

Global Witness' Laundromat Paper

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Consultants occasionally present their data in attention-getting ways, referring to their conclusions with flashy titles in order to impress their clients. This is what Global Witness have done in this report on ITSCI's mine monitoring programme. There are many inaccuracies and many broad claims made on flimsy information – ITSCI has identified scores and scores of them in its detailed response – and it might matter less if the subject were not so important. ITSCI's efforts to monitor mineral supply chains is not only important for the well-being and the economy of the Eastern Congo, it is an extremely important experiment in harnessing reputable supply chains to reducing human rights abuses.

We should all support this experiment in any way we can. One of its most important features is that it is primarily driven by the commercial interests of mineral producers and not by states or international NGOs. It is novel, it is effective and it is sustainable and even civil society advocates like myself have to recognize that the driving forces involved in doing business can be, and are unique motivators for advancing the protection of human rights. This makes some progressive human rights advocates a bit uncomfortable since business is often associated in their minds with negative human rights records. But Kay Nimmo at the International Tin Association together with T.I.C., Pact and others at ITSCI has proven them wrong. ITSCI has shown that a number of coherent supply chains, which have emerged with the rapid globalization of trade, are able to pressure local mining operations into cleaning up their act. Those that don't, end up running afoul of governments, competitors, powerful downstream corporate interests in their supply chain and shareholders.

Global Witness is among those civil societies that regard private enterprise with suspicion. It has made a career of calling out corporate malfeasance in a number of sectors including logging and minerals and palm oil among many others and have spoken out forcefully about the need for better natural resource governance. Global Witness has made contributions that have in some cases led to reforms by raising public awareness with exposes of corporate abuses. This is their approach. This may be why they are uncomfortable collaborating with corporate actors, more specifically with using supply chains linking corporate actors to protect workers and communities. They appear to be suspicious of something like ITSCI that operates on the assumption that businesses will work to protect human rights if it is shown to be in their interests. Global Witness are doubtful and regard their approach the better one. I am struck by how readily Global Witness dismisses other approaches to mitigating the link between conflict, child workers and the mineral trade when a more reasonable approach would be to collaborate closely with industry, ITSCI in this case, in closing some of the loopholes in the process instead of discrediting it with accusations and muckraking headlines.

The ITSCI programme has become fair game for civil society groups. Investigations (including those by Global Witness and IPIS) into ITSCI have come up with inadequacies in a programme

that is trying to hold a large number of mineral operators along with everyone in their networks to a high standard. It should not be surprising that they find some. ITSCI and Pact are not so bold as to suggest that the entire network they cover is free of child workers or fraud or armed conflict or smuggling; they never claimed this as an objective. But ITSCI, who are actually doing the work, has no choice but to be guided by practical considerations: the operations they are covering cover a vast area, there is very little support from the Congolese government, aggression and criminality have been a way of life for a very long period of time in the area and funds for the ITSCI programme are limited. What is noteworthy is not that there are incidents of irregularity – fraud, child labour, criminal gangs, conflict – but that these are nowadays modest in number and diminishing largely because of the controls put in place by the ITSCI programme. Global Witness likes to regard these irregularities as failures and they use language that makes these failures colorful. This may add to Global Witness' reputation as a watchdog but it does not do anything to diminish the brutal conditions under which Congolese are living along the eastern border.

I am not sure Global Witness will ever be a supporter of the ITSCI programme; it is not in their DNA and this is a shame. They want a scheme that shows how enterprises fail to meet their high standard and one that shames them for not doing so. The ITSCI programme falls short by definition. This is something ITSCI cannot do, does not pretend to do and at this stage in its work, would accomplish little. Global Witness, for their part, has charged into the Eastern Congo with its researchers and when something does not seem right, they chase it down and get information where they can, whether it is hearsay, innuendo and unreliable documentation. When it looks as if minerals are being exported through Rwanda disguising their origin in the Congo, they come up with a large quantity without justification to give the impression of wrong-doing by Rwanda and widescale laundering of minerals in Congo. One can appreciate their eagerness for heroically bringing what they regard as injustices to light. But they are flat wrong. Certainly some tantalum and tin and tungsten get across the border – how could it be otherwise? – but the ITSCI programme that sees to the bagging of minerals keeps all but the unbagged ore from crossing the border surreptitiously. The per cent of Rwanda exports coming from Congo is nowhere near the figure that Global Witness glibly comes up with.

The ITSCI programme is successful. It is difficult to see it in full operation since it requires travel to remote mine sites and communities in an area that has been rife with conflict and bloodshed for four decades. But it issues reports, it reports incidents, does its own detailed analysis of its work and step by step lets the well-meaning local officials and mine operators know that there can be some order in their economy and they do not have to be intimidated by outlaws or have their children work long hours in the pits. This is a difficult task. It is made even more difficult when Global Witness come up with a skewed picture of what it is doing for reasons that, as far as I can see, are quite difficult to justify.

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