

# Stolen Goods: Coltan and Conflict in the Democratic Republic of Congo

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The current war in the Democratic Republic of Congo (DRC) has brought unspeakable devastation upon its people. With approximately 73,000 people dying monthly<sup>1</sup>, the death toll is rapidly approaching four million in three years of war.<sup>2</sup> The conflict has created a population so ravaged that women in some villages “have simply stopped taking their children to the health centers because they no longer possess simple items of clothing to preserve their dignity.”<sup>3</sup> Congolese in the eastern region of the country are faced with a lack of available hospitals and health clinics, most have been destroyed during the war, leaving at least 18.5 million people without access to health care. Preventable disease and starvation have caused the majority of deaths, overwhelmingly suffered by civilians. Women and children account for approximately 40% of war casualties. In Mobia and Kalemie in Katanga, 75 percent of children born during the war have died or will die before their second birthday.<sup>4</sup>

The international community has distanced itself from the war in the DRC. Despite the mounting death toll, the country receives only a trickle of aid and even less media attention. Internationally, it is recognized that the war has produced a catastrophic humanitarian crisis, yet rebel movements have been able to successfully sustain their war efforts by plundering and looting the economic wealth of the country’s mineral-rich eastern region. The Uganda People’s Defense Forces (UPDF) and the Rwandan Patriotic Army (RPA), as well as the Congolese rebels they each support—

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the Rally for Congolese Democracy (RCD) and Congolese Liberation Front (CLF)—have ruthlessly exploited the mineral wealth from territories under their respective control. The occupying armies and their rebel clients have extended their jurisdiction miles west of the Ugandan and Rwandan borders, over Oriental Province, North Kivu, South Kivu, Kasi, and Katanga (Shaba).

This essay attempts to explain the connection between economic exploitation and conflict in Africa beyond a simplistic post-Cold War analysis of conflict based upon tribalism, primitiveness, and chaos. International competition for scarce resources in general, and for coltan in particular, is a key factor in the lack of state stability and the continuation of war in the DRC. Coltan is but

one of many resources illegally mined and sold onto western markets to profit invading armies and rebel forces. Trade in diamonds, timber, copper, gold, and cobalt also helped finance invading armies and rebel movements. Coltan happened to be the most lucrative raw material, and, more than any other mineral resource, it attracted the in-

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invading forces and lured them into establishing full-fledged commercial operations. Although ethnic tensions existed prior to the war, the heightened ethnic conflict and the dismantling of civil society currently underway are a by-product of international trade in this region. This essay critiques international economic investment in illegitimate rebel movements. In this case, investment, far from encouraging strong state structures, has helped to create weak states based upon kleptocracy and corruption. The contribution of international investment to the destabilization of the DRC is significant and must be addressed if sustainable peace is ever to take root in this devastated region.

### **Stealing a Jewel of the DRC's Mineral Wealth**

A Recent UN Security Council study entitled *The Report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth in the Democratic Republic of Congo* exposed the “systematic

and systemic” exploitation of the natural resources of the DRC by foreign armies. These natural resources were sold onto international markets. The sale of a mineral combination called coltan has been particularly significant.

Columbium (also known as niobium) and tantalum together compose what is commonly known as coltan, an essential but rare mineral. Coltan in its raw form simply looks like black mud or sand. Columbium and tantalum almost always occur together, but columbium is found in greater abundance than tantalum. Although the oxides of columbium and tantalum are chemically similar, tantalum is twice as heavy as columbium and is much more conducive to high-tech needs of the electronics industry.<sup>5</sup> Once processed into capacitors, it conducts the electric charge in high-tech equipment ranging from cellular phones and computers to jet engines, missiles, ships, and weapons systems. First discovered in the early nineteenth century, coltan has become extremely valuable as technological advances have helped increase demand for the mineral.

