SSN:2509-0119



Vol. 40 No. 2 September 2023, pp. 01-11

# Corruption And Lack Of Governance Of Natural Resources In The Democratic Republic Of Congo

# [Corruption Et Déficit De Gouvernance Des Ressources Naturelles En République Démocratique Du Congo]

Antoine BATAMBA BALEMBU<sup>1</sup>, Pierrot Gomez LUBENDO LELO<sup>2</sup>, Placid MAYIMBI KINDENGE<sup>3</sup>

<sup>1</sup>Professor at the Faculty of Economics and Management and researcher at the Economic and Social Research
Institute, one of the main research laboratories of this university, abatamba@gmail.com

<sup>2</sup>Head of Works and researcher at the Faculty of Economics and Management, University of Kinshasa, 832 Kinshasa
XI, Democratic Republic of Congo, lubendogomez@gmail.com

<sup>3</sup>Assistant and researcher at the Faculty of Economics and Management, University of Kinshasa, 832 Kinshasa XI, Democratic Republic of Congo,



Abstract – This study aims to analyze the impact of corruption on the governance of natural resources in the Democratic Republic of Congo (DRC) by emphasizing the need to meet the challenge of eradicating corruption to improve the quality of governance of natural resources. natural resources, by evaluating the economic and social costs of the prevailing corruption; identifying its main forms as well as its determinants. To achieve the objectives assigned to it, the study opted for the hypothetico-deductive approach with a view to constructing a model to explain the interaction between corruption and governance of natural resources, representative of relevant field data. It adopted the qualitative approach, essentially articulated around the qualitative survey (interviews) with actors involved in the governance of natural resources, focusing on aspects such as forms of corruption; the explanatory factors of bad governance, the economic and social costs of corrupt practices in the natural resources sector. Respondents noted the permanent involvement of government officials and executives in the process of issuing exploration and explanation permits by offering mining operators their support, of course subject to payment of remuneration and/or collection of undue fees. The scientific interest of the study stems from its originality in the choice of theme, the interaction between corruption and the governance of natural resources

Keywords - Corruption, natural resources, governance, public policies, Democratic Republic of Congo.

Résumé – La présente étude se propose d'analyser l'incidence de la corruption sur la gouvernance des ressources naturelles en République Démocratique du Congo (RDC) en soulignant la nécessité de relever le défi d'éradication de la corruption pour améliorer la qualité de gouvernance des ressources naturelles et, ce, en évaluant les coûts économiques et sociaux de la corruption y prévalant; identifiant ses principales formes ainsi que ses déterminants. Pour atteindre les objectifs lui assignés, l'étude avait opté pour la démarche hypothético-déductive dans l'optique de construire un modèle d'explication de l'interaction corruption - gouvernance des ressources naturelles, représentatif de données pertinentes du terrain. Elle a adopté l'approche qualitative, essentiellement articulée autour de l'enquête qualitative (entretiens) auprès des acteurs impliqués dans la gouvernance des ressources naturelles en se focalisant sur les aspects tels que les formes de corruption ; les facteurs explicatifs de la mauvaise gouvernance, les coûts économiques et sociaux des pratiques corruptives dans le secteur des ressources naturelles. Les répondants ont fait observer l'implication permanente des agents et cadres de l'administration dans le processus de délivrance des permis de recherche et d'explication en proposant aux opérateurs miniers leur accompagnement moyennant bien entendu paiement rémunération et/ou perception des droits indus. L'intérêt scientifique de l'étude procède de son originalité dans le choix de thème l'interaction entre corruption et gouvernance des ressources naturelles : l'une des premières dans un pays où les deux thèmes (corruption et gouvernance des ressources naturelles) sont généralement abordés séparément.

Mots clés - Corruption, ressources naturelles, gouvernance, politiques publiques, République Démocratique du Congo.

#### I. INTRODUCTION

Ranking at the top of the problems corroding societies and blocking their progress, corruption negatively affects the quality of governance of natural resources, establishing a system of exploitation favorable to multinational firms and their local political sponsors at the expense of national interests.

This situation accredits the thesis of the curse of natural resources and corroborates the paradox characterizing the DRC: "one of the poorest countries on the planet despite the immense natural resources at its disposal".[1].

