



# Discussion Paper

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## Electronic Industry Links to Forced Labor and Conflict in DR Congo

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An estimated 27 million people around the globe are working in conditions of forced labor.<sup>1</sup> The International Labour Office has defined forced labor as "all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily."<sup>2</sup> There are various forms of forced labor in existence around the world. Human trafficking, forced sex work, and labor exploitation are prevalent across the globe, and practices such as debt bondage and forms of modern slavery persist in some regions. Asia has the largest number of trafficked individuals, followed by Latin America.<sup>3</sup> The United Nations estimates that human trafficking is the world's third-largest criminal enterprise, in terms of profit generated, after drug and weapons trafficking.<sup>4</sup>

In 2009 the U.S. Department of Labor published a report intended to shed light on which goods are being produced with forced labor in countries around

the world. The report lists 58 countries and names 122 goods that are produced with significant incidence of child labor, forced labor or both. Among the goods most likely to be produced using forced labor are cotton, sugarcane, tobacco, coffee, rice and cocoa in agriculture; bricks, garments, carpets and footwear in manufacturing; and gold and coal in mined or quarried goods. Some of the countries reported to have the highest incidence of forced labor are Bolivia, Burma, China, India, Nepal, North Korea and Pakistan.<sup>5</sup> The Department of Labor report does not include information about specific companies that sell the goods produced with child labor and forced labor, but the wide range of products makes it clear that forced labor is a significant occurrence in an increasingly globalized economy.

One country that is highlighted in the Department of Labor is Democratic Republic of the Congo. According to the report, cobalt, coltan, copper, diamonds and gold are produced with forced labor, child labor or both in DR Congo.<sup>6</sup> Due to the critical link between forced labor, natural resources, globalization and armed conflict, DR Congo is an instructive case study that illuminates the relationship between producers and consumers in a global economy where forced labor is omnipresent.

### *Democratic Republic of the Congo*

The country of Democratic Republic of Congo (also referred to as DRC, RDC, or DR Congo) covers a huge area; it is the third-largest country in Africa and is

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<sup>1</sup> Bales, Kevin. (2009, July 6). Winning the fight: Eradicating slavery in the modern age. *Harvard International Review*. Retrieved March 18, 2011, from <http://hir.harvard.edu/frontiers-of-conflict/winning-the-fight>

<sup>2</sup> International Labour Office. (2009). *The cost of coercion: Global report under the follow-up to the ILO Declaration on Fundamental Principles and Rights to Work*. Geneva: Author. Retrieved March 20, 2011, from [http://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---declaration/documents/publication/wcms\\_106268.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_106268.pdf)

<sup>3</sup> ILO (2009).

<sup>4</sup> Bales (2009).

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<sup>5</sup> U.S. Department of Labor. (2009). *The Department of Labor's list of goods produced by child labor or forced labor: Report required by the Trafficking Victims Protection Reauthorization Acts of 2005 and 2008*. Washington, DC: Author. Retrieved March 26, 2011, from <http://www.dol.gov/ilab/programs/ocft/PDF/2009TVPRA.pdf>

<sup>6</sup> U.S. Department of Labor (2009).

## Electronics Industry Links to Forced Labor and Conflict in DR Congo

home to roughly 66 million people from at least 250 different ethnic groups. It is also home to the deadliest conflict since World War II; nearly 7 million people have died there since the beginning of the war.<sup>7</sup> Rape, torture and slavery are a routine part of this conflict. Although references to DR Congo are few and far between in the news outlets of the Global North, the conflict is fueled by natural resources used to manufacture products that most Americans and Europeans use regularly: namely, cell phones, computers, videogames and other electronics equipment.<sup>8</sup>



The current situation in DR Congo can only be understood, as is the case for so many African countries, with consideration for the context and legacy of European colonialism. Originally populated by Bantu peoples, the land area was claimed by King Leopold of Belgium in 1885 and named the Congo Free State (the setting for Joseph Conrad's famous novella *The Heart of Darkness*). Under colonial rule, the

