



KIMBERLEY PROCESS
RUSSIA 2021

Kimberley Process Communiqué Hybrid Plenary Meeting (in Moscow and online), 8-12 November 2021

12 November 2021

1. The Seventeenth Kimberley Process (KP) Plenary Meeting was convened under the Chairmanship of the Russian Federation from 8th till 12th November 2021 in a hybrid format both in person in Moscow, Russia and online. The Plenary saw strong participation of delegates from 52 Participants and 4 Observers. The presence of Guests of the Chair, including the Kyrgyz Republic, the Republic of Mozambique, the State of Qatar and the Republic of Uzbekistan as well as of the World Customs Organization (WCO), the Convention on International Trade in Endangered Species (CITES) and the World Bank was highly appreciated.

2. The Plenary noted the challenging conditions of the COVID-19 pandemic and its respective restrictions and limitations that affected the work of the KP in 2020. However, the strong commitment of the participants to the KP objectives and their willingness to adapt to the new normality allowed the KP to get back to constructive work, including the smooth functioning of the KP working bodies throughout the years 2020 and 2021 and holding meaningful Intersessional and Plenary Meetings in 2021. The Plenary appreciated the efforts of the Russian Chairmanship on promoting the work of the KP in the online format in the spirit of inclusiveness, transparency and responsibility during these difficult times of uncertainty and disruption.

3. The Kimberley Process has proven to be an effective multilateral tool for conflict prevention in stemming the flow of conflict diamonds. It has had valuable developmental impact in improving the lives of people in diamond mining communities contributing to the achievement of the UN Sustainable Development Goals. The Kimberley Process based on a tripartite structure of government, industry and civil society continued its efforts to promote legitimate rough diamond trade and contribute towards peace, security and prosperity.

4. The Plenary welcomed the Special Forum on Responsible Diamond Sourcing organized by the Russian Chairmanship in June on the margins of the 2021 Kimberley Process Intersessional Meeting with the participation of representatives of the United Nations (UN), African Union (AU), Intergovernmental Forum on Mining, Minerals, Metals and Sustainable Development (IGF), Organisation for Economic Co-operation and Development (OECD), International Labour Organisation (ILO) and International Organization for Standardization (ISO) and noted the potential for further cooperation with these organizations in accordance with the KP/2018/Plenary/Administrative Decision 02 for KP Engagement with External Organizations. The Plenary welcomed the conclusion of the forum that the diamond industry must embrace sustainable development at every level of the supply chain to succeed in a modern world.

5. Participants and Observers thanked the Russian Federation for its leadership in 2020 and 2021 and welcomed Botswana as KP Chair and Zimbabwe as KP Vice Chair in 2022.

Work of the Working Groups and Committees

6. The Plenary appreciated the commendable work by the Working Groups and Committees in 2021 to ensure that the Kimberley Process delivers and keeps pace with evolving challenges, and noted the adoption of the following Administrative Decisions:

1. Administrative Decision on Questionnaire on the Admission of New Observers in the Kimberley Process;
2. Administrative Decision on Rules of Procedure of Meetings of the Intersessional and the Plenary Meeting, and its Ad Hoc Working Groups and Subsidiary Bodies;
3. Administrative Decision on the Guidelines for the Preparation, Review and Analysis of KP Statistical Data Document.

7. The Plenary thanked the WDC for hosting the Administrative Support Mechanism (ASM). The Plenary noted that the mandate of the ASM expires in 2021. The Plenary extended the mandate of the ASM for an additional one-year period or until the date of setting up of a Permanent Secretariat whichever is earlier. ASM annual reports are to be submitted to the KP Chair.

8. The Plenary reminded the Working Bodies of the need to observe the established rules on the appointment of Chairs and Vice Chairs of the Working Bodies in accordance with 2017 KP Administrative Decision "Chairmanship of Kimberley Process Working Bodies", which provides, inter alia, that a KP Working Body should solicit volunteers, on the timeline consistent with this AD, for the positions of Chair and Vice Chair at the end of their third year of service.

9. The Plenary further noted the good work carried out by the Working Groups and Committees in fulfilling their respective mandates, as reported below:

Working Group on Artisanal and Alluvial Production (WGAAP)

10. The Plenary endorsed the approval of the People's Republic of China and the Republic of Gabon as full members of the WGAAP.

11. The Plenary noted with appreciation the work accomplished by the Democratic Republic of the Congo as Chair of the WGAAP, and therefore endorsed the renewal of its term for three more years.

