

EU needs binding conflict minerals rules

Written by Judith Sargentini on 19 May 2015 in Opinion
Opinion

The voluntary nature of proposed EU conflict minerals regulations means that they are 'void' and only a minority of companies are likely to comply, warns Judith Sargentini.



On April 22, the New York Times published an article by Sakharov prize winner Denis Mukwege, in which he calls on the European Union to adopt binding transparency rules on minerals imports into the EU.

The trade of these so called conflict minerals fuel conflict or violence overseas. He warns that proposed EU legislation currently under consideration undermines global attempts to clean up the deadly conflict minerals trade.

Mukwege knows better than anyone how innocent civilians bear the brunt of violent unrest that is fuelled by the mineral trade. In his country, the Democratic Republic of Congo, armed groups profit from illegal mining and leave trails of fear and destruction. The minerals sold by these rebel groups end up in our products such as tablets, tin cans, smartphones, computers and light bulbs.

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A European law would have the opportunity to break the link between trade in minerals and conflict by creating transparency in the supply chain, therefore allowing consumers to ascertain whether their purchases indirectly fuel conflict and human rights abuses elsewhere in the world.

Five years after the US introduced mandatory transparency rules for listed companies, the commission has proposed a law that is void - this is very disappointing. The system put forward is voluntary and only targets 0.5 per cent of EU companies that use these minerals.

Parliament's international trade committee pretends to go a step further by introducing binding transparency rules. However, this only applies to smelters and refiners, of which only 20 operate in the EU - out of 450 globally. The scheme will be entirely voluntary for all other companies that import these minerals or products containing these minerals.

Business leaders, investors, religious leaders, civil society and consumers have expressed their wish for effective, binding rules that apply to all companies. The only way to get transparency across the board is with full supply chain involvement.

Campaigners have demanded binding rules because companies will not abide by transparency rules voluntarily, as evidenced by the fact that in the five years following the adoption of similar organisation for economic cooperation and development guidelines on this very topic, a disappointing 12 per cent of EU companies were found to be compliant - mainly due to the US conflict mineral law.

If a binding European scheme for all companies is enforced alongside the US law, this will contribute to the creation of a global level playing field without conflict minerals.

I call on my colleagues to adhere to the development committee's position, which demands binding rules on conflict minerals for all companies in the supply chain. In the past, the European parliament has adopted resolutions that included such rules, designed to prevent companies from contributing to conflict and human rights abuses.

It is my sincere hope that we can finally keep true to our word by ensuring that the EU legislation on conflict minerals is not robbed of all its meaning and turned into little more than an empty shell.

About the author

Judith Sargentini (Greens/EFA, NL) is parliament's rapporteur on promoting development through responsible business practices, including the role of extractive industries in developing countries

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