Indeed, the three decades of the Mobutian dictatorship (1965-1997) combined with a long period of armed conflicts (1996-2003) had plunged the country into an acute economic crisis (collapse of the economic fabric, contraction of production and worsening of macroeconomic imbalances), great poverty (pronounced deterioration in the living conditions of the populations) and a generalized system of corruption, comparable to predatocracy or systemic corruption[2].

Thanks to the support of the international community, which made it possible, among other things, to put in place mechanisms to pacify the country at the end of the Sun City negotiations, the Government implemented economic recovery programs which made it possible to reconnect with economic growth. and stabilize the macroeconomic framework (price stability, reduction of budget deficits, etc.).

At the same time, it undertook a series of reforms in the main economic sectors and particularly in the sector of exploitation of natural resources, by the promulgation of new mining and forestry codes having sanctioned the liberalization of the exploitation of natural resources.

In fact, the results of this reform are considered to be very mixed due to the very limited contribution of the revival of mining production on the performance of public policies, in terms of tax revenues, job creation and the effects of training on the local economy. In other words, the mining boom observed in the DRC between 2003-2014 has benefited more mining companies, to the detriment of the national economy due to low tax revenues, the non-integration of mining activities into the local economy and national (other economic sectors) combined with the failure to respect the social responsibilities of mining companies with the corollary of weak job creation and insufficient services to grassroots communities.

This study aims to analyze the impact of corruption on the governance of natural resources in the DRC by answering the following questions:

- what are the mechanisms by which corruption affects the governance of natural resources?
- what are the factors that fuel corrupt practices there?
- what anti-corruption strategy should be implemented in order to improve the governance of natural resources?

It underlines the need to take up the challenge of eradicating corruption in order to improve the quality of governance of natural resources in the DRC by:

- assessing the economic and social costs of the corruption prevailing there;
- identifying its main forms as well as its determinants;
- defining an appropriate anti-corruption strategy in the said sector.

# II. CONCEPTUAL FRAMEWORK AND LITERATURE REVIEW

2.1. Economic governance: an attempt to assemble the ingredients necessary for the effectiveness of public policies

A polysemous concept, governance has several aspects/dimensions (administrative, political, economic, etc.) and covers a wide field of application. In a laconic way, it can refer to the contemporary configurations of collective regulation which manifest themselves on the basis of the links between private and public actors, and in plural, more territorial and more open territorial and institutional frameworks, or to all the laws and rules organization of human societies across the planet, based on the principle of the consideration by the public administration of the needs and the involvement of all the actors of the entity concerned.

This makes it possible to assimilate this concept to all the norms, traditions and institutions through which a country exercises its authority over the common good, with a view to development.[3].

It goes without saying that this term, considered from an economic angle, is perceived as a set of mechanisms by which a system of management of public affairs, stimulated by a strategic vision of promoting sustainable development as well as collective well-being, manifests itself through structures, institutions, laws and practices designed to maximize available resources and to integrate them with a view to effectiveness (performance) and efficiency (rationality).

Most definitions associate the following criteria or principles with the concept of governance: participation, transparency, accountability and equity. Which criteria or principles make it possible to strengthen management and facilitate development insofar as stakeholders take part in political and strategic decision-making as well as development activities. It follows that this concept combines relevant aspects of social action theory and agency theory and widens the circle of decision-making to other actors operating outside the public sector.

In this context, public action results from the interaction (collaboration and/or confrontation) of the interplay of actors with not necessarily convergent interests (public sector, private sector, civil society, development partner, etc.), who must take part a participatory process for developing and validating sectoral public policies/strategies.

Moreover, by reflecting the performance of public institutions in the conduct of public policy (ability to steer public policies), the concept serves as a criterion for assessing the quality of the said institutions and places it in the perspective of economics. institutional.

2.2. Governance of natural resources: shaping the system of exploitation of natural resources according to the interests of stakeholders

Applied in the field of natural resource exploitation management, the concept of governance is understood to be all the institutions, policies, laws and practices that aim to guarantee the implementation of the principles of transparency, admissibility/accountability and participation in the natural resources sector. In other words, it indicates the modus operandi by which representatives of the state and other institutions (formal and non-formal) acquire and exercise the power to manage natural resources in such a way as to maintain or improve the well-being and the quality of life of those who depend on this sector; including the ability to formulate and implement appropriate natural resource exploitation policies to enable sustainable development.

