Similar to Sierra Leone with the notorious “Blood Diamond” conflict, the Democratic Republic of Congo (DRC) has also been cursed with an abundant amount of mineral wealth, estimated to be as much as $24 trillion. Because of a weak government coupled with a lack of economic opportunity, the mineral mines are now controlled by illegal armed rebels. These rebels exploit the natural resources of the Congo. They sell the minerals they steal from the Congolese government to smelting companies all over the world. The companies use these “blood minerals” to create the small necessary parts that make up our favorite electronic devices. So when the electronics companies buy these parts from the companies and combine them in our electronics, they are also endorsing the illegal rebel groups. An Act relative to Congo conflict minerals aims to discourage the state – and state agencies – from contracting with companies who either don’t track their supply chains or whose supply chains are tainted by human rights abuses. In this manner, the government can ensure that the economic interests of the state are not directly funding the armed militia groups responsible for the murder and sexual abuse of over 5,400,000 civilians.

■ The Bill

H.2898: An Act relative to Congo conflict minerals

■ Elevator Speech

Mines in eastern Congo are controlled by armed groups that illegally tax, extort, and coerce civilians to work. The groups are often affiliated with rebel groups, or groups within the Congolese National Army, both who use rape and violence to control the local population and the flow of minerals in Eastern Congo. The Congo has a large mineral wealth, but the use of intimidation through murder and rape compromises The Congo’s business structure and their reputation on the world stage. Studies show that this crisis has resulted in the deaths of more
than 5 million people since 1998 and continue to cause as many as 45,000 deaths each month. A lot of this violence is linked intrinsically with the mining operations of minerals used to produce tantalum and tungsten.

Bill H.2898 looks to control and monitor the supply chain coming from the regions where violence is most associated. It contains an auditing system that would identify conflict minerals used in imported goods. It would create more transparency in the mineral trading process and would hold companies accountable for their practices. The government would monitor and regulate all of the goods involved, through the Security and Exchange Commission, thus requiring importers to report the content of their materials. This way the origin and process would be verified, and the bill would be successful in achieving what its proponents have been fighting for, ending the human rights abuses in the Congo.

Letter to the Legislator

Our names are Colin Markel and Dominic Schwartz and we are asking for your support with Bill H.2898, An Act relative to Congo conflict minerals. The bill is concerned with mines in eastern Congo that are controlled by armed groups that illegally tax, extort, and coerce civilians to work. These groups use rape and violence to control the local population and the flow of minerals in Eastern Congo. The Congo has a large mineral wealth, but the use of intimidation through murder and rape compromises the Congo’s business structure and their reputation on the world stage. Studies show that this crisis has resulted in the deaths of more than 5 million people since 1998 and continue to cause as many as 45,000 deaths each month.

Bill H.2898 looks to control and monitor the supply chain coming from the regions where violence is most associated. It contains an auditing system that would identify conflict minerals used in imported goods. It would create more transparency in the mineral trading process and would hold companies accountable for their practices. The government would monitor and regulate all of the goods involved, through the Security and Exchange Commission, thus requiring importers to report the content of their materials. This way the origin and process would be verified, and the bill would be successful in achieving what its proponents have been fighting for, ending the human rights abuses in the Congo.

Arguments of opponents to Bill H.2898 have their points grounded in the inefficiency of the bill as well as the fiscal consequences of the bill for both Massachusetts and The Democratic Republic of the Congo. The law has been criticized because it does not address the real causes of the conflict and human rights violations. The fact of the matter is, these arguments have no legitimate holding because the bill will definitely provide transparency to the mineral supply chain, and will not only cut off a significant portion of the mining companies that violate human rights, but it will send a message around the world that Massachusetts is a leader in protecting human rights, at home and abroad.

Other arguments that have been made revolve around the massive amount of paperwork the bill will cause public technology firms. The main argument is that this paperwork will do nothing but eliminate jobs and lower exports in the Congo. Opponents believe the law imposes a de facto embargo on mineral production that would impoverish the region’s million or so artisanal miners. However, once the market stabilizes, and the SEC and Massachusetts identify which companies are ok to work with, there will be a resurgence of mining and the companies that support human rights will be highly rewarded. The companies that do not uphold human rights values will be shut down because of the shut off of supply to Massachusetts, especially when other states continue to follow suit. We’re asking for your progressive support with this issue.

House Ways and Means Script

Many regions of the world, such as the Democratic Republic of the Congo, are home to a devastating crisis involving conflict minerals. These minerals are obtained in the midst of rape and violence directed at innocent, defenseless civilians. Because the area of the Congo has such a great amount of mineral wealth, it is a prominent location for mining, and many of the minerals are imported into the U.S. and used for local goods. It is a clear violation of human rights that has resulted in the suffering and death of millions. Rape and violence have become tools used by local armed rebel groups that are now commonplace in such areas. Fighting this issue has been a major struggle, partially because conflict minerals are so heavily used and the profits made by their sale are so appealing.

Mines in eastern Congo are located in remote and dangerous regions in which armed groups are present at more than 50% of mining sites. At many sites, armed groups illegally tax, extort, and coerce civilians to work. Miners, including children, work up to 48-hour shifts amidst dangerous mudslides and tunnel collapses that kill. The groups are often affiliated with rebel groups, or with the Congolese National Army, both who use rape and violence to control the local population and the flow of minerals in Eastern Congo.

The bill proposes that the situation must be governed more effectively, and the companies involved in the market must be held to stricter standards. It contains an auditing
system that would identify conflict minerals used in imported goods. This would help successfully separate the mineral market from the horrific breach of human rights that is currently associated with it. It would create more transparency in the mineral trading process, as well as hold companies much more accountable for their practices. The government would have monitors that would be able to regulate all of the goods involved, thus requiring importers to report the content of their materials.

