



**Final Communiqué from the Kimberley Process Plenary Meeting  
22 November 2013  
Johannesburg  
Republic of South Africa**

1. The Eleventh Kimberley Process (KP) Plenary meeting convened from 19<sup>th</sup> to 22<sup>nd</sup> November 2013 in Johannesburg, Republic of South Africa. Delegations from KP Participants and Observers attended as well as Guests of the Chair.
2. The Participation Committee (PC), the Committee on Rules and Procedures (CRP), Working Group on Monitoring (WGM), the Working Group on Statistics (WGS), the Working Group on Artisanal and Alluvial Production (WGAAP), the Committee on KPCS Review (CKR), the Working Group of Diamond Experts (WGDE), and the Selection Committee (SC) held meetings at the Plenary.
3. The Plenary acknowledged the successful role that the KP has played in stemming the flow of conflict diamonds in the last decade of its existence. It also acknowledged the significant developmental impact the KP has had in improving the lives of people dependent on the trade in diamonds. The Plenary reaffirmed the unique partnership between Governments, Industry and Civil Society as a huge source of strength that has sustained the KP. In looking towards the future, the Plenary committed to continue to ensure that the KP remains relevant as a credible tool in curbing the illegal flow of rough diamonds.
4. The Plenary acknowledged unforeseen circumstances that prevented the Bolivarian Republic of Venezuela from complying with the Washington Communiqué. The Plenary welcomed the Bolivarian Republic of Venezuela's participation in the 2013 Plenary, acknowledged the Bolivarian Republic of Venezuela's current efforts – including the establishment of the National Mining Corporation – and acknowledged its intent to fully participate in the KP.
5. Given the Bolivarian Republic of Venezuela's 2008 decision to suspend its rough diamond production, the Plenary instructed the KP Chair to clarify

- on the KP website that the Bolivarian Republic of Venezuela cannot trade in rough diamonds.
6. The Plenary noted that in order for the Bolivarian Republic of Venezuela to fully participate in the KP, it must host a Review Mission that demonstrates its compliance with the KPCS minimum requirements.
  7. The Plenary encouraged the Bolivarian Republic of Venezuela to host a technical assistance visit to prepare for the Review Mission and recognized the Bolivarian Republic of Venezuela's willingness to do so.
  8. The Plenary adopted the "Administrative Decision on the Dissolution of the Participation and Selection Committees and Formation of the Committee on Participation and Chairmanship" and the "Committee on Participation and Chairmanship Terms of Reference."
  9. The Plenary noted that all references to either "Participation Committee" or "Selection Committee" in all previous KP documents are hereby considered replaced by "Committee on Participation and Chairmanship." The Plenary instructed the KP Chair to update the KP website accordingly.
  10. The Plenary recognised that the CPC plans to continue discussion on whether the CPC should conduct an experts' visit to every applicant.
  11. The Plenary welcomed the admission into the KP of the Republic of Mali via written procedure in June.
  12. The Plenary welcomed the Republic of Mozambique's interest in joining the KP and thanked South Africa and Angola for liaising with the Republic of Mozambique.
  13. The Plenary took note of the results of the 2013 annual reporting exercise, as the main comprehensive and regular source of information on KPCS implementation by Participants, and welcomed the submission of annual reports on KPCS implementation in 2012 by 54 Participants representing 81 countries. The Plenary reviewed the assessment of annual reports and called upon the WGM to explore ways of further improving the assessment mechanism and encouraged Participants to submit substantive annual reports on national KP implementation in line with the Guidelines on annual reports.
  14. The Plenary took note of the annual reports as submitted by the Civil Society Coalition and the WDC on their activities in support of KPCS implementation, in line with the 2009 Administrative Decision (AD) on activities of Observers.