12. The Plenary welcomed the updates presented by both the Republic of Cameroon and the Central African Republic (CAR) on their continued efforts to improve the KPCS implementation in their respective countries.

13. The Plenary took note of the experience shared by DELVE, a platform implemented by the World Bank to collect and manage the data of the ASM sector. In this respect, Plenary further noted the need to explore options of collaboration between DELVE and WGAAP as regards the data collection in the ASM diamond sector. A sub-group comprising of DDI@Resolve (Chair), Ghana, Zimbabwe, DRC, WDC and CSC was put in place in order to look into opportunities of how the KP can support the DELVE platform in line with the KP/2018/Plenary/Administrative Decision 02 for KP Engagement with External Organizations. As a first step, DDI@Resolve will meet with DELVE/World Bank to discuss feasibility.

14. The Plenary noted the continued progress on the implementation of the Regional Approach in the Mano River Union countries, despite the challenges posed by the COVID-19 pandemic. The Plenary extended its appreciation to the EU and the German Federal Ministry for Economic Cooperation and Development for co-funding this project.

15. The Plenary welcomed the presentation of the GemFair Programme conducted by WDC member De Beers in Sierra Leone. Further the Plenary noted the importance of exploring opportunities to support the formalization of the ASM sector in other countries, noting that the work undertaken under the Mano River Union strategic plan with the support of the EU and WDC member GemFair in facilitating a regional training programme is a good model to replicate, involving CSC.

16. The Plenary noted that the Regional Cooperation in Central Africa has not commenced the implementation of its Work Plan adopted during the High-Level Workshop held in April 2019 in Kinshasa, DRC due to the context of COVID-19 pandemic and the lack of funding. The Plenary further encouraged the Technical Team comprising of Botswana, South Africa, USA, EU, China, ADPA and CSC to reach out to donors to facilitate the implementation of this Work Plan.

17. The Plenary reaffirmed its commitment to strengthen the tripartite nature of the Kimberley Process at the national level to ensure follow up of the KPCS implementation in the ASM diamond producing countries. The Plenary therefore noted WGAAP's intention to develop a set of recommendations on the creation of a National Multi-stakeholder Task Force of the KPCS in the ASM diamond producing countries.

Working Group on Statistics (WGS)

18. The Plenary welcomed the report of the WGS on the work done in 2020-2021.

19. The Plenary adopted the revised Administrative Decision on the Guidelines for the Preparation, Review and Analysis of the KP Statistical Data Document.

20. The Plenary noted the implementation of the 2019 Administrative Decision for the Submission of Production Data by type – Large Scale Mining and Artisanal Small Scale Mining which requires producing countries to report their production data by type. The first submission of production data by type began with the first half of production (January-June) 2020.

21. The Plenary noted the commitment from the Committee on Participation and Chairmanship (CPC) to enforce the provision of the 2005 Administrative Decision on Guidelines for the Participation Committee with respect to statistical non-compliance for Indonesia, as raised by WGS. The WGS has committed to provide statistical reporting training to Indonesia which will allow them to comply with the KPCS. The WGS commends efforts by the KP Chair and CPC to resolve the issue of Indonesia's statistical non-compliance.

22. The Plenary noted the WGS' completion of 48 statistical country analysis for 2020. The WGS looks forward to receiving the remaining analyses from the Democratic Republic of Congo, Eswatini and Lesotho.

23. The Plenary noted the WGS' continued commitment to provide statistical support and assessment of proposed exports from compliant zones in CAR as established in accordance with the Administrative Decision on the Resumption of Exports of Rough Diamonds from CAR and its Operational Framework.

24. The Plenary noted that the WGS, in conjunction with the WGAAP, participated in a four-day training session for officials of Cote d'Ivoire, Guinea, Liberia, and Sierra Leone on data collection and statistical processing for diamond supply chain stakeholders in the context of the regional approach in the Mano River Union. WGS members from the USA and Canada presented on data management, statistical reporting, and analysis.

25. The Plenary noted the WGS' continued efforts in providing outreach to Participants of the KP. The WGS assisted 6 Participants of the KP with the submission of statistics to the KP Rough Diamond Statistical website in 2021. The Plenary also noted the WGS' training provided to Angola and the United Kingdom of Great Britain and Northern Ireland on statistical reporting requirements, reconciliation and country analysis.

Working Group of Diamond Experts (WGDE)

26. The Plenary welcomed Angola as full member of the WGDE.

27. The Plenary welcomed Switzerland and the United Kingdom of Great Britain and Northern Ireland as Observers of the WGDE, in order to participate in the newly created Subgroup on Digitalization.

