



Final Communiqué from the Kimberley Process Plenary Meeting  
30 November 2012  
Washington, D.C.  
United States of America

1. The Tenth Kimberley Process (KP) Plenary meeting convened from 27-30 November 2012 in Washington, D.C. Delegations from 39 KP Participants and Observers from the World Diamond Council (WDC), the Civil Society Coalition (CSC), the Diamond Development Initiative (DDI) and the African Diamond Producing Countries (ADPA) attended. The Kingdom of Cambodia, The Republic of Kazakhstan, The Republic of Kenya, The Republic of Mali and The Republic of Panama (non-participating countries who had expressed their interest in joining), along with the World Customs Organization (WCO) and the United Nations (UN) attended 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 endorsed the recommendation of the Participation Committee to admit The Republic of Panama, The Republic of Kazakhstan, and The Kingdom of Cambodia as KP Participants. The Plenary welcomed the August admission of The Republic of Cameroon as a KP Participant via written procedure and the admission of ADPA as an Independent Observer.
4. As recommended by the PC, the Plenary added The Republic of Zimbabwe and The Democratic Republic of Congo as members of the PC and ADPA as a permanent independent Observer member in the PC.

5. The Plenary acknowledged that the PC welcomed a presentation by The Bolivarian Republic of Venezuela, which asserted its intention to reintegrate into the Kimberley Process Certification Scheme. In light of this expression of continued interest, the PC reached consensus to approach reintegration by the submission of accurate statistics and the completion of a successful Review Mission with participation of Participants, the WDC and the CSC, and an invitation to access to all diamond producing and trading facilities. If these steps are not taken by April 1, 2013, the Plenary regretted that appropriate actions will be taken, which may ultimately lead to Venezuela being removed from the KP.
6. The Plenary adopted the Revised Guidelines for the PC in Recommending Interim Measures as Regards Serious Non-compliance with KPCS Minimum Requirements.
7. The Plenary took note of the result of the 2012 annual reporting process 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 2011 by 49 Participants representing 75 countries. The Plenary requested that the KP Chair and the PC engage with one Participant, Indonesia, that has again failed to submit its annual report, to call upon it to conform with this requirement at the earliest possible date. 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.
8. The Plenary took note of the proposal made by both the CSC and the WDC to report annually to the KP on their contributions to KPCS implementation, and refers it to the CRP for examination in the light of the 2009 Administrative Decision (AD) on activities of Observers.
9. The Plenary took note of reports of review visits conducted in Thailand, Lebanon, Canada and Switzerland, and the fact that a review visit to the United States would be conducted in the week following the Plenary session. Plenary welcomed the invitations for a review visit as submitted to the WGM by South

Africa, Liberia, Togo, Armenia, Guyana, Vietnam and the Russian Federation. 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. The Plenary encouraged review visit teams to test the newly updated version of the Review Visit Checklist and provide the WGM with any possible suggestions for further improvement.

10. The Plenary encouraged the WGM to pursue strengthening implementation of the KPCS within its current remit. In this respect, the Plenary endorsed a proposal for amendments to the AD on KPCS Peer Review System and as such welcomed WGM actions to introduce more regular review visits, broader expert participation and more stringent requirements for reporting on steps taken on recommendations. The Plenary invited the WGM to continue reviewing the AD on Peer Review, including the possibility for outside experts to be part of review visit teams. The Plenary also invited the WGM to contribute to the work of the CKR by examining Annex II of the KP Core Document and making suggestions for improvement.
11. The Plenary committed to seek ways to further enhance the exchange and supply of information to the WGM vis-a-vis concerted KPCS implementation, including through collaboration with diamond industry associations, international organizations and appropriate enforcement agencies. The Plenary encouraged the WGM to continue discussions on this issue, including the possibility of establishing a sub-group on information sharing to support KPCS implementation, with the notion that this would have no bearing on national legislation or sovereignty.
12. In light of UN Security Council (UNSC) Resolution 2045 (2012), the Plenary acknowledged the steps taken and actions planned by Côte d'Ivoire to ensure compliance with KPCS minimum standards. The Plenary noted that the KP Chair made a presentation to the UNSC in May 2012 and that the Friends of Côte d'Ivoire (FOCDI) had conducted visits to Séguéla in August and September 2012, and expressed the KP's commitment to further engage with the Ivorian authorities to prepare for KPCS implementation. The Plenary requested that the WGM, in association with the FOCDI and other KP bodies as

appropriate, actively collaborate with the newly established Inter-Ministerial KP Permanent Secretariat and the UN Group of Experts. The Plenary acknowledged the importance of technical assistance to the Ivorian KP Secretariat and called upon FOCDI members to come forward with such assistance. In this context, the Plenary also took note of joint United States Geological Survey (USGS) and EU Joint Research Centre (JRC) efforts to identify a common methodology for satellite monitoring of diamond mining in Côte d'Ivoire, and joint USAID-EU plans to provide technical assistance for promoting the formalization of the artisanal mining sector and reinforcing the country's chain of custody through the Property Rights and Artisanal Diamond Development (PRADD) project.

