

Research Report

GAI – International Security and Disarmament The Role of Minerals Fuelling Conflict in Central Africa

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Issue:	The role of minerals fuelling conflict in central Africa
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Introduction

In the last Congo war, over 4 million Congolese people died in armed conflict. This is just an example of Conflict minerals and their role as main source of income for governments and rebel group. With the profit they make from illegally mining natural minerals they are able to financially support the civil war. It has often been said that these minerals hinder the development of a country in conflict. Moreover, it also results in an increase in crimes with regards to human rights. Not only do they offer financial support, the minerals also create a problem in the mining sector itself.

Most of the time, the real source of the minerals is really unreliable and difficult to trace, thus making them very hard to control.

It should be taken into account that there are several other natural resources being used to fuel conflict such as oil and (rough) diamonds.

Definition of key terms

Conflict Minerals:

these are minerals mined under horrendous human rights conditions and in conflict situations. They are especially mined in the Eastern parts of *Democratic Republic of the Congo*. The most common minerals mined in DRC are cassiterite, wolframite, coltan, and gold.

Great Lakes Region:

a region in Central Africa that covers Burundi, Rwanda, north-eastern DR Congo, Uganda and north-western Kenya and Tanzania. Most minerals are mined in this area.



Due diligence : “is a term used for a number of concepts involving either an investigation of a business or person prior to signing a contract, or an act with a certain standard of care. It can be a legal obligation, but the term will more commonly apply to voluntary investigations.” By this it is meant that all corporations involved in the trading of minerals have the responsibility to make sure that the minerals they receive are not conflict minerals.

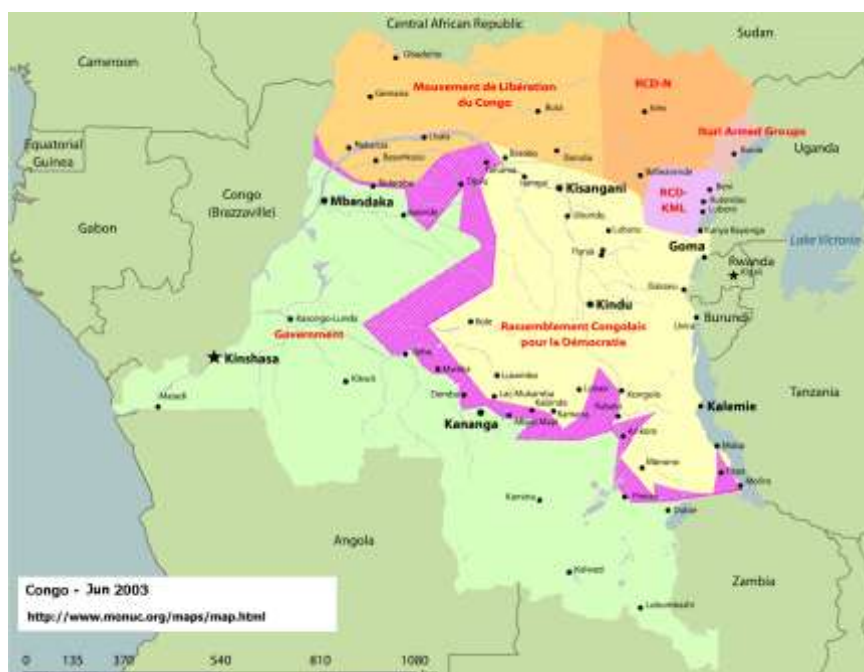
Traceability : the tracing of minerals to their origin.

Certification : a system to certify the origin of minerals, and thus the reliability, mined in the eastern part of DRC and surrounding areas.

General Overview

For the last decade, minerals have been fuelling war in the DRC. Unreported exporting of raw minerals is said to be worth some US\$24 trillion. They are sold to a lot of middlemen before being shipped of to large multinationals to be used for the production of electronic devices. Minerals from DRC are transported through several other countries, such as their neighbours Burundi and Rwanda. That is why the USA have recently introduced a new act to their law, namely the Dodd-Frank Act. This act was adopted recently to improve the financial stability by adequately improving responsibilities of corporations and transparency in the financial system. With regards to the issue, it ensures that the money spent, does not involve money for the financing of conflicts.

