

# Final Communiqué - the Kimberley Process Plenary Meeting

**17 November 2016**

**Dubai**

**United Arab Emirates**

1. The fourteenth Kimberley Process (KP) Plenary Meeting convened from Nov. 13-17, 2016 in Dubai, the United Arab Emirates. In addition to the delegations from the KP Participants and Observers the United Nations Panel of Experts on Central African Republic, and the Organisation for Economic Cooperation and Development attended as Guests of the Chair.
2. The Committee on Participation and Chairmanship (CPC), the Committee on Rules and Procedures (CRP), Working Group on Monitoring (WGM), the Working Group on Statistics (WGS), Working Group on Artisanal and Alluvial Production (WGAAP), the Working Group of Diamond Experts (WGDE), and the Monitoring Team on the Central African Republic held meetings.
3. The Plenary expressed its great appreciation of the UAE Chair's active leadership of the KP, including through frequent travel, raising public awareness of the KP, demonstrating leadership on the CAR, and putting forth innovative proposals to strengthen the KP.
4. The Plenary thanked the KP Chair for organising the KP Chair Special Forum as an information session on synthetic diamonds and the issue of undisclosed synthetic diamonds in the margins of the Kimberley Process meetings.
5. The Plenary recognized the effort and took note of the proposals made by the KP Chair to (1) develop a methodology on rough diamond valuation, (2) establish a Permanent Secretariat for the Kimberley Process, and (3) establish a Civil Society Coalition (CSC) fund. The Plenary looked forward to continued discussion of these proposals under the incoming Chair.
6. The Plenary welcomed a proposal received from the KP Chair aimed at strengthening the structure of the KP through the establishment of the KP Secretariat. Such a Secretariat could support the continuity and efficiency of the Kimberley Process. The Plenary decided that the upcoming review cycle provides an opportunity to discuss means to improve the Kimberley Process. The proposal states that such a Secretariat could potentially help facilitate the KP's progress in advancing its goals and objectives; and among other possibilities, for example, serve as a sustained presence maintaining contacts in countries of concern; support the KP Chair in interactions with government officials and others stakeholders; assist the KP with regard to Participants who were suspended and are resuming participation in the KP.
7. In this regard, the Plenary looked forward to possible future ways for enhancing the cooperation with the United Nations system.

8. The Plenary reaffirmed its commitment to the tri-partite structure of the KP. Noting that the CSC decided not to attend KP meetings this year due to a number of concerns, the Plenary expressed its desire for broad CSC participation in the future.
9. The Plenary recognized the important work civil society performs and intends to consider ways to support its robust participation. To this end, the KP acknowledges the Chair's proposal to establish of multidonor trust fund or similar mechanism acceptable to all Participants and Observers.
10. The Plenary noted the progress made to better understand the challenges faced by some KP members in ensuring their rough diamonds are valued appropriately. Undervaluation or overvaluation undermines the accuracy of the information on KP certificates.
11. The Plenary appreciated the Special Forums on valuation hosted by the KP Chair, the UAE, which brought together a wide range of experts. The Plenary took note of the draft study prepared by the Organisation for Economic Cooperation and Development into the challenges faced by some producing countries in rough diamond valuation, which may support those producing countries in their efforts to improve domestic resource mobilization from diamond production.
12. The Plenary also thanked the WGDE Sub-Group on Valuation for its work on mapping country approaches to rough diamond valuation, which provide comprehensive reference for all KP members.
13. The Plenary noted that ensuring artisanal miners receive fair value for their stones is a distinct but closely related issue that requires attention in its own right. Any further work to improve valuation practices should be accessible and also seek to benefit artisanal miners.
14. The Plenary noted that for those countries seeking greater confidence that their rough diamonds are being valued accurately, a consistent methodology, building on comprehensive training and technical assistance for government officials, would be beneficial.
15. The Plenary took note that according to the KP Chair and some participants of the Special Forums such a methodology may comprise of several elements to be used by KP Participants, including: standardised preparation and sorting protocols for rough diamonds in preparation for valuation; drawing on contemporary transacted prices for comparable rough diamonds as much as possible, and where this is not possible; the potential development of a methodology based on deriving rough diamond values from contemporary transactions, that is transparent in its approach, objective, and drawing upon industry practices. The WDC as an observer reiterates that all discussions and future discussions must observe competition and antitrust law.
16. The Plenary acknowledged that the following representatives of Civil Society Organisations attended the Plenary meeting as guests of the KP Chair;
  - Placide Ngombe, President of the Organisation Centrafricaine pour le Développement Durable (CAR)

- Regina Toguera, President of 'Mines Arts et Ressources Centrafricaines' (MARCA) and a member of the KP Follow-Up Committee in Berberati
- Ruth Laoubai, Head of Programmes and Projects at the Association des Femmes Centrafricaines pour le Développement Durable (AFCADD).
- Dr. Oladiran Bello, Executive Director of Good Governance Africa;

17. The Plenary noted the continued work of the WGDE Scientific Subgroup's improvements of the footprint of diamonds from the Central African Republic (CAR). Export shipment data for three months (May, July, and September) has been scrutinized and added to the production footprint of that country. These shipments came from the compliant zone of the sub-prefecture of Berberati.
18. The Plenary noted that in order to improve the work on fingerprinting of diamonds from the CAR (and Africa in general), the Scientific Subgroup discussed the acquisition of a small representative parcel (minimum of 150 stones) from the extreme northern production zone of the Democratic Republic of the Congo (DRC) bordering the CAR, in conjunction with DRC KP authorities. The aim of this exercise would be to scientifically differentiate between diamonds from the two countries.
19. Furthermore, the WGDE scientific sub-group received a presentation by a Russian scientific private company, on the application of fluorescent spectroscopy to analyze a diamond's individual fingerprint.
20. Plenary took note of the WGDE Subgroup on Valuation's ongoing work in collecting responses of the valuation survey of participants and that about 20 KP Participants have not yet completed their surveys. The Plenary took note of the December 2016 deadline for completing the survey.
21. The WGDE Sub-Group on Valuation intends to continue its work consistent to its updated action plan. The Plenary noted discussions in the WGDE Subgroup on Valuation of the outcome and conclusions of the KP Chair Special Forums on Valuation held in the margins of the Intersessional meeting in May in UAE, in September in Antwerp, and in the margins of this Plenary in the UAE. Additionally, the Subgroup reported on the Organisation of Economic Co-operation and Development's consultation draft of observational details of the mentioned KP Chair's Special Forums. On this basis, the Plenary requests that the WGDE Sub-Group on Valuation to invite the Organisation for Economic Cooperation and Development to collaborate with the Kimberley Process to take this work forward consistent with rules and procedures.
22. The Plenary noted that to continue and to expand the activities of the WGDE Subgroup on Valuation, the WGDE revised the WGDE's Terms of Reference (ToR) and the 2015-approved action plan.
23. Plenary noted that the WGDE is finalizing a proposed revised administrative decision (AD) detailing the use of technical certificates for scientific purposes to replace the AD 01/13 regarding embargoed diamonds from the Cote d'Ivoire.

24. The Plenary noted the of WDGE's discussion of reviving the relationship between the KP and the World Customs Organisation (WCO) and subsequent work on reviewing HS (harmonised system) code-related classification issues.
25. The Plenary noted the intention of the WGDE to update technical guidelines that are still applicable and other older guidance texts to be addressed in the upcoming review process.
26. Plenary noted that the WGDE provided an update to its members regarding survey results of KP Participant's disposition of confiscated rough diamonds.
27. The Plenary endorsed the recommendation of the WGDE that Tanzania, a provisional member of the Working Group since 2015, becomes a member in the WGDE.
28. The Plenary endorsed the recommendation of the WGDE to select the WDC as Chair and Namibia as the Vice Chair of the WGDE.
29. The Plenary noted that Mozambique received an Expert Mission and the draft report should be finished by the first quarter of 2017.
30. The Plenary noted the approval of the Committee on Rules and Procedures of a version of the Kimberley Process Certification Scheme core document that reflects the changes to the core document approved in Johannesburg in 2013 under the Decision 1/2013 "Modification to the Core Document of the Kimberley Process Certification Scheme." Under that Decision, the changes apply as of January 1, 2015. The Plenary asked ASM to publish it on the official Kimberley Process website for informational purposes.
31. The Plenary noted the decision of the CRP to continue work on a document titled "Practical KP Guidance: How to conduct surveys of KP Participants and Observers."
32. The Plenary noted the work of the CRP concerning the KP's engagement with external organizations and the CRP's expectation to continue further discussions on this issue.
33. The Plenary encouraged the Committee to consider updating the Administrative Decision relating to Chairmanship of KP Working Bodies.
34. The Plenary noted that the CRP is continuing discussions on the selection of the CRP Chair.
35. The Plenary welcomed the People's Republic of China as Vice-Chair of the Committee on Rules and Procedures.
36. The Plenary welcomed the Bolivarian Republic of Venezuela on resuming participation in the Kimberley Process.
37. Venezuela committed to host a Review Visit no later than 6 months after the resumption of exports in which Ukraine will be invited to participate. In that regard, the Plenary noted the Bolivarian Republic of Venezuela's express commitment to and