28. The Plenary supported the initiative of the KP Chair 2021 to launch the process of digitalization of KP Certificates.

29. The Plenary welcomed the creation of the WGDE Subgroup on Digitalization comprising of Angola, Brazil, Canada, People's Republic of China, European Union, India, Russian Federation, Switzerland, United Kingdom of Great Britain and Northern Ireland, United States of America and the World Diamond Council as provisional Chair of the Subgroup. The Plenary noted the need for adoption of the Terms of Reference.

30. The Plenary noted the bilateral pilot projects on digital exchange of information of KP Certificates data between the Russian Federation and the Republic of Belarus and between the Russian Federation and the

Kingdom of Belgium as a member of the EU, and encouraged the KP Participants to take practical steps towards developing a consistent approach to digitalization of KP Certificates.

31. The Plenary thanked the CITES for their presentation on the learnings gained in its own digitalization experience and welcomed further engagement with CITES in the sphere of digitalization consistent with the KP/2018/Plenary/Administrative Decision 02 for KP Engagement with External Organizations.

32. The Plenary noted the new Technical Guideline (no.16) on the ASSURE Programme adopted by the WGDE.

33. The Plenary thanked the WCO for the continued cooperation.

34. The Plenary noted that while it is important to ensure consistency and clarity with regard to the shipment of exploration samples and diamonds of less than 0.5mm (micro-diamonds), consensus on the wording of appropriate document had not yet been reached, and noted that the WGDE would continue this work in 2022.

35. The Plenary noted that due to the inconsistencies in classification of diamonds between HS code 7102.31 and 7102.39 amongst Participants certain shipments have been reported to be blocked, and that the WGDE would be working with the WCO to seek further wording.

36. The Plenary noted that the WGDE Scientific Subgroup will be in a position to present on the findings on the Laser Induced Breakdown Spectroscopy (LIBS) data on diamonds from CAR, DRC and RSA, in early 2022.

37. The Plenary thanked the members of both the WGDE Scientific Subgroup and WGDE Diamond Expert Team for their valued contributions to the continued success of the KP and welcomed the inclusion of new experts of both Subgroups.

38. The Plenary noted that the WGDE will update and reissue its survey on the confiscation of rough diamonds in 2022, but the issue of how to deal with confiscated diamonds and fraudulent certificates will be the remit of a new Subgroup. The Subgroup under the remit of WGAAP was created by members of WGAAP, WGM and WGDE. The following Participants and Observers volunteered to be part of the new Subgroup: DRC, EU, Cameroon, Ghana, India, Switzerland, South Africa, Russia, USA, Zimbabwe, WDC and CSC

39. The Plenary thanked each of the KP Permanent Secretariat (KPS) candidates – Austria, Botswana and the People’s Republic of China.

40. The Plenary noted that after extensive discussion, including with full KP Plenary in attendance, the WGDE Technical Experts Team (TET) reported on its work done. In absence of consensus based on the presented evaluation the Plenary agreed to extend the mandate of the WGDE TET for 2022 as per 2019 KP Final Communiqué with the Terms of Reference to be reviewed. The evaluation exercise to be opened to all KP Participants.

Working Group on Monitoring (WGM)

41. The Plenary noted the finalization and adoption by WGM of the reports of all the review visits that took place in the years 2018 and 2019.

42. The Plenary acknowledged submission of annual reports by all KP Participants and Observers for the calendar year 2020 and that annual report assessments have been completed by all. There are no outstanding assessments for the calendar year 2020.

43. The Plenary noted that the WGM will summarise results of annual report assessments and send feedback to Participants to improve the quality of their reports where they are found lacking.

44. The Plenary noted the delay of the Peer Review Mechanism due to the ongoing COVID-19 pandemic and encouraged the Participants and Observers to resume review visits and missions when the necessary conditions on the ground are favorable and the measures are put in place.

45. The Plenary noted that some KP Participants have been inactive for a long time and recommended that the KP Chair writes to them reminding them of their responsibilities to attend KP meetings and activities.

46. The Plenary welcomed the United Kingdom of Great Britain and Northern Ireland as provisional member of WGM.

47. The Plenary noted that the Bolivarian Republic of Venezuela has started production and intends to export in the coming months. Recalling paragraph 37 of the 2016 Plenary Final Communique, the Plenary intends subject to favorable conditions to send the review visit to the Bolivarian Republic of Venezuela after resumption of exports. Further it was appreciated that Bolivarian Republic of Venezuela notified the WGