the operators (E.I.T.I/DRC 2020). The public knew little of what was going on in the industry. Public interest into extractive industry's revenues has grown since the implementation of E.I.T.I. The industry has become more alert to its responsibilities on issues of correct disclosures of payments to the

government (the Carter Center DRC 2020) related to Foucault governmentality, E.I.T.I attempt to shape industries conduct by calculating means (Foucault 1991). The alert is appreciated by government agencies (the Carter Center DRC 2020). Communication activities put in place by the national E.I.T.I/DRC committee ensure that mining companies and agencies are aware of, understand and are consulted by the E.I.T.I (E.I.T.I 2020).

6.1.3 Technologies of performance

To live up to the E.I.T.I's global standard, the DRC have to rely on indicators / requirements established by the E.I.T.I to encourage conforming to best practices. As an economic governmental rationality, the DRC have made the extractive sector more productive and more effective, for instance transparency and accountability are priority of new public management (E.I.T.I/DRC 2020). The attempt to conduct the conducts of other by implementing transparency and accountability is a long process because the culture of transparency is new within the DRC's extractive sector. The culture of transparency is new among citizens as well, and the hope to improve such mentality is by encouraging public debate, allowing citizens to question government political rationality choices.

In the following paragraphs we will attempt to answer the last two research questions which focus on the concepts of transparency, accountability and government within Foucault's governmentality paradigm. These questions as mentioned previously address the opportunities and challenges E.I.T.I faces in improving the extractive sector's management and how local communities in affected areas secure their livelihood and experience the impact of E.I.T.I.

6.2 Transparency

Referring to our section on data collection, we can assert that the DRC has made advancement in improving transparency by executing E.I.T.I global standard. The elements of framework that refer to transparency can be understood as a technology of government in the spirit of Foucault's conception of governmentality (Foucault, 2007). The transparency element of the E.I.T.I framework helps the government evaluate the political rationality choice, meaning the E.I.T.I, to solve the problem of governance of natural resources. This sends good signals to investors, donors, NGOs that the country is committed to reforming the industry. In 2019, the corruption perceptions index shows that the DRC was ranked 168/180 making the DRC one of the least reliable countries for doing business (Transparency international 2020). One aim of implementing the E.I.T.I transparency framework was to improve the corruption perception index for the DRC and contribute to changing practices within the extractive sector in the

DRC. That also was shown during interviews with our field study's informants. Former DRC Prime Minister Augustin Matata Mponyo mapon mentioned during his interview that many things have changed in terms of stakeholders' participation. In the same line of thought, the Carter Center (international NGO) revealed that E.I.T.I acts as a power-assisted brake. Companies that yesterday resisted being transparent think twice now before committing and publishing what they owe to the state because of the monitoring and auditing dare improved.

Transparency as a mental rationality based on Foucault (2007) can be understood as a mechanism that shapes the lens of ignorance that manifests itself through limiting access to information (Roberts and Armitage 2008). Here, transparency focuses on publishing and making information accessible based on the right to know (Bellver & Kaufman 2005). Reports need to be effectively communicated to the communities that live close to the mines: the communication constitutes as a critical step toward meeting the target 16.10 (see annexe 2) of the UN SDGS, E.I.T.I/DRC. However, the Carter Center (International NGO) mentioned the lack of a culture of reading in the DRC as a problem that limits accessibility to the information published by the E.I.T.I/DRC. The information published by E.I.T.I/DRC is currently for specific people capable of understanding and grasp information, e.g. students, NGOs, etc. The Carter Center also mentioned that these individuals are initiated to access information and subsequently transmit it to communities. in reports translated into national languages. They facilitate communicating and understanding of the content of the reports, but much effort still needs to be done about sharing information regarding revenues from extractive sector with communities living around the mines. The civil society plays a huge role in this case by enabling an effective debate on the governance of natural resources, initiating reforms in order to reinforce transparency by promoting the fight against fraud, corruption and misallocation of public revenues.

However, the efficiency of the dissemination of information is being questioned by 50% of communities visited during the field study that claimed that they have never heard of E.I.T.I. A large amount of data never reaches them and the question remains as to whether the information that get to them was sufficient to inform as the information that reached the communities has already been filtered. Thus, it can be said that transparency in term of sharing information has not been achieved at the micro level since the same information does not reached all stakeholders. Stiglitz (1999) argued that it is a given right of the citizens to know and to be educated about what government is doing but, it seems that interviewed communities are far from being educated accordingly.

Transparency plays the role of a regulator in doing business (World Bank 2020). In term of governmentality organized practices of government, transparency can be argued as a technical rationality(Foucault 2007)., which is concerned with achieving goals, such as improving the economy (Alvesson 1996) The World Bank Ranking in doing business ranked the DRC 183th. among 189 countries in the World Bank's Doing business 2014 index (KPMG 2014, p:5). If transparency is used as an indicator to enhance business and attracted investors, then the DRC is not making visible progress based on the World Bank Doing Business. The E.I.T.I global standard implementation is supposed to strengthen member countries' accountability and motivate investors. However, since the DRC's index in performing business is weak, the impact of E.I.T.I can be questioned, so as the hope to reach target 16.10 of the UN SDGs.

Another aspect of transparency that has been considered in this study is its effective ability to expand the distribution of assets. According to Foucault (2007), political rationality is supposed to help ensuring that the benefits of development are reallocated and not capture by the country's elites (Bellver & Kaufman 2005). Nonetheless, the E.I.T.I international board has declared the DRC a country making progress in implementing E.I.T.I 2016 standard. An outcome of the progress made by the DRC is the reform of the mining code 2018. The new mining code provides new distribution of the mining royalty. It is expected that 50% of the fees will go to the central government, 25% will be allocated to the administration of the province, 15% to the Decentralized Territorial Entity (ETD) where the exploitation takes place and 10% to a mining fund for future generations (Smyth 2019). In the past, extractive companies paid royalties directly to central government responsible for transferring a share to the decentralized entities, but the transfer was rarely executed (Lassourd 2018). Less than 4-5 ETDs received the royalties and royalties received mainly benefited the elites which for example spend money in expensive cars (ibid.). However, transparency can be questioned at this stage because it is unknown who controls the money and what the ETD would do with it.

Local communities are concerned about not being included in decision making. Societies depend on healthy surroundings for their living. It is important to invest in communities, individuals and civil society organizations, and invite them to take part in the decision-making process. However, such transparency is absent in the DRC's local communities. Civil societies are fighting to get in place a culture to implicate the local communities in the process. Therefore, we can say that the SDGs target 16.7 is far from being reached. Tenke Fungurume, Kipushi, Ruashi and Kolwezi communities interviewed during the fieldwork are equally concerned regarding the impacts of the extractives industries on their environment.

These communities deal with unproductive soil, water pollution (goal 6) and women giving birth to children with functional and cognitive disabilities.

