

BIGMUN 2021

Committee: Special Political and Decolonization Committee (SPECPOL)

Agenda Item: The exploitation of natural resources in conflict zones

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Fellow delegates,

I am Yiğit Ali Doğan, an 11th grader in TED Ankara. I will be the co-chair for the SPECPOL committee. My MUN journey started when I was in the 9th grade and have participated in numerous conferences. This will be my first time chairing for SPECPOL and think that it is an amazing committee all together.

I am greatly excited to be chairing for a conference in this time of pandemic and happy to be doing MUN even now. I will do everything in my power to make sure you have a great conference. All wish you all good luck in BIGMUN 2021!

Introduction

Exploitation of natural resources is a mandatory process of human existence and development; for centuries humans have exploited natural resources to produce the materials required for population growth. Furthermore the exploitation of valuable natural resources has been fundamental in starting, developing and maintaining violent conflicts all around the world with a special emphasis on the LDCs. The rise of competition over these natural resources have been in the rise for the last decade as a direct result of globalisation, industrialisation and the monetary capitalist system more or less implemented in every country. Countries have a rising demand on commodities and consumer products and to match it, natural resources are required. With the rising risks of population growth and global warming; the problem at hand is immensely distressing for the related countries. Numerous conflicts have arisen for the control, access or distribution of the natural resources in the last half a century. When taking these conflicts in mind (e.g the Sudanese Civil war) there are often major underlying reasons other than the accusation of resources such as political and social.

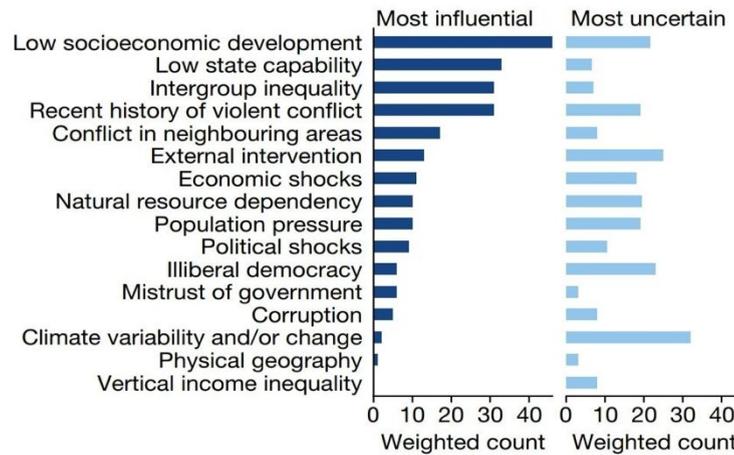


Table 1: Reasons influencing in-conflict resource exploitation

Definition of Key Terms

Natural Resources: Natural Assets (Raw Materials) occurring in nature that can be used for economic production or consumption. ¹

Natural resources are further subdivided into four categories: mineral and energy resources, soil resources, water resources, water resources and biological resources

Exploitation: The use or development of something for profit or progress in business. ²

International Criminal Law: The branch of international law that is designed to hold individuals who are responsible for particularly serious violations of international law. The branch deals with war crimes, crimes against humanity, genocide and aggression. ³

Mediation: The process in which the parties discuss their disputes with the assistance of a third-party to reach a settlement. ⁴

Subterranean Resources: Resources derived from under the soil, mostly minerals and energy sources. ⁵

State Failure: A state that is unable to perform two fundamental functions of a sovereign nation in the modern world, projecting authority over its territories and peoples and protecting its national boundaries. The governing capacity of a failed state is attenuated such that it is unable to fulfill the administrative and organizational tasks required to control people and resources. ⁶

LDC (Least Developed Country): Low income countries confronting severe structural impediments to sustainable development. Highly vulnerable to economic and environmental shocks, having low levels of human assets. ⁷

¹<https://stats.oecd.org/glossary/detail.asp?ID=1740#:~:text=Natural%20resources%20are%20natural%20assets,Context%3A&text=They%20are%20subdivided%20into%20four,water%20resources%20and%20biological%20resources.>

