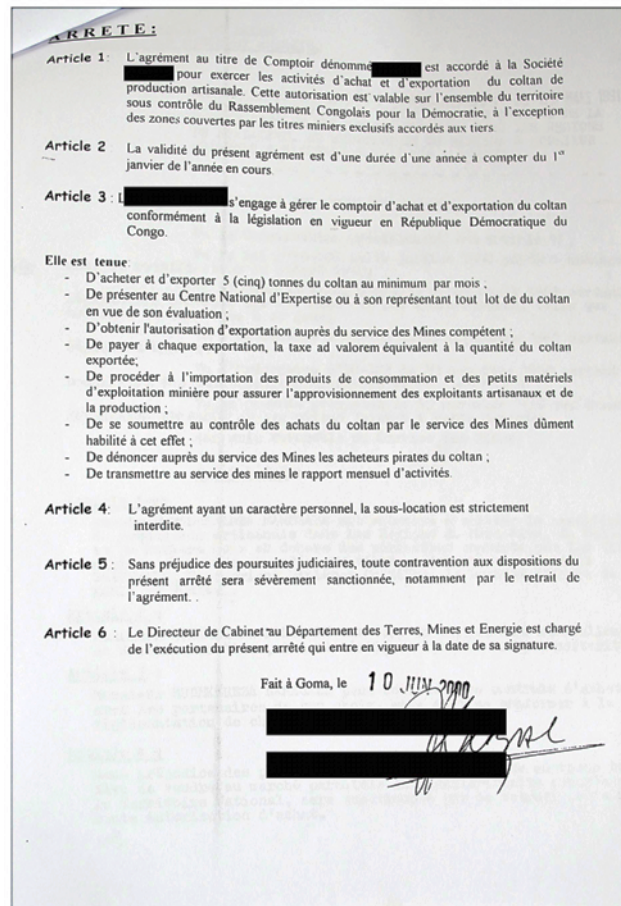
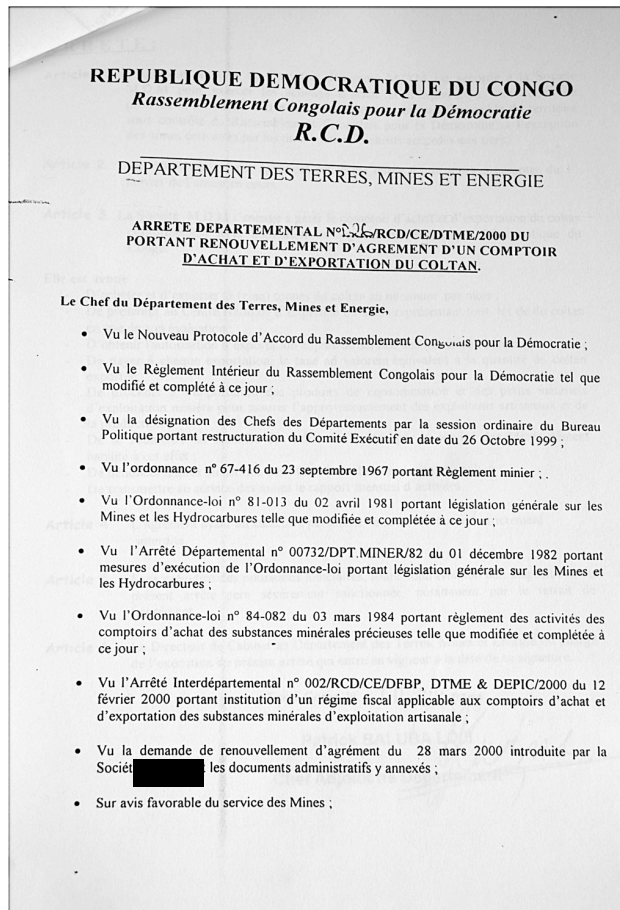