Armed rebel groups are present at around 50% of all mines in DRC They force young children to work in these extremely dangerous mines, which could collapse any time. Long shifts are made and the conditions are terrible. Millions of dollars have been made by these armed groups and the Congolese



A map of DR of the Congo showing the spreading of rebel groups throughout the country.

army from the export of illegally mined minerals.

Interestingly, is during the Second Congo War, most conflict areas were situated near regions where many natural minerals could be mined. Many of the armed rebel groups fought there and neighbouring countries, who invaded DRC were found there. Therefore it was no surprise when mineral exports went up drastically in countries where mining is not a large industry.



Our electronics economy depends on the minerals extracted from Congolese grounds. For the production of laptops, mobile phones and MP3-players for instance, these minerals are needed. The problem is, that the largest percentage of these minerals are found in the DRC. Therefore, it is very difficult to extract these natural resources from elsewhere. For a long time there was a lot of doubt about the origin of these minerals. Most likely the production of our electronic devices had been sponsoring the Second Congolese War for several years. However, due diligence by the government of DRC has improved the situation as it was and the origin is more traceable. Still, because not all companies using these minerals have implemented similar standards for their supply chain, minerals remain the main fuel for armed conflict in DRC.

Not only is this then obstructing the demilitarisation of mines, but it is also withholding the local population the access to their natural sources, and all benefits they could have from it.

There are three main phrases used very often in combination with conflict minerals; *due diligence, traceability and certification*. Due diligence is already being put into action, but with a combination of all three factors, the issue will be tackled more easily.

By fuelling conflict with conflict minerals, human rights are also violated, directly as well as indirectly. The influence on a country's stability is most definitely negative.

Main parties involved

Democratic Republic of the Congo

is a country situated in Central Africa, not to be confused with their neighbour, Republic of the Congo. Conflict minerals are important for the country due to the Second Congo War, which is fuelled by them.

The government of the DRC are trying to fight the issue, but due to the civil war going on there, it is very difficult. It is a country which has always been very rich in natural resources and especially minerals. There have been issues with these resources for centuries, ever since the actual country was formed by King Leopold II in the 18th century. The AFDL (explained below) has a great influence on the government, which could be said, is still as corrupt as it was when the Mobutu Sese Seko government was overthrown.

Mine Police

This is a military force, which controls mining areas all over the DRC. These police forces are to ensure that human rights are not violated and that mines are not exploited.

Alliance of Democratic Forces for the Liberation of Congo (AFDL)

One of the rebel groups who have taken over several mining sites in the eastern part of DR of the Congo. André Kisase Ngandu was the leader of the military wing during the first Congo War. They aimed at overthrowing the government of Mobutu Sese Seko, after years of corruption. This did happen, and although the actual revolutionary AFDL fell apart in 1998, they became the new National Armed Forces.



Democratic Forces for the Liberation of Rwanda (FDLR)

Another group of rebels, members often originating from Rwanda, and operating on the eastern border of the DR of the Congo, where the border with Rwanda is also situated. It was set up in 2000, near the end of the Second Congo War. Paul Rwarakabije was appointed head of the group entirely in the beginning, and in 2009 a new commander in chief, namely Sylvestre Mudacumura. The U.S. National Counterterrorism Centre holds the FDLR responsible for dozens of terrorists attacks in 2009, killing many Eastern Congolese civilians. In 2010 rebels were accused and arrested for raping and physically abusing innocent civilians. The leaders of the movement use their position as a sort of protection shield against international prosecution. Mudacumura for example, is internationally recognised as someone involved in Rwandan genocides and several terrorist organisations. Their chances of survival when the war is over are close to zero.

United States of America

The USA are responsible for the Dodd-Frank Wall Street Reform Act. This is a fantastic step towards ending the import of conflict minerals. As of yet it has been effective, but some very important decisions must still be made however, with regards to standards and guidelines.

Rwanda

Rwanda is one of DRCs neighbouring countries and therefore in some way responsible for the smuggling of conflict minerals and providing middlemen for the actual smuggle. Their economy is suffering too, because the new Act by the USA includes them.

Burundi

The same can be said of Burundi. As they are one of the important 'smuggle-countries' for the Democratic Republic of the Congo, they also suffer from the new Act.