² <https://dictionary.cambridge.org/tr/s%C3%B6zl%C3%BCK/ingilizce/exploitation>

³ <https://casebook.icrc.org/glossary/international-criminal-law>

⁴ <https://corporate.findlaw.com/litigation-disputes/what-is-mediation-and-how-does-it-work.html>

⁵ <https://www.merriam-webster.com/dictionary/subterranean#other-words>

⁶ <https://www.britannica.com/topic/failed-state>

⁷ <https://www.un.org/development/desa/dpad/least-developed-country-category.html>

IMF (International Monetary Fund): International organisation working to foster global monetary cooperation, securing financial stability, facilitating international trade and reducing poverty. It was established in 1945.⁸

OCHA (United Nations Office for the Coordination of Humanitarian Affairs): United Nations Secretariat responsible for bringing together humanitarian actors to sufficiently respond to crises.

Resource Conflicts and Exploitation

Resource conflicts generally refer to the conflict done over the aforementioned resources and are categorized by the primary type of resource involved with the topic. These types of resources include mineral/energy, water and soil resources as mentioned above. Most of the conflicts do not only stand for one reason alone. This can be seen in ethnic issues or political power factors inside the said area/country. These reasons may include the issues of ownership, access or management of the said resource at hand. (Alongside the underlying situations mentioned above). Numerous aspects contribute to the properties of the natural resource conflict. Such reasons include the socio economic situation of the located area, the unstable market value of the said resources, availability of the resource and resource distribution. These conflicts all have a devastating effect on the livelihood of the local population and the surrounding area. In many cases, valuable natural resources are governed and/or controlled by hybrid institutions/political orders; situated by the countries and groups affiliated with the issue. The aforementioned LDCs who have rich reserves of natural resources are affected by this issue significantly. The issue of Somalian Waters is a recent example of this said topic.

Alongside an economic standpoint, the issue has an environmental standpoint as well. The aforementioned issues of global warming and population growth acting as a stimulant on the issue, the conflict zones and the overexploitation of these natural resources. With nearly 20 percent of the population living in areas ravaged by conflict and fragile states, the issue should be taken into further consideration. Areas such as Afghanistan, Iraq and Columbia have seen significant conflict in recent years and seen a great deal of natural resource loss. For scale, in Afghanistan some areas have experienced 95 percent of deforestation. With critical spots of natural sources in areas like South Sudan, the Democratic Republic of Congo and Columbia being offered cover for rebel groups or damaged significantly by nearby conflicts; the situation seems disastrous. Each of these countries are rich in some kind of resource alongside the biodiversity issues; DR Congo is rich in minerals and gold, South Sudan in oil reserves, Colombia in valuable metals and gems to name a few. It would be dreadful to ignore the environmental side of the conflict as the countries require immediate international assistance to deal with the issue. Though UN resolutions for the area have been passed in UN Environmental Assemblies, the problem has not improved and in dire need of a renewal. The issues of transparency, sufficient administration, monitoring and clear infrastructure all issues to be dealt with when dealing with the issue.

It is stated as “in the last 60 years, at least 40 per cent of all intrastate conflicts have a link to natural resources, and that link doubles the risk of a conflict relapse in the first five years. Since 1990, at least 18 violent conflicts have been fueled by the exploitation of natural resources”⁹ The delicate relationship between natural resource occupancy and armed conflict is immensely complicated with it varying between region to region especially; which have to be addressed in their own rights and situations. In Africa, the problem correlates and

⁸ <https://www.imf.org/en/About>

⁹ <https://peacekeeping.un.org/en/conflict-and-natural-resources>

develops with social, political, ecological and other various external factors to escalate into violent behaviour. Although the abundance of the natural resources in Africa have played a compelling part in violent conflicts, they have an significant role in understanding the grievous situation with a relation to the political and economic circumstances.