As the extractives sector holds enhancing transparency, interested party face challenges related to information spread, dissemination distribution, and cross-check. Get the better of these challenges is more vital than ever to guaranty effectiveness and reinforce current systems, avoid repetition, manage anticipations, support evidence-based decision-making and create shareholder trust (Deme, Jensen & Petersen 2016).

Bac (2001) discussed the fact that transparency can be a valuable asset of connection that facilitated corruption. By being transparent, a window is opened between influential public officials and the world. Thus, a connection can use the window on his favour to build a connection for corruption (ibid). With this approach, it is a challenge to avoid corruption, especially if a high ranked public official uses his/her position to influence a decision.

6.3 Accountability

E.I.T.I stakeholders must report the revenues generated by the extractive sector, from the signing contract to exportation (E.I.T.I 2020). These reports play an accountability function and are considered a primary mechanism use to monitor improvement into the extractive sector (Katomero 2017). Accountability involves the obligation to explain and justify conduct to specific group (Schedler, Diamond & Plattner 1999 p.14). In the case of the extractive sector in the DRC, stakeholders are obligated to explain their conduct to audit agencies by disclosing taxes pay to the state and the state to disclose what they have received from industry. Audit mechanisms are understood here as a technology of government (Foucault 2007) that permeate the extractive sector as important answers to specific types of moral hazards (Williamsons, 1991) and as a protection from the actions of stakeholders. Audits are expected to be a transparent way of measuring individual and organizational performance (Molnar and Warren 2020). They increase values of organizational transparency and enlighten accountability through mechanisms of self-reporting or external reporting and verification (Molnar and Warren 2020). An E.I.T.I/DRC report points out that a government agency received mining payments from extractive industries but did not deposit them to the Central Bank (CB). The fact that the payment wasn't deposited in the right account increased the risks for mismanagement and embezzlement of revenues. The report revealed that \$88 million in mining royalties collected was difficult to be found in the public treasure (E.I.T.I 2019). An audit agency was asked to investigate public officials in order to find the missing income. This situation tarnished the DRC's accountability before E.I.T.I international, compromised

the country's membership in the organization as well as the country's SDGs. We can argue that audits are ways to protect against the moral hazard of extreme extractive industries activities (Molnar and Warren 2020).

Transparency and accountability need to be keys parts of art of government (Foucault 2007, Dean 2009), insisting that the implementation of the global standard could be best to achieve development goals.

If reporting accountability is a technique of governance that expresses the liberal political rationality of the E.I.T.I framework, it means that it valorises strategy for managing the extractive sector through the routine of audits. As such, it is important to consider how the reporting function is representative of the governance of natural resource through the implementation of the E.I.T.I. As a technique of governance, accountability did not improve the corruption behaviour within the extractive sector in the DRC (NRGI DRC 2020). In fact, the E.I.T.I international board is still concerned about the corruption and mismanagement of funds in the extractive sector in the DRC despite the fact that the country is making progress in implementing the initiative (E.I.T.I 2020). In fact, some of the world's biggest extractive companies have been audited and accused for corruption such as the Persian Gulf, paying important role in Malaysian 1 MDB scandal (E.I.T.I 2019) this really put in question the efficiency of the E.I.T.I in eradicating corruption. Schedler, Diamond and Plattner (1999) discussed about two dimensions in accountability: answerability and enforcement measurement. Answerability is linked to questioning high ranked public officials about their management of public assets and taking corrective measures to remedy any harm done. It could be possible with this approach to avoid corruption if the government practice in managing the extractive sector includes the political strategy of enforcement measurement is case of unaccountability.

6.4 Governance

Müller (2016) sees governance is a process that allows projects to achieve organizational objectives. According to the former DRC Prime Minister Augustin Matata Mponyo mapon, there are still efforts to be made in order to improve the good governance of natural resources in the DRC. Yet, the E.I.T.I/DRC has produced values such as having a better image of mining operators and their scope of activity such as:

- managing, monitoring of revenues and budgetary process
- transparency in the mining royalty and the release of contracts
- attribution of rights and monitoring of contracts

- beneficial ownership of extractive companies,
- social impacts of Extractive Industries
- regular and credible declaration of cash flows by all of the companies identified to participate in the Initiative
- regular and detailed declaration by all the national and provincial financial authorities.

All these elements are likely to improve the governance of natural resources, if embedded in political organized rationalities (Müller & Rose 2008). The DRC possesses abundant natural resources but 72% of its population experiences multifaceted poverty (World Bank 2020). This obvious and shocking paradox can explain the perpetuation of bad governance that reigns within the institutions responsible for conducting policies. Governance rationality is the use of control and trust as mechanisms to achieve good governance (Dean 2010). To this end, governance combined with strong and progressive leadership can bring about positive transformations in the DRC (Former Prime minister DRC 2020). The DRC government need to ensure the quality of the institutions responsible for conducting policies by adopting transparency as a desirable feature (Former Prime minister DRC 2020)

In their discussion of governmentality, Miller and Rose (2008) talked about the programmes of government as political rationalities of government. The programmes are means by which government actors look to shape and impact the lives of citizens (Müller & Rose 2008). In our case, the experiences of local communities cannot be explained by Müller and Rose (2008). Local communities interviewed in the study are complaining about the impact of extractive industries waste on the environment, absence of infrastructures, absence of public services, unemployment to name a few. The E.I.T.I/DRC, as a technology of government (Müller & Rose 2008), mobilized to deliver government programmes is limited within the DRC. Mechanisms and practices use by the E.I.T.I/DRC technical secretariat benefit mostly actors at the macro level (political leaders) and it is hard to assess their impacts on the local communities.

7 Discussion and Conclusion

The thesis highlights the implementing the E.I.T.I. The study of the DRC case on implementing the E.I.T.I adheres to a large extent to existing research regarding how political rationalities can empower and drive the governance of extractive sector in poor countries rich in natural resources. The DRC membership in the E.I.T.I was a strong signal about the government's commitment to make the transparency of revenues from the extractive sector one of the major subjects of its policy choice but meeting this expectation related to the

positive implementation of the initiative remains a critical issue. There has been progress in implementing the E.I.T.I, in particular in the preparation and in the regular publication of E.I.T.I reconciliation reports; in the participation of civil society in public debate; and the establishment of a dialogue between the government, stakeholders from the extractive sector and civil society. However, the development outcomes in implementing the E.I.T.I have proved to be less as argued by several scholars (Lujala, Rustad & Le Billon 2017). The World Bank (2020) suggested that for effective development outcomes, local communities must actively participate at the onset of the in extractive industries' operations. The industry should improve its infrastructures and generate employment, and a chance should be given to micro business to engage long-term sustainable development initiatives. Likewise, the E.I.T.I needs to be more inclusive and attentive to local needs.

