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Ethics on hold?

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*Is the smartphone in your pocket fuelling violence on the other side of the world? **Clare Bryden** asks some uncomfortable questions about our complex relationship with gadgets - and investigates new ways to connect more ethically.*

'We demand fairtrade clothes and fairtrade coffee. It is time to demand fairtrade technology.' It is 3 September 2013, and Bandi Mbubi is speaking at Campus Party Europe, the biggest technology festival in the world. His message is from the heart. Mr Mbubi was born in the Democratic Republic of the Congo, but 22 years ago his life as a student activist placed him in danger, and he had to become a political refugee in England. He now fronts the Congo Calling campaign¹, rooted in his vision of technology manufactured with ethically-sourced, conflict-free minerals from his homeland.

The Congo is a beautiful country. It has an abundance of minerals, including a high percentage of the world's diamonds and coltan resources. But despite this, the Congo has the second lowest GDP per capita in the world. Since 1998, it has been scarred by war: a war that has left almost 6 million people dead; in which more than 500,000 men, women and children have been raped, and where problems of sexual violence are so terrible that the United Nations has called the Eastern region of the Congo the 'rape capital of the world'; in which children are forced to fight, to kill, and to be killed. The root cause of the violence is not the country's natural wealth, but competition over the lucrative mines and trading routes is an incentive for warring parties to continue the fighting.

CONGO CALLING

Coltan is desirable because it contains tantalum, and tantalum is an ingredient in the high-performance small capacitors that are the core component of smart phones, tablets, laptops, gaming consoles, and many other electronic devices. Mining coltan ore is a nasty, dangerous job, and in the Congo miners have often been forced into slavery, or are on the smallest of wages. The mines are often controlled by the armed groups involved in the fighting. The coltan is then often smuggled into Rwanda or other adjoining countries, where its origins can be obscured.

So the phones we have in our pockets may well be connected to violence and human rights abuses on the other side of the world. Yet paradoxically, the same phones have brought benefits to the Congo. Mr Mbubi can now communicate easily with his family where an exchange of letters used to take weeks. Technology gives us a wonderful immediacy of connection, and it is a lifeline for many people.

Thankfully, steps are being taken internationally aimed at breaking the link between minerals and conflict. On 29 November 2010, the UN Security Council adopted a resolution supporting the development of due diligence guidelines for importers, processors and consumers of Congolese mineral products, and calling on companies to apply these guidelines to their supply chains to prevent illegal armed groups from financing their activities.² On 25 May 2011, the OECD adopted

'Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas'³, which covers tin, tantalum, tungsten and gold.

OBAMA'S LAW

Meanwhile, the US government was working on rules to implement Section 1502 of the Dodd-Frank Wall Street Reform and Consumer Protection Act⁴. Section 1502 requires companies to disclose use of minerals that originated in the Democratic Republic of the Congo or an adjoining country, and not surprisingly the industry lobby was out in force against it. President Obama signed the Dodd-Frank Act into law on 21 July 2010. The Section 1502 rules finally became effective 16 months later on 13 November 2011.

The rules are not perfect; campaigning NGOs have taken issue with the two to four year phase-in period, and loopholes in implementation and monitoring. However, Section 1502 marks a watershed in global efforts to break the links between natural resources and conflict, and provides a lead that Canada⁵ and the EU⁶ are slowly following. Moreover, what is known in eastern Congo as 'Obama's law' has already made a difference, encouraging the Congolese government to introduce reforms on auditing and tracing of tin, tantalum and tungsten exports, and monitoring of mines for the presence of armed groups and child labour. These reforms are supported by a new price structure in which traced conflict-free minerals are sold at a 70 percent mark-up over untraced minerals.

Increasing transparency of the source of minerals has led to real improvements in people's lives. Solutions for Hope⁷ partners the electronics industry with Congolese suppliers via a 'closed-pipe' supply chain and transparent pricing structure. The Conflict Free Tin initiative⁸ supports over 1,000 artisanal diggers and the income of the miners has doubled. Miners have been able to liberate themselves from the slave-like conditions under which they had worked for years. Not least, the armed groups have found themselves starved of cash. The Enough Project found there was a 65 percent fall in armed groups' profits, and a 75 percent fall in the size of the rebel group the Democratic Forces for the Liberation of Rwanda in the two years prior to the M23 rebellion⁹. However, the gains are fragile. The M23 rebellion was largely formed to protect Rwandan-linked military and political interests in the region, including mineral resources and land, and it has since wrought havoc in eastern Congo.