It goes without saying that the quality or effectiveness of the modus operandi depends in turn on the quality of the institutions, the skills (skillful mix of knowledge, know-how and know-how) of the leaders of the said institutions as well as the adequacy rules or regulatory texts to the challenges to be met by society. The proper integration of all these concerns requires the mobilization of several theories as well as the use of appropriate instruments or indicators. The choice of governance assessment indicators is essentially motivated by the concern to assess the level of involvement, accountability and control and compliance with the rules defined in a consensual and/or participatory manner. In this perspective, the natural resource governance index, created in 2017, is presented in the form of a matrix comprising thirteen sub-components grouped into three components from which the average is derived. This composite index can be represented by the table below.

NATURAL RESOURCE
GOVERNANCE INDEX

REALIZATION OF VALUES

Taxation

Local impact

Public enterprises

National budgeting

REVENUE MANAGEMENT

Subnational sharing of natural resource revenues

Sovereign funds

Table n°1: Matrix of the natural resources governance index (NRI)

|  | GENERAL CONDITIONS OF<br>GOVERNANCE | Open Data Political stability and absence of violence Corruption control rule of law Regulation quality |
|--|-------------------------------------|---|
|  |                                     | Government effectiveness  |

Source: elaborated from the graph of the composite index in (Natural Resource Governance Resource, 2017).

The interpretation of the values is guided by the indications in the table below.

Table 2: Contents and meanings of the values of the natural resource governance index

| MENTIONS   | VALUES  | INTERPRETATION  |
|------------|---------|---|
| GOOD       | ≥ 75    | Through the laws and customs in place, it is true that people benefit from the wealth derived from extractive resources, although some likely costs to society.   |
| SATISFYING | 60 – 74 | Other governance practices and policies are strong but improvements are important in some areas. The population benefits while some likely costs to society.  |
| WEAK       | 45 -59  | Governance is strong in other areas and problematic. The results indicate that people may benefit from the wealth derived from extractive resources over time, however benefits are likely to be small at this time.              |
| POOR       | 30-44   | Selective and minimal practices and processes are in place to manage natural resources, however, most of the elements necessary for people to benefit from the wealth derived from extractive resources are missing.              |
| DEFECTIVE  | ≤ 29.99 | There is theoretically no governance framework to ensure that the wealth derived from extractive resources benefits the population. It is possible that the main beneficiaries are the extractive companies and a minority elite. |

Source: Natural Resource Governance Resource, 2017

The least that can be emphasized is the existence of an interrelationship between most of the sub-components of this natural resource governance index. This justifies the growing interest in analyzing the interaction between certain sub-components (with a very determining influence) and the composite index. This study focuses its interest on the role and influence of corruption on the quality of natural resources. To better understand the aspects relating to the causality between corruption and governance of natural resources, it is important to review the conceptual and theoretical framework on the phenomenon of corruption.

# 2.3. Corruption: towards the dysfunctions of society and moral decay

A very widespread phenomenon throughout the world, corruption is based on moral decay and the capture of income by the public official or agent of the State. Klitgaart argues to this effect that there is corruption, often when a person illicitly places his own interests above his duties and the ideals he has pledged to serve.[2]. This understanding that corruption is perceived as "a misuse of power vested in one for personal ends or as the commercialization of administrative power by an agent who has received delegated power" is shared by several authors as well as organizations /structures[4]. It emerges from this definition the reality suggesting an incitement (as from a public official) and this, by dishonest means (such as bribes), to violate the duties of his office[5]. The consequent deviation of the agent's conduct from the official duties related to his functions is motivated by the

concern to obtain personal advantages (private, family, cronyism) of a pecuniary order as well as status ( professional, social promotion, etc.).

