



Fact Sheet: The Conflict Minerals Trade Act

The Conflict Minerals Trade Act of 2009, introduced in the United States House of Representatives by Congressman Jim McDermott (D-Washington), would help develop the means to ensure that the multimillion dollar trade in minerals from eastern Congo stops financing the world's deadliest conflict since World War II. It will also help raise awareness about the issue to both the public and policy makers.

Why is this bill needed?

The trade in Congo's conflict minerals, namely tin, tantalite, tungsten and gold, which are used in electronic devices such as cell phones and laptops, is a major source of funding for armed groups in eastern Congo who commit atrocities against civilians. If passed, this bill would create a system of audits and import declarations that would distinguish those goods imported into the United States that contain conflict minerals. The resulting transparency would be an important step forward in helping break the links between the mineral trade and human rights violations in Congo.

What would this bill do?

This bill demands greater transparency and accountability from those companies whose products contain these mineral ores or their derivatives. The U.S. government would identify those commercial goods that could contain conflict minerals, approve a list of independent monitoring groups qualified to audit the worldwide processing facilities for these minerals, and eventually restrict the importation of minerals to those from audited facilities. Importers of these goods would have to certify on their customs declaration that their goods "contain conflict minerals" or are "conflict mineral free" based upon this audit system. The audits would determine the mines of origin for processed materials, verify the chain of custody and verify information provided by suppliers through investigations in the DRC and other countries.

Importantly, the bill would also direct the State Department to support multilateral and U.S. government efforts to break the link between the trade in minerals and armed conflict in eastern Congo. Specific measures include:

- development of a U.S. government strategy to address conflict minerals;
- support for further investigations by the UN Group of Experts;
- mapping of which armed groups control key mines in eastern Congo;
- inclusion of information on the negative impact of mineral exploitation and trade on human rights in Congo in the annual human rights reports;
- guidance for companies to exercise due diligence;
- expanded U.S. efforts to improve conditions and livelihoods for communities in eastern Congo who are dependent upon mining; and,
- GAO review to evaluate adherence and effectiveness of policies

Legislation in the US alone will not end the conflict in eastern Congo, but this bill would provide a crucial step toward the creation of a practical and enforceable means to ensure that the trade in Congolese minerals contributes to peace rather than war. This bill would also serve as a useful precedent for other countries to develop legislation for holding to account companies in their jurisdiction who may be fuelling the conflict in eastern Congo.