BINDING CODES

It is not enough for companies wishing to be conflict-free to avoid buying from the Congo or surrounding countries. Companies must instead use their purchasing power to support the formal Congolese economy. A market for conflict-free minerals has begun to develop, and commercial organizations such as Apple, HP, and Intel have begun to find ways to buy the minerals they need from conflict-free sources.

The Electronic Industry Citizenship Coalition (EICC) is 'a coalition of the world's leading electronics companies working together to improve efficiency and social, ethical, and environmental responsibility in the global supply chain'¹⁰. Members are from many links in the chain, from raw materials extraction through manufacturing to many of the big brands. They sign up to a code that covers responsible sourcing of minerals alongside labour standards, health and safety, environment, other ethical operation and management standards. But they still have some way to go to implement it.

Congo and its neighbours are not the only countries where minerals are an issue. Tin is used as solder in electronic gadgets, and around a third of the world's supply is mined on Bangka and Belitung islands in Indonesia. In 2012, Friends of the Earth led an investigation which revealed that the mining was dangerous and unregulated, with frequent deaths and reports of child labour. Destruction of forests was causing acidification of soil, and silt from the mining was killing coral reefs and seagrass, driving away fish¹¹. Blackberry, LG Electronics, Motorola, Philips, Sony (all EICC members) and Nokia have admitted that their phones are likely to contain Bangka tin, and have committed to take action to tackle the problem. Apple, on the other hand, despite being an EICC member and committing in December 2012 to increased transparency about its supply chains, has been much slower to start investigations.

PROBLEMS

Apple is also in a stew over the worker conditions in the Chinese factories where its new iPhone 5C is being assembled¹². China Labor Watch found that workers are asked to stand for 12-hour shifts with just two 30-minute breaks, six days a week, and share eight-bed dormitories. Although it is difficult to dictate worker conditions at factories several links removed in the supply chain, operating in countries with cheaper labour and less stringent standards, the main two companies in the chain, Jabil and Foxconn, are both EICC members.

Then there are the hazardous chemicals and the carbon emissions from electronics manufacture. Greenpeace's Guide to Greener Electronics evaluates leading consumer electronics companies based on their overall policies and practices on energy and climate, greener products, and sustainable operations¹³. The Guide reflects Greenpeace's demands on electronics companies to: reduce emissions of greenhouse gases by implementing a clean electricity plan; eliminate hazardous substances and conflict minerals in their products; take-back and recycle obsolete products responsibly; and eliminate unsustainable materials in products and packaging. It is now in its 18th edition, but performance is still poor. Only one-quarter of the companies score over 5/10, and only one, Wipro in India, scores over 7/10.

This is why the pressure still needs to be kept on, and why Friends of the Earth's Make it Better campaign¹⁴, the Enough Project's conflict-free company rankings¹⁵, Free2Work's grading of labour supply chains¹⁶, and Greenpeace's Guide are all so important. Here is another paradox - that the technology whose manufacture is causing problems is also used to organise campaigns, petitions and protests, and to share information about products and companies. But paradox is good, if it leads us to ask ourselves how our attitudes to consumer electronics might express something of our values, spiritual and ethical.

KINDLED IDOLATRY

How do we love God, love creation, love our neighbour, and love future generations through our use of technology and awareness of the issues? How can we work for justice and the common good? If we know about and deplore how our food is produced, we can and should call for change. We also have a responsibility to vote with our purses and wallets, to eat healthily, and not to waste food. Similarly, we have responsibilities in our purchase and use of consumer electronics. But the worship of the Apple brand, increasing addiction to being connected, and the perceived need to have the latest gadgets, when our current gadgets work perfectly well, place us uncomfortably on the brink of idolatry.