This meaning, based on a criterion of mutual gains, makes it possible to highlight three essential dimensions in any practice of corruption:

- the first dimension: political or administrative power misused;
- the second dimension relates to the undue advantages, monetary or in kind, which are looming behind the operation. It is
  important to specify here that corruption can be based on promises, threats or both at the same time. Also, it may include
  omissions or commissions;
- the third dimension, finally, is of the ethical order, because corruption implies the deterioration or degradation of moral and ethical values, better still the sublimation of easy money or unjust enrichment. To this end, AYISSI Lucien considers corruption as a cynical game to which one indulges only after having lost the sense of man, of the public good, of the State and even of the world". Worse, he argues, "the corrupt and the corrupters who take part in this initiative dismiss ethics and cynically ignore the human to make their selfish appetites reign.[6].

Although generally involving two parties present (corruptor and corrupted), the corrupted (particularly the public official) interests more than the corruptor; that is to say, the public's attention is more focused on the first than on the second, even if in practice, it is difficult to distribute the roles, particularly in terms of taking the initiative.

This situation is justified by the nature and objectives of the functions assumed by each party. Indeed, as Lascoumes specifies, by corrupting a civil servant or the employee of a competing company, an entrepreneur remains in the logic of the search for profit which is his logic of legitimate action. Its deviance relates to the means used and not to the finalities of the act. On the other hand, when the corrupt person is an elected official or a civil servant, the deviation from public rules undermines the very purposes of the political system, its legitimacy as a permanent constructor of the public good.[7], [8]. It goes without saying that the amplification of the phenomenon of corruption undermines the performance of public action and enshrines moral decay, as Ayissi Lucien maintains. Like the concept of governance, corruption mobilizes several theories.

#### 2.4. Corruption: both vector and result of the governance deficit

The economic analysis of corruption mobilizes several theoretical approaches, in this case, agency theory, that of the multidisciplinary approach of New Public Management (taking advantage of the contributions of political and administrative sciences) and institutional theory. of classical inspiration in the attempt to explain and appreciate the rationality of decisions related to public choices[9]. According to this last approach, which could not be more multidisciplinary, corruption, understood as "an abuse of power for personal gain", is closely associated and negatively correlated with governance as it alters the quality of institutions and, therefore, reduces their capacity to pursue their missions or achieve the objectives assigned to them and, therefore, achieve performance in the conduct of public policies.

To this end, the moralist current highlights the harmfulness of corruption on the performance of public policies through the following facts:

- its perverse effects through the management of public finances through the reduction of public revenues and the waste of public resources (deterioration of quality accompanied by low productivity of public expenditure) with the corollary[10]: the distortion of the redistribution role of the State by giving preferential treatment to certain consumers or taxpayers, the disorientation of the programs for the fight against poverty and of international aid and as well as the allocation role of the State by privileging expenditure facilitating the collection of bribes and white elephants as well as the regulatory role by facilitating tax evasion and evasion and the development of predatory activities of the private sector by organizations[10];
- its pernicious effects on investment, perceptible through the deterioration of the business climate resulting from the increase in transaction costs and the disruption of competition and the orientation of the elite (expertise) towards non-productive but with high annuity potential[11]; situation that literally undermines the basis of economic growth[12].

The devastating effects of corruption are not limited to the performance of public policies but also affect the social sector where it promotes the rise of injustice, discrimination, and anti-values through the promotion of a culture of favoritism instead of meritocracy, retention of information, arbitrariness in decision-making, opacity in the management of the administration. The accumulation of these setbacks thus elevates corruption to the rank of the primary source of shaking of the trust of citizens with regard to their leaders, by calling into question the very foundations of liberal democracy, namely, the equal treatment of citizens and equal opportunity for businesses. Also, Dommel believes that corruption and democracy are truly contradictory. To tolerate the first is to undermine the second[13].

Following in the footsteps of the concept of governance, the appreciation of the phenomenon of corruption and its extent is done using appropriate indicators developed by certain organizations or institutions closely interested in the phenomenon. These are the Corruption Perception Index (developed by Transparency International), the Corruption Control (developed by the World Bank Institute), the International Country Risk Guide (constructed by the Political Risk Service Group PRS Group). The levels of corruption indicators thus calculated can be compared with those linked to the governance index to determine the influence of corruption on the quality of governance. In general, there is a strong correlation between the two variables (corruption and governance): indeed, good governance, perceptible through a high dose of integrity is accompanied by a low level of corruption; on the other hand, an environment characterized by a lack of governance punctuated by dysfunctions of the administrative/state apparatus rhymes with a high level of corruption. This correlation calls on a doubly hypothetical causality: the negative impact of corruption on governance and the determining influence of the quality of governance on corruption.