This study points out the limitations that accessing information has on adopting the E.I.T.I at the micro level. Local communities living around mining projects in the DRC receive very little information about the E.I.T.I objectives and potential impacts and benefits from the implementation (E.I.T.I/DRC 2020). A reason for this could be that, in line with findings by Foucault (2007), political rationality choice did not provide a useful way of understanding the governmental practice, therefore the E.I.T.I/DRC technical secretariat, National NGOs, and local international NGOs as apparatuses are facing challenges to inform local communities about the E.I.T.I. This study points out the importance of the transparency as a culture in order to reach the E.I.T.I/DRC's development goals. Hypotheses that implementing the E.I.T.I can reduce corruption have been analysed by the scholars (Barrett & Okamura 2013). Although E.I.T.I implementation is voluntary, the government was motivated to make commitments because it sought to improve the country's reputation with the international community. The DRC is ranked as a most corrupted country and to improve such reputation the DRC joined the E.I.T.I and uses the global standard as a governance tool to eradicate corruption within the extractive sector (David-Barrett & Okamura 2013). These findings strengthen the critique put forward by Foucault (1995) when we attempt to see the E.I.T.I as government rationality, practice the government uses to shape itself and to govern others. Foucault identifies the attempt as the conduct of conduct. In other words, the E.I.T.I implementation regulates actors' thoughts and behaviours. The regulation of thoughts and behaviours vary at the macro level because transparency as a new culture will take time to change a society where corruption is a way to operate. It is interesting to note that while E.I.T.I appears to be an efficient tool for the governance of extractive sector in the DRC, there is resistance among stakeholders and it could be understood as a dependent on the corruption. The question remains whether the apparatuses comprised of the E.I.T.I/ DRC technical

secretariat, national NGOs, and local international NGOs should be expected to solve problems that are perceived to be driving corruption. In regard to this, an interesting prospect for further research would be to explore the level of political engagement amongst individuals and actors involved in E.I.T.I initiatives.

The main aim of this study was to evaluate whether the adaptation and implementation of the E.I.T.I in DRC have improved transparency, accountability practices in its extractive sector governance as well as the management of revenues. Data obtained from the questionnaire (submitted to key informant) were qualitatively analysed. The results of the interviews were also qualitatively analysed in order to corroborate the findings from the questionnaire and to help provide insight into the subject of our enquiry. It also aided with understanding and making sense of how the analysis of interviews' results were conducted. This study noticed that there was an inter-play of opinions between and among the key stakeholders indicating significant differences of perception about transparency and accountability practices in the DRC extractive sector governance. This was a result of their functional differences and relationships with the extractive sector. These findings will inform the Government on where to improve and on how best to use mining revenues for the good of DRC society and the country. The findings will also contribute knowledge and literature on the DRC mining industries in the area of extractive sector governance.

How effective was the E.I.T.I execution in the extractive sector in the DRC?

The DRC began implementing the E.I.T.I after a decade period of armed conflicts leading the country to social and economic failure (E.I.T.I 2019). The mining sector as an engine of growth became insolvent because of corruption, robbing, mineral smuggling and political instability (ibid.). Furthermore, over 63% of 70 million of the Congolese citizens live under the poverty line according to the World Bank (2020). It is in the setting, the government of the DRC decided to implement the EITI. A rational decision based on the belief that the global standard will enhance the engine of growth, reviving the extractive sector to improve the social economic aspect of the country. In 2005, the DRC join the EITI and eleven reports have been published by the E.I.T.I/DRC showing a stable increase in government incomes. (E.I.T.I 2019). For example USD 875 million in income comes from the mining sector in 2010 and 82% of USD 1, 7 billion in 2015 come from mining sector, and 90% of USD 1, 13 billion in 2016 came from the mining sector (E.I.T.I 2019).

Additionally, the E.I.T.I has agreed on amplifies reporting payment to the artisanal and small-scale mining and forestry sectors (E.I.T.I 2019). Furthermore, E.I.T.I/DRC contributed to the revision of the DRC mining code put out in 2018 including the royalties' direct to communities living around mining sites (Ibid.). However, the understanding of the impact of

implementing the EITI among communities interviewed for this study living around the mining is almost inexistent. E.I.T.I: impact in relation to institution, the Ministry of Mines website make available links to over 140 contracts, together with detailed production and export figures for 2011-2018 (E.I.T.I 2019). The Ministry of Finances make available monthly revenues collected by the government from the extractive industries (ibid.). To sum up, this thesis has contributed to existing research on E.I.T.I implementation in poor countries rich in natural resources by pointing out that the failure of understanding the global standard objectives by stakeholder's impact negatively its success. Furthermore, there is an unbalance of information sharing in the context of the DRC leading to the non-success of the initiative.

8 Recommendations

The E.I.T.I standard is an initiative implemented in 53 countries. It has shown success and challenges in the governance of the extractives sector especially in developing countries rich in natural resources. However, there are factors to take into consideration for the success and sustainability of the initiative since the initiative must take into consideration political, economic, climate and environmental attributes. Thus, analysing political, environmental climate and economic risks will be an efficient strategy to build a model for better management and control for each country. Figure 6 suggests variables to consider as prerequisite to enforce E.I.T.I implementation within the DRC.