<sup>7</sup> Kristof, Nicholas. (2010, February 6). The world capital of killing. *The New York Times*. Retrieved March 26, 2011, from [http://www.nytimes.com/2010/02/07/opinion/07kristof.html?\\_r=1&ref=opinion](http://www.nytimes.com/2010/02/07/opinion/07kristof.html?_r=1&ref=opinion)

<sup>8</sup> Hochschild, A. (2010, March/April). Blood and treasure. *Mother Jones*. Retrieved February 21, 2011, from <http://motherjones.com/politics/2010/02/congo-gold-adam-hochschild>

local population was brutally exploited. In the first 20 years, 10 million people were killed as a result of exploitive labor practice and disease. King Leopold, on the other hand, made a fortune in rubber. In fact, the colonists pioneered forced labor techniques that were adopted in neighboring colonies.<sup>9</sup> In 1908, when reports about the horrendous conditions in the Free State became internationally known, the Belgian parliament took over the Free State from Leopold and renamed it the Belgian Congo. In 1960, the Congo was given independence and a period of political turmoil followed. Nationalist Patrice Lumumba was head of state for a few years until he was overthrown and Mobutu Sese Soko, one of the truly corrupt dictators in modern history, came to power to rule for three decades.

The Rwandan genocide occurred in 1994, resulting in the murders of 800,000 people over the course of just three months. Rwandan refugees, including some of the people who committed atrocities during the genocide, poured across the border into DR Congo. In a less systematic way, the ethnic violence continued. At the end of the decade, political turmoil in DR Congo erupted into a regional battle for resources. Neighboring countries (Rwanda, Angola, Uganda, Eritrea, Burundi, Zimbabwe and Namibia) all became involved in the conflict, leading to the African World War. In this war, all involved groups busily looted mineral wealth while Congolese villages became battlegrounds. Since that time a number of peace agreements have been signed, but conflict persists. At this point, various government forces, rebel groups and splinter groups are involved in a brutal fight over resources.

The conflict in the Congo has followed a path that is common in modern African warfare. There is little direct combat between armies, and the majority of the people are dying from factors related to the displacement and poverty that are consequences of warfare. Half of the seven million victims are under the age of five. Starvation, disease, and frequently, side effects of rape—and of course, the violence perpetrated on civilians by fighters on all sides of the

<sup>9</sup> Hochschild, Adam. (2009, August 13). Rape of the Congo. *The New York Review of Books*. Retrieved February 21, 2011, from <http://www.nybooks.com/articles/archives/2009/aug/13/rape-of-the-congo/?page=3>

conflict—kill an estimated 1,500 people every day.<sup>10</sup> Outbreaks of diseases are common in DR Congo, and a lack of health infrastructure makes them difficult to treat. On March 29, IRIN News reported that a measles epidemic that has been sweeping eastern Congo for the past six months will now be exacerbated by a new cholera outbreak in Katanga province.<sup>11</sup> At least 1.8 million people have been displaced from their homes, and these internally displaced persons are especially vulnerable to disease and violence, including sexual violence.<sup>12</sup> Although there are few reliable statistics on the prevalence of rape—which is used strategically to destabilize communities and control people—observers estimate that hundreds of thousands, or even millions of people have been raped in the context of the conflict. The statistics are grim, and the situation is such that DR Congo has been ranked as one of the worst places in the world to be a woman or a child.<sup>13</sup>

This is where global consumers enter into the equation as often-unwitting accomplices to the propagation of the conflict in DR Congo. One key to the conflict is the relationship between natural resources and armed conflict. Some natural resources, such as timber and charcoal, form the basis of small local economies. Other resources, though, are critical components of the global market in electronics. DR Congo has rich supplies of minerals like gold, tin and tantalum, all of which are used in the manufacture of cell phones, laptop computers, and other electronics equipment. After the minerals are extracted from Congolese mines, they are smuggled over the border, into the international market, and eventually to Asia, where

they are mixed with legally-produced minerals and manufactured into electronics equipment.<sup>14</sup> The widespread use of “conflict minerals” has gained international attention, and for good reason: Metals extracted from coltan, cassiterite and wolframite are all used in the manufacture of electronic goods. But mined materials find their way into other products used throughout the world as well. For instance, tungsten derived from wolframite is used in the manufacture of light bulbs, and tin extracted from cassiterite is used in the manufacture of tin cans.<sup>15</sup>