On the one hand, the pernicious effect of corruption on the quality of governance can be grasped through the interrelationships between the components of governance, the mode of operation of institutions and the nature of the values that preside over the choices of actors and direct their motivations (good or bad, altruistic or selfish) in the management of public institutions.

A culmination of negative values and/or perverse practices, corruption undermines the foundation of a culture of progress, shakes the foundation of institutional stability and undermines economic and social performance.

In this case, it is the main cause of poor governance of natural resources.

On the other hand, a weak socio-economic or politico-administrative context governed by obsolete texts favoring perverse practices constitutes a field of predilection for corruption.

In the same vein, the change in the mode of governance of natural resources oriented towards the enlargement of the sphere of management of the exploitation of natural resources and this, in a context of the decline of public services, the "voracity" of private operators as well as that the weakness (inefficiency of actions) of civil society can only be accompanied by the multiplication of deviant practices in relation to the norms and ultimately enshrine the weakening of the regulatory capacity of the resource exploitation system natural.

Also, as much as corruption deteriorates the quality of governance, it is fueled by the governance deficit.

2.5. Democratic Republic of Congo: land plagued by corruption and plagued by a lack of governance of natural resources

A very widespread phenomenon in the DRC, corruption eats away at practically all sectors of economic and social life to the point of becoming a routine element in the functioning of administrative or para-administrative apparatuses at the top of the State.[5].

Following the worrying proportions reached by this phenomenon in the DRC, regularly ranked among the most corrupt countries (166th out of 183 with a score of 21/100 in 2017 or 160th out of 174 in 2012 with the same score), Transparency International, imitating the voice of David Joseph Could, at the National Sovereign Conference in 1992, qualifies the corruption of the DRC as systemic, that is to say, a stage or an irreversible state of perversion of social and ethical values where the violation of norms becomes the rule and compliance with standards the exception.

The least that can be noted is the high level of corruption depicted in terms of: excesses of predatory management of the national economy during the Mobutian transition; the predatory and prevaricating drift favored by a clan of politicians and high-ranking technocrats who, for private ends, indulged in the abusive use of the resources of the State reduced to a dairy cow; the political economy of predation in Congo-Kinshasa or "the continuity of the heavy legacy of the Mobutu regime, characterized by poor governance and predation (corruption) established as a management system during the period of conflict and political transition after Mobutu[5].

Faced with the persistence and recurrence of corrupt practices, the National Episcopal Conference in Congo regularly steps up to stigmatize the subculture marked by corruption firmly established in the management of the State (National Episcopal Conference of Congo, 2009). Arrests from various sources in no way diminish the ardor or the intensity of this gangrene which spares no sector, like the natural resources sector, which is strongly disoriented by a management method that could not be more inefficient and irrational in the face of the imperatives of the pursuit of objectives related to the promotion of the national economic interest and collective well-being.

On this subject, the natural resources sector is caricatured sometimes as areas with a strong lack of governance comparable to battlefields where power and business clash or even as a natural Eldorado where the populations and their rulers are not yet aware of their responsibility to take their socio-political and economic destiny head on, or as an economic space infested with criminal networks in search of diamonds, at the cost of the lives of thousands of innocent civilians and the squalor inflicted on the local populations, or even as a wealth collection device comprising black holes from which escapes or vanishes most of the rent linked to natural resources. The low natural resource governance index attributed to it, estimated at 25,

Also, the World Bank recommends good governance of its mining sector in particular, and of the natural resources sector, in general, to improve economic and social prospects and thus put its natural resources at the service of the general and development.

#### III. METHODOLOGY

To achieve the objectives assigned to it, the study opted for the hypothetico-deductive approach with a view to constructing a model to explain the interaction between corruption and governance of natural resources, representative of relevant field data.

Given the sensitive and technical nature of the topic addressed, it adopted a qualitative approach, essentially articulated around the qualitative survey (interviews) with the actors involved in the governance of natural resources, focusing on the - after: (1) the forms of corruption prevailing in the natural resources sector as well as their modi operandi; (2) explanatory factors of poor governance of natural resources; (3) the economic and social costs of corrupt practices in the natural resource sector and; (4) possible solutions to corrupt practices.

