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Conflict Minerals

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The term conflict minerals refers to minerals which are extracted and sold to fund ongoing violence in areas of conflict. A well known example of these are blood diamonds. This concept was brought to the attention of ordinary people through the 2006 blockbuster hit film of the same name starring Djimon Hounsou and Leonardo DiCaprio as well as the 2005 Grammy-award-winning song “Diamonds from Sierra Leone” by Kanye West. In the case of neighbors Sierra Leone and Liberia, which both experienced brutal civil wars, although diamonds were not a central cause of the wars, they did play an important role in collateral violence as rebel groups forced civilians to work in mines to enable the sale of diamonds which facilitated the purchase of weapons. This is generally representative of conflict minerals since, with the exception of Central African Republic, violence is not due to groups seeking control of the mines; the minerals merely perpetuate ongoing conflict as a source of income.

From the 19th century onward, the Democratic Republic of Congo has had a bloody history. It’s position as a country with a vast array of natural resources has also made it vulnerable in international politics. In 1908 the country fell under the reign of King Leopold II of Belgium. This began a period of mass enslavement as civilians were forced to work on rubber fields for export. Atrocities included severe punishments for not meeting quotas such as severing of limbs or abduction of relatives. Ninety years later, 1998 saw the escalation of internal violence culminate in what is termed Africa’s World War in which Zimbabwe, Angola, Rwanda, Chad and Namibia were key players. Despite the war coming to an official end in 2003, today violence is still ongoing. The eastern region remains unable to be governed as numerous groups still vie for power, using their control of particular mines to facilitate the funding of weapons.

The conflict minerals in question are known as the three Ts: tin, tantalum, tungsten as well as gold. Much of the discourse on preventing the trade of conflict minerals rests on the appeal that unlike the trade of conflict diamonds, an explicitly luxury product, the average person is complicit in the trade of these minerals. This is because they are found in virtually any product with a circuit board which comprises much of today’s technological necessities. The need for legislation is seen to be important since the legitimate trade of minerals as well as human rights in conflict areas need to be protected. Two major movements toward preventing the trade include the Kimberley Process scheme of 2000 as well as the Dodd-Frank Act of 2010.

The Kimberley Process Certification Scheme is a UN scheme which countries can voluntarily opt in to which focused on blood diamonds. The scheme’s binding rules ensure that countries check that any diamonds they trade are not used to fund rebel groups seeking to overthrow a government recognised as legitimate by the UN. It also states that members do not engage in the trade of minerals with non-members. With 81 countries as members, this ensures that diamond-producing countries self-regulate the legitimacy of their exports as this trade is typically a crucial sector of the country’s economy.

The Dodd-Frank Act was promoted by President Barack Obama in 2010. Section 1502 requires all publicly trading companies to disclose on their websites and to the Securities and Exchange Commission whether or not they source conflict minerals, by carrying out due diligence along the supply chain, from DRC or its neighboring countries. Critiques of this law include the fact that the Act does not place a ban on the purchase of conflict minerals, it simply requires the disclosure of such. Additionally, the Act can work as a disincentive to purchase minerals from Eastern Congo. This is because in a weak state such as DRC it may prove difficult to distinguish whether or not the source of minerals is legitimate, proving ceasing trade in the area to be an easier option. Furthermore, the DRC President Kabila issued a ban on all mining in two provinces in late 2010 in response to the Dodd-Frank Act. This resulted in legitimate mines being taken over by rebel groups in addition to plunging many civilians into poverty as mining is at the crux of local economy. This fueled conversations over whether halting the trade of conflict minerals will be effective in curbing the violence since it is known that rebel groups also impose arbitrary taxation schemes in civilians as an additional stream of income. It is also important to note that although blood diamonds were a major source of revenue for armed factions in Sierra Leone, Liberia and Angola respectively, the introduction of the Kimberley Process and the subsequent fall in revenue did not cause the end of these conflicts.

More recently, the Socialists & Democrats group, led by Gianni Pittella were successful in persuading EU ministers to enforce mandatory checks on importers of the three Ts from areas of conflict. The EU Conflict Minerals Regulation 2017 will be effective startng January 2021 and aims to stem the flow of conflict minerals from high risk areas to the EU. This takes a different approach than the Kimberley Process as it focuses more on importers as the latter engages both exporters in high risk areas as well as importers.

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