

**PORGMUN 2019**



**BREAKING THE CYCLE OF VIOLENCE AND HUMAN RIGHTS  
VIOLATIONS PERPETUATED BY THE EXTRACTION AND TRADE OF  
CONFLICT MINERALS**

**Forum: International Labour Organisation**

## **INTRODUCTION**

There are four most commonly mined minerals, also known as “3TG”: tin, tantalum, tungsten and gold used in the production of all our technical devices, ranging from our cellphones to medical equipments. The mining and trading of natural resources in conflict-affected and high-risk areas such as in the Democratic Republic of Congo (DRC) have been associated with the financing of armed conflicts and the perpetration of serious abuses of human rights in this region, leading to child labour and work shifts far surpassing the ILO imposed limit of 12 hours. Therefore making the exploitation of these minerals a threat to international peace and hence being called “conflict minerals”.

## **DEFINITION OF KEY TERMS**

### **Conflict minerals**

The four most common mineral derivatives, also referred to as 3TG

### **Tin**

Often used to coat other metals to prevent their corrosion and to create alloys

### **Tantalum**

Stores electricity and is used in alloys for its strength

### **Tungsten**

Commonly used in cell phones, and high-temperature situations, also used in alloys for its strength

### **Gold**

low corrosion, and highly conducive to electricity and heat

### **Due diligence**

the detailed examination of a company and its financial records, done before becoming involved in a business arrangement with it

## GENERAL OVERVIEW

The DRC houses significant portions of the world's mineral wealth, and these conflict minerals, which are found in nearly all of the electronics we use and that are essential to life in the digital age that we live in today.

The DRC, formerly known as Zaire, is Africa's third largest country, bordering Angola, Burundi, Central African Republic, Republic of the Congo, Rwanda, Sudan, Tanzania, Uganda, and Zambia, a precarious geographic position that would feed war over the years in its history.

DRC has been divided by armed conflict as a result of the First (1996–1997) and Second Congo Wars (1998–2003). This conflict is most often associated with the DRC because of the numerous reports documenting the exploitation of the mining and human rights violations in the region. In the following years after the war, the wealth of Congo's mining potential has become a political struggle, with the aim to capture the control of the DRC's massive natural resources.

The theft and sale of these conflict minerals have provided key funds for armed forces that are active in eastern Congo, which in turn destroyed communities, enslaved children and used rape as a tool of fear for war.

The U.N. studies on Congo in 2015 found that gold continued to be a source of funding for armed groups and Congo's army and in addition a study from the Enough Project found that armed groups made an estimated \$185 million from conflict minerals in 2008. Furthermore, looking at conflict-related deaths between the year 1998 and 2007 estimated that more than 5.4 million people died as a result of armed conflict in Congo, not yet counting in the death tolls from hazardous work accidents in the mines.



According to the U.S. Securities and Exchange Commission (SEC), the Covered Countries on this map account for 15% to 20% of the world's supply of tantalum and lower percentages of the other three conflict minerals.

In a general sense many more countries around the world must deal with the conflict that mineral extraction brings and/or sustains. These minerals are seen by rebels, armies, and common gangs alike as an easy way to finance their violent agendas that lead to and perpetuate human rights abuses.

Unless companies actively make sure they are trading responsibly, in accordance with the UN Guiding Principles for Business and Human Rights (UNGPs) they could still unintentionally fund human right violations.

However it can not be argued that trade in natural resources can play a factor in the development of countries. A livelihood initiative to help mining communities should include economic foundation through investment in agriculture or small businesses.



## PREVIOUS ATTEMPTS TO SOLVE THE ISSUE

Despite the DRC remain a conflict-affected country, there have been a number of international policies and laws made in the last decade to stabilise the situation in the eastern part of the country where most of the armed forces are running their illegal business in extraction and trade of the conflict minerals using child soldiers to protect their mines.

In UN Security Council Resolution 1952 (2010) the Democratic Republic of Congo (the DRC) and its neighbours in Central Africa were specifically targeted, calling for supply chain due diligence for observation.