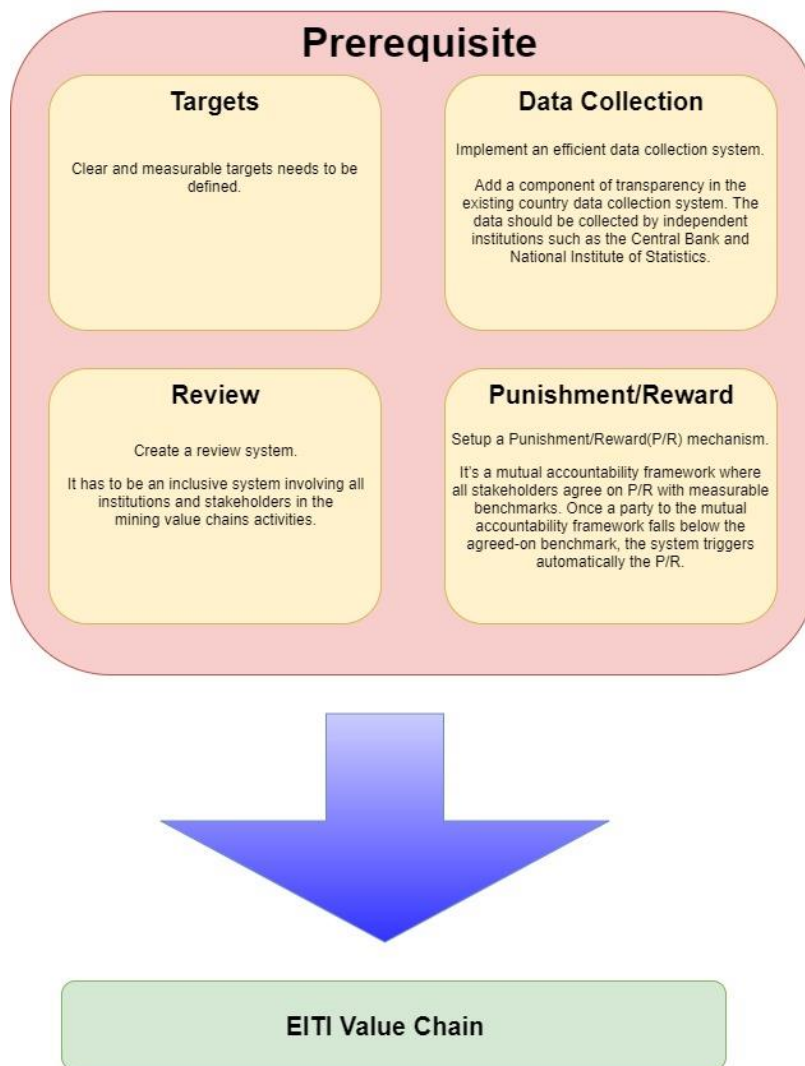


Figure 6: Prerequisite to implement the E.I.T.I standard

1. Set clear and measurable targets. An example can be find by following the below link <https://data.worldbank.org/indicator/IQ.CPA.TRAN.XQ>
2. Implement an efficient data collection system: consider adding a component on transparency in the existing DRC data collection system ~~to be collected~~ by independent institutions such as the Central Bank and National Institute of Statistics.
3. Put together a review system: It has to be an inclusive system involving all institutions and stakeholders in the mining industry value chain.
4. Setup a punishment/reward mechanism: It's a mutual accountability framework where all stakeholders agree on punishment/reward with measurable benchmarks. Once a party to the mutual accountability framework falls below the ~~agreed-on~~ benchmark, the system triggers automatically the punishment/reward.

References

- Abdullah, A.; & Khadaroo, I. (2016). The governmentality and accountability of UK national museums and art galleries. *Accounting Forum*. Available at: <https://doi.org/10.1016/j.accfor.2016.12.004> [2020-07-31].
- Alvesson, M. (1996). *Communication, Power and Organization*. illustrated, revised. Walter de Gruyter Available at: https://books.google.se/books/about/Communication_Power_and_Organization.html?id=UwGw9BFshrQC&redir_esc=y. [2020-07-31]
- Bac, M. (2001). Corruption, Connections and Transparency: Does a Better Screen Imply a Better Scene? *Springer*. Public Choice, Vol. 107, No. 1/2 (Apr. 2001), pp. 87-96. Available at <https://www.jstor.org/stable/30026256> [2020-07-31]
- Bourdieu, P. (1984). *Distinction: A Social Critique of the Judgement of Taste*. London, Routledge.
- Clausen, A.W (1981). Accelerated Development in Sub-Saharan Africa. An Agenda for Action. *The World Bank*. Washington D.C. Available at: <http://documents.worldbank.org/curated/en/702471468768312009/pdf/multi-page.pdf>. [2020-07-31]
- E.I.T.I (2020). *Benefits from Implementing E.I.T.I*. Available at: <https://EITI.org/benefits> [2020-07-31]
- Fenton Villar, P., & Papyrakis, E. (2017). *Evaluating the impact of the Extractive Industries Transparency Initiative (E.I.T.I) on corruption in Zambia. The Extractive Industries and Society*. <https://doi.org/10.1016/j.exis.2017.01.009>
- Chêne, M. (2017). Natural resource management transparency and governance. A literature review focusing on extractive industries. Available at: <https://www.u4.no/publications/natural-resource-management-transparency-and-governance.pdf> [2020-05-15]
- Dean, M. (2010) *Dean Governmentality: Power and Rule in Modern Society* (second ed), SAGE Publications Ltd., London, UK Google Scholar. Available at: https://www.academia.edu/3612626/Governmentality_power_and_rule_in_modern_society_2nd_edn [2020-07-31]
- Deme.O, Jensen.D, and,Petersen.I,(2016).Addressing the challenges of E.I.T.I mainstreaming: observations from the Democratic Republic of Congo. Available at: <https://EITI.org/blog/addressing-challenges-of-EITI-mainstreaming-observations-from-democratic-republic-of-congo> [2020-08-16]
- E.I.T.I (2016). *How the E.I.T.I contributes toward meeting the sustainable development goals*.

Available at: <https://EITI.org/document/how-EITI-contributes-towards-meeting-sustainable-development-goals> [2020-05-15]

E.I.T.I (2019). *Discussion paper: The E.I.T.I's Role in Fighting Corruption*. Available at: https://EITI.org/files/documents/EITI_global_conference_discussion_paper_-_EITIs_role_in_fighting_corruption_1.pdf [2020-05-15]

E.I.T.I (2020). *Who we are*. Available at: <https://EITI.org/who-we-are> [2020-05-15]

E.I.T.I (2020). *The E.I.T.I Standard 2019*. Available at: https://EITI.org/files/documents/EITI_standard2019_a4_en.pdf [2020-05-15]

E.I.T.I. (2019). *Funding*. Available at: <https://EITI.org/funding> [2020-05-15]

E.I.T.I (2020). *History of the E.I.T.I* Available at: <https://EITI.org/history> [2020-05-15]

Foucault, M. (1977-1978). *Security, territory, population: lectures at the collège de France*, Palgrave Macmillan London.

Foucault, M. (1977). *Discipline and Punish. The Birth of the Prison*. Pantheon Available at: https://monoskop.org/images/4/43/Foucault_Michel_Discipline_and_Punish_The_Birth_of_the_Prison_1977_1995.pdf

Foucault, M. (1984) FOUCAULT. In: Huisman, D (ed.) *Dictionnaire des philosophes*. Paris: Presses Universitaires de France, pp. 942–944. Google Scholar

Foucault, M. (1991a). *Governmentality*. In *the Foucault Effect: Studies in Governmentality* Graham Burchell, Colin Gordon and Peter Miller, eds. Pp 87-104. Chicago: University of Chicago Press.

Foucault, M. (2003a). “Society Must Be Defended”: *Lectures at the Collège de France, 1975–1976*. London: Penguin Books.