13. The Plenary welcomed Guinea's commitment to fulfilling the terms of the Swakopmund 2009 AD and decided to bring this AD to a conclusion. Plenary welcomed Guinea's commitment to improving its internal controls, including through further utilization of the USGS toolkit for multi-stakeholder monitoring of remote artisanal mining sites. Guinea accepted the findings of the USGS assessment with respect to artisanal mining sites undertaken on behalf of the WGDE and thanked USGS for its assistance. Plenary noted that the USGS assessment and WGDE footprint for Guinea would need to be adjusted to account for industrial production. Guinea committed to inviting a review visit in 2013, recognizing that the review visit team should visit artisanal and, if appropriate, industrial production areas.
14. In light of UNSC Resolution 2025 (2011), the Plenary took note of Liberia's intentions to continue reinforcing its internal controls and underlined the need to further pursue efforts to address continuing challenges to KPCS implementation in collaboration with the KP and the UN Group of Experts. The Plenary welcomes Liberia's agreement to host a review visit in early 2013 and thanked Ghana for its willingness to lead such a visit, while calling upon other KP Participants to express interest to join.
15. The Plenary encouraged KP Participants from West Africa to continue dialogue concerning methods for improved regional cooperation on KP implementation. In this context, Plenary noted the multi-stakeholder workshop on enforcement

that was held in Ouagadougou, Burkina Faso, in February and commended Ghana for hosting a delegation from Côte d'Ivoire in June 2012.

16. The Plenary commended the efforts of Zimbabwe to implement the AD adopted in 2011 in Kinshasa and resolved to lift the KP special measures under the terms of that Decision. Plenary appreciated Zimbabwe's reiterated willingness to ensure that the KP civil society coalition representatives in Zimbabwe continue to have access to Marange.
17. The Plenary reviewed in detail the situation with respect to the Marange diamond fields and recalled the effort undertaken by Zimbabwe and the whole of the Kimberley Process since late 2008, when concerns arose about the KPCS compliance. The review of the Kinshasa Decision included detailed reporting on the situation provided by the KP Monitoring Team and KP civil society coalition representatives in Zimbabwe throughout 2012. The Plenary noted with appreciation the progress reported and the sharing by the Zimbabwean authorities of the Monitoring Team reports with relevant institutions that may provide further assistance and fiscal management expertise to Zimbabwe as required.
18. The Plenary emphasized that monitoring of issues in relation to KPCS compliance will continue under the regular arrangements that apply to all KP Participants. The Plenary encouraged Zimbabwe to maintain the best practices that have developed during 2012, including facilitating engagement among government, industry and civil society with respect to the development of diamond-related policy and legislation, exchange of information on the internal control system and measures to address the situation of artisanal mining in order to also combat smuggling and address security incidents at mine level.
19. In this light, the Plenary expressed its appreciation for the efforts of the Zimbabwean authorities, the KP Monitoring Team and KP civil society coalition representatives in Zimbabwe to resolve the concerns of KPCS non-compliance in Marange. As such, pursuant to paragraph 6 of the 2011 Kinshasa AD, the terms of that Decision no longer apply to Zimbabwe. The Plenary underlined that the manner and level of reporting on this AD had greatly enhanced the Kimberley Process's understanding of Marange and may serve as

a useful model for future situations where the KP works together with a Participant to resolve issues of sustaining compliance.

20. As recommended by the WGM, the Plenary added The Republic of Zimbabwe as a member of the WGM.
21. As recommended by the WGS, the Plenary adopted an AD on the Data Anomalies Questionnaire process.
22. The WGS reviewed the Methodology Analysis Review document, which is used in the development of the annual statistical analyses for each KP Participant. The WGS, led by the EU through the JRC, conducted a complete review of the document and adopted it.
23. The WGS is updating the KP User Manual and completed implementation of enhancements to the KP Statistics Website improvements to increase its functionality.
24. The Plenary noted with satisfaction that all KP Participants have met their statistical obligations in accordance with the KPCS.
25. In 2012 the WGS members completed analyses of 36 Participants' statistics from 2011. The WGS awaits responses from 21 Participants.
26. The WGS provided guidelines on bilateral reconciliation, which has been a major challenge for Participants with extensive trade.
27. The Plenary took note that in June 2012 the U.S. Agency for International Development (USAID), DDI and the World Bank organized a conference on "Enhancing the Developmental Potential of Artisanal and Small-Scale Mining" attended by more than 100 representatives of KP Participants, the WDC and the CSC. Conference participants developed a number of ideas to integrate development objectives with KP implementation to complement the efforts of the WGAAP and DDI. The conference recognized that the KP should promote the adoption of a number of best practices to facilitate improved integration of economic development principles and actions into the Artisanal/Small-scale Mining sector.