In 2016 the EU institutions have reached an agreement regarding the conflict mineral regulation, in accordance with the Organisation for Economic Co-operation and Development (OECD) guidelines, that require an importer to:

- establish strong company management systems with clear conflict mineral policies
- identify and assess the risks in the supply chain and take action by implementing a strategy to respond to the ones identified
- carry out an independent third-party audit of supply chain due diligence
- report annually on supply chain due diligence.

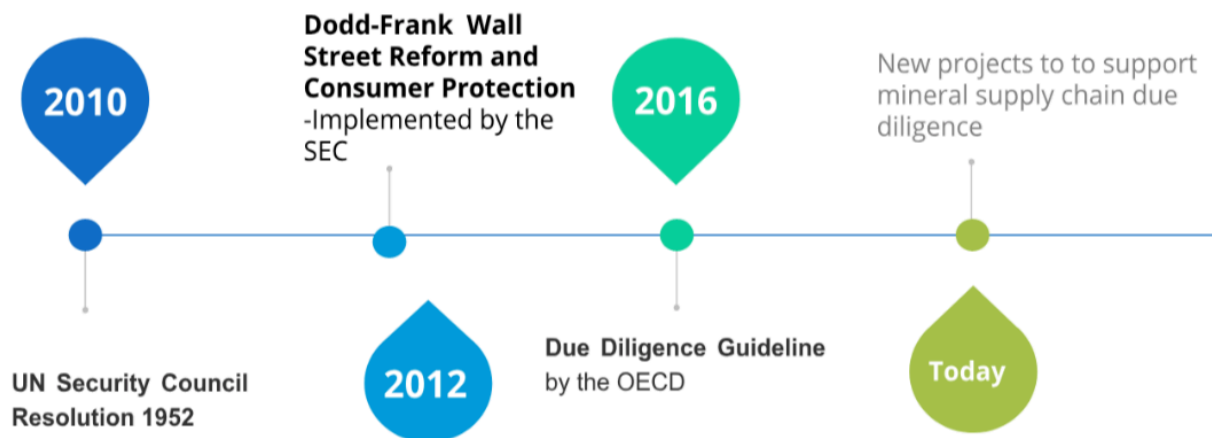
The Due Diligence Guidance by the OECD provides an international framework for detailed due diligence as a basis for responsible supply chain management of minerals and encourage all States, particularly stakeholders in the supply chain.

In 2010, U.S. Congress passed the Dodd-Frank Wall Street Reform and Consumer Protection Act and was implemented by the SEC in 2012 as a measure to support transparency, security, and the rule of law in the mining sector. Under this rule, companies must report annually to the SEC the supply chains of “conflict minerals” originating from Central Africa. This law requires companies to report on their mineral sourcing and due diligence. However even after passing the Dodd-Frank Wall Street Reform and Consumer Protection Act, leading to significant improvements in the transparency of corporate supply chains, the mining communities still face hardships on the daily basis. The original conflict minerals draft legislation included resources for livelihood programs for these mining communities, but unfortunately those provisions were cut out from the final draft that would have supported conflict-free mining.

In 2018, projects from the Responsible Minerals Initiative (RMI) and the Global Reporting Initiative (GRI) were announced to help improve companies’ minerals sourcing and impact reporting by providing reporting resources and tools based on internationally recognised

frameworks. GRI's reporting standards, developed through consultative processes, is the most trusted by companies and governments worldwide, leading to improvement in reporting.

## TIMELINE OF KEY EVENTS



## **QUESTIONS A RESOLUTION SHOULD ANSWER**

How to sufficiently support the legal trade of conflict minerals in an economically unstable country?

How to prevent the financing of armed conflicts in DRC?

How to stop human exploitation in mining trade?

How to enforce human rights?

How to better implement policies in order to establish Responsible Supply Chains?

How to establish strong company management systems with clear conflict mineral policies?

How to determine whether the issuer's minerals are "DRC conflict free"?

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