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As a result of the extensive global demand for electronics equipment, production of these minerals is extremely profitable for those who can exert control over the mines and civilian populations. This fight over DR Congo's rich natural resources therefore forms some of the roots of the deadliest conflict in the world. DR Congo, once known for the prevalence of forced labor during the period of Belgian colonialism, is still a hotbed of forced labor today. Modern-day slavery in DR Congo takes three main forms: forced soldiering and portering, sex slavery, and forced labor in illegal mines.

Militias and armed groups rely on control of local populations to reinforce their dominance, so there are widespread reports of brutal murders, torture, mutilations, looting, and abductions. There are also plentiful reports of civilians being forced to labor on behalf of armed groups. Some of these civilians are child soldiers. Children, both boys and girls, are forcibly conscripted and forced to participate in military activities and propagate acts of violence

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<sup>10</sup> Honan, Edith. (2010, March 10). U.N. to start troop withdrawals from Congo in 2010. *Reuters*. Retrieved March 29, 2011, from <http://www.reuters.com/article/2010/03/06/us-congo-democratic-un-idUSTRE62507V20100306>

<sup>11</sup> IRIN News. (2011, March 29). *DRC: Measles epidemic threatens more provinces*. Retrieved March 29, 2011, from <http://www.irinnews.org/Report.aspx?ReportID=92311>

<sup>12</sup> Human Rights Watch. (2010). *Always on the run: The vicious cycle of displacement in eastern Congo*. New York: Author. Retrieved March 29, 2011, from <http://www.hrw.org/node/92772>

<sup>13</sup> Human Rights Watch. (2009). *Soldiers who rape, commanders who condone*. New York: author. Retrieved March 29, 2011, from <http://www.hrw.org/en/reports/2009/07/16/soldiers-who-rape-commanders-who-condone?print>

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<sup>14</sup> Prendergast, John & Lezhnev, Sasha. (2010). *From mine to mobile phone: The conflict minerals supply chain*. Washington, DC: Enough Project. Retrieved February 20, 2011, from <http://www.enoughproject.org/files/publications/minetomobile.pdf>

<sup>15</sup> Global Witness. (2009). *‘Faced with a gun, what can you do?’ War and the militarization of mining in eastern Congo*. London: Author. Retrieved March 26, 2011, from [http://www.globalwitness.org/sites/default/files/pdfs/report\\_en\\_final\\_0.pdf](http://www.globalwitness.org/sites/default/files/pdfs/report_en_final_0.pdf)

## Electronics Industry Links to Forced Labor and Conflict in DR Congo

against family members, community members, and strangers. Since 2004, 30,000 of these child soldiers have been removed from armed forces and militias, but forced recruitment continues.<sup>16</sup> Citizens, especially men and adolescent boys, are also press-ganged to work for armed groups as porters, carrying military supplies through the bush, and sometimes forced to perform agricultural labor to produce food for the militias.<sup>17</sup>

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Roaming militias and Congolese military forces commonly enslave women and girls—and, to a lesser extent, boys—for sexual purposes. Last year Oxfam International and the Harvard Humanitarian Initiative released a report filled with stories from survivors of sexual violence in eastern DR Congo. Amongst the descriptions of gang rapes, brutal instrumentation rapes, rapes of pregnant women, forced rapes between victims, and trauma-induced fistulas, there are stories of women who are kidnapped and forced into sexual slavery. One woman said, “My husband, children and I were in the house when the soldiers arrived. They killed my husband because he was Tutsi. Then they took me to the forest where I became their ‘femme’ (wife) for four years. During this time, they raped me as routinely as one changes one’s clothes.”<sup>18</sup> Narratives by survivors—many of them children and teenaged

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<sup>16</sup> Curry, Ann. (2008, August 29). Armed and victimized: Congo’s child soldiers. *NBC News*. Retrieved March 29, 2011, from <http://www.msnbc.msn.com/id/26424020/>