It has to be said that ethical practice is not easy. Ethical consumers are often on the horns of a dilemma, for example when faced with four different food products advertised as organic, fairtrade, local or animal-friendly. In the UK, food is at least labelled, as are household appliances. But so far there is no common labelling of consumer electronics, whether by energy usage or product manufacture. Even the Greenpeace Guide does not score specific products. And when information is available, it often needs to be queried.

Take Amazon's Kindle book reader. A report in 2009 found that the production of physical books requires 78 times the water needed in the production of e-books, and the carbon emissions over the lifetime of a Kindle are equivalent to 22.5 physical books¹⁷. So the Kindle seems the environmentally-friendly option. But Amazon declined to provide information about its manufacturing process or carbon footprint, which calls into question the emissions estimates in the report. Nor did the report seriously consider other environmental issues around forestry, mining and resource depletion. Furthermore, Amazon US has recently started offering a deeply discounted e-book when you buy the physical version; Free2Work gives the Kindle an 'F' with respect to Worker Rights¹⁸; Amazon as a whole is not a member of the EICC; and Amazon UK has some issues over paying corporation tax. The inescapable conclusion for many is that it is best to borrow books from libraries and friends, or buy them from second-hand and charity bookshops.

THE FAIRPHONE

At the other end of the ethical scale, take the Fairphone, produced by a Dutch social enterprise and aiming to be the first entirely ethical smartphone¹⁹. After securing 14,537 pre-orders, paid for up-front, Fairphone will go into production in time for Christmas. Each bag of tin and coltan will be labelled and tracked on its journey to the smelter. The phones themselves will, however, be made in China. Fairphone will carry out audits to ensure the legal limit of 60 hours per week is respected, and has set up a fund to ensure that employees receive a living wage. However, Fairphone admits that with only a small order of 25,000 phones, it cannot dictate worker conditions at a factory it does not own.

All this complexity highlights the importance of campaigning, as Congo Calling does, in four directions. Bandi Mbubi and his colleagues are working to: a) inspire consumers to demand that technology companies develop conflict-mineral free products, and to commit to buying them once they are available; b) influence technology companies to abide by the OECD Due Diligence Guidance; c) lobby national governments and international organisations to adopt and implement commercial, political and legal frameworks to promote ethical mining practices; and d) link all of these groups with the Congolese people both in the Congo and the diaspora.

Congo Calling has a list of actions we can take. Friends of the Earth has emails we can send. We all have the ability to make change happen: tell someone, write to someone, sign a petition, and talk about the issues. We need to add our voices to Congo Calling, to the Enough Project, Greenpeace, Friends of the Earth, and others calling for change.

Mr Mbubi is right: It is time to demand ethical technology.

For details ethical ranking of electronics see the following league tables: Guide to Greener Electronics includes clean energy and conflict minerals among many other measures; Conflict Minerals Company Rankings (www.raisehopeforcongo.org/companyrankings); Cool IT measures commitment to clean energy (www.greenpeace.org/international/en/Cool-IT-L).

NOTES

1 <http://www.congocalling.org/>

2 UN Resolution S/RES/1952 (2010), <http://bit.ly/TW-UN1952>

3 <http://bit.ly/TW-OECD>

4 <http://bit.ly/TW-US1502>

5 <http://bit.ly/TW-Canada486>

6 <http://bit.ly/TW-EU>

7 <http://solutions-network.org/site-solutionsforhope/>

8 <http://solutions-network.org/site-cfti/>

9 http://www.enoughproject.org/files/ConflictMinerals_CongoFINAL.pdf

10 <http://www.eicc.info/>

11 http://foe.co.uk/resource/press_releases/mobile_industry_bangka_31072013.html

12 <http://www.theguardian.com/technology/2013/sep/05/workers-rights-flouted-apple-iphone-plant>

13 <http://www.greenpeace.org/international/en/Guide-to-Greener-Electronics/18th-Edition/>

14 http://foe.co.uk/what_we_do/make_it_better_action_37571.html

15 <http://www.raisehopeforcongo.org/companyrankings>

16 <http://www.free2work.org/>

17 http://www.tkearth.com/downloads/thoughts_ereaders.pdf

18 http://widgets.free2work.org/frontend_ratings/public_view/494

19 <http://www.fairphone.com/>