Gouldson, A. & Bebbington, J. (2007). *Corporations and the governance of environmental risk* *Environment and Planning C: Government and Policy*, 25 (2007), pp. 4-20 <https://doi.org/10.1068/c0614j>

Hoffman, A. J. (1999). *Institutional evolution and change: Environmentalism and the US chemical industry* *Academy of Management Journal*, 42, pp. 351-371 <https://doi.org/10.5465/257008>

Inglis, D. & Christopher, T. 2019. *An invitation to Social Theory*. Cambridge. Polity Press

International Monetary Fund (2016). *The IMF and Good Governance. International Monetary Fund Factsheet*. Available at: <https://www.imf.org/external/np/exr/facts/pdf/gov.pdf> [2020-05-15]

International Monetary Fund (2019). *Democratic Republic of Congo and IMF Mission Reach*

- International Monetary Fund (2019). *Democratic Republic of Congo. IMF Country Report* No. 19/286.
- Japhace. & Constantine. (2015). Mineral Extraction for Socio-Economic Transformation of Tanzania: The Need to Move from Papers to Implementation of Mining Policy and Law. *Journal of Social Science Studies*. Available at: <http://dx.doi.org/10.5296/jsss.v2i2.7450> [2020-05-15]
- Japhace,P & Michael, K.H. (2018) *Transparency initiatives and Tanzania's extractive industry governance*. *Development Studies Research*, 5:1, 106-121. <https://doi.org/10.1080/21665095.2018.1486219>
- KPMG Global Mining Institute (2014). Democratic Republic of Congo. Country mining guide *KPMG International*. Available at: <https://assets.kpmg/content/dam/kpmg/pdf/2014/09/democratic-republic-congo-mining-guide.pdf> [2020-05-15]
- Lassourd, T. (2018), La fiscalité du nouveau code minier de la République Démocratique du Congo, Natural Resource Governance Institute, Analyse, Novembre 2018.Available at : <https://resourcegovernance.org/sites/default/files/documents/la-fiscalite-du-nouveau-code-minier-de-la-republique-democratique-du-congo.pdf> [2020-05-15]
- Lujala,P. (2018). An analysis of the Extractive Industry Transparency Initiative Implementation process. *World Development*. Volume 107, July 2018, Pages 358-381.Available at <https://doi.org/10.1016/j.worlddev.2018.02.030>
- Malden, A. (2017). *E.I.T.I membership boosts mineral exploration attractiveness*. Available at:<https://EITI.org/blog/EITI-membership-boosts-mineral-exploration-attractiveness>[2020-05-15]
- Maweje,J. (2019). Natural resources governance and tax revenue mobilization in sub saharan Africa: The role of E.I.T.I Resources Policy. Volume 62, Pages 176-183 <https://doi.org/10.1016/j.resourpol.2019.04.001>
- Molnar, A., & Warren, I. (2020). Governing Liberty Through Accountability: Surveillance Reporting as Technologies of Governmentality. *Springer Nature B.V. Critical Criminology* (2020) 28:13–26 <https://doi.org/10.1007/s10612-020-09490-9>
- Miller,P. & Rose,N. (1990)Governing economic life *Economy and Society*, 19 (1990), pp. 1-31 <https://doi.org/10.1080/03085149000000001>
- Miller,P. & Rose,N. (2008). Governing the present: Administering economic, social and personal life *Polity*, Cambridge. <https://doi.org/10.1177/0170840610374134>

- Müller, P, Pemsel, S., & Shao, J. (2016) Organizational Enablers for Project Governance Project Management Institute, Newton Square, PA, USA
<https://doi.org/10.1016/j.jiproman.2014.03.007>
- N. Rose, N & Miller, P. (1992) Political power beyond the State: Problematics of Government The British Journal of Sociology, 43, pp. 173-205
<https://doi.org/10.1111/j.1468-4446.2009.01247.x>
- Ngoy, R (2003) La relance du Copperbelt africain. Un défi stratégique, communication Présentée lors des journées scientifiques de la Faculté de polytechnique. université de Lubumbashi. Available at: <https://www.cairn.info/revue-politique-africaine-2004-1-page-21.htm#no10> [2020-05-15]
- O'Dwyer, B. (2003). Conceptions of corporate social responsibility: The nature of managerial capture Accounting, Auditing & Accountability Journal, 16 (2003), pp. 523-557
<http://dx.doi.org/10.1108/09513570310492290>
- Oge, K., 2016. Which transparency matters? Compliance with anti-corruption efforts in extractive industries. *Res. Policy* 49, 41–50.
<https://doi.org/10.1016/j.resourpol.2016.04.001>
- Polya Katsamunska (2016). *The concepts of Governance Public Governance Theories Economic Alternatives Issue 2. Available at* https://www.unwe.bg/uploads/Alternatives/Polya_1_br2_2016_en.pdf [2020-05-09]
- Publish What you Pay (2002). Our *history*. Available at: <https://www.pwyp.org/about/> [2020-05-15]
- Razaq A. Adefulu (1991). African Debt Crisis and the IMF Adjustment Programmes: the Experiences of Ghana, Nigeria and Zambia. *Development Perspectives for the 1990s* pp 37-57. Available at : https://doi.org/10.1007/978-1-349-21630-7_3
- Rose, N., O'Malley, P., & Valverde, M. (2006). Governmentality. *Annual Review of Law and Social Science*, 2, 83–104. Available at:
https://www.researchgate.net/publication/228159866_Governmentality
- Rustad, S. A., Le Billon, P., & Lujala, P. (2017). Has the Extractive Industries Transparency Initiative been a success? Identifying and evaluating E.I.T.I goals. *Resources Policy*, 51, 151–162. <https://doi.org/10.1016/j.resourpol.2016.12.004>
- Sachs, J. D. & Andrew, M. W. (1999). The big push, natural resource booms and growth. *Journal of Development Economics* Volume 59, Issue 1, June 1999, Pages 43-76. [https://doi.org/10.1016/S0304-3878\(99\)00005-X](https://doi.org/10.1016/S0304-3878(99)00005-X)
- Shari, B. & Barrie, H. (2007). Transparency and Accountability In Africa's Extractive Industries: The Role of The Legislature. *National Democratic Institute for International Affairs (NDI)*. Available at:
https://www.ndi.org/sites/default/files/2191_extractive_080807.pdf [2020-05-15]

- Sovacool, B. K. & Andrews, N. (2015). Does transparency matter? Evaluating the governance impacts of the Extractive Industries Transparency Initiative (E.I.T.I) in Azerbaijan and Liberia. *Resources Policy* Volume 45, September 2015, Pages 183-192
<https://doi.org/10.1016/j.resourpol.2015.04.003>
- Spence, J. L. & Rinaldi, L. (2014). Governmentality in accounting and accountability: A case study of embedding sustainability in a supply chain. *Accounting, Organizations and Society* Volume 39, Issue 6, August 2014, Pages 433-452
<https://doi.org/10.1016/j.aos.2012.03.003>
- Transparency International (2019). *Democratic Republic of the Congo. corruption perceptions index 2019*. Available at
<https://www.transparency.org/country/COD> [2020-05-15]
- World Bank. (2016). *Annual report 2015. Extractive Industries Transparency Initiative Multi-Donor Trust Fund (E.I.T.I-MDTF)*. Retrieved from Washington, D.C. Available at:
<http://documents.worldbank.org/curated/en/604341468196752604/pdf/103382-AR-E.I.T.I-MDTF-Annual-Report-FY15-FINAL-PUBLIC.pdf> [2020-05-15]
- World Bank (1992). *Governance and Development*. A World Bank Publications. Available at:
<http://documents.worldbank.org/curated/en/604951468739447676/pdf/multi-page.pdf> [2020-05-15]
- World Bank (2019). *The world Bank in DRC. Overview*. Available at:
<https://www.worldbank.org/en/country/drc/overview> [2020-05-15]
- World Bank (2020). *Extractive Industries. Overview*. available at:
<https://www.worldbank.org/en/topic/extractiveindustries/overview#2>. [2020-07-31]