The Congo has a large mineral wealth, which is a blessing for commerce and GDP, but the intimidation through murder and rape used to run the business compromises their business structure and reputation on the world stage. Studies show that conflict and the related humanitarian crisis in the Democratic Republic of Congo have resulted in the deaths of more than 5 million people since 1998 and continue to cause as many as 45,000 deaths each month. Sexual violence and rape remain tools of intimidation used by parties in the eastern region of the Democratic Republic of Congo to terrorize and humiliate communities, resulting in community breakdown. This causes a decrease in the ability of affected communities to resist control by illegal armed forces and a loss of community access to minerals. Sexual violence and rape affect hundreds of thousands of women and girls, frequently resulting in trauma, other severe genital injuries, and long-term psychological trauma. A 2007 report released by the Government Accountability Office describes how the mismanagement and illicit trade of resources from the Democratic Republic of Congo supports conflict between militias and armed domestic factions in neighboring countries.

Arguments of opponents to Bill H.2898 have their points grounded in the inefficiency of the bill as well as the fiscal consequences of the bill for both Massachusetts and The Democratic Republic of the Congo. The law has been criticized because it does not address the real causes of the conflict and human rights violations. Opponents believe that the “due diligence” clause has not added any transparency to the mineral supply chain, but has halted legitimate mining ventures that provided livelihoods for the Congolese citizenry and has reduced the Congo’s legal exports of tantalum by 90%. The fact of the matter is, these arguments have no legitimate holding because the “due diligence” clause will definitely provide transparency to the mineral supply chain, and will not only cut off a significant portion of the mining companies that violate human rights, but it will send a message around the world that Massachusetts is a leader in protecting human rights, at home and abroad.

Other arguments that have been made revolve around the massive amount of paperwork the bill will cause public technology firms. The Dodd-Frank requirement says these firms must provide in depth reports for the Securities and Exchange Commission about how and where they purchased their minerals. The main argument is that this paperwork will do nothing but eliminate jobs and lower exports in the Congo. Opponents believe the law imposes a de facto embargo on mineral production that impoverished the region’s million or so artisanal miners.

These arguments also have no legitimate holding, as the process by which these firms provide “due diligence” is nothing compared to the amount of secretarial work these firms have to complete. From a fiscal standpoint, this new work will actually add more jobs to these firms as they try and keep up with the necessary “due diligence”. Additionally, once the market stabilizes, and the SEC and Massachusetts identify which companies are ok to work with, there will be a resurgence of mining and the companies that support human rights will be highly rewarded. The companies that do not uphold human rights values will be shut down because of the shut off of supply to Massachusetts, especially when other states continue to follow suit. We’re asking for your time, consideration and support with this issue.

Op-Ed

Electronics and gadgets are becoming a bigger part of society every day. What would you do without your cell phone? Your iPod? Your laptop? These items shape our lives through communication, information, and connection with the world. They are more to us than just the pieces of plastic and metal that they are made out of. Odds are you have one of these items with you right now. But have you ever stopped to think where it came from, or how it was made? Many of the minerals that are used to make these appliances come from the Congo. But why should that mean anything to you? Well, in many parts of the Congo, these minerals are mined in the midst of rape, violence, and other major human rights violations.

In these areas, innocent civilians like you and I are forced to work in the mines by armed rebel groups, and not only are they mistreated and overworked in dangerous conditions, but they are given nothing in return. Many of these victims are helpless women and children that end up getting raped or killed. This crisis has resulted in the deaths of more than five million innocent people since 1998, and continues to cause as many as 45,000 deaths each month. Even the ones that survive suffer from severe injuries and lifelong physical and psychological trauma. And all for what? These material possessions that we have come to be so unhealthily dependent on. If our own fellow Americans – our family and friends – were victims of these
atrocities, we would put an end to it immediately. But the families and friends of these Congolese citizens are in the mines with them, and have no voice. These people have no one to fight for them – we are the only ones that can make a difference.

A few years ago, President Obama signed the Dodd-Frank Act, requiring American companies to disclose whether they have used any conflict minerals. This was an important step in the right direction, but it is not enough to stop the violence. Bill H2898 looks to prohibit the Commonwealth of Massachusetts from contracting with any companies that do not comply with the regulations for certifying these minerals. While this still will not eliminate the problem altogether, it is an important progression that will send a message and help alleviate the situation. Massachusetts must step up and be a leader for this issue, so that other places will follow in their footsteps.

1,500 innocent people die every day from this brutality – that is the size of an entire school. Is that worth the best cell phones and best laptops at the best prices? We must sacrifice some of our luxuries so that other innocent people are not tortured and killed making them for us. So what if it becomes harder to make these products. So what if the prices rise a little. Using clean, conflict-free minerals will save millions of lives. We simply cannot allow this to happen to humankind. Every person deserves to have rights, and if we are the only ones that can help provide them, we have a responsibility to do so.

Excerpts from Campaign Journals

Colin

Advocacy for Policy Change has been a unique and interesting experience for me so far this semester. It is obvious that at this point in the semester, I have not taken the traditional route of this course. Of course, I have done the assignments asked of me to the best of my ability, but as far as actually taking to the spirit of a bill, and through hard work and advocacy moving it at a governmental level, I have not been able to. The task of really moving a bill through advocacy seemed daunting to me at the beginning of the semester, and so really interested me. It seemed like a great thing to learn about, and now this class has taught me how one would go about doing such a thing through advocacy. As someone who would like to eventually go into politics and definitely wants to go into law, this was a really exciting class to be in. Not only did I work on the side of the advocates, I learned about the governmental and policy making aspect of the process, through class as well as my own curious research.

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