The data collected at the end of the qualitative survey was processed using the CATOWE grid to highlight the role plays of the key players in mining governance, in this case, political decision-makers, agents of the Administration (Mining and Financial), representatives of mining companies, Agents of mining companies, representatives of Civil Society... This inspired us to draw up the diagram of interaction between forms of corruption and mining governance.

These data were supplemented by case studies (dealing with certain agreements for the exploitation of natural resources which served as concrete illustrations of the model of governance of the said resources) as well as by the documentary review which fed into the statistical analysis of the data in in order to properly document the evaluation of this mode of governance.

#### IV. RESULTS

After highlighting the forms of predation of natural resources that prevailed under the Mobutu regime and during the period of armed conflict in this case, the instrumentation of public mining companies for the purpose of enriching the regime's dignitaries and the looting of natural resources by the regular armies of African States allied with the Government or formed rebel movements, the results of the study are summarized in the points below.

#### 4.1. Forms of corruption prevalent in the mining sector

The natural resources sector is a corruptogenic environment par excellence wherethe logic of the actors is guided by rentseeking or the capture of rent and its privatization to the detriment of the community: (i) public actors are concerned with the maximum collection of bribes and undue advantages; (ii) companies aim to maximize "illicit" excess profits to the detriment of respecting their economic and financial obligations and their social responsibilities.

The following forms of corruption are popular in this sector:

Passive corruption: conflict of interest, influence peddling, sponsorship of operating firms, embezzlement (collection of
undue fees/duties) and instrumentalization of the exploitation of natural resources for the benefit of provincial
authorities.

To underscore the importance of sponsorship in mining, a private mining company executive revealed: "...if an operator, candidate for investment in the mining sector in the DRC, in general, and in Katanga, in particular, asked me for my opinion (advice) on the procedure to follow to set up there, I would suggest to him, before taking steps to obtain the permit (for exploration or exploitation), to find a sponsor (political) able to defend it and weigh the scales on its side in order to overcome the problems, difficulties and/or obstacles that may arise during the various stages of the constitution of the file, or even the launch of production activities,...".

Apart from the interference of politicians and members of the presidential family's entourage which are illustrated by these first practices, the respondents pointed out the permanent involvement of agents and executives of the administration in the process of issuing permits to research and explanation by offering mining operators their support, of course subject to payment of remuneration and/or collection of undue fees. To illustrate this situation,

• Active bribery: false declarations on geological study reports, tax fraud and evasion, misappropriation of public officials from their missions, etc. Respondents attested that the poor public service agents called upon to process the files of mining operators motivated as a result of poor working conditions, are practically at the mercy of powerful mining operators in the accomplishment of their mission and, therefore, are often obliged to respond to their desires or injunctions. Based on the cases of public service agents located in mining sites and supported by mining operators, the respondents justify the rallying of said agents to the side of the companies (under penalty of losing their advantages), to the detriment of their employer (State),

This collusion between agents and executives of public services and mining operators quite simply confirms the diversion of public agents from their missions.

#### 4.2. Main determinants (causes) of corruption in the mining sector

Among the explanatory factors of these various corrupt practices, as mentioned by respondents working in the field of mining, are among others:

- the insufficiencies of the legislative texts (mining code and mining regulation) of which certain provisions did not clearly prohibit the conflict of interest and others were very lax as regards mining taxation and the societal responsibilities of mining companies;
- the weaknesses of the capacities of the administrations not predisposing it to carry out their missions effectively, referring to their under-equipment (border services not equipped with weighbridges and/or appropriate laboratories to certify the volumes and content of the products transported combined with the poor working conditions for government officials (mining and tax) justifying in most cases their collusion with mining operators for the purpose of jeopardizing the interests of the community (reducing financial obligations and lowering standards);
- the weak appropriation of the various stakeholders of the legal and regulatory provisions favoring the phenomenon of informational asymmetry to the detriment of the representatives of grassroots communities or the State;
- the predation propensity of politico-military actors, increasingly specialized in the role of sponsoring natural resource operators.
- a. Consequences (effects) of corrupt practices in the mining sector

These corrupt practices cause:

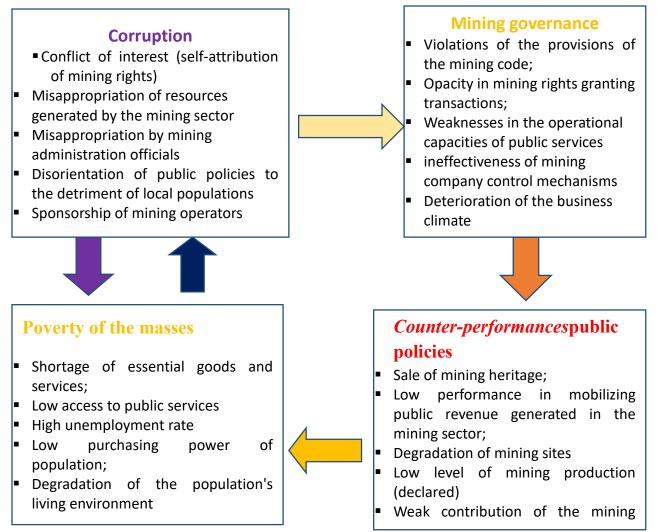
(i) Selling off the rights to exploit natural resources through the conclusion of one-sided agreements. To this end, most of the respondents began by emphasizing the opacity that surrounds transfer transactions or mining titles before deploring the selling off of mining concessions. The following statements confirm these facts: Signed contracts are not transparent. We (executives of Gécamines) are constantly subjected to the injunctions and interferences of the Central Government... those who know them are bound by the obligation of confidentiality and for this they have a bonus. So nothing can filter out of these conventions.

With regard to the sell-off, a Gécamines executive had said: Lhen you are selling mines today for 30 million dollars and six months later the buyer resells them for almost a billion dollars, this is not due to insufficient information but rather to the pure and simple selling off of the mining heritage.

- (ii) the flagrant violation of the texts regulating the natural resources sector. This can be illustrated by the words of another respondent (Expert in a private mining company):I will start from a simple example to demonstrate the example of non-transparency in the mining sector. Understand that the mining code provides, in the case of the awarding of a concession of a certain size (importance), to use public procurement mechanisms, consisting of launching a call for tenders (for applications) in the perspective of favoring the principles of competitiveness between the applicant firms. Today, I can assure you that the State has awarded several concessions (of great importance) to mining companies and this, without complying with this principle (I can defy you to seek from the various services of the Mining Administration and even in the archives of the Government, you will not find any case of publication of a call for candidates in connection with the attribution of mining concessions).
- (iii) the low efficiency of mobilization of public resources generated by the natural resources sector. To this, on the basis of the Senate study as well as data from the EITI/DRC, the comparison between the period 1986-1990 and 2007-2011 reveals that despite the multiplication of mining export earnings by three, the contribution of the mining sector in the financing of the State budget fell significantly, from 402 million USD between 1986-1990 to 260 million USD between 2007-2011, a decrease of almost 40%. The tax contribution of the mining sector, which had represented 40% of total government revenue and 18% of the value of mining exports between 1985-1990, was only worth 10% of government revenue and 4% of mining exports respectively between 2007 and 2012.
- (iv) degradation of natural resource exploitation sites. Mining is inherently very destructive to the environment. This is why the mining code requires mining companies to pay a deposit to cover, when the time comes, the costs of site rehabilitation (repair of damage caused to the site by mining). Only, at the end of the operation, the State finds itself unable to return to the company the deposit deposited, ten years ago, following the allocation of its resources to other purposes. Furthermore, most mining companies do not respect their obligations in terms of sustainable development.
- (v) the impoverishment of populations living near natural resource exploitation sites. Approximately two billion USD (between 1.096 and 2.5) escape the Public Treasury annually as a result of the various forms of corruption prevailing in the natural resources sector; thereby reducing the government's capacity for economic and social intervention. In short, all these practices lead to poor governance of natural resources.

The interrelation between corruption and the quality of governance of natural resources can be illustrated by the diagram below:

Diagram n°1: Interrelation between corruption, mining governance and national economy



# 4.3. Recommendations

The recommendations made by the respondents are intended, among other things, to tackle the main causes of the emergence of corrupt practices in the mining sector. It goes without saying that these actions or measures envisaged for this purpose concern both the state of general governance and the specific nature of governance of natural resources.