28. The Plenary adopted the Washington Declaration of 2012 on integrating the development of artisanal and small-scale diamond mining in the implementation of the Kimberley Process as approved by the WGAAP as a complementary work instrument to the Moscow Declaration of 2005 on improving internal controls on the production of alluvial diamonds.
29. As recommended by the WGAAP, the Plenary supported Côte d'Ivoire in its efforts aimed at implementing the KPCS, commended its remarkable progress, and expressed the wish for its prompt reintegration into the KP.
30. As recommended by the WGAAP, the Plenary added the Republic of Cameroon as a member of the WGAAP. The Plenary took note that the WGAAP supports the request of the Republic of Cameroon for technical assistance for the establishment of traceability mechanisms within its internal controls.
31. During 2012 the CKR discussed the subject of KP reforms and the proposed changes to the definition of "conflict diamond," among other proposals. The discussions were guided by the proposals regarding a revised definition of "conflict diamond." After lengthy discussions, no consensus was reached on whether or not to change the definition. The Plenary reaffirmed the mandate of the CKR to continue discussions and consultations on the subject of conflict diamond definition and directs the CKR to report on this subject to Plenary 2013.
32. The Plenary acknowledged that the CKR has begun discussions on the Priority Areas focusing on the composition of working groups, decision-making, and monitoring, as mandated in AD 006-2011. Plenary noted the CKR's commitment to continue these discussions in collaboration with the WGM and the CRP.
33. The Plenary endorsed the CKR recommendation to merge the PC and the SC, and tasks the CKR to develop a road map for implementation.
34. The Plenary confirmed the CKR view expressed in the summary of the Johannesburg consultation that expanding the scope of the KPCS could be

envisaged through internal controls and other internal measures, such as those under discussion within the PC and the WGM.

35. The Plenary approved the AD on Selection, Engagement and Operation of a Kimberley Process Administrative Support Mechanism (ASM).
36. The Plenary noted that no individual participating in the functions of the ASM would be engaged in KP committee work.
37. The Plenary endorsed the selection of the WDC to host the ASM for a period of one year commencing January 1<sup>st</sup>, 2013. The Plenary noted that there would be an evaluation of the ASM at the 2013 Intersessional or as needed, at the instruction of the KP Chair.
38. The Plenary recognized the significant potential of the creation of national tripartite structures. The Plenary decided that the CKR should continue discussions on Voluntary Guidelines with regards to National Task Forces with the aim to make a recommendation to Plenary in 2013, and welcomed Brazil's presentation to Plenary on this subject.
39. The Plenary acknowledged that according to the mandate given to the CKR through AD 006-2011, CKR membership is limited to current and past KP Chairs. The CKR acknowledges the interest of The Republic of Zimbabwe to join the Ad hoc Committee, and accordingly has invited The Republic of Zimbabwe to participate as a guest in CKR discussions. The CKR has also extended invitations to Angola, Brazil, China, Ghana, Switzerland, and the UAE to participate as CKR guests.
40. The WGDE finalized a number of amendments to technical definitions within the KPCS core document to be incorporated in the work of the CKR. These definitions are "Import," "Export," "Transit" and "Country of Origin." The WGDE will continue to develop other definition proposals that may have far-reaching consequences but that still need more research to ascertain their effectiveness. The WGDE expects this work to be finalized by the KP Intersessional 2013.
41. As a follow-up to the mandate from the UNSC Sanctions Committee on Côte d'Ivoire, the WGDE sent a team of experts to the diamond mining areas of the

country. Preliminary results of this visit covering resource reserve assessment and production capacity were discussed at the Plenary.