Australia, the DRC, Brazil, and Canada are primary sources of tantalum for the world market; few other countries are endowed with this mineral. Although Australia is the largest producer of tantalum, the DRC holds the world’s largest reserves. Four fifths of the world’s tantalum is found in Africa, of which 80 percent is located in the DRC’s eastern region.<sup>6</sup>

In the late 1990s demand for coltan skyrocketed following the boom of the technology industry. Between 1990 and 1999, sales of tantalum capacitors used in the electronics industry for cellular phones, pagers, PCs, and automotive electronics increased by 300 percent.<sup>4</sup> Many inter-

national corporations, such as Banro-Resources Corporation, Geologistics Hannover, Rwasibo-Butera, Eagleswings, Veen, Soger, Afrimex, Cogecom, Ventro Star, Raremet, Finiming

Ltd., Union Transport, Specialty Metal, and Finconcorde among others, have imported coltan from the DRC via Rwanda for use in Europe, Asia, and the United States.<sup>5</sup> Once the coltan is sold onto international markets it is impossible to trace it from the end product back to the mines. The sale of coltan lacks a certification process that would flag its place of origin, as is currently being interna-

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tionally implemented for conflict diamonds. Congolese coltan in effect reaches the market unnoticed and unhindered.

A pattern of illicit investment in the region was first established during the Alliance of Democratic Forces for the Liberation of Congo-Zaire (AFDL) invasion of the DRC led by Laurent Kabila in 1996. During this time international investors restructured deals established under the rule of Mobutu Sese Seko, effectively crowning Laurent Kabila as the *de facto* leader of then Zaire while he was still a rebel leader in control of only a small portion of the country. This was a violation of the Zairian constitution, which states that the soil and subsoil belong to the state, and that prospecting, exploration, and exploitation required permits from the Ministry of Mines and Energy.<sup>6</sup> Among the companies negotiating with the AFDL during the invasion were DeBeers Consolidated Mines Ltd., Anglo-American Corporations,<sup>7</sup> Sominki,<sup>8</sup> Tenke Mining Corporation (a subsidiary of Eurocan Consolidated Ventures), and Anvil Mining.<sup>9</sup> Even Pat Robertson, an influential U.S. television evangelist and businessman, invited Kabila to the United States to discuss business investments.<sup>10</sup> American Mineral Fields and Bechtel landed lucrative deals during the AFDL invasion. Barrick Gold Corporation Russell Resources, Krall, and Banro American Resources have been accused of “funding military operations in exchange for lucrative contacts in the east of the DRC.”<sup>11</sup> In 1996, Banque de Commerce, du Developpement et de l’Industrie (BCDI) was created by the AFDL to operate most AFDL transactions. BCDI, headquartered in Kigali, Rwanda is now at the heart of Rwandan financial operations. Members of the Rwandan Patriotic Army are its main shareholders.<sup>12</sup>

During the combined Rwandan and Ugandan occupation that followed in 1998, investors have continued this pattern of regarding rebel-held territory as *de facto* sovereign states open for investment in coltan mining resources—even though such commercial transactions were still considered illegal. Both Rwanda and Uganda have created companies with close government and military ties to facilitate the extraction of resources. They have, directly or indirectly, appointed local rebel faction leaders and field commanders to serve as conduits for illicit trade originating from the occupied territories of the eastern DRC. The Rwandan and Ugandan companies have monopolies over minerals mined in their respective territories. Middlemen are hired to form relationships with western clients, and they facilitate transactions between these companies and foreign corporations without questioning the legitimacy of the DRC-based enterprises.<sup>13</sup>

Coltan sales have earned Uganda and Rwanda multi-million dollar revenues, which each has used to sustain their respective war efforts in eastern DRC. International investment in rebel movements has adversely affected sustainable growth in both Rwanda and Uganda. Uganda was recognized for its spectacular economic achievement in the 1990s as one of only two countries in sub-Saharan Africa to reach a GDP growth rate of six percent per annum (the other was Mozambique). The average GDP growth rate of Sub-Saharan African in the 1990s was 2.3.5 percent per annum.<sup>14</sup> Unfortunately, Uganda's admirable economic achievement was assisted in the latter half of the 1990s by UPDF occupation in the eastern DRC and pillaging of DRC mineral wealth.<sup>15</sup> Their trade revenue from Congolese resources in rebel-held territory has only served to undermine the power of the Congolese central government.

