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Natural Resources and Wealth of the Democratic Republic of Congo (DRC): Of Benefit to Whom?

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Natural Resources and Wealth of the Democratic Republic of Congo (DRC): Of Benefit to Whom?

Abstract

When asked to discuss the humanitarian tragedy in the DRC, the question really is where to start? The article by Adam Hochschild discusses some of the most horrific events and experiences imaginable: widespread killings of unarmed civilians, rape, torture and looting, the recruitment of child soldiers, and the forced displacement of hundreds of thousands of people. The immediate human response is who is to blame, how did it happen and how can the world apparently do nothing?

Keywords

Human rights, Democratic Republic of Congo, War, Natural resources, Economics, United Nations (UN), Politics

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Natural Resources and Wealth of the Democratic Republic of Congo (DRC): Of Benefit to Whom?

by Nicola Colbran

When asked to discuss the humanitarian tragedy in the DRC, the question really is where to start? The article by Adam Hochschild discusses some of the most horrific events and experiences imaginable: widespread killings of unarmed civilians, rape, torture and looting, the recruitment of child soldiers, and the forced displacement of hundreds of thousands of people. The immediate human response is who is to blame, how did it happen and how can the world apparently do nothing?

These questions highlight the role of natural resources in perpetuating conflict in the DRC. International human rights [requires](#) that natural resources are freely disposed of based on the principle of mutual benefit. But in the resource-rich DRC, who is enjoying this benefit?

Practices that set a precedent and pattern of association between natural resource exploitation and human rights violations are plentiful. For example, from the 1880s, Belgian King Leopold II used the territory as his personal kingdom, exploiting vast natural resources through indigenous forced labor, causing millions of deaths through famine, exhaustion and disease. This practice of exploitation continued throughout the thirty-two year rule of Joseph Desire Mobutu (1965-1997) who "[systematically used the country's mineral wealth to consolidate power, co-opt rivals and enrich himself and allies through patronage.](#)"

Now, over the last decade, as part of their broader struggle to seize economic, political and military power, the main warring parties in the DRC have been exploiting natural resources to establish lucrative trading networks. Resources such as timber, diamonds, gold, coltan and cassiterite (tin ore) are highly sought after, and multinational companies are buying them, thereby essentially funding armed groups and fueling conflict. In [its recent report](#) on war and the militarization of mining in Eastern Congo, the NGO Global Witness named AMC (Amalgamated Metal Corporation), THAISARCO (Thailand Smelting and Refining Corporation), Trademet and Afrimex as among the companies linked to the DRC violence. For example, THAISARCO (a subsidiary of AMC) is believed to obtain supplies from mines controlled by the Democratic Liberation Forces of Rwanda (FDLR), a Hutu extremist group. The FDLR has [one of the highest military capabilities and caused the most civilian suffering in the Kivus \(in eastern DRC\) at the beginning of 2009](#). Meanwhile, some of AMC's directors and major shareholders have appeared on the 2009 [Sunday Times Rich List](#) as among the two thousand richest people in Britain and Ireland.

Although the international community has acknowledged the role natural resources play in fueling the conflict, what action has been taken to address the problem? In 1999, the Security Council [set up MONUC](#) (United Nations Organization Mission in DR Congo), a UN peacekeeping force in the DRC, to monitor the peace process following the [Second Congo War](#). MONUC's mandate has been extended, and in 2008 it was given "[monitoring and inspection capacities to curtail the provision of support to illegal armed groups derived from illicit trade in natural resources.](#)" Resolutions in 2003 [imposed](#) an arms embargo against armed groups and militias operating in the territory of North and South Kivu and Ituri, and in 2004 the Security

Council [set up](#) a Sanctions Committee to oversee the embargo and a Group of Experts to gather and analyze information connected to the flow of arms and networks violating the embargo. These 2003 and 2004 resolutions have been renewed and expanded, and the recent final [December 2008 report](#) by the Group of Experts contains detailed information about the link between natural resources and the financing of illegal armed groups. It makes recommendations to UN member states that exporters and consumers of Congolese mineral products under their jurisdiction conduct due diligence on their suppliers and not accept verbal assurances from buyers regarding the origin of their product. On 22 December 2008, the UN Security Council also adopted [two resolutions](#) to address the link between natural resources and arms as one of the major factors fuelling and exacerbating conflicts in the Great Lakes region.

In 2005, the International Court of Justice also heard a case that touched on the exploitation of natural resources in the DRC by Uganda . The Court [found](#) that Uganda violated the sovereignty and territorial integrity of the DRC through unlawful military intervention. Uganda also failed to respect, and to ensure respect for, human rights and international humanitarian law in Ituri, where it was an occupying power. The Court continued that officers and soldiers of the Uganda People's Defense Force (UPDF) were involved in the looting, plundering and exploitation of the DRC's natural resources and that Uganda's military authorities did not take any measures to put an end to these acts. Uganda was held to be internationally responsible for these acts and was ordered to pay reparations to the DRC.

In practice, such examples are slow in resolving humanitarian crises, and raise the question of whether they make any real difference anyway. But what can be done? If the DRC is a failed state as described in Hochschild's article, how does one negotiate and make agreements with, or provide capacity building activities to, a dysfunctional government? International law and human rights protection is premised on the basis of state obligations, and the responsibility of a State to protect the human rights of its citizens. If there is no functioning State, who will protect its citizens and how? In addition, it is international corporations that are buying Congo 's natural resources and thereby indirectly perpetuating the violence. Governments outwardly committed to human rights protection, including the UK and Belgium , are apparently failing to crack down on companies within their jurisdiction. It ultimately begs the question, is the current international human rights system enough, or do we need something more to ensure that the benefit of the DRC's natural resources is shared by all Congolese?

Nicola Colbran is the legal advisor to the Indonesia Programme at the Norwegian Centre for Human Rights. In this capacity she coordinates and conducts human rights trainings in cooperation with Indonesian partners (government, NGOs and academia), and also researches and writes widely on human rights and Indonesia.