Annexe 1: E.I.T.I Principles

1. We share a belief that the prudent use of natural resource wealth should be an important engine for sustainable economic growth that contributes to sustainable development and poverty reduction, but if not managed properly, can create negative economic and social impacts.
2. We affirm that management of natural resource wealth for the benefit of a country's citizens is in the domain of sovereign governments to be exercised in the interests of their national development.
3. We recognise that the benefits of resource extraction occur as revenue streams over many years and can be highly price dependent.

4. We recognise that a public understanding of government revenues and expenditure over time could help public debate and inform choice of appropriate and realistic options for sustainable development.
5. We underline the importance of transparency by governments and companies in the extractive industries and the need to enhance public financial management and accountability.
6. We recognise that achievement of greater transparency must be set in the context of respect for contracts and laws.
7. We recognise the enhanced environment for domestic and foreign direct investment that financial transparency may bring.
8. We believe in the principle and practice of accountability by government to all citizens for the stewardship of revenue streams and public expenditure.
9. We are committed to encouraging high standards of transparency and accountability in public life, government operations and in business.
10. We believe that a broadly consistent and workable approach to the disclosure of payments and revenues is required, which is simple to undertake and to use.
11. We believe that payments' disclosure in a given country should involve all extractive industry companies operating in that country.
12. In seeking solutions, we believe that all stakeholders have important and relevant contributions to make - including governments and their agencies, extractive industry companies, service companies, multilateral organisations, financial organisations, investors and non-governmental organisations. <https://eiti.org/document/eiti-principles> 2020-08-19]

Annexe 2: Sustainable development goals related to E.I.T.I

The 17 SDGs are all interconnected, depend upon and affect each other. This research links on to many of the global goals, for the fulfilment of SDG (E.I.T.I, 2016).

1. No poverty: Target 1.1 by 2030; eradicate extreme poverty for all people everywhere, currently measured as people living on less than \$1.25 a day.
2. Economy growth: Target 10b Encourage ... financial flows, including foreign direct investment, to States where the need is greatest, in particular, least developed countries, African countries, Small Island developing States and landlocked developing countries, following their national plans and programs.
3. No. crime: Target 16.4 By 2030 significantly reduce illicit financial ... flows, ... and combat all forms of organized crime and
4. No corruption: Target 16.5 substantially reduces corruption and bribery in all its forms.
5. Transparency: Target 16.6 Develop effective, accountable and transparent institutions at all levels.

Participatory in decision making: Target 16.7 Ensure responsive, inclusive, participatory and representative decision-making at all levels.

7. Access to information Target 16.10 Ensure public access to information and protect fundamental freedoms, under national legislation and international agreements.

8. Local right: Target 17.1 Strengthen domestic resource mobilization, including through international support to developing countries to improve domestic capacity for tax and other revenue collection.

9. Civil society (local community): Target 17.17 Encourage and promote effective public, public-private, and civil society partnerships, building on the experience and resourcing strategies of partnerships.

10. Accountability: Target 17.18 by 2020, enhance capacity-building support to developing countries, including for LDCs and SIDS, to increase significantly the availability of high-quality, timely and reliable data. <https://eiti.org/progress-report-2017/eiti-contribution-to-sustainable-development-goals> [2020-08-19]

Annexe 3: Questions to Government key informants

1. "The publication of E.I.T.I reports is of great importance for the Democratic Republic of the Congo because they report on progress made in the governance of the extractive industries and public finances in the country. These Reports confirm the position of the DRC in the rating of organizations and rating agencies "this is a quote from you Excellence. Does your opinion stay the same?
2. What do you think of the impact of the implementation of the E.I.T.I in the DRC?
3. What has most impacted the E.I.T.I at the institutional level in the governance of natural resources?
4. According to studies by some authors, using interrupted time series and panel data analysis; this research demonstrated the E.I.T.I immediately improved the overall disclosure of aggregated data in member countries during this period (2006-2013). The document also shows that perceptions of corruption have not changed. What about the DRC as for this?
5. What do you think of this observation? You will vote laws ... do you not think that this standard can become national. So that it becomes binding. Integrate it into the national system, let it become a way of life
6. One of the main impacts of the abundance of natural resources is the creation of excess income above normal profits, or rents. Can you give me your point of view on this reflection by considering the case of the DRC?
7. Do you think that transparency is easier to implement than democratization?
8. Is the DRC democratic?
9. Can transparency be applied in policy making to policy outcomes, institutions and various forms of information flow?

10. What do you think the impact of transparency on corruption in the DRC is?
11. Which transparency can be equipped to address the problem of corruption in the DRC?
12. Is the DRC public aware of this right to hold politicians accountable for their actions?

Annexe 4: Questions to Extractive Industries

Analysis on the impact of the implementation of the E.I.T.I standard in the DRC

The questions are divided into three themes: Policies and strategies; Transparency and Truth ' Governance and institution

Policies and strategies

- What does E.I.T.I represent for you?
- What image do you have of the DRC politically now that the extraction of natural resources is done according to the E.I.T.I standard?
- Do you feel secure in terms of investment?
- Is there a factor that you can change in the implementation of the E.I.T.I? If so, what and why?

Transparency and trust

- Is it too much to ask you to be transparent in your statements?
- Take the time to take a look at what the government says it got from you?
- What is your contribution in the development of the community living around extractive companies?

Governance and Institution

- The DRC revised its mining code in March 2018. Do you have a constructive criticism of this revision?
- Is this practical tool that the technical secretariat of E.I.T.I uses to collect information from you?
- What do you think of the ways and means that the institutions in place use to collect the taxes that you owe to the state?

Annexe 5: Questions to communities

Policy and strategy

1. Have you ever heard of E.I.T.I? If so, how do you understand / understand its mission to publish what the extractive companies pay to the state and what the state says it has perceived?
2. Do you have any idea of the impact of revenues from the extractive industries on your daily life?

Transparency and truth

3. Is the transparency defined by the E.I.T.I important to you as a community? Do you have access to information published by the government through the technical secretariat? Do you trust the disclosure of information?
4. Do you know exactly how much money was spent on the mine in your community, what went into the district coffers and what was it spent on?