Trade in Congolese coltan remains illegal, since it is conducted with illegitimate groups. As such, it violates the right of nations to permanent sovereignty, and their capacity to implement economic development to benefit its citizens, as guaranteed by UN Resolution of 1803, which states:

The right of people and nations to permanent sovereignty over their natural wealth and resources must be exercised in the interest of their national development and of the well-being of the people of the State concerned. International co-operation for the economic development of developing countries, whether in the form of public or private capital investments . . . shall be based upon respect for their sovereignty over their natural wealth and resources."<sup>16</sup>

International trade in coltan raises questions concerning responsibility, legitimacy, and sovereignty. Who determines Congolese national interest? Should international trade in natural resources be limited to legitimate governments? How should legitimacy in the DRC be determined, considering the country has existed without a democratically elected leader since Patrice Lumumba in 1960? Since taking control of the government from his recently deceased

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father, Joseph Kabila has succeeded in having his administration recognized by the international community as the legitimate government of the DRC. But he has not escaped intense criticism. In fact, some argue that “the Kinshasa government was itself set up by the uninvited forces of Rwanda, Uganda, and Angola, and its democratic credentials are not stronger than those of the rebels.”<sup>17</sup>

The political and economic infrastructure of the DRC rests on shaky foundations. As long as rebel movements can flourish by establishing lucrative commercial relationships with international corporations, democratization will not take root. International trade should promote good governance and economic stability. Unfortunately, economic development in the DRC has a legacy of exploitation, theft, and plunder from King Leopold II to the present, which has been spurred by geo-strategic and economic interests. Unless an international convention regulating legitimate mining in cooperation with recognized governments can be put forth, the eastern region of the DRC remains vulnerable to mineral exploitation and prolonged conflict.

### **Mining Contracts and the rise of the AFDL**

At the end of the Cold War, western governments previously supportive of Mobutu Sese Seko, with the exception of France, began to distance themselves from his tyrannical reign. With declining strategic viability, Zaire was no longer necessary as an “anticommunist” buffer against revolutionary movements particularly in Angola. Investment in Mobutu’s Zaire became increasingly undesirable in large part because of massive mismanagement, especially in the mining sector. Gecamines, the country’s mining company, was in severe decay. Governments and corporations eagerly awaited new leadership to facilitate renewed investment in the country.

1996 was to be the start of a new and hopeful era for Zaire. Laurent Kabila led a collaborative rebel movement with Rwandan and Ugandan allies under the banner of the Alliance of Democratic Forces for the Liberation of Congo-Zaire. The AFDL swept across the country with ease, ultimately toppling the thirty-year rule of Mobutu Sese Seko. During this rapid transition of power, the world actively engaged in events unfolding in what was soon to be the Democratic Republic of Congo, unlike any other time in the country’s history since the early 1960s. *Africa Confidential* declared the future of Zaire to be “the most important question for Africa since the end of apartheid in South Africa,”<sup>18</sup> because of its national and



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regional economic potential and its capacity to broker peace within the Southern Africa Development Community (SADC).

Politically, the AFDL movement was received with reserved optimism by many in the international community, who were nervous about an untested and seemingly fiercely independent Kabila administration. Ultimately though, international corporations were the ones whose influence was critical in reshaping the political landscape of the country. By securing large mining deals with the AFDL during the early stages of the war, international mining interests helped create a relationship that established “legitimate” mining operations in rebel-occupied territories and essentially provided revenues to the AFDL. Economic negotiation between the AFDL and western corporations effectively took precedence over previous agreements negotiated by the Mobutu administration. As major cities located in mineral rich areas (Bukavu, Kisingani, Mbuji Mayi, and Lubumbashi) fell under AFDL control, mining corporations swarmed into rebel held territory “prompting a scramble that recalls the grab for wealth 120 years ago [under King Leopold’s private colony, the Congo Free State.]”<sup>19</sup> Plenty of companies gambled on billion-dollar investment returns, embarking on “a

roller coaster ride towards treasure.”<sup>20</sup> *The New York Times* reported the following on the corporate activity in then Zaire:

