



# Kimberley Process Certification Scheme Secretariat - Namibia

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## KIMBERLEY PROCESS INTERSESSIONAL MEETING

25 JUNE 2009

WINDHOEK, NAMIBIA

COMMUNIQUE

The intersessional meeting of the Kimberley Process was held during the 23-25 June 2009 in Windhoek, Namibia.

22 Participating countries of the Kimberley Process Certification Scheme (KPCS) attended the intersessional meeting. The World Diamond Council delegation and Civil Society also attended the meeting as observers. Non-Participating Governments comprising of Kenya and Algeria that applied to join KPCS as participants were also present.

2. The total number of participants in the KP now stands at 49 representing 75 countries (including 27 members of the European Community).

4. The Deputy Minister of Mines and Mining Development of Zimbabwe, in his address to the meeting, reiterated that the Government of Zimbabwe is committed to the successful implementation of the KPCS in Zimbabwe, and to its principles, and welcomed the Kimberley Process Review Mission to Zimbabwe with a view to establishing the true facts with respect to Zimbabwe's diamond sector.

5. The Managing Director of Namdeb Diamond Corporation highlighted the difficult times that the diamond industry is facing and called upon all stakeholders - Civil Society, Governments and Industry - to pull together to

forge true partnerships with a view to avoiding loss of capacity and job losses during the global financial crisis.

6. The members of the Working Group on Alluvial and Artisanal Diamond Producers (WGAAP) and observers acknowledged the progress in the alluvial artisanal diamond producer countries through the implementation of a Plan of Action on the level of sub groups and their countries. The WGAAP recommended members to send information on the changes registered in order to update the matrix of the inventories before the Plenary of 2009. The WGAAP deliberated on the issue of diamonds and development and recognised the need to continue to discuss the link between KP implementation and development to be included on the agenda of the 2009 November Plenary. In that regard, the WGAAP recommended that its members identify projects that they are able to undertake and those requiring technical assistance to foster the link between diamonds and development.

7. The WGAAP considered that it is crucial to follow-up the impact that the financial crisis has on the artisanal production and on the commercialization of diamonds. The Working Group encouraged the Participants to continue to take measures in their respective countries to mitigate its effects.

8. The WGAAP appealed to its members to give the statistical data and relevant information which will allow the evaluation of the economic and social consequences and the internal controls before the 2009 November Plenary.

9. As of 25 June 2009, only two Participants had not complied with all of the statistical requirements of the KPCS. After the intersessional meeting, the Working Group on Statistics (WGS) will contact the remaining non-compliant Participants regarding their statistics prior to the release of the 2008 Statistics on the KP Rough Diamond Statistics Public website, scheduled for mid July 2009.

10. The WGS spent a significant amount of time discussing the proposal on information sharing with the United Nations and other bodies with a mandate to work on KPCS-related issues. A final draft would be forthcoming in the near future.

11. The KP Chair pointed to concern by the KPCS with respect to fraudulent certificates, with Namibian and Guinean fraudulent certificates having surfaced in the trade.

12. The KP Chair reiterated the KP's desire for mutual engagement with Venezuela with a view to assisting that country in developing a plan of action to implement KP minimum standards. The Participation Committee requested Venezuela to submit their Annual Report on the implementation of the KPCS for the year 2008 in order for Venezuela to remain in compliance with the KPCS requirements. The Chair of the Working Group on Statistics (WGS) informed the Participation Committee that Venezuela has submitted its Annual Production data for 2008.

The Embassy of the Bolivarian Republic of Venezuela in Namibia reiterated its commitment towards implementing the KP minimum standards with a view to its future reintegration as a full member of the KP once the period of self-suspension concludes.

13. The Working Group on Monitoring discussed the status of submissions of annual reports and agreed to collaborate further with the Participation Committee regarding cases of non submission (Armenia, Indonesia, South Korea, and Venezuela) in order to ensure full compliance with annual reporting requirements. The Working Group on Monitoring agreed on further steps to finalize the assessments of Participants annual reports. The Group discussed a proposal for direct participation of industry and civil society in the preparation of annual reports at national level. It also noted that South Korea has not yet responded to the KP Chair's letter raising compliance issues

associated with the use of electronic KP certificates, and agreed that further action was required in that respect.

14. The WGM discussed the schedule of review visits and plans for upcoming review visits to Angola, New Zealand, Bangladesh, Belarus, Namibia, India, and the USA.

15. The WGM discussed the situation in Cote d'Ivoire, and noted with concern the findings of the UN Group of Experts' mid-term report of April 2009, as well as the indications from ground observations by the Working Group on Diamond Experts (WGDE) Chair and initial satellite imagery that production may not only continue but even increase.

16. The WGM reviewed implementation of current KP actions, and the possibility to strengthen KP vigilance through the development of a diamond footprint for use by KP authorities, as well as enhanced efforts through regional cooperation. The WGM welcomed in this respect the initiative developed under the 'Friends of Cote d'Ivoire' and the support for the future formation of a regional task force amongst the Mano River Union and neighbouring Participants while maintaining the tripartite nature of the KP.

17. The WGM discussed options for additional KP action and constructive engagement to end the smuggling of conflict diamond out of Cote d'Ivoire.

18. The WGM reviewed progress made by Ghana under its Action Plan to strengthen internal controls, and agreed to conduct an updated assessment. The WGM also took note of the presentation of a footprint of Ghana's diamonds and agreed to collaborate with the WGDE in order to prepare revised monitoring arrangements applicable to Ghana's exports.

19. The WGM discussed the situation in the Marange diamond fields of Zimbabwe and took note of a report by the NGO Human Rights Watch documenting human rights abuses in Marange.

The Group reviewed KP actions and Participants' reports under vigilance measures, and agreed to step up efforts to ensure effective implementation of the vigilance measures and regional cooperation with a view to containing the flow of illicit diamonds from Marange.

The Group also finalized with the Government of Zimbabwe, the organization of the review mission to Zimbabwe which is due to start on 29 June 2009. The WGM closely liaised with the KP Chair to issue a specific notice on vigilance and adopt the decision for a review mission.

The WGM received a revised proposal from civil society concerning the respect for human rights in the administration and provision of security in the diamond mining sector. The WGM agreed to review the proposal in more detail.

20. The WGDE discussed and made good progress on the drafting of revised Explanatory Notes to better describe the Customs codes relevant to the KPCS. As part of the follow up on the Moscow Resolution (2005), work on characterizing the diamond production (footprinting) of West Africa is ongoing. The presented statistical footprint of Ghanaian diamonds will allow a new level of vigilance in the fight to stop conflict diamonds smuggled from Cote d'Ivoire. A production assessment of the sanctioned diamond production of Cote d'Ivoire is being finalized.

21. Namibia and China presented an online information exchange system proposing automation of import confirmations as key items for the efficiency of the KPCS.

22. the committee on Rules and Procedures met to continue discussions regarding technical procedures including participation of observers in the work of the Kimberly process. These discussions will continue with the view toward making a presentation of conclusion at the Plenary in November.

24. Participants and observers expressed gratitude to Namibia for hosting the intersessional meeting.

25 Namibia shall host the Kimberley Process Plenary meeting in November 2009, the dates of which would be communicated to participants soon.