The Significance of the International Criminal Law

The International Criminal Law is an important aspect to understand in the topic of natural resource exploitation in conflict zones. Some of these conflict zones have seen armed conflict and are a case to human rights violation and dreadful atrocities. Understanding the International Criminal Law and the International Criminal Court is essential to coming up with solutions for the issue. The first cases of International Criminal Law were the Nuremberg Trials that were done after the Second World War. And more recently, after the beginning of war in Bosnia, the UN Security Council established the organization International Criminal Tribunal for Former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda after the Rwandan genocide. And finally in 1998, the Rome Statute establishing the ICC was signed creating the the sense of international law. Not all countries have ratified the said convention and thus some of the corporations can find loose excuses to continue their dreadful actions. One of the reasons why the “Somalian Maritime and Coastal Conflict” has been going on for so long is that the country has not ratified close to any conventions and thus has not received sufficient international help (aside from some cases which are mentioned above). And the “Congolese Wars” are an example for the International Crime Court as well, with investigations going on to this date.¹⁰

Case Studies

Resource Exploitation in Africa’s Maritime Zones During Conflict (The Situation in Somalia)

High-value natural resources in Africa have been targeted for consistent exploitation by different corporations and external forces, notably in periods of war. African countries experience great difficulty during times of war, being unable to defend their maritime zones and territorial possessions from exploitation. This is mainly because of the reason the legal structures which guarantee the safety of such zones are compromised during times of war. Some of the occurring activities are extraction of minerals, illicitly dumping waste and illegal fishing. Such activities threaten the economic and ecological well-being of the affected African States. With the situation shown, the notion of exploitation of the state of war in resource rich African states is seen as a lucrative opportunity by corporations and external forces. This exploitation provokes the predicament of the affected African states, bringing further instability and conflict. These exploitations clearly violate the sovereignty and the integrity of the African states, damaging their well-being, leading to dreadful consequences such as state failure.

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<https://www.icc-cpi.int/Pages/item.aspx?name=the%20office%20of%20the%20prosecutor%20of%20the%20international%20criminal%20court%20opens%20its%20first%20investigation&ln=en&lan=en-GB>



Image 1: Location of Somalia

The recent instability of the state of Somalia in the last decades with a hostile political environment advancing the acts of piracy on the African East Coast. This rise of illicit actions (most importantly piracy) has pressured the critical situation of Somalia; a country which has experienced civil conflict and a general lack of political stability since the 1990s. The inadequacy of sufficient administrative authority has plunged the state into greater instability, leading to local militias and warlords declaring power inside specific regions. Ultimately, Somalia being unable to fight the aforementioned groups.

In 2004, with the establishment and subsequent failure of Somalia's Transitional Federal Government (mostly with the help of local countries and external help). The organization has failed to adequately deal with the political and administrative problems, not being able to perform as a government in that matter. With a subsequent attempt in 2012 to bring a sense of order failing; the significant lack of security, authority and jurisdiction were realized. Thus, as a consequence of collapsed security and deficient administration it gave rise to further illicit activities.

Somalia's recent history presents a clear depiction of affiliation between political instability (lack of sufficient administration) and resource exploitation. The situation is used by various corporations and other countries that profit greatly from such activities. With little to no security and set civil infrastructure, other states are required to give assistance to the unstable country. The establishment of a series of international organizations and help from various neighboring countries is mandatory for such a state not to fail. The reluctance of European or other North American countries to enforce stricter regulations or provide sufficient help is the major obstacle in achieving the goal. It should be considered thoroughly when taking the issue into hand. Further paired with the lack of international alarm, most of the corporations associated with such actions are unnoticed.