Lubumbashi, Zaire, April 16, 1997 – A week after Shaba Province fell to Laurent Kabila and his rebel troops, mining company executives are swarming around this region of mineral riches and signing lucrative deals despite the uncertainty hanging over the nation’s future. Less than two days after Lubumbashi was captured last Thursday, the executives were already flying into the city aboard private jets and setting up shop in the Hotel Karavia. They could be seen meeting at poolside and over meals with the rebels’ finance minister and the newly appointed Governor of the province. The stakes here are enormous. The province has billions of dollars in untapped mineral reserves. The rolling fertile land holds millions of tons of cobalt, copper and zinc.<sup>21</sup>

Executives formed outright alliances with the AFDL. Jean Ramon Boule, co-founder of American Mineral Fields, who landed a \$1 billion mining deal with AFDL in April of 1997, also allowed the AFDL rebels use of his private Lear jet.<sup>22</sup> Bechtel Corporation “commissioned and paid for NASA satellite studies on Congo as well as for infra-red maps of its mineral potential,” free of charge to the de facto AFDL government, as the basis for a seven year economic strategy.<sup>23</sup> This survey gave the Kabila administration access to “some of the most complete mineralogical and geographical data of the former Zaire ever assembled. Information worth a fortune to any prospective mining or oil firm.”<sup>24</sup> Bechtel satellite

intelligence also assisted Kabila’s military strategy.<sup>25</sup> A top Bechtel executive began “traveling the country with the Congolese leader to help him deal with ethnic uprisings.”<sup>26</sup> These corporate ventures ensured what *African Business* described as,

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**Business interests continued to be the most prominent players shaping the political development of the country.**

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“the total reshaping of Zaire’s mining sector. That new outsiders are mixing business with politics in a bid to exploit the changing order of leadership there is also clear.”<sup>27</sup> “This is the first time that a developing country recovering from economic devastation and civil war has gone straight to the private sector for help.”<sup>28</sup> The close collaboration between corporations and the AFDL meant that the creation of a new government was influenced from the



outset by the willingness of the AFDL to secure and sustain beneficial mining agreements.

### **The Second Invasion from the East and Control over the Coltan Supply**

The wild investing environment eventually undermined Laurent Kabila's regime by paving the way for a second invasion of the Congo. In May of 1998, Kabila nationalized a major Congolese railway, a move that alarmed investors. In that same month, he reportedly told American diplomats he was partial to large state-owned projects, including collective farms.<sup>29</sup> Considering Kabila's Marxist background, investors began to question his commitment to a free market. Concurrently, tensions between Rwanda, Uganda, and Kabila were growing. The AFDL invasion had been primarily supported by Rwandan and Ugandan troops and there was tension between the Congolese population and an increasingly powerful group of foreign soldiers. This tension strained relations with Kabila, and eventually led to a break in the AFDL alliance with Rwanda and Uganda.

In August 1998, Rwanda and Uganda invaded the DRC as Kabila's foes. They carried with them intimate knowledge of the country's terrain and its mineral riches as investor confidence in Kabila's DRC was waning.<sup>30</sup> Rwanda and Uganda helped create the Rally for Congolese

Democracy, which has since spun off into several major rebel groups: RCD-Goma, RCD-Kisangani, and the Congolese Liberation Front. The main body of RCD split in May of 1999, though rebel groups continue to suffer from power struggles and infighting. As the RCD invasion swept across

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the eastern regions, mining companies sought to re-open investment in the newly occupied territories. Rebel-held territories created separate economies, finding supply lines and outlets to counter blockades imposed by the central government. Again, ex-

ecutives began to build an intimate relationship with the new rebel leaders. These rebel movements were primarily motivated by economic incentives rather than the pursuit of political ideals. Well aware that the official defense budgets of Rwanda and Uganda cannot cover the cost of the war, Rwandan President Paul Kagame has unapologetically described the war as “self-financing.”<sup>31</sup> Indeed, the sale of several Congolese commodities extracted from mining operations in newly reconquered territory, particularly gold, diamonds, and timber, has financed the rebel war effort. Coltan mining, however, has yielded even greater windfall profits, as the second invasion coincided with a global shortage of the mineral. Between late 1999 and late 2000 the Rwandan army alone reaped revenues of at least \$20 million a month.<sup>32</sup>