Timeline of Events

2nd August 1998 – Second Congo War commences.

July 1999 – Lusaka Ceasefire Agreement is signed

30th November 1999 – Resolution 1279 is signed for the setting up of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC)

2000 – MONUC is set up; UN troops are sent to Central Africa.

2002 – United Nations Report is published, recognizing many companies still importing conflict minerals from the DRC

2003 – Official end Second Congo War

12th March 2004 – Group of expert on the Democratic Republic of Congo is established.



1st July 2010 – MONUC becomes United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO).

August 2010 – Dodd-Frank Wall Street Reform Act is signed by President Obama.

Relevant (UN) Documents

- Lusaka Ceasefire Agreement
<http://www.iss.co.za/af/profiles/drcongo/cdreader/bin/2lusaka.pdf>
- Resolution 1279
[http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/1279\(1999\)](http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/1279(1999))
- Dodd- Frank Wall Street Reform Act
<http://www.sec.gov/about/laws/wallstreetreform-cpa.pdf>
- Resolution 1925
<http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/DRC%20S%20RES%201925.pdf>
- List of Corporations still importing conflict minerals from DR of the Congo (2002)
<http://conflictminerals.org/us-canadian-companies-involved-in-congo/>
- Publication on the ongoing Mineral War in DRC
<http://books.sipri.org/files/insight/SIPRIInsight1001.pdf>

Evaluation of previous attempts to solve the issue

The Lusaka Ceasefire Agreement¹ has not been as effective as we initially hoped. Officially the Congo War ended some 8 years ago. At present, fights are still occurring in several regions in the DRC.

The government of DRC says she is working towards better transparency of the business. However, according to their information this has not yet been fully accomplished.

The effects of the Dodd-Frank Wall Street Reform Act are starting to show, as American corporations are better aware of the origin of their minerals. However the due diligence standards set by the Organisation for Economic Co-operation and Development (OECD) and the UN still need to be put in place. The OECD is an organisation set up in 1961. They have 34 member states and they aim for a market economy and democracy in world trade. They try to stimulate economic growth and in this case they are putting in place proper due diligence standards.

¹ The Lusaka Ceasefire Agreement attempted to end the Second Congo War, by a ceasefire, release of detainees of war, and the installation of a international peacekeeping mission, set up by the UN



Possible Solution

In order to tackle this problem properly, the three main phases need to be fully implemented. Strong due diligence standards need to be used by all corporations needing to import these minerals. These standards should not be voluntary, but obligatory. Although the OECD has said that their standards should be followed by all corporations, no active searching is done with regards to violation of these guidelines. By doing so, corporations will be more likely to follow the standards and stop contributing to the conflict. Furthermore it might be necessary to get a good overview of the situation, and a general management could possibly be created.

Something that is also imperative is that all minerals exported from the DRC can be traced all the way back to the mine they came from. With this measure the aim is the complete demilitarisation of all mines in the eastern provinces. Although most of the illegal mines are situated far from all urban areas, the government of the DRC must keep contributing to installing and mobilising the Mine Police to keep control of the mining. By keeping militia groups away from the mines, the local community is able to benefit from all natural resources in their area. Another problem that came with the stop of smuggling is that the local people depended on planes flying products such as rice and sugar to them. Now that the smuggling has stopped (NOTE: the smuggling happened with the same planes flying back), these people are not able to survive. Solutions for these people must be explored.

All legal minerals which are exported from the DRC should be certified as 'legal'. A solution to this would be to create a new organisation who will be in charge of checking all mines and export areas. Unfortunately this will take a long time to realise, but even though this is a long term solution, in the end, when it is realised, it will be of great importance to solving the problem.

Effective punishment should be put in place for all Senior Officers of the Congolese army, who are in charge of mines for illegal smuggling of minerals. They have benefitted from it, and even though they are trying to protect their country, they must find other ways of financing that.

Another approach which has not had as much attention, is recycling. For the production of electronic devices, minerals are needed. A lot of used devices are just thrown away at present. If we encourage everyone to recycle these products more, less minerals are needed, so the demand lessens and illegal mines will be less frequently called upon. An effective system can be put in place to ensure this.



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