Governance and institution

5. Do you think the government is taking responsibility for the information disclosed by the E.I.T.I technical secretariat?
6. What about the debates organized by civil society to hold the government to account and ensure that the revenues are used transparently for the benefit of the population

Table 4: Stakeholders answers on Governance and Institution

Theme: Governance and institution

Questions Stakeholders'	Did the implementation of the E.I.T.I standard reveal anything particular to you in the way you govern your business?	What has most impacted the E.I.T.I at the institutional level in the governance of natural resources?	Can the E.I.T.I standard do more than its limits established by the international secretariat toward governance and local institutions
Government (former Prime minister, Finance minister, mining minister, revenue department, former prime minister senior advisor	<i>-The E.I.T.I initiative can in a way be a fraud prevention tool. It is therefore important that, after finding the inconsistencies in revenues the government take appropriate measures to allow this initiative to fully contribute to the reduction of corruption in the DRC. This requires</i>	<i>The E.I.T.I initiative has produced values such as having a better photocopy of mining operators and their scope in the DRC, management, monitoring of revenues and the budget process, transparency in the mining royalty and the disclosure of contracts, attribution of rights</i>	<i>This initiative is limited only to the reconciliation between the declarations of the extractive companies and the receipts recorded at the level of the financial agencies. In other words, this initiative provides the State with a certain amount of information enabling it to carry out appropriate monitoring and control.</i>

	<p><i>good governance coupled with enlightened leadership and improving the quality of institutions.</i></p> <p><i>Good governance and strong leadership at the top of the state would allow better use of information from E.I.T.I publications, appropriate monitoring and control of revenue collected and a significant reduction in corruption in the DRC. we have problem</i></p> <p><i>-When it comes to passing laws, the DRC has an array of laws that incorporate relevant provisions, which if implemented, can make a difference. The problem lies in the implementation and monitoring of these provisions.</i></p> <p><i>-governance combined with strong and enlightened leadership can bring positive transformations in the DRC.</i></p> <p><i>-The DRC is in the process of democratization. The country's situation has evolved positively in some</i></p>	<p><i>and monitoring of contracts, beneficial ownership of extractive companies, social impacts of Extractive Industries, regular and credible declaration of financial flows by all of the companies identified to participate in the Initiative as well as the regular and detailed declaration by all of the national and provincial financial authorities</i></p> <p><i>corruption is still present, and we recognize it in the differences in revenues declared by companies and revenues that the state claims to have received</i></p>	<p><i>Cannot play a coercive role. one cannot remove the neutral character. let the executive take over</i></p>
--	---	---	---

	<p><i>aspects and for others, further efforts are needed to make the DRC a country that meets basic standards of democracy. Once again good governance coupled with enlightened leadership can allow the country to improve, over time, its position in matters of democracy</i></p> <p><i>The problem of data communication is still present between stakeholders.</i></p> <p><i>-Good governance coupled with strong and informed leadership can allow the DRC to reverse the trend: the resource curse</i></p>		
<p>Extractive Industries: Ruashi mining, Mutanda mining, MMG, ivanhoe mining</p>	<p><i>-State-owned enterprises are also required to report on sales of raw materials - the initial step in the distribution chain and the starting point for this trade.</i></p>	<p><i>Before, only publication and comparison of payment flows between extractive companies and countries with raw materials counted. today, the standard embraces the governance of the entire commodity sector. It prescribes to describe the procedures of granting of license, the fiscal regimes as well as the use of the mineral resources, and to publish the exploitation licenses and the prospecting rights.</i></p>	
Civil societies		Public debate	- the government must

(NGOs: NRGI, PWYP, World vision Asemir, the carter center communities: ruashi, kipushi, Tenke fungurume, kolwezi	<i>-local population and government members need Capacity building regarding transparency</i>		<i>live up to its responsibilities for the future of E.I.T.I -the E.I.T.I must collaborate with communities and companies for the best transparency to avoid the change of information -local E.I.T.I offices.</i>
E.I.T.I/DRC technical Secretariat	<i>Means are limited to bring information to the base. The technical secretariat has enabled us to deal with an illiterate population which allows us to rethink the way in which we have to disseminate. target students for the successful implementation of the standard</i>		<i>have a coercive force bringing E.I.T.I into the political government system</i>

Table 5: Stakeholders answers on transparency and trust

Theme transparency and trust

Questions Stakeholders	Is transparency in the extractive industries important to you? Can you elaborate how important?	Can transparency enhance trust among stakeholders? Can you trust the information publish by stakeholders through E.I.T.I/DRC?	How does the E.I.T.I/DRC impact the implementation of transparency and trust among stakeholders?
Government(former Prime minister, Finance minister, mining minister, revenue department, former prime minister, senior advisor	<i>-Transparency applies in policy making, political results, institutions and various forms of information. -Transparency in public revenue from the extractive sectors.is the most important thing because E.I.T.I has that</i>	<i>Trust eases the traceability of public revenue because we need it for the reliability of the revenue chain. Trust is not an issue, but the weakness of the law stands in the way to trigger it.</i>	<i>However, it should be highlighted that the E.I.T.I has contributed to the improvement of transparency in the sector of extractive companies in the</i>

	<p><i>claim to guarantee traceability of public resources: from extractive sector corruption erodes public resources and - -</i></p> <p><i>-transparency helps limit the growth of corruption Tools and mechanisms use for transparency need to be improved. However the steps in publishing information can be count in something because it is a new way of acting. Transparency is use as a corruption index. So it is important toward citizens to be transparent, also when practising transparency internationally it is good for the reputation of our institutions because it is weak</i></p> <p><i>-The E.I.T.I is struggling to embed in the governance of the extractive sector ingredients that should feed the culture of transparency and free debates between stakeholders. This culture of transparency and democratic debate is gradually gaining ground, even if there is still too much resistance that prevents the E.I.T.I from leading to profound changes in policies in the extractive sector. There is opacity in the extractive sector and transparency is not well understood and is poorly communicated. Numbers are not always consistent and the</i></p>	<p><i>Have to trust data publish by the E.I.T.I/DRC it is important to country reputation.</i></p> <p><i>By inviting auditing companies such as Price, KPMG we feel the reliability on the side of private companies. on the side of public enterprises, a structure which collects data established by the Ministry of Finance</i></p>	<p><i>sense that it allows a reconciliation between the payment declarations of these companies and the revenues made by the companies. financial management.</i></p>
--	--	---	---