Exploitation of DR Congo During Times of Conflict

Dr Congo (Democratic Republic of Congo) is the richest country in terms of minerals and natural resources. It is estimated that the country holds 24 Trillion USD worth of unsurfaced mineral and valuable resources. On top of that, DR Congo houses the second biggest river, the Congo River; giving a supply of near endless water. The country has been going through some hard times with 2 conflicts in the recent years and a struggling economy. With the more recent pandemic and the already ongoing endemics inside the country (the Ebola outbreak); the country cannot deal with the armed groups inside the country even with the help of UN Peacekeeper forces.¹¹

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<https://www.crisisgroup.org/africa/central-africa/democratic-republic-congo/behind-problem-conflict-minerals-dr-congo-governance>

The origin of these conflicts and struggles date back to 1994 and the Rwandan Genocide. This particular act triggered a major refugee crisis inside the region and millions of displaced persons. Alongside this, the infamous group of “Hutu” forces (the group responsible for the Rwandan genocide) fled to eastern DR Congo and started forming armed groups, the government was unable to adequately control the situation eventually leading to war. The magnitude of this conflict was further affected by the ethnic problems aside from the already existing ones. Despite a peace deal signed in 2002 and the formation of a government in 2003, the Eastern sectors stay unsafe to the date. With the region being ravaged by armed groups due to poor governance, high levels of corruption and insufficient institutions.¹²

Ever since the start of this said transitional government in 2003, certain armed groups affiliated with neighboring countries and the aforementioned corrupt Congolese officials have been illicitly exploiting the resource rich regions of Congo. The access and control of these resources over numerous armed groups have caused even more conflict inside the region, complicating the situation even more. The investigations made with the help of certain organizations yielded results with some of the politicians, officials and company executives being caught collaborating for illicit exploitation of these resources. In the given report, commissions validate the findings of the UN Panel of Experts which concluded that the belligerent were aiming to exploit Congo’s mineral and economic wealth. Further giving some of the yield to the armed groups to fund further operations.¹³



Image 2: Democratic Republic of the Congo

India and Pakistan, The Indus Waters Treaty¹⁴

The Indus river has been a protracted source of conflict between the states of India and Pakistan. The fact both nations’ history starts with hostility complicated the situation further. With extensive irrigation efforts along the Punjab region which would be divided among the

¹² <https://www.hrw.org/news/2006/02/19/dr-congo-end-illegal-exploitation-natural-resources>

¹³ <https://www.bbc.com/news/magazine-24396390>

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https://wedocs.unep.org/bitstream/handle/20.500.11822/9294/-Natural_resources_and_conflic.pdf?sequence=2&isAllowed=y

two states, both of the states receiving one end of the stream. Subsequent to the 1947 partition, disputes over the water allocation began immediately. Resulting in many of the waterways from India to Pakistan being cut off.

With the mediation efforts of the United Nations; a technical and co-operative approach was proposed for mutual benefit. The establishment of the Indus Engineering Corporation alongside the support of the World Bank was revolutionary for the relations of the states. With the prime ministers of the two states agreeing to the process, negotiation and mediation process began to take shape. With the waterflow being allocated into the two states, an agreement known as the “Indus Treaty” was signed.

According to the treaty Pakistan received the unrestricted use of the waters flowing in the west while India received the eastern end. Numerous dams, canals and bridges would be built along the river alongside the financial help of the World Bank. And finally, a permanent Indus Commission was established to ensure the communication and transparency between the two countries; with annual meetings and reports.

Although some issues have been raised by Pakistan in the upcoming years, the “Indus Treaty” was a diplomatic success regarding the World Bank and the two states of India and Pakistan. This shows us that a mutual diplomatic solution can be reached between the two states in the situation of exploitation of natural resources during a time of conflict. However, this also clearly depicts the fact that different measures have to be taken regarding the magnitude of the conflict at hand. Distinct actions have to be taken to suit the situation best.

Other Cases

- Iran-Afghanistan Sistani Basin

The Sistan Basin, also known as the “Hamoons” is located on the Irani-Afghan border. This closed wetland plains are further valued by the flowing Helmand River, which flows through mountains in the Kabul region before reaching Iran and the Sistan region. The area is extremely fertile with a great potential of agriculture alongside little water loss; thus marking it very valuable. Tensions between Afghanistan and Iran over the transboundary began escalating in early 2001 with the water scarcity happening in Iran. The result of a drought in the Helmand river being concluded, the area experienced extreme drought, being named as a humanitarian disaster zone by the UN. This created a great deal of refugee flow and population displacement. This further resulted in the destabilization of the region, disturbing the sensitive border region of Afghanistan and Iran, straining relations further between the two countries.

- British Columbia Canada: The Great Bear Rainforest

The issue of harvesting “The Great Bear Rainforest” for valuable timber and natural resource outputs came into being. It escalated into a contentious issue that involved indigenous groups, environmentalists, forest companies, and the provincial government. A comprehensive mediation and negotiation process resulted in a treaty being signed over the area.

- Aceh, Indonesia: Oil and Natural Gas Reserves

With the exploration of natural gas and petroleum reserves in the region of Aceh, Indonesia beginning in the 1960s; the region changed considerably. An industrial zone was built to exploit this discovery and use it as an economic means. In the year 2000, Aceh nearly produced 40 percent of the Indonesian natural gas output, however at the cost of grievances of the local population. This became a motivating factor in the civil war, lasting nearly 30

years. Oil and gas issues were an important part in the peace process with most of the revenues and management being given over.

Different Standpoints in the Issue

Environmental

With the natural resources, especially energy sources, being exhausted and waste production being higher than ever; the environmental aspect is an important point when considering the issue. Alongside the population growth among the countries and the rising demand of luxury goods the situation is hastily getting worse every year. Much of the damage is inevitable with major deforestation, draughts and population relocation, precautionary action has to be taken. Both the governments and the industry should work to minimize the issue of exploitation and conflict ravaged zones. The emphasis should be on waste minimization and not waste disposal; through recycling, repurposing and pollution control. Meanwhile the government should provide legislation with appropriate sanctions. The regulation of certain corporations is key for the environmental aspect.

Economic-Regional

Natural resources are required to match the growing industries in the world, with most of these natural resources being located in less developed countries and less industrious countries. Countries like the United Kingdom are dependent on the resources like cobalt and aluminum from regions like DR Congo to maintain their industry. The US and EU based corporations are taking advantage of conflict zones and exploiting the local population, trying to get access to the said resource. The affected LCDs are dependent on their export of these resources for their fragile economies. For instance, 26 percent of Mozambique's economy is yielded from mineral exports¹⁵ and thus is incredibly dependent on them. Losing their trading partners of these Western corporations would be catastrophic for said states. Keeping control of these natural resources for the LDCs and allowing access for the corporations are the key things when the post conflict terms are set to create a stable environment. Furthermore, this incredible dependence on natural resources are the main reason why the economies of certain countries are ruined (Somalia) when a conflict regarding them erupts. The distribution of these resources have to be supervised by a third party for it to be stable.

Diplomatic-International

When other countries contended resources in an area, it was with a direct military approach, however after the Second World War a more diplomatic approach was put into place. This diplomatic means were heavily influenced by such aspects as their economic policies and world relations. With Africa especially being a very diverse region, consisting of numerous countries and ethnic groups, this diplomatic standpoint could be very complicated. These social issues have played a great deal in the diplomatic aspect, even paving way to civil conflict if handled poorly. The relations between neighboring states and that of those of MDCs are crucial to understand the fragile balance of resource competition. A set of rules or an international organization would have to be implemented specifically and without having grievances from either side.

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https://wits.worldbank.org/CountryProfile/en/Country/SSF/Year/LTST/TradeFlow/Export/Partner/by-country/Product/25-26_Minerals

Important Points to Consider

- What are the outlying reasons for resource conflict around the area?
- Where does the international criminal law apply?
- What are the standpoints of the correlated countries?
- Whether establishment of a trusted international body is possible
- Is it possible to restore order and sufficient administration to the unstable countries without a clear power vacuum?
- What are the ecological and social effects of illicit exploitation?
- How can transparency be achieved in these countries and regions?
- What are the proper restrictions for corporations?
- How does this affect corporations and the international bodies like the EU?

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