

Published on *American Geosciences Institute* (<https://www.americangeosciences.org>)

Home > SEC moves forward with implementation of conflict minerals rule despite legal challenges

SEC moves forward with implementation of conflict minerals rule despite legal challenges

On May 14, the U.S. District Court of Appeals ruled in favor of allowing the Securities and Exchange Commission (SEC) to implement its conflict minerals rule and upheld a June 2 deadline for companies to file a Conflict Minerals Report with the SEC. The conflict minerals rule requires, among other things, that companies conduct due diligence to determine whether their products contain gold, tantalum, tin, or tungsten extracted illegally from the Democratic Republic of the Congo (DRC) and submit that information in a Conflict Minerals Report to the SEC. Purchasing those minerals from the DRC may directly or indirectly finance armed groups, contributing to violence, human rights violations, and instability within the region.

In April, the same court struck down a section of the rule that required companies to publicly disclose whether their products contain conflict minerals. However, the judges upheld other key provisions of the rule, including the Conflict Minerals Report requirement.

Human rights organizations, although disappointed with the April ruling, applauded the court for upholding the reporting deadline. Industry groups may continue to litigate other portions of the rule, pursue a rehearing of the most recent decision, or ask the Supreme Court to take up the case. Republican members of the SEC opposed upholding the June 2 deadline, arguing that while there is pending litigation against the rule, implementation should not occur.

Sources: E&E News, Reuters