42. The WGDE Sub-Group on the Characterisation of Rough Diamonds (co-chaired by South Africa and U.S.) continues its efforts to secure sanctioned rough diamonds from Côte d'Ivoire for geochemical and morphological fingerprinting research in close collaboration with the UN Group of Experts on CDI, the KP Chair and others.
43. As a follow-up to the 2009 AD on Guinea, the WGDE tabled a USGS report on the resource reserve assessment, the estimated (alluvial) production capacity and an improved footprint of the different diamond production areas of the country.
44. The WGDE re-launched work on the Valuation Methodologies Project, previously led by Australia and now led by South Africa, and is updating the research results and will upload the Data Valuation Matrix (DVM) to the KP website shortly. This DVM will allow Participants to evaluate different approaches on value as mentioned on KP certificates.
45. Divergent Harmonized System (HS) classification remains an issue that the WGDE and WGS want to resolve. No consensus was achieved during a WGDE/WGS joint session. Guidance was prepared on the classification of mineralogical samples, rough diamonds in jewellery and other analogous cases and will be available on the KP website shortly. The WGDE continues work (led by Canada) on the vital distinction between rough and polished diamonds and is researching the implementation of a new Technical Guideline on diamond powders.
46. As recommended by the WGDE, the Plenary added Zimbabwe and Brazil as members of the WGDE.
47. As recommended by the CRP, the Plenary approved the structure and the contents of the KP Documents Compendium, which will be placed on the KP website in order to facilitate quick access of Participants and Observers to any required documents. The Plenary decided to have the Compendium translated into all official KP languages.

48. The Plenary concluded that the KP does not currently have enough information to pursue any of the proposed courses of action with regard to a KP Logo. Plenary instructed the CRP to investigate ways of registering and protecting a KP Logo.
49. The Plenary endorsed the CRP's efforts to contribute to the work of the CKR on Priority Area 3 of AD 006-2011 with regards to participation and chairing of the KP working groups. The CRP plans to review the 2007 AD on the "Recommendation Relating to KP Participants' Applications for Membership of KP Working Organs," including making recommendations on the number of participants in working groups, rotation of working group members and admission of members under special measures.
50. As recommended by the CRP, the Plenary added The Republic of Zimbabwe as a member of the CRP.
51. The Plenary highlighted the importance of the AD on Clarifications and Recommendations on the Issue of Applying the KP Written Procedure, which provides tools for making important decisions outside of Plenary.
52. The Plenary welcomed the enhancements to the KPCS website developed by the United States with generous support from the Antwerp World Diamond Centre and encourages Participants, Observers and the general public to take full advantage of the updated site.
53. The Plenary welcomed the increased focus in 2012 on technical assistance through the establishment of the Development and Assistance section of the website. The KP Chair now issues monthly Technical Assistance Bulletins to connect those in need of expert assistance with those who can provide it and thanks The European Union, The Republic of Ghana, the United Arab Emirates, USGS, USAID, the Gemological Institute of America and others for such efforts. The Plenary encourages additional measures meant to further enhance technical assistance.
54. The Plenary took note of an increased level of collaboration among Participants and with the WCO in combating fake KPCS certificates.
55. The Plenary acknowledged the benefit of the breakout sessions held at Intersessional and Plenary where Participants met according to their role in the

rough diamond supply chain. Plenary encouraged the continuation of this practice and the use of newly established distribution lists (ArtisanalSmallScaleMining@kimberleyprocess.com, LargeScaleMining@kimberleyprocess.com, TradingandManufacturing@kimberleyprocess.com) to improve lines of communication.

56. The Plenary reaffirmed its commitment to the role of the CSC within the KP. It furthermore called on all Participants to support the work of the CSC in monitoring the implementation of the KPCS in their respective countries.

57. The United States Customs and Border Protection Agency hosted the KP Enforcement Seminar. Customs and law enforcement officials from eleven governments, the European Commission and the WCO participated in this government-only event. Participating governments included Australia, Belgium, Cameroon, Canada, China, Côte d'Ivoire, Germany, Singapore, Switzerland, and the United States. The seminar attendees noted the importance of international cooperation in the successful implementation of the KPCS and encouraged key players in the diamond sector to remain engaged in the successful implementation of the KPCS. The WCO presented to seminar attendees about customs operations to support KPCS implementation.

58. At the conclusion of the Plenary, the Kimberley Process is comprised of 54 Participants representing 80 nations. The Republic of Cameroon became a Participant in August 2012 and participated for the first time as a Participant at the Plenary meeting.

59. The Plenary thanked the United States for hosting this Plenary session and appreciated the hospitality extended to the delegates.

The Plenary welcomed the United States as the incoming Chair of the PC for 2013.

60. The Plenary welcomed the selection of South Africa as the new Chair in 2013, and takes note with appreciation of China's November 26 offer to serve as Vice-Chair in 2013 allowing for continuity in management and leadership in the KP. The Selection Committee will communicate its recommendation regarding the Vice Chair position to the Chair within a reasonable timeframe and according to the procedure described in the Administrative Decision of 2008.