interest in hosting a review visit and welcoming of Ukraine's participation in the review visit.

38. The Plenary acknowledged the presentation in the CPC on the implementation of the KPCS in the Republic of Gabon. The plenary encouraged the Republic of Gabon to invite an Expert mission before the 2017 Intersessional meeting in order to begin their admission process to the KP.
39. The Plenary approved that the UAE became the Chair of the CPC.
40. The Plenary noted CIBJO's application for Observer status, which was discussed during the CPC meeting. Currently it was concluded that their admission as an independent Observer was not accepted.
41. The Plenary welcomed the update provided by the Working Group on Monitoring (WGM) on the state of implementation of its rolling Work Programme for 2016, which includes both recurrent activities designed to implement the revised Administrative Decision (AD) on KPCS Peer Review System and actions to follow up on relevant conclusions from the 2015 Plenary that took place in Luanda under Angolan KP Chairmanship.
42. The Plenary welcomed the decision of the Working Group on Monitoring selecting South Africa as the incoming WGM Chair and Botswana as the incoming WGM Vice-Chair. In this context, the Plenary acknowledged the leadership shown by the European Union (EU) in effectively chairing the WGM over the past thirteen years and supported the decision of the WGM that the EU as the outgoing WGM Chair would hand over the role and duties to South Africa as the incoming WGM Chair, within a period of three months from January 2017, to ensure a smooth and seamless transition.
43. The Plenary welcomed the decision of the Working Group on Monitoring to accept the Diamond Development Initiative (DDI) as a WGM member, consistent with the group's revised Terms of Reference.
44. The Plenary took note of the results of the 2016 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 2015 by 52 Participants representing 79 countries. The Plenary noted that the WGM had requested the Committee on Participation and Chairmanship (CPC) to deal with the one case of late submission (Panama). The Plenary reviewed the assessment of annual reports and encouraged Participants to continue submitting substantive annual reports on national KPCS implementation.
45. The Plenary took note of the annual report as presented by the World Diamond Council (WDC) on its activities in support of KPCS implementation and encouraged the Civil Society Coalition (CSC), the African Diamond Producers' Association (ADPA) and DDI to submit reports on their activities in support of KPCS implementation as well, in line with the 2009 Administrative Decision on activities of Observers.