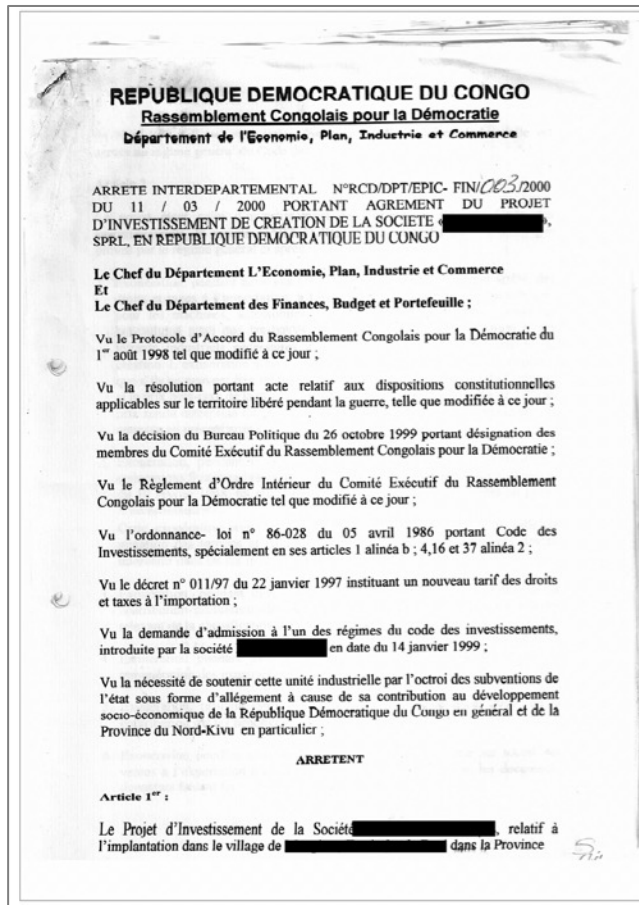
Appendix A. Sample RCD Export Agreement

Issued by the RCD (*Rassemblement Congolais pour la Démocratie*) for a business partner, authorizing the purchase and exportation of coltan. Labeled as “Arrêté Départemental” from the RCD Department of Land, Mines, and Energy. Some contracts are issued by the RCD Department of Economics, Planning, and Commerce.



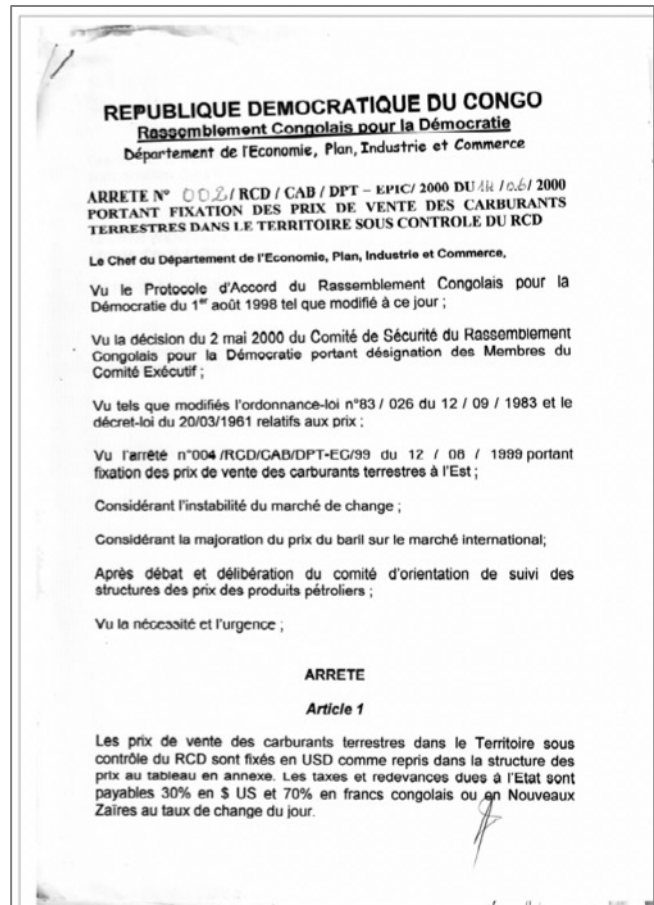
Appendix B. Export v Domestic Markets Samples

Illustrates a common “Arrêté” form and standard mechanism of RCD decision-making. This form is distinct from other memos, orders, and correspondences issued by the RCD. I searched RCD files for this form and divide it into two subsamples: contracts (also, Appendix A) and non-contracts. All contracts between RCD and business partners use this “arrêté” form, but not all “arrêté” promulgated by the RCD are contracts. This provides a control group for comparison to test levels of legality built into contracts versus other orders issued through a standard form and mechanism.



Export markets

Business agreement authorizing exploitation and exportation of timber.



Domestic markets

Here, designating prices of petrol in RCD-controlled territory.

