



## **Kimberley Process II. Ministerial Statement**

Conclusions of the Ministerial Meeting Gaborone, 29 November 2001

We, the Ministers and the representatives of the world's leading rough diamond producing, exporting, and importing states, the European Community, the Southern Africa Development Community, and other states concerned by the devastating effects of trade in conflict diamonds, met in Gaborone, Botswana on 29 November 2001, to consider detailed proposals for an international certification scheme for rough diamonds as called for at our meeting in Pretoria, South Africa, on 21 September 2000.

We recognise that the trade in conflict diamonds is a matter of serious international concern, which can be directly linked to the fuelling of armed conflict, the activities of rebel movements aimed at undermining or overthrowing legitimate governments, and the illicit traffic in, and proliferation of armaments, especially small arms and light weapons. We recognise therefore that urgent action is imperative;

We also recognise the devastating impact of conflicts fuelled by the trade in conflict diamonds on the peace, safety and security of people in affected countries and the systematic and gross human rights violations that have been perpetrated in such conflicts;

We note, the negative impact of such conflicts on regional stability and the obligations placed upon states by the United Nations Charter regarding the maintenance of international peace and security;

We stress the need, for the above-mentioned reasons, for urgent international action and we recognise the need to prevent the problem of conflict diamonds from negatively affecting the trade in legitimate diamonds, which makes a critical contribution to the economies of many of the producing, exporting, and importing states, especially developing states in Africa;

We recall all of the relevant resolutions of the United Nations Security Council under Chapter VII of the United Nations Charter and are determined to contribute to and support the implementation of the measures provided for in these resolutions;

We particularly recall the United Nations General Assembly resolution 55/56 (2000) on the role of the trade in conflict diamonds in fuelling armed conflict, which called on the international community to give urgent and careful consideration to devising effective and pragmatic measures to address this problem;

We recall the recommendation in United Nations General Assembly resolution 55/56 that the international community develop detailed proposals for a simple and workable international certification scheme for rough diamonds based primarily on national certification schemes and on internationally agreed minimum standards;

We recall that the Kimberley Process, which was established to find a solution to the international problem of conflict diamonds, was inclusive of concerned stake holders, namely producing, exporting, and importing states, the diamond industry and civil society;

We welcome voluntary self-regulation initiatives announced by the diamond industry and recognise that a system of such voluntary self-regulation contributes to ensuring an effective internal control system of rough diamonds based upon this scheme;

We believe that the opportunity for conflict diamonds to play a role in fuelling armed conflict can be seriously reduced by introducing a certification scheme for rough diamonds designed to exclude conflict diamonds from the legitimate trade;

We further recall that the Kimberley Process considered that an international certification scheme for rough diamonds, based on national laws and practices and meeting internationally agreed minimum standards, will be the most effective system by which the problem of conflict diamonds could be addressed;

We acknowledge the important initiatives already taken to address this problem, in particular by the governments of Angola, the Democratic Republic of Congo, Guinea and Sierra Leone and by other key producing exporting and importing countries and encourage those governments to continue these initiatives. We also welcome the important contribution made by the diamond industry, in particular by the World Diamond Council, and by civil society;



We recognise the positive benefits of the legitimate diamond trade to producing countries, and that provision of assistance to the developing producing countries should be encouraged to further develop their production capacity and markets for their diamonds to encourage competitive, diversified, and open markets for trade in rough diamonds;

We recognise that an international certification scheme for rough diamonds will only be credible if all Participants have established internal systems of control designed to eliminate the presence of conflict diamonds in the chain of producing, exporting and importing rough diamonds within their own territories, while taking into account that differences in production methods and trading practices as well as differences in institutional controls thereof may require different approaches to meet minimum standards;

We are fully aware of the need to ensure that the measures taken in future to implement the international certification scheme for rough diamonds must be consistent with international law governing international trade;

We also recognise that state sovereignty should be fully respected and the principles of equality, mutual benefits and consensus should be adhered to;

We welcome important progress in the Kimberley Process to date, in particular the development of a Working Document containing the Essential Elements of an International Scheme of Certification for Rough Diamonds, with a view to breaking the link between armed conflict and the trade in conflict diamonds.

**We declare that:**

1. The detailed proposals for an international certification scheme for rough diamonds developed by the participants in the Kimberley Process and presented in the form of Kimberley Process Working Document 9/2001 "Essential Elements of an International Scheme of Certification for Rough Diamonds, with a view to breaking the link between armed conflict and the trade in rough diamonds", dated 28 November 2001, provide a good basis for the envisaged certification scheme;
2. The certification scheme should be established through an international understanding as soon as possible, recognising the urgency of the situation from a humanitarian and security standpoint. Those in a position to issue the Kimberley Process Certificate should do so immediately. All others are encouraged to do so by 1 June 2002. It is the intention of participants to start the full implementation simultaneously by the end of 2002.
3. The mandate for the Kimberley Process should be extended until the beginning of the simultaneous implementation, in order to undertake the finalisation of the international understanding;
4. The widest possible participation in the certification scheme is essential and should be encouraged and facilitated.
5. A progress report should be submitted to the 56th session of the United Nations General Assembly immediately after this Ministerial Meeting;

We recommend that the United Nations take action to support the implementation of the international certification scheme for rough diamonds as an instrument that would help to promote legitimate trade and ensure the effective implementation of the relevant Resolutions of the United Nations Security Council containing sanctions on the trade in conflict diamonds, that are contributing to the promotion of international peace and security, and the relevant United Nations General Assembly resolutions as referred to in the scheme.

We appreciate the support of all those countries who hosted Kimberley Process meetings (South Africa, Namibia, Russia, Belgium, United Kingdom, Angola, Botswana), as well as the particular contribution that South Africa has made to the Kimberley Process, through its role as Chair and provision of administrative support for the Process.



We would also in particular like to thank the Government of Botswana for the quality of the welcome extended to us and the facilities put at our disposal, which have contributed to the success of our meetings.