The RCD groups openly advertised coltan trading as soon as they established control over the mineral-rich regions previously administered by the AFDL. “Whoever meets the laid down conditions can open a bureau, be they Ugandans, Rwandans, Americans, or any other national.”<sup>33</sup> A network of international clients in collaboration with Rwandan, Ugandan, and Congolese strongmen facilitated coltan import and export. A UN panel gathered evidence that “linkages between different actors and stakeholders are very well structured to the point that Governments and large reputable companies operate in confidence . . . The importing companies and their facilitators are aware of the real origin of coltan.”<sup>34</sup> Sabena Cargo carried Congolese coltan from Rwanda’s Kigali airport back to Europe.<sup>35</sup> Citibank was involved with controversial transactions with Rwandans and their allied rebels.<sup>36</sup> The UN identified 34 foreign companies importing minerals from the DRC via Rwanda.

Incidents of infighting between Rwandan and Ugandan forces and their respective Congolese client factions increased around coltan-rich areas in the so-called “coltan belt” extending from Bunia to Goma, Bukavu, and Kindu. These battles have exacerbated ethnic relations, devastated entire communities, and undermined efforts to rebuild the foundations of a civil society. Coltan mining has also endangered UNESCO World Heritage Sites,<sup>37</sup> and in the area near Bunia in Orientale controlled by Ugandan troops, one third of the elephants residing in the Garamba Park were killed.<sup>38</sup>

Foreign occupation of the eastern region was recognized and condemned by several UN Security Council Resolutions. “The Security Council reaffirms the obligation to respect the territorial integrity and national sovereignty of the Democratic Republic of Congo and other States in the region and the need for all States

to refrain from any interference in each other's internal affairs."<sup>39</sup> In 1999, Security Council Resolution 1234 deplored "the presence of forces of foreign States in the [DRC] . . . and calls upon those States to bring an end to the presence of these uninvited forces and to take immediate steps to that end." In June 2000, in response to fighting between Rwandan and Ugandan forces in Kisangani, UN Resolution 1304 noted "with concern reports of the illegal exploitation of the country's assets and the potential consequences of these actions on security conditions and the continuation of hostilities." The February, 2001 Security Council Resolution 1341 stressed that "occupying forces should be held responsible for human rights violations in the territory under their control." "[The Security Council] reaffirms that it attaches the highest importance to the cessation of the illegal exploitation of the natural resources of the [DRC], affirms that it is ready to consider the necessary actions to put an end to this exploitation." The language of the Security Council is clear in its intent to condemn the illegal and violent activity of the eastern DRC but does little to address western investment as a motivating factor for the continued violence in the region.

### **Following the Trail**

The United States, Japan, and Western Europe are the largest consumers of tantalum. Ores from various tantalum producing countries including the DRC are processed into oxides, powders, and metals for the production of tantalum capacitors, while a portion of them are simply stockpiled—as is the case in United States where they are held in the National Defense Stockpile. The electronics industry and the aerospace industry consume approximately 75 percent of globally produced tantalum.<sup>40</sup> H.C. Starck and Cabot are the two largest tantalum processors in the world. Cabot is located in Pennsylvania and H.C. Starck operates mainly in Germany and Thailand. Processed tantalum is then traded among countries and private companies on the international market.

Raw tantalum ores and concentrates originating from the DRC, and sold by Rwandans, Ugandans, and their affiliated rebel groups have been shipped to Malaysia, Germany, Switzerland, the Netherlands, Belgium, the United Kingdom, India, Pakistan, the United States, and Russia.<sup>41</sup> Private companies and some foreign countries are not required to produce public records of their tantalum trade, making exact amounts difficult to obtain. Public records of U.S. Government and U.S. corporate purchasing and

trading of the mineral are made available. The United States is completely dependent on foreign supplies of tantalum. Accordingly, the *Minerals Yearbook* published by the U.S. Geological Survey, as well as the Department of Defense's *Strategic and Critical Materials Report to the Congress*, both list tantalum as a "critical" mineral. An analysis of U.S. tantalum imports from Central Africa during the war reveals serious problems regarding U.S. trade practices.