	<p><i>E.I.T.I/DRC double cross numbers publish by the state versus extractive industries</i></p> <p><i>The fact that the media constitute the privileged channel of communication of the State, it is not possible to apply institutional transparency without openness of the media. Also, the reliability of the aggregated data disclosed by the government is a function of the level of individual transparency of the institutions working on behalf of the State, so the three aspects of transparency mentioned are correlated and it is not possible to privilege the 'one aspect to the detriment of the others in the context of the DRC and even in other countries.</i></p>		
<p>Extractive Industries: Ruashi mining, Mutanda mining, MMG, ivanhoe mining</p>	<p><i>Transparency in the corporate social responsibilities (CSR) (building school, hospital etc...).</i></p> <p><i>No transparency in revenues to the public account</i></p> <p><i>Transparency good for taxation, traceability</i></p>	<p><i>Do trust institution, do trust E.I.T.I/DRC publish reports because the technical secretariat do find differences in reporting information between government and extractives industries revenues and point it out (Reconciliation)</i></p>	<p><i>Publish data regarding what we declare to the state</i></p> <p><i>As investor we feel secured and our sales reassure everyone</i></p> <p><i>E.I.T.I/DRC helps when we have to declare</i></p> <p><i>Less hassle when we have to declare</i></p>
<p>Civil societies (NGOs: NRGI, PWYP, World vision Asemir the carter center Communities: ruashi, kipushi,</p>	<p><i>Transparency is a political will. Absence of will hinder the implementation of transparency</i></p> <p><i>Many authorities are implicated in the process</i></p>	<p><i>The itie norm is caught in a mechanism in the undemocratic political system of the country and which slows everything down. Which makes taking</i></p>	<p><i>The DRC needs a reform engine to move towards this initiative. We do this through transparency, only</i></p>

<p>Tenke fungurume, kolwezi</p>	<p><i>Many embezzlements of funds</i> <i>Capacity building is needed in order to understand transparency what is declared is not what must be declared</i> <i>Contract discussions are not done transparently</i> <i>!!! Transparency in the granting process is more important than the final document which is signed and published ???</i> <i>Publication is not transparency in itself.</i> <i>Upstream you need transparency, it is in the granting process that you have to watch.</i> <i>The ideology is ill-founded</i> <i>we know that the Congolese state has had as much and we can ask the municipality and the government</i> <i>we can analyze and question the differences opacity in production.</i> <i>GECAMINES</i> <i>(Congolese commodity trading and mining company) is the owner and subcontracting gossips</i></p>	<p><i>advantage of the itie standard complicated.</i> <i>Where there is no freedom of expression, and you make the information available to the citizen, what will he do with it?</i></p> <p><i>yes but there is information that is questionable, questioning reflects the complicity and asymmetry of the mining sector in the DRC</i> <i>questionable</i> <i>Information that we do not believe in a comprehensive way that says reflects the failure of the state</i></p>	<p><i>transparency should not be the only factor. First you have to think of itie as a standard like ISO etc ... That is to say, consider itie as a certain way of doing things, a certain way of disclosing information.</i> <i>There are several ways to disclose information, but itie would like to be a label on a certain way of exercising transparency, accountability in the extractive sector. The itie wants to be in countries more or less like a "Think Tank", like an institution, like a space like a platform</i></p>
<p>E.I.T.I/DRC technical Secretariat</p>	<p><i>since the implementation of the E.I.T.I in the DRC, the country publishes contracts for the exploitation of deposits and there is transparency in the granting process use a strong tool through transparency</i> <i>Transparency in term of creates dialogue between stakeholders.</i> <i>Initiate policy to divulgate information</i></p>	<p><i>Dialogue creates trust between civil society and government. no information on how much the extractive sector represent at the level of the state budget . the reports publish information and civil society do trust these information</i></p>	<p><i>E.I.T.I contribute to the improvement of mining code. clauses are more transparent</i></p>

Table 6: Stakeholders answers on Politic and strategy

Theme: politic and strategy

Questions Stakeholders	What can be the impact of the E.I.T.I in the politic of the country? Environmental aspect	How do you plan the management of the natural resources within the country? While taking into account the E.I.T.I norm!	Can the E.I.T.I norm play a coercive role in the politic/strategy of the country
Government(former Prime minister, Finance minister, mining minister, revenue department, former prime minister senior advisor	<i>-The E.I.T.I initiative has produced values such as having a better photocopy of mining operators and their scope in the DRC, management, monitoring of revenues and the budget process, transparency in the mining royalty and the disclosure of contracts, attribution of rights and monitoring of contracts, beneficial ownership of extractive companies, social impacts of Extractive Industries, regular and credible declaration of financial flows by all of the companies identified to participate in the Initiative as well as the regular and detailed declaration by all the national and provincial financial authorities.</i>	<i>-The current growth model in the DRC, which depends on the extractive industries (with little transformation), is too fragile given that a slight downturn in economic activity can damage the whole economic structure of the country. -To make the most of natural resources, the DRC should put in place a new economic model that promotes industrialization and consequently integrates the blue economy and the green economy.</i>	<i>-the E.I.T.I should keep the neutral character and let the executive take over</i>
Extractive Industries: Ruashi mining, Mutanda mining, MMG, ivanhoe mining	<i>E.I.T.I need to do beyond collecting information.</i>	<i>get applications to properly archive information in the event of an audit</i>	<i>no</i>
Civil societies (NGOs: NRGI, PWYP, the carter center ,World vision Asemir communities: ruashi, kipushi, Tenke fungurume, kolwezi	<i>-Law need to be reinforce opacity in licenses. -the state holds power and covers expatriates -existence of land grabbing -no job for local communities -pollution of the mining industry (La SOMICA).</i>	<i>No reading culture -target leaders for capacity building- need of institutional reform- bring stakeholders together to discuss about the non-use of E.I.T.I information- need of democracyno capacity to generate income revenue- state absent in some place impact extractives sector</i>	<i>We should have a law to back the E.I.T.I, in case extractives industries or state avoid to declare Yes/ no</i>

	<p><i>KAIPENG</i></p> <ul style="list-style-type: none"> <i>-health of affected women</i> <i>-malformed children</i> <i>- civil society limited to provide information</i> <i>-rejection site not protected until today</i> <i>-Settling pond; fish and people are affected</i> <p><i>-since 2011, the DRC has published a decree, in the disclosure policy, the mining code has been revised to the benefit of the provinces, and local communities, the petroleum code has also been revised.</i></p> <p><i>-Corrupted NGOs- land grabbing-CSR bad government-legislation no respected –no education-social injustice-tribalism-lack of political will- no job- no youth support poitic- don't know their rights. After mine because environmental is destroy. Need to think about the future generation.</i></p> <p><i>-</i></p>	<i>management.-</i>	
<i>E.I.T.I/DRC technical Secretariat</i>	<i>We are not included in the political system. it is a wish</i>	<i>continue in collecting information- collecting reliable information among institutions-dependence of the extractive sector on politics should change- artisanal cooperatives opacity-change of information in proposition-</i>	<i>Wish of a law in the mining code in case of transparency obstructing to be punished E.I.T.I/DRC can activate this law to encourage companies to send or publish required information</i>