Legality Index Coding Rules

The purpose of this index is to evaluate the levels of legality that rebels built into their regulations—including, but not limited to contracts with business partners. Each regulation is evaluated according to the level of legality that it represents. Attributes that increase the official, state-like, or legal image of the armed group are provided positive points. Points are deducted for attributes that cast the regulation or group as an explicit rebel organization. Points assigned according to the following criteria:

Indicator	Point value	Remarks
Reference to the state as a contracting / promulgating entity	1 or 0.5 or 0	Armed groups often self-describe as “The State” The lower, 0.5 point value is assigned when “the(if “state” reference is to the armed group not an official administration or code. If official state agency is contracting party, the higher full point value is assigned (1).
Reference to the RCD or armed group as a contracting/ promulgating entity	-1 or 0	Present / absent
Adjudication clause cited	1 or 0	Present / absent
Mining convention or official investment code cited	1 or 0	Present / absent
Cite official state taxes	1 or 0	Present / absent
Number of state agencies directly cited	1 point per agency cited	
Reference to “provincial authorities”	1 or 0	Present / absent
Reference to EAD (provincial bureaucracy)	1 or 0	Present / absent
Official form (state agency form / letterhead) used to promulgate or support delivery of the regulation	1 or 0	Present / absent
Citation of official state law or legal code	1 point per law cited	
Citation of rebel order, rule, or code to justify the promulgated regulation or contract	-1 per rebel rule cited	
Overt reference of rebels’ military wing	-1 or 0	Present / absent
Exemptions provided to state taxation or law	-1 per exemption listed	
Reference to the Lusaka accord as supporting the regulation’s authority	1 or 0	Present / absent

Appendix C. Bureaucratic Forms, under Rebel-Controlled State Agencies

The following figures provide examples of the official forms issued by state administrations to RCD business partners in cross-border trade. These forms are used to establish estimates of the percentage of rebel trafficking partners that engage with state agencies, and the frequency of these interactions, in order to determine how systematically state administrations were used to provide legal validations in Congo's conflict economies. The forms in this appendix are not comprehensive but provide an orientation to the type of the data, and the quality and rareness of this data, used to assess the argument. Example forms are given from the major state agencies discussed in the article. They illustrate how the administrations obscured rebel involvement.

State agency: *Direction Générale de Migration (Director General of Migration, DGM)*

Agency duties; Monitoring /authorizing cross-border movements, foreign nationals in Congo

Example form: Visa stamp (here, issued in passport of diamond buyer from Antwerp)

1. Naam - Nom
 2. Voornamen - Prénoms
 3. Nationaliteit - Nationalité
 4. Geslacht - Sexe
 5. Geboortedatum - Date de naissance
 6. Geboorteplaats - Lieu de naissance
 7. Datum van afgifte - Date de délivrance
 8. Geldig tot - Date d'expiration
 9. Instantie - Autorité
 10. Handtekening van de houder - Signature du titulaire

01 JUL 2000

REP. DEM. DU CONGO
 Visa de voyage, pour un voyage
 pour Plusieurs Voyages
 No 011/RC/GER/2000
 Le présent visa doit être utilisé en moins de trois mois de sa délivrance, sous peine de prescription. Il autorise le titulaire à se rendre en R. D. C. Pour plusieurs voyages.
 Voyage(s) et pour un séjour de six mois la durée de ce délai prenant cours le jour de la première arrivée.
 Il n'autorise par l'engagement dans un contrat de louage de service ou le travail d'activités commerciales couvertes par le droit de patente ad-hoc.
 Fait à KISANGANI le 30/04/2000
 par A.M. Kat...

1

2

3

Directeur Provincial Adjoint
 Chargé des Migrations

Notes:

1. Visa, issued by DGM bureau in Kisangani (same format as issued in Kinshasa)

2. Entry stamp date and entry stamp, given by DGM

3. Signature of DGM agent, signed "Assistant Provincial Director of Migration"

State agency: (Office of State owned Revenue, DGRAD) and the National Bank of Congo (Banque Nationale du Congo)

Agency duties : Tax collection agency

Example form: “Note de Perception”: Series A (receipt, here for coltan exploitation permit under the RCD)

1 République Démocratique du Congo
2 MINISTÈRE DES FINANCES
 DGRAD
 MINISTÈRE OU SERVICE: MINES « GÉOLOGIE »
 PROVINCE: GOMA
 TERRITOIRE OU N°: GOMA
 DATE: 31/7/01
 Série A
 No 24177

3 I. A REMPLIR PAR LE SERVICE TAXATEUR:
 -Note de débit ou de taxation n° du [redacted] du [redacted] Noim ou raison Sociale: [redacted]
 -Acte générateur (libellé): Permis d'exploitation
 -Article budgétaire: [redacted] COMPANY SPRL
 -Nombre de pièces: [redacted]
 -Taux et référence du texte: [redacted]
 -Montant à payer: - en chiffres: 10.000 \$ US
 - en lettres: Dix mille dollars
 Adresse: [redacted] GOMA
 B.P. [redacted] GOMA
 Nom de l'agent taxateur: [redacted]
 Qualité: [redacted]
 Signature et date: [redacted] 06/09