Throughout the 1990s the United States government and U.S. companies imported a significant amount of tantalum from Central Africa. Because Congolese coltan was monopolized by Rwanda and Uganda, there is a strong possibility that tantalum listed as U.S. imports from Rwanda and Uganda was in fact Congolese tantalum. In the event of a mineral surplus, the U.S. Government sells minerals, including tantalum, from the National Defense Stockpile, to various processing companies.<sup>42</sup> H.C. Starck, one of the world's largest producers of capacitors, buys raw tantalum from the U.S. Government. In response to the UN's accusations of its involvement in illegal trading, the company stated that it "only purchases raw materials from established trading companies."<sup>43</sup> Yet, it appears that established trading companies and governments were also involved in trading coltan illegally obtained from the DRC.

The United States has been dependent upon the combined flow of tantalum from the DRC, Rwanda, and Burundi. These African countries, later to be joined by Uganda, maintained their status throughout the 1990s as a main source of tantalum, second only to Australia.<sup>44</sup> The U.S. Geological Survey records of tantalum imports reflect the extra-budgetary system implemented by the Rwandans and the Ugandans for exporting Congolese coltan. From 1998 to 2000, tantalum imports to the United States were specifically listed as originating from the Democratic Republic of Congo. Yet, at that time Rwanda and Uganda controlled the Congolese coltan mines, and the Congolese Ministry of Mines reported zero production of tantalum both in 1998 and 1999, and only 550 metric tons of tantalum in 2000.<sup>45</sup>

Until the AFDL invasion of Zaire in 1996, Rwandan tantalum exports to the United States had been gradually—albeit significantly—declining, from \$3 million in 1993 to \$598,000 in 1995. U.S. imports of tantalum from Rwanda more than doubled from 1997 to 2000, particularly increasing after Rwanda created an elaborate network of businesses to facilitate their trade in Congolese coltan in 1998. Ugandans also created an intricate business network, repackaging Congolese coltan as Ugandan coltan, and

<b>U.S. Imports of Tantalum Ores and Concentrates by Country</b>								
<b>Country</b>	1997		1998		1999		2000	
	Value (Thousands dollars)	Gross Weight (Metric Tons)	Value	Gross Weight	Value	Gross Weight	Value	Gross Weight
Congo (Kinshasa)	600	51	3,380	186	2,000	81	4,720	167
Rwanda	984	58	1,610	71	1,270	59	2,180	68
Uganda	—	—	429	18	645	24	140	5

Sources: U.S. Census Bureau and U.S. Geological Survey

becoming an exporter of tantalum to the United States for the first time in 1998. Although Ugandan exports reached a high of \$645,000 in 1999, data from the Ugandan Ministry of Energy and Mineral Development show no record of domestic coltan production for 1998, 1999, or 2000.<sup>46</sup>

Although tantalum reportedly exported from Rwanda, Uganda, and the DRC to the United States represents a fraction of total African coltan exports during the course of the war, U.S. importing practices are noteworthy because they are better documented than others and have revealed evidence of illicit international trade patterns, effectively revealing tension between political rhetoric and economic interest. Political statements and UN Security Council Resolutions are admirable in that they insist on the protection of the DRC's sovereignty and attempt to provide a framework for peace, but they fall short of substantially addressing deep economic problems, which have helped create severe political difficulties in the DRC.

### **Economic Plundering and the Limits to State Sovereignty**

In order for investment to be used as an effective tool for development, multinationals must understand that massive corporate investments have a negative impact on society in the absence of state stability. Indeed, their financial leverage only exacerbates state instability, and creates an environment in which those who are seeking to undermine state sovereignty are rewarded, while civil society suffers. "States that depend on mineral exports are among the most troubled states in the world today. They suffer from exceptionally

slow rates of economic growth; their governments tend to be weak and undemocratic; and they more frequently suffer from civil wars than resource poor states.”<sup>47</sup> The prolonged exploitation of Congolese mineral wealth has helped establish tremendous vulnerability in the Congolese political, economic, and social system. “Com-

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panies trading minerals, which the [UN] Panel considered to be ‘the engine of the conflict in the Democratic Republic of the Congo’ have prepared the field for illegal mining activities in the country.”<sup>48</sup> Corporate responsibility should at least begin with acknowledging its complacency in working with vi-

icious armed groups. The UN has recommended “that individuals, in particular farmers, religious groups and companies whose properties, livestock and crops were damaged, looted or expropriated by the Burundian, Rwandan or Ugandan armed forces and their allies should be compensated by the States concerned. The Governments of Burundi, Rwanda and Uganda and their allies should pay compensation to the companies whose properties and stocks of coltan, cassiterite, gold, timber and other materials which were confiscated or taken between 1998 and 2000.”<sup>49</sup> Corporations that cooperated with these invading armed forces and rebel groups also bear responsibility for orchestrated the exploitation of the eastern DRC and should also be held accountable for their role.