46. The Plenary took note of reports on the review visits conducted in Armenia, the Republic of Congo, Lesotho, Tanzania and Belarus, and invited these five Participants to report back on implementation of the recommendations at the next Inter-sessional, in line with the revised AD on Peer Review System. The Plenary also took note of reports on the preliminary findings and observations on the review visits conducted in Côte d'Ivoire, the European Union, the United Arab Emirates (UAE), the Democratic Republic of Congo (DRC), the Central African Republic, Sierra Leone and Turkey, and requested the respective review visit and review mission teams to finalise their reports before the end of the year.
47. Furthermore, the Plenary took note of implementation of the recommendations from review visit reports by Swaziland and Mexico, and requested these two Participants to reflect this follow-up in their next Annual Report.
48. The Plenary welcomed the expressions of interest for hosting a review visit from Cameroon, India, Norway, Togo, Ghana and Panama as well as Brazil, Botswana, Namibia, the Lao People's Democratic Republic (PDR), Mauritius. The Plenary welcomed the commitment made by 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 Peer Review System.
49. The Plenary took note of the continued discussions by the WGM on the "Guidance Note on the Organisation and Conduct of Review Visits", as prepared on the basis of contributions and best practice examples shared by a number of the WGM members who have served as team leaders of review visits. The Plenary considered this new Guidance Note an important practical tool for both Review Visit team members and host Participants to prepare optimally for a successful conduct of Review Visits, and invited the WGM to explore ways in which these guidelines could be reflected in future revisions to the AD on Peer Review System.
50. The Plenary welcomed a proposal from the WGM to encourage KP Participants to reinforce its follow-up with the KP authorities and explore ways to enhance access to information as regards fraudulent KP certificates through a dedicated area on the KP website.
51. The Plenary acknowledged the progress made by the Central African Republic (CAR) with implementation of the AD and Operational Framework for the resumption of exports of rough diamonds from the CAR, and welcomed the decisions of the KP Monitoring Team to declare the sub-prefectures of Berberati, Boda, Carnot and Nola 'compliant zones'. The Plenary encouraged the CAR's KP authorities to continue implementing both the AD and the recommendations from report of the KP Monitoring Team on its field missions to Berberati, Boda, Carnot, Gadzi and Nola (March and August 2016), and to continue implementing enhanced vigilance measures and ensure the traceability of rough diamonds from all four 'compliant zones'. The Plenary invited the KP Monitoring Team to continue ensuring a smooth inspection process as regards proposed export shipments as per its Term of Reference, and further support the CAR's KP authorities with carrying out the envisaged forensic audit of the stockpiles.

52. The Plenary took note of a recommendation from the U.N. Panel of Experts on the Central African Republic established by UNSC Resolution 2127 (2013), whose mandate was extended by UNSC Resolution 2262 (2016), to the tripartite Follow-up Committee of the Central African Republic and the KP Monitoring Team to ensure continued monitoring of the freedom of movement in all compliant zones consistent with proposed benchmarks.
53. Plenary noted that the WGDE representative on the CAR monitoring team briefed working group members on the MT's work over the past months. Relative to the WGDE's role in the MT, 4 proposed shipments were assessed by the Diamond Expert Team (DET). Three of these shipments were approved for export. Plenary noted that the WGDE decided to form a second Diamond Expert Team (DET) to account for and expected increase in exports from compliant zones in the CAR.
54. Plenary noted that the CAR Monitoring Team has developed a Terms of Reference document which is intended to facilitate a forensic audit of the pre- and post-suspension rough diamond stockpiles in Bangui CAR before any part of the current stockpiles is exported consistent with its responsibility set forth in the Operational Framework of the 2015 administrative decision on the CAR.
55. In this context, the Plenary welcomed the resumption of the United States development assistance project in the CAR with a view to enhancing the CAR's capacity and assisting the country with the implementation of the AD and Operational Framework for the resumption of exports of rough diamonds, and encouraged other Participants and Observers to consider providing complementary technical assistance.
56. The Plenary welcomed the initiative taken by the CAR and its neighbouring KP Participants (Cameroon, DRC and the Republic of Congo) to ensure cooperation on the KPCS compliance issues with a regional dimension and encouraged the CAR and the KP Monitoring Team to continue working closely together with relevant United Nations actors - notably MINUSCA and the UN Panel of Experts - as well as the international community.
57. The Plenary took note of further steps taken by the Mano River Union (MRU) countries (Côte d'Ivoire, Guinea, Liberia and Sierra Leone) to implement the Regional Approach initiative as highlighted by the UN Security Council in Resolution 2153 (2014), which lifted the embargo on the export of rough diamonds from Côte d'Ivoire. The Plenary welcomed the continuous support to the MRU countries provided by the WGM Technical Team and the "Friends of MRU" group, in particular ongoing efforts to formalize the role of the MRU Secretariat and involve other implementing partners and/or technical assistance providers.
58. In this context, the Plenary also took note of an update provided by the Property Rights and Artisanal Diamond Development (PRADD) project - co-funded by the United States and the EU - and a presentation made by the EU on their ongoing and planned development assistance in support of the MRU Regional Approach. The Plenary encouraged all Participants and Observers to continue working closely with the MRU countries and continue addressing their technical assistance needs.