15. The Plenary accepted the reports on the review visits conducted in Lebanon, Switzerland, the United States of America and Vietnam, and invited the Working Group on Monitoring to follow up on implementation of the recommendations within six months' time and report back at the next Intersessional Meeting. Furthermore, Plenary took note of the presentations on review visits conducted in South Africa, Liberia, the Russian Federation and Singapore, and requested the respective review visit teams to finalise their reports before the end of the year. The Plenary welcomed the invitations for a review visit as submitted to the WGM by Guinea, China, Armenia, Guyana, Togo, the Republic of Congo (Congo-Brazzaville), the Democratic Republic of Congo (DRC) and Australia, and the intention of Swaziland to make a request for a review visit in due course. The Plenary welcomed the commitment of those countries to continuously open their certification systems to review and improvements, and called upon other Participants to continue inviting review visits under the KP's Peer Review System.
16. The Plenary decided to involve the Administrative Support Mechanism (ASM) in approaching Participants to allow publication of the "non-KP only" content of their Annual and Review Visit Reports on the public part of the KP website, in line with the AD on Procedures for Respecting Confidentiality within the KP and the revised AD on Peer Review System (2012).
17. The Plenary adopted a proposal for modifications to the KP Core Document aimed at strengthening implementation of the KPCS within its current remit. With these modifications a number of recommendations from Annex II have become minimum requirements through their inclusion in a new Annex IV to the KP Core Document, while some of the remaining recommendations have been refined. The Plenary invited the WGM to continue examining and reviewing the other Annex II recommendations, thereby exploring the possibility of making them part of minimum requirements in due time.
18. In light of UN Security Council Resolution 2079 (2012), the Plenary took note of the presentation on the recent Review Visit to Liberia (18-27 March 2013) and the country's commitment to address the identified challenges and reinforce its internal control system. The Plenary acknowledged Liberia's active involvement in the work carried out by the KP regional team for cooperation in the Mano River region and underlined the need to further pursue efforts for addressing challenges to KPCS implementation in close collaboration with the KP and the UN Panel of Experts.
19. In light of UN Security Council Resolution 2101 (2013), the Plenary took note of the conclusions and recommendations from the recent Review Mission to Côte d'Ivoire (30 September- 4 October 2013) and

- acknowledged the important steps taken by the country to ensure compliance with KPCS minimum requirements. The Plenary recognized that Côte d'Ivoire has fulfilled KPCS minimum requirements as possibly could be achieved under the UN embargo. The Plenary requested the KP Chair to communicate the results of the Review Mission to the UN Security Council, pursuant to Article 6 of UN Resolution 2101 (2013) which says the UNSC will "review measures in light of progress made towards KPCS implementation".
20. The Plenary encouraged Côte d'Ivoire to develop a transition strategy and roadmap towards the lifting of the UN embargo on the exports of rough diamonds. In this context, the Plenary requested that Côte d'Ivoire, in association with the Friends of Côte d'Ivoire (FOCDI) and other KP bodies as appropriate, actively collaborates with the UN Group of Experts.
  21. The Plenary expressed its support for the Ivorian Government's efforts to achieve KPCS compliance as part of their strategy to address the legal, institutional and political challenges that had led to the UN embargo and restrictions imposed by the KP. Plenary believed that KPCS compliance is complementary and helpful to address the UN's concerns, and encouraged Côte d'Ivoire to spare no effort in setting up its legal chain of custody. The Plenary welcomed Côte d'Ivoire's invitation to host a review visit six months after legal exports of rough diamonds have resumed.
  22. Furthermore, the Plenary noted that Côte d'Ivoire is actively involved in the work carried out by the KP regional team for cooperation in the Mano River region and that its national policy on artisanal mining could be considered a good practice example for other countries. Plenary also noted that FOCDI and the African Diamond Producers Association (ADPA) had been providing technical assistance to the Ivorian KP authorities, and expressed the KP's commitment to further support them in order to achieve full KPCS implementation. In this context, the Plenary also acknowledged the importance of the sensitization work carried out by the Diamond Development Initiative (DDI) and the recently launched Property Rights and Artisanal Diamond Development (PRADD II) project co-funded by USAID and the EU for promoting the formalization of the artisanal mining sector and reinforcing the country's chain of custody.
  23. The Plenary welcomed the initiative from Participants in West Africa to enhance their cooperation on KP implementation and policy harmonization efforts in the context of the regional approach for the Mano River region, and encouraged them to reach out to regional organisations that are recognized by the African Union (AU), in particular the Economic Community of West-African States (ECOWAS). Plenary welcomed the support given by the Mano River Union secretariat to this initiative. Plenary commended the Democratic Republic of Congo (DRC) for having