In this perspective, the following was retained:

- The effective application of texts regulating the exploitation of natural resources, in this case the new mining code, resulting from the revision of the 2002 mining code, the forestry code and the hydrocarbons code;
- building the capacity of public services (administrations and financial authorities) involving in particular their modernization, in particular through the acquisition of appropriate equipment (weighbridges, specialized laboratories and computerization of services), upgrading combined with the motivation of the personnel of the administrations as well as the establishment of a single window for the mobilization of revenue generated by the natural resources sector;
- the strengthening of the anti-corruption system, in particular by restoring the effectiveness of the judicial system, which should result, among other things, in the repression of the various forms of corruption and the strict application of sanctions against economic operators exploiting natural resources

#### V. CONCLUSION

At the end of this analysis, the results of which have corroborated the theoretical interaction between corruption and good governance, it is important to insistently remind decision-makers of the urgency to be given to reforms linked to the fight against corruption as well as to the improvement of governance with a view to laying the lasting foundations for accelerating economic growth and promoting collective well-being.

The scientific interest of the study stems from its originality in the choice of theme: interaction between corruption and governance of natural resources: one of the first in a country where the two themes (corruption and governance of natural resources) are generally addressed separately. It is also due to the innovative methodology used combining qualitative (consultation of key players), statistical and econometric approaches in the problematization of this interaction and in the evaluation of the economic and social costs of corruption prevalent in the natural resource sector.

Its practical interest lies in the attempt to develop an explanatory model of the interaction between corruption and the governance of natural resources (based on the SWOT analysis of the governance of natural resources) accompanied by a proposal for a model alternative governance of natural resources in the service of the country's development.

Which model revolves around two important axes (practical scope):

- fight against corruption based on the trilogy: Awareness, reform, improvement of living conditions-repression;
- promotion of good governance of natural resources based on the triptych: Renovation (revisiting) of the texts, Strengthening of the technical and operational capacities of the Administrations, establishment of effective mechanisms for the evaluation and mobilization of royalties and financial obligations attributable to operators.

#### REFERENCES

- [1] AG Pattet al., "Adaptation in integrated assessment modeling: where do we stand?", Air conditioning. Change, vol. 99, p. 383-402, 2010.
- [2] P. Jacquemot\*, "Resistance to "good governance" in an African State. Reflections around the Congolese case (DRC)", Rev. Third World, No. 4, p. 129-146, 2010.
- [3] G. Geneva*et al.*, "Dissemination of scientific works Published scientific works", Communications, vol. 247, p. 133-139, 2005.
- [4] "2022 Corruption Perceptions Index: Explore the results", *Transparency.org*, January 31, 2023. https://www.transparency.org/en/cpi/2022 (accessed August 26, 2023).
- [5] JM Kankwenda, The political economy of predation in Congo-Kinshasa: From the origins to the present day 1885-2003. Paris: ICRDES, 2001.
- [6] L. Ayissi, "Corruption and poverty", Corrupt. Poor., flight. 1, no. 3, p. 1-180, 2007.
- [7] P. Lascoumes, "Instituting the environment: twenty-five years of environmental administration", *No Title*, 1999.
- [8] P. Lascoumes, "In the name of progress and the nation: the "sniffer planes". Science between fraud and state secrecy", *Polishes. Rev. Science. Soc. Polishes.*, flight. 12, no. 48, p. 129-155, 1999.
- [9] A. Bressand, Proving the old spell wrong: New African hydrocarbon producers and the 'resource curse'. University of Groningen, Faculty of Economics and Business, 2014.
- [10] ABA Mtiraoui, "Corruption between the economic institutional aspect and the social aspect through governance", 2020.
- [11] T. Kirat, "Political Economy of Corruption and Governance", Rev. Capital regulation. Inst. Powers, flight. 3, No. 7, 2010.
- [12] P. Mauro, "Corruption and growth", *QJ Econ.*, flight. 110, No. 3, p. 681-712, 1995.
- [13] D. Dommel, Faced with corruption: can we accept it? can we prevent it? can we fight it? KARTHALA Editions, 2003.