2 A REMPLIR PAR LE SERVICE ORDONNATEUR:
 -Date de réception: [redacted]
 -Avis motivé de l'ordonnateur: Conforme aux textes en vigueur
 -Montant visé: - en chiffres: \$ US 10.000
 - en lettres: Dollars Américains Dix mille
 -Date visa: 31/07/2001
 -Nom et Signature de l'ordonnateur: [redacted]

3 A REMPLIR PAR LE COMPTABLE:
 -Date de prise en charge: [redacted] 02/08
 -Code et désignation du bureau Comptable: [redacted]
 -En lettres: [redacted]
 -Mode de paiement:
 a) Espèces
 b) Chèque bancaire n°: [redacted] de la Banque: [redacted]
 c) Chèque postal n°: [redacted] de: [redacted]
 d) Bordereau de versement n°: [redacted] du: [redacted]
 -Numéro de la quittance: [redacted]
 -Date de perception: [redacted] 03/08/2001
 -Nom du Comptable: [redacted]
 -Signature: [redacted]

5 BORDEREAU D'ECHANGE «A»
 Présenté le: 03/08/2001
 Par M., Mme, Mlle: [redacted]
 Adresse: A.Y. du Port n°: 135/10
 Tel: 09302329
 BANQUE: [redacted]
 Succursale de: [redacted]
 Agence de: GOMA
 11290/132 USA
 VALEURS PRESENTEES: 11290/132 USA
 VALEURS CEDÉES: TREASOR PUBLIC
 Billets Nombre MONTANT NZ MONTANT FC C
 1 NZ x [redacted] 1 C x [redacted]
 5 NZ x [redacted] 5 C x [redacted]
 10 NZ x [redacted] 10 C x [redacted]
 20 NZ x [redacted] 20 C x [redacted]
 50 NZ x [redacted] 50 C x [redacted]
 100 NZ x [redacted] 1 FC x [redacted]
 500 NZ x [redacted] 5 FC x [redacted]
 1.000 NZ x [redacted] 10 FC x [redacted]
 5.000 NZ x [redacted] 20 FC x [redacted]
 10.000 NZ x [redacted] 50 FC x [redacted]
 20.000 NZ x [redacted] 100 FC x [redacted]
 50.000 NZ x [redacted]
 100.000 NZ x [redacted]
 TOTAL: [redacted]
 Signature du Client: [redacted]
 Signature du Caissier: [redacted]

Notes:


Forms provide receipts for a \$10,000 licensing fee for a permit to exploit coltan in RCD holdings

1. Reference to national authority of the state: “Democratic Republic of the Congo- Ministry of Finance DGRAD”
2. Official DGRAD agency stamp
3. Designates “Exploitation Permit”
4. Stamp of Congolese bank- “Banque Nationale du Congo”
5. States deposit is made to the “Public Treasury” account (controlled by the RCD, but this fact is omitted from the official forms)

State agency: *Centre National d'Expertise* (National Expertise Center, CNE)

Agency duties : Mineral validation agency (authorizing exportation for minerals such as diamonds and tins)

Example form: "Bordereau d'Expedition des Diamants" (authorizes the transmission of diamonds between posts within the diamond verification bureau, before authorizing for exportation)

 1

CENTRE NATIONAL D'EXPERTISE
C.N.E.
ANTENNE REGIONALE

BORDEREAU D'EXPEDITION DES DIAMANTS N^o 2855

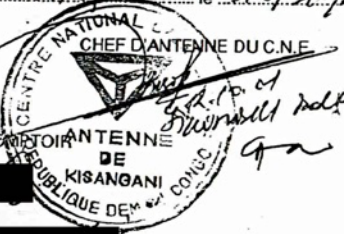
Je soussigné [redacted] Chef d'Antenne
du Centre National d'Expertise (C.N.E.) à KISANGANI expédie au
Département Technique du C.N.E. à Kinshasa le colis scellé et cacheté portant
n^o 039/2001 et contenant 8.749,15 carats de diamants provenant des achats
effectués par le Comptoir [redacted] Diamants le 12/10/2001.

Ce colis de diamants est destiné à notre Direction Générale pour l'évaluation définitive.

Ci-joint, le détail de classement et de prix d'achat fixé par le Comptoir.

Fait à KISANGANI le 12/10/2001.

3


CENTRE NATIONAL
CHEF D'ANTENNE DU C.N.E.
ANTENNE
DE
KISANGANI
REPUBLIQUE DEMOCRATIQUE DU CONGO

REPRESENTANT DU COMPTOIR [redacted]
[redacted]

Notes:

1. Reference to national bureaucracy-CNE and diamond emblem

2. Export of 8,749.15 carats of diamonds

3. Official stamp of the CNE agency, with branch location ("antenne de Kisangani")