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International law and governance of natural resources in conflict and post-conflict situations

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Citation

Dam-De Jong, D. A. (2013, December 12). *International law and governance of natural resources in conflict and post-conflict situations*. Meijers-reeks. Meijers, Leiden. Retrieved from <https://hdl.handle.net/1887/22865>

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Issue Date: 2013-12-12

Concluding remarks to Part III

This part has discussed the two principal approaches adopted to address the links between natural resources and armed conflict during the phase of conflict resolution. Specific emphasis was given to the ways in which these approaches contribute to improving effective governance over natural resources in States that have experienced armed conflict.

Chapter 7 discussed sanctions regimes imposed by the Security Council in specific conflict situations to resolve armed conflicts involving natural resources. It demonstrated that these sanctions regimes focus mainly on the role of natural resources in financing and perpetuating armed conflicts. The Security Council does not really address the role of natural resources in causing armed conflicts. It also showed that the aim of most sanctions regimes was to assist governments in restoring sovereignty over parts of their territory under the control of armed groups. In general the Security Council is reluctant to impose sanctions against national authorities when their actions pose a threat to international peace and security.

A similar bias can be seen in the voluntary initiatives developed by States and other entities to address the challenges resulting from resource-related armed conflicts. Both the Kimberley Process and the OECD Guidance exclusively target the trade in natural resources by armed groups. The Extractive Industry Transparency Initiative (EITI) can be seen as an exception in this respect because it focuses on enhancing transparency in government revenues from the extractive industries. However, it should be noted that EITI was not developed for the specific purpose of addressing resource-related armed conflicts, but as an instrument for combating corruption in the extractive industries. Its significance for addressing the root causes of resource-related armed conflict is nevertheless clear and its role in preventing these armed conflicts was raised by several participants in the Security Council's Open Debate on Natural Resources and Conflict Prevention of 19 June 2013.

Despite their general emphasis on the role of natural resources in financing armed groups, both approaches – i.e., Security Council sanctions regimes and voluntary initiatives – develop standards for the governance of natural resources as a tool for conflict resolution. Effectiveness, transparency and accountability are common elements of resource governance that can be identified in both approaches.

The focus of both approaches is therefore on promoting responsible or 'good' governance of natural resources as an element of conflict resolution.

These approaches also contribute to preventing a relapse into armed conflict in countries that have experienced armed conflicts involving natural resources. However, in order to achieve lasting peace and promote long-term development, it is also necessary to prevent the over-exploitation of natural resources and ensure that exploitation activities do not place too great a burden on the environment. This is an element that is largely lacking in existing approaches which address the links between natural resources and armed conflict. The existing mechanisms devote little or no attention to issues of sustainability or environmental protection. The Security Council's sanctions regimes in relation to Cambodia and Liberia are exceptions. It is argued here that these exceptions should become the norm.

Furthermore, the existing mechanisms devote much attention to transparency and accountability as means of preventing a relapse into armed conflict. In order to reduce the risks of dormant or renewed grievances flaring up, it is however necessary to involve the population more directly in the process of conflict resolution and post-conflict recovery. This is not adequately reflected in the current initiatives.

In a more general vein, it is necessary to develop more structural solutions to prevent natural resources from financing or fuelling future armed conflicts. Promoting effectiveness, transparency and accountability in the governance of natural resources is important in conflict resolution strategies, but these elements in themselves are not sufficient to promote responsible governance over natural resources for the purposes of conflict resolution and prevention. It is essential to integrate sustainability and public participation requirements more directly in strategies to promote responsible resource governance for the purpose of conflict resolution and post-conflict peacebuilding. Addressing these elements from an early stage increases the chances of creating a lasting peace in countries that are recovering from armed conflicts involving natural resources.