A legal precedence for holding corporations accountable for human rights violations and demanding reparations and compensation has yet to be established. But, groups such as U.S. Institute for Peace and Global Witness have been active in outlining ideas for corporate accountability, including the development of codes of conduct, implementation of regulatory import controls, and drafting legislation to block assets of corporations involved in illegal mining. Additionally, Congresswoman Cynthia McKinney has introduced draft legislation (H.R. 2954) “to prohibit the importation into the United States of colombo tantalite from certain countries [Rwanda, Uganda, and Burundi] involved in the Democratic Republic of Congo.”<sup>50</sup> At least two tantalum manufacturing companies, Kemet and Cabot Corporation, have responded to reports

of exploitation in the eastern DRC and have asked their suppliers to certify that the tantalum has not originated from the eastern region.<sup>51</sup> These kinds of initiatives can help improve the situation in the DRC by removing financial incentives for rebel groups and blocking the possibilities of illegal mining in the future.

### Notes

<sup>1</sup> According to World Health Organization estimates reported by Blaine Harden, "The Dirt in the New Machine," *New York Times Magazine*, 12 August 2001, 36.

<sup>2</sup> An estimated 3.5 million people have died since August 1998. U.S. House Subcommittee on International Operations and Human Rights, "Congressional Testimony of Les Roberts, Director of Health Policy at the International Rescue Committee," 107th Cong., 2nd sess., 7 May 2001, 2.

<sup>3</sup> United Nations, Security Council, *Report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo*, June 2000, 13.

<sup>4</sup> Larry D. Cunningham. "Columbium (Niobium) and Tantalum," *USGS Minerals Yearbook*, 1999.

<sup>5</sup> United Nations, *Report of the Panel of Experts*, 46

<sup>6</sup> George Coakley "The Mineral Industry of Congo (Kinshasa)," *USGS Minerals Yearbook*, 2000.

<sup>7</sup> Conor de Lion, "Congo, Zaire," *Global Finance*, June 1997.

<sup>8</sup> Howard W. French, "The Great Gold Rush in Zaire," *New York Times*, 17 April 1997.

<sup>9</sup> James C. McKinley Jr., "Zairian Rebels' New Allies: Men Armed With Briefcases," *New York Times*, 17 April 1997.

<sup>10</sup> Robert Block, "Will a Zairian Rebel Visit U.S. as a Guest of Pat Robertson?" *Wall Street Journal*, 30 April 1997.

<sup>11</sup> Colette Braeckman, "Partition Poses as Protection," *Le Monde Diplomatique* (Paris), October 1999.

<sup>12</sup> United Nations, *Report of the Panel of Experts*, 15.

<sup>13</sup> For example, Aziza Kusum Gulamali, who has a history of arms and ivory trafficking, was hired by the Rwandans to help facilitate the Rwandan tantalum trade. Her clients included Starck, Cogecom, and Sogem. The Banque Bruxelles Lambert handles some of her financial transactions. United Nations, *Report of the Panel of Experts*, 18.

<sup>14</sup> UNCTD, United Nations Conference on Trade and Development, *Economic Development in Africa: Performance, Prospects and Policy Issues*, 2001, 4, 7.

<sup>15</sup> United Nations, *Report of the Panel of Experts*, 38–39.

<sup>16</sup> United Nations, General Assembly, "Permanent Sovereignty over Natural Resources," General Assembly Resolution 1803, 14 December 1962.

<sup>17</sup> "War Economy," *Africa Confidential* 42, no. 9, (4 May 2001): 3.

<sup>18</sup> "New Fingers on Zaire's Trigger," *Africa Confidential* 38, no. 10 (9 May 1997): 1.