<sup>17</sup> Oxfam International. (2009). *Waking the devil: The impact of forced disarmament on civilians in the Kivus*. Washington, DC: Author. Retrieved March 29, 2011, from <http://www.oxfam.org/en/policy/drc-waking-the-devil>

<sup>18</sup> Harvard Humanitarian Initiative & Oxfam International. (2010). *‘Now, the world is without me:’ An investigation of sexual violence in eastern Democratic Republic of Congo*. Retrieved March 18, 2011, from <http://www.oxfam.org/sites/www.oxfam.org/files/DRC-sexual-violence-2010-04.pdf>

girls, some of them adults with children of their own—echo these themes of abduction and force.

In addition to the reports of forced soldiering, portering, and sex slavery, there are widespread reports of forced labor, including forced child labor, being used in the illegal mines that ultimately supply the international community with inexpensive electronics products. U.S. Department of State reports indicate that human trafficking occurs, and forced labor is utilized, in the Congolese mining sector.<sup>19</sup> In addition to adults, children are often forced to work in the mines because they can fit into smaller tunnels and holes; as a result of this dangerous work, it is believed that thousands of young slaves have already died. An estimated 5,000-6,000 children are forced to work in the mines.<sup>20</sup>

The situation produces both outrage and cognitive dissonance among consumers in the developed world who learn about the situation in DR Congo and recognize their own consumerist complicity in it. In the US, there are currently no electronics companies offering certified conflict-free products and the American electronics industry has responded to recent legislative efforts by spending \$2 million a month lobbying for relaxed legislation.<sup>21</sup> This has occurred despite the fact that industry reports estimated it would cost only one cent per product to ensure conflict-free supply chains.<sup>22</sup> Because there is not yet a certification process, it is safe to assume that virtually all of the world’s electronics companies could be

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<sup>19</sup> U.S. Department of State. (2010a). *Democratic Republic of the Congo: Country reports on human rights practices—2009*. Washington, DC: Author. Retrieved February 18, 2011, from <http://www.unhcr.org/refworld/country,,,COD,,4b9e52ffc,0.html>;

U.S. Department of State. (2010b). *Trafficking in persons report*. Washington, DC: Author.

<sup>20</sup> Lavery, Charles. (2008, July 6). Plight of African child slaves forced into mines—for our mobile phones. *Sunday Mail*. Retrieved March 29, 2011, from <http://www.dailyrecord.co.uk/news/real-life/2008/07/06/plight-of-african-child-slaves-forced-into-mines-for-our-mobile-phones-78057-20633548/>

<sup>21</sup> Prendergast & Lezhnev (2010).

<sup>22</sup> Russell, Jenny. (2010, June 23). *The most important day for Congo in Congress in years*. The Enough Project. Retrieved March 29, 2011, from <http://www.enoughproject.org/blogs/most-important-day-congo-congress-years>

selling products tainted by forced labor and conflict in DR Congo. Last year the U.S. passed provisions, buried in the Dodd-Frank bill on financial reform, requiring electronics companies to exercise due diligence in proving that their minerals are not sourced from DR Congo.<sup>23</sup> The Securities and Exchange Commission (SEC) is still crafting the specific regulations that will be applied to electronics companies, but a widespread grassroots movement of concerned citizens is putting the pressure on the SEC to not water down regulations, but to develop a robust auditing system that will eventually lead to a certification system similar to the Kimberley Process which has reformed the global trade in conflict diamonds.<sup>24</sup>

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<sup>23</sup> Stearns, Jason. (2011, January 4). Opinion: Conflict minerals legislation does not go far enough. *Christian Science Monitor*. Retrieved March 29, 2011, from <http://www.csmonitor.com/World/Africa/Africa-Monitor/2011/0104/OPINION-Congo-conflict-minerals-legislation-needs-to-go-further>

<sup>24</sup> Prendergast, John, Bafilemba, Fidel & Benner, Ashley (2011). *Why a certification process for conflict minerals is urgent*. Washington, DC: Enough Project. Retrieved February 20, 2011, from <http://enoughproject.org/files/View%20From%20Kivu%201.pdf>