59. The Plenary noted that the DDI briefed the WGM and the WGAAP members about the implementation of its miners' registration programme in the DRC, including statistics and KP relevant findings.
60. The Plenary agreed to engage with the Financial Action Task Force (FATF) by inviting the KP Working Bodies to organize a discussion with the authors of their report related to risks associated with the supply chain of rough diamonds.
61. The Plenary noted the WGS's completion of 37 Participant statistical analyses for 2015. 17 analyses remain to be completed.
62. The Plenary noted the following KP Participants have incomplete or missing statistical data on the KP Rough Diamond Website:
- 2015
- Mexico (Q4 Certificate Count)
- 2016
- Bangladesh (Q2 Trade and Certificate Count)
  - Brazil (H1 Production)
  - Indonesia (H1 Production)
  - Mexico (Q2 Trade and Certificate Count)
  - Venezuela (H1 Production)
63. The Plenary noted the WGS request that the CPC take action consistent with the November 2005 Guidelines with respect to statistical non-submission. The approach includes measures concerning the Participants who fail to submit their statistical reports consistent with the Annex III of the KPCS document.
64. The Plenary noted that the WGS initiated a fourth iteration of the annual Data Anomaly Questionnaire (DAQ) Process, which is used to identify anomalies/discrepancies in reported KP statistics. The WGS developed, reviewed, and analyzed the DAQ tables for KP Participants identified as having significant anomalies in their reported data. These Participants should receive a questionnaire in the near future based on their anomalies and consistent with the 2012 Administrative Decision on the Data Anomaly Questionnaire Process. The WGS expects to review the DAQ process with regard to the feasibility of this tool by next Intersessional meeting.
65. The Plenary noted the WGS's adoption of a template for automated charts and table reports that WGS members intend to use in the preparation of the annual statistical analyses. The automation of the reports is expected to reduce the amount of time WGS members spend on the development of the annual statistical analyses and to reduce the burden on WGS members in preparing them.
66. The Plenary acknowledged the WGS's work to develop a reconciliation survey that could be used by the WGS to develop guidelines for reconciliation of statistical data. The Plenary looked forward to the WGS's continued work on the survey.

67. The Plenary noted the support the WGS gave to the CAR MT and the joint session it held with the WGM and the WGDE on the status and way forward on the CAR.
68. The Plenary noted the presentation given in the WGS by the KP Chair's office on Blockchain technology within the Kimberley Process. The WGS welcomes further discussions on the study of the Blockchain technology within the framework of the KPCS.
69. The Plenary noted that the Working Group on Statistics is continuing discussions on the selection of the WGS Chair.
70. The Plenary welcomed the Republic of India as the Vice Chair of the Working Group on Statistics.
71. The Plenary took note that WGAAP participants continue engaging to align and integrate the effective implementation of Moscow and Washington Declaration recommendations in their national and regional development action plan regarding the mining sector.
72. The Plenary acknowledged the effort made by the African countries of the Mano River Union, and other initiatives and agencies as well as Diamond Development Initiative, the United States and the EU to provide the necessary capacity and resources to effectively drive the implementations of the Moscow and Washington Declarations.
73. The Plenary welcomed the Democratic Republic of Congo as the Vice-Chair of the WGAAP.
74. The Plenary noted and endorsed the concerns identified by the WGAAP Participants over lack of geological surveys in their respective countries. Such studies would help determine areas viable for artisanal mining, the expected volume of production and the expected number of years for the diamond deposits. The WGAAP Participants call upon other KP Participants and the potential donors to provide the necessary technical assistance for geological surveys. The Plenary also noted that the WGAAP participants support the development of the data management related policies in their respective countries.
75. The Plenary welcomed the implementation of the AD 04/2013 Relating to Chairmanship of Kimberley Process Working Bodies as adopted at the Johannesburg Plenary in 2013. Furthermore, the Plenary encouraged the continued application of this AD.
76. The Plenary welcomed the Commonwealth of Australia as the new KP Chair for 2017. The Plenary recalls that host countries should facilitate entry formalities for those attending KPCS meetings. The Plenary acknowledges that state sovereignty should be fully respected.
77. Plenary approved the DRC as the Vice Chair of the WGAAP in 2017 and Chair in 2018.

78. The Plenary noted clause 10 of the “Administrative Decision Rules and Criteria for selecting candidates for Vice Chair of the Kimberley Process”. The Plenary welcomed the European Union as the new KP Vice Chair for 2017 and KP Chair in 2018 and the Republic of India as incoming Vice Chair of 2018 and KP Chair in 2019.