taken up the leadership of the technical team in support of this approach and noted the recent visit of this team to Côte d'Ivoire, Guinea and Sierra Leone (30 September-11 October 2013). Furthermore, the Plenary acknowledged the region's plans for developing a regional strategy and roadmap as the outcome of a high-level workshop on regional cooperation in West Africa in early 2014.

24. The Plenary re-stated the Administrative Decision (AD) on the Central African Republic (CAR) [Temporary Suspension] as approved through written procedure on 23 May 2013. The Plenary took note of the proposed work plan as presented by CAR for addressing issues of non-compliance with KPCS minimum requirements and strengthening its internal control system, and requested CAR's KP authorities to continue elaborating implementation aspects. Plenary encouraged Participants to provide technical assistance to CAR in order to help refining and implementing the work plan. Furthermore, the Plenary took note of the activities carried out by the WGM to monitor the situation on the ground through analysis of satellite imagery. Referring to UN Secretary General report S/2013/671 (14 November 2013) and to the UN Security Council meeting of 20 November 2013, Plenary acknowledged that the security conditions in CAR are not currently conducive for organizing a Review Mission and do not provide guarantees for preserving the integrity of the chain of custody of diamonds. The Plenary requested the KP Chair to liaise on a continuous basis with the UN in assessing the situation on the ground.
25. The Plenary requested that the AD and the situation in CAR would continue to be reviewed by the WGM, in consultation with other KP working bodies. The Plenary decided that the US Geological Survey (USGS) and the EU Joint Research Centre (JRC) would continue to monitor CAR and provide the WGM with satellite monitoring services with respect to artisanal diamond sites and production and invited the ASM to upload the footprint for the western part of CAR as prepared by the WGDE on the KP website. In this context, Plenary requested WGS and WGDE to monitor and assess the risk of diamonds from CAR infiltrating the legitimate trade and called on Cameroon, the Republic of Congo (Congo-Brazzaville) and the Democratic Republic of Congo (DRC) to continue sharing their export data and pictures of shipments with the WGS and the WGDE on a monthly basis.
26. Furthermore, the Plenary recommended the KP Chair to re-approach the United Nations (UN), the African Union (AU) and the Economic Community of Central African States (ECCAS) to ask neighbouring countries such as Sudan, Southern Sudan and Chad to collaborate with the KP and apply vigilance at their borders.

27. The Plenary took note of a presentation by India and the European Union on their joint KPCS data-sharing platform and considered this a good practice example for other Participants.
28. The Plenary took note of WGM discussions on strengthening Peer Review and also of a study undertaken at the initiative of Partnership Africa Canada (PAC) as a contribution from civil society. The Plenary encouraged the WGM to continue assessing opportunities for further improving the KP Peer Review system.
29. The Plenary noted the ending of the mandate of the CKR and thanked Botswana for its Chairmanship and Canada for its Vice-Chairmanship as well as the members and invited Participants for their participation in the Committee.
30. The Plenary accepted the recommendation of the CKR to consider a decision to undertake another review of the KPCS by 2017, as decided by Plenary and in accordance with AD October 2003 Sun City.
31. The Plenary welcomed the implementation of the Administrative Support Mechanism (ASM), hosted by the WDC, and extends the mandate of the ASM for an additional three years (Plenary 2016). ASM annual reports are to be submitted to the Chair.
32. The Plenary authorised the KP Chair to select an appropriate working group to undertake a preliminary discussion on the ASM annual reports and draft a recommendation on that document for the consideration of the KP Plenary.
33. The Plenary noted that the CKR could not reach consensus on the following priority areas, identified in AD 006-2011:
  - Decision-making
  - Conflict diamond definition

The Chair, Participants and Observers were encouraged to continue dialogue on these areas.

