



California State Assembly

Dear Committee Member,

On behalf of the Enough Project and the International Corporate Accountability Roundtable (“ICAR”), a coalition of human rights groups including Amnesty International, Global Witness, Human Rights Watch, Human Rights First and EarthRights International, we offer our strong support for the passing of SB 861. This landmark piece of legislation will prohibit California state contracts with companies that fail to comply with Federal reporting requirements to combat the trade of minerals fuelling conflict in the eastern Democratic Republic of the Congo.

Armed groups perpetrating the violence finance themselves through trade in four main minerals: tin, tantalum, tungsten and gold. In its final report, released on December 12, 2008, the United Nations Group of Experts on the DRC found that the official exports of these minerals are grossly undervalued and that various armed groups in the eastern region of the DRC continue to profit from natural resources by coercively exercising control over mining sites from where they are extracted and locations along which they are transported for export.ⁱ It is these minerals that form the basis of metals used in diverse technological products sold worldwide, including mobile telephones, laptop computers, and digital video recorders.

The illegal profits made from these minerals are just some of the consequences of the unregulated and unrelenting mining in this region. Other human rights abuses, including gender based violence such as sexual slavery, forced recruitment, forced prostitution and rape, have reached catastrophic proportions, with local health clinics in South Kivu reporting that, on average, 40 women are raped daily.ⁱⁱ In fact, sexual violence is an active weapon of war used by armed groups in the region.ⁱⁱⁱ In investigating and reporting on the mass rapes of over 300 civilians in August 2010, the UN Joint Human Rights Office in the DRC emphasized the link between the violence and competition over the mineral resources in North Kivu province. According to a study by the International Rescue Committee released in January 2008, conflict and the humanitarian crisis in the DRC have resulted in the death of an estimated 5,400,000 people since 1998 and continue to cause as many as 45,000 deaths each month.^{iv}

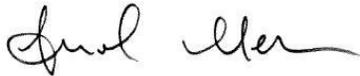
SB 861 would incentivize compliance with federal regulations on conflict minerals. California’s law would not add any additional requirements outside of those already existing under Section 1502 of the Dodd-Frank Act. California, through passing this bill, would be able to show its leadership in protecting the rights of vulnerable populations by encouraging the development of verifiably conflict-free products.

ICAR and the signatories below commend the California State Senate for recognizing the importance of this bill. We hope the Assembly will do the same. We commit to working with your offices towards ensuring the swift passage of SB 861.

Yours sincerely,



John C. Bradshaw
Executive Director
Enough Project



Amol Mehra
Coordinator, International Corporate Accountability Roundtable

On behalf of:

Amnesty International
EarthRights International
Global Witness
Human Rights First
Human Rights Watch

ⁱ Final Report of the Group of Experts on the Democratic Republic of the Congo, 2008,
http://www.un.org/ga/search/view_doc.asp?symbol=S/2008/773

ⁱⁱ Claudia Rodriguez, *Sexual Violence in South Kivu, Congo*, Forced Migration Review 27 (2007).

ⁱⁱⁱ Human Rights Watch, *The War within the War: Sexual Violence against Women and Girls in Eastern Congo*, 2002,
<http://www.hrw.org/reports/2002/drc/>

^{iv} International Rescue Committee, *Measuring Mortality in the Democratic Republic of Congo*, 2008,
http://www.rescue.org/sites/default/files/resource-file/IRC_DRCMortalityFacts.pdf