<sup>19</sup> Robert Block, "As Zaire's War Wages, Foreign Businesses Scramble for Inroads," *Wall Street Journal*, 14 April 1997.

<sup>20</sup> Nicol Degli Innocenti, "A Rollercoaster Ride Towards Treasure," *Financial Times* (London), 15 December 1999.

<sup>21</sup> James C. McKinley Jr., "Zairian Rebels' New Allies: Men Armed With Briefcases," *New York Times*, 17 April 1997.

<sup>22</sup> Robert Block, "As Zaire's War Wages, Foreign Businesses Scramble for Inroads," *Wall Street Journal*, 14 April 1997.

<sup>23</sup> "Washington Quandary: The U.S. Government Juggles Carrot and Stick While Business Scoops a Mineral Map," *Africa Confidential* 38, no. 19 (26 September 1997): 3.

<sup>24</sup> Robert Block, "U.S. Firms Seek Deals in Central Africa," *Wall Street Journal*, 14 October 1997.

<sup>25</sup> Ibid.

<sup>26</sup> Ibid.

<sup>27</sup> Francois Misser, "Zaire: Kabila's Desirable Deals," *African Business*, June 1997.

<sup>28</sup> "Washington Quandary: The U.S. Government Juggles Carrot and Stick While Business Scoops a Mineral Map," *Africa Confidential* 38, no. 19 (26 September 1997): 3.

<sup>29</sup> James C. McKinley Jr., "Zaire Rebel and His Plan Puzzle West," *New York Times*, 18 May 1997.

<sup>30</sup> Some former members of the AFDL secured control over their own mining activities during the first invasion. For instance, Ugandan army commander Salim Saleh established a gold mining company in Kisangani during the AFDL invasion. United Nations, *Report of the Panel of Experts*, 7.

<sup>31</sup> United Nations, *Report of the Panel of Experts*, 27.

<sup>32</sup> Ibid., 29.

<sup>33</sup> United Nations, "Rebels Open Up Trade in Coltan," *Integrated Regional Information Network* (Nairobi), 10 April 2001.

<sup>34</sup> United Nations, *Report of the Panel of Experts*, 38.

<sup>35</sup> Ibid., 15.

<sup>36</sup> Ibid., 7, 38.

<sup>37</sup> World Heritage Sites are unique and historic cultural or natural sites designated by UNESCO as invaluable. For example, The Galapagos Islands and the Great Wall of China

<sup>38</sup> In the Rwandan-held territory of Kivu, only two out of 350 elephant families remained in the Kahuzi-Biega Game Reserve by 2000. Ibid., 12.

<sup>39</sup> United Nations, Security Council, "Statement by the President of the Security Council," S/PRST/1998/26, 31 August 1998, 1.

<sup>40</sup> Chris Parry, "Tantalum Urgently Required, Best Prices Paid," *International Mining Review*, issue 131, November 2000, 1.

<sup>41</sup> United Nations, *Report of the Panel of Experts*, 46.

<sup>42</sup> Larry D. Cunningham.

<sup>43</sup> "Starck Denies UN Allegations about Raw Material Trading," 19 April 2001 <[http://www.hcstarck.com/index.cfm?BEREICH\\_ID=19&NEWS\\_ID=20010724081200177004000000](http://www.hcstarck.com/index.cfm?BEREICH_ID=19&NEWS_ID=20010724081200177004000000)> (25 January 2002).

<sup>44</sup> With the exception of 1999 when Canadian tantalum mining opened. That year Central African countries fell behind Canada and Brazil.

<sup>45</sup> George Coakley and Philip Szczesniak, "The Mineral Industry of Congo (Kinshasa)."

<sup>46</sup> United Nations, *Report of the Panel of Experts*, 20.

<sup>47</sup> Michael Ross, *Extractive Sectors and the Poor*, (Washington, DC: Oxfam America, October 2001) 5.

<sup>48</sup> United Nations, *Report of the Panel of Experts*, 42.

<sup>49</sup> United Nations, *Report of the Panel of Experts*, 44.

<sup>50</sup> U.S. House, 107th Cong., 1st sess., H.R. 2954 (25 September 2001).

<sup>51</sup> Ibid.