34. The Plenary noted a proposal received by the CKR to create a new forum for generating and sharing innovative ideas.
35. The Plenary approved the “Administrative Decision on Technical Definitions”.
36. The Plenary approved “The Administrative Decision relating to Chairmanship of Kimberley Process working bodies” and “The

Administrative Decision on KP Participants' applications for membership, and Participation of KP working bodies" developed by the Committee on Rules and Procedures and brought to endorsement jointly with the ad-hoc committee on KPCS review and the Committee on Participation and Chairmanship.

37. The Plenary accepted the CRP's recommendations that each working body redraft its Terms of Reference if necessary to address the composition, roles, and duties of members. Working bodies may include criteria relating to active engagement in the group (including field engagement, where appropriate) and relevant expertise.
38. The Plenary accepted that according to "The Administrative Decision relating to chairmanship of Kimberley Process working bodies", all the current Chairs of working bodies retain their positions, except for the Committee on Participation and Chairmanship, which continues to rotate pursuant to its Terms of Reference. The revision of chairmanship in working bodies in accordance with the said Administrative decision will take place in 2017.
39. The Plenary noted that p.11 of "The Administrative Decision on KP Participants' applications for membership, and Participation of KP working bodies" and paragraph 7 section 2.2. of "The Administrative Decision relating to Chairmanship of Kimberley Process working bodies" are adopted in accordance with "The Guidelines for the Participation Committee in recommending interim measures as regards serious non-compliance with KPCS minimum requirements".
40. The Plenary approved "The Administrative Decision on the KP Logo Protection and Guidelines for its Use" developed by the Committee on Rules and Procedures. The KP recognizes that Mr. Frei and Mr. Ackermann won the KP Logo contest in 2002 and adopts the KP logo as the official logo of the Kimberley Process.
41. The Plenary instructed the Administrative Support Mechanism to affix the adopted KP Logo on all the KP documents presented in the Compendium adopted in 2012 in Washington, as well as on the documents adopted by the Plenary 2013. This should be done before the coming Intersessional meeting. The Plenary also instructs the Administrative Support Mechanism to affix the adopted KP Logo on all the future KP documents to be adopted by the Plenary.
42. The Plenary found it sensible for the Committee on Rules and Procedures to include in its Provisional Agenda for 2014 the consideration of the use of the "Kimberley Process" wording and consideration of the Participation Committee request relating to applications for the KP Observer status.

43. The Plenary adopted the WGAAP's revised Terms of Reference as approved by WGAAP during the June 2013 Intersessional meeting.
44. As recommended by the WGAAP the Plenary noted the diagnostic tool for working group members to measure the progress on the implementation of the Washington Declaration on Integrating Development of Artisanal and Small – Scale Diamond Mining as well as the contribution made by the Diamond Development Initiative (DDI) for the implementation of this Declaration in the Mano River countries.
45. As recommended by the WGAAP, the Plenary added ADPA, as a permanent independent observer member of the Working Group.
46. The Plenary noted that a sub-team from the WGS led by India and included members from Botswana, European Union, Canada, Democratic Republic of Congo, Russian Federation, People's Republic of China and the U.S.A recently revised the 2003 WGS Terms of Reference. A copy of the working draft ToR was presented at the Plenary for a review by the WGS. Although much of the revisions to the document were made, there were several points that need clarification and require additional discussions by the WGS. The discussions on the working draft document for ToR will continue post Plenary through the teleconferences.
47. The Plenary also noted that the WGS has implemented its first Data Anomaly Questionnaire (DAQ) process with H1, Q2 2013 Production and Trade statistics. The DAQ was developed in an effort to improve the quality and accuracy of the KPCS reported data prior to conducting the annual statistical analyses. This process was adopted at the 2012 Plenary in the United States of America. A meeting was held to provide a review of the DAQ process to members of the KPCS and to answer any questions regarding this process.
48. The Plenary further took note that the WGS discussed the revised Guidelines for the Preparation, Review and Analysis of KP data document. This document serves as a guideline of the internal methodology used by the members of the WGS to conduct annual statistical analyses for all KP Participants and the rough diamond trading entity of Chinese Taipei. The Plenary adopted the Guidelines for the Preparation, Review and Analysis of KP Statistical data developed by the WGS.
49. The Plenary was informed that in order to facilitate the preparation of the annual statistical analyses, the WGS met to continue discussions toward identifying the relevant charts and tables that would be automatically generated through the system. The discussions will continue at upcoming teleconference meetings.

50. The Plenary was also informed that the WGDE/WGS met to discuss issues common to both working groups. As a result of the meeting, the WGDE will assist the WGS on the monitoring of Ghana's export statistics in accordance with the AD on Ghana. WGS will also assist the WGDE in its ongoing work of valuation methodology in relation to statistical data.
51. The Plenary took note of the WGS reports that there are 5 KP Participants in non-compliant status for Production and trade statistics. The WGS appreciates the KP Chair and PC Chair's continued support in addressing this issue.
52. The Plenary noted that the Public Section of the KP Rough Diamond Website currently contains charts, tables and graphs for 2012. These data were published on the website in June 2013. The Participant section on the KP Rough Diamond Website currently contains reliable statistical information for 2004-2013. Data for 2003 are considered unreliable data and are not used in statistical analyses.
53. The Plenary further noted WGS members completed 36 statistical analyses as of November 20, 2013. All of the analyses received have been forwarded to the Participants for review and response. There are 12 analyses remaining to be completed.
54. The Plenary took note of the work that the Working Group of Diamond Experts, in collaboration with the UN Group of Experts on Côte d'Ivoire, has undertaken in relation to the fingerprinting project of diamonds from Côte d'Ivoire as mandated by the UNSC Resolution 1893 (2009). Although the scientific subgroup, led by South Africa, had already identified scientists and scientific institutions and proposed a comprehensive chain-of-custody applicable for this scientific research, until now no conflict diamonds from Côte d'Ivoire had been imported under the embargo exemption for mining origin research. Complex administrative as well as legal hurdles prevented the fulfilment of developing specific technical information concerning Ivorian diamond production as tasked by UNSC Resolution 1893, paragraphs 16 & 17 (2009). To facilitate shipping Côte d'Ivoire diamonds seized in Participant countries to an accredited research facility, an "Administrative Decision covering technical certificates for scientific research" was adopted by Plenary. Now that this administrative hurdle has been lifted and pending approval by the UN Security Council Committee established pursuant to resolution 1672 (2004) concerning Côte d'Ivoire, first scientific fingerprinting research results on Côte d'Ivoire diamonds are to be expected in the next quarter.

55. The Plenary further noted that the WGDE will investigate the possibilities of extending the issuance of technical certificates to cover other instances where scientific research on detained shipments is required.
56. The Plenary was informed about the work that the WGDE has undertaken on behalf of the CKR to expand on the technical definitions under Section I- Definitions of the KPCS core document, that were already proposed at the Washington KP Plenary (2012).
57. The Plenary welcomed specific technical guidance developed by the WGDE on the use of Letters of Comfort for shipping exploration samples including bulk and core samples as suggested in Best Practice 1 adopted in 2004. The WGDE indicated it would further investigate the issuance of Letters of Comfort to cover other instances, including classification uncertainties, where these could be applied to start a chain-of-custody.
58. The Plenary was informed by the WGDE that it would intensify its activities on the Valuation Methodologies Research Project and work on an update of the 2010 Value Data Matrix.
59. The Plenary endorsed the recommendation by the WGDE to accept the application of Brazil and Ukraine as new members of this working group.
60. The Plenary thanked the Republic of South Africa for hosting this Plenary Session and appreciated the hospitality extended to all delegates.
61. The Plenary welcomed the Republic of South Africa as the Chair of the Committee on Participation and Chairmanship (CPC) for 2014.
62. The Plenary welcomed the election of the People's Republic of China as the new KP Chair in 2014. The Plenary also welcomed the election of the Republic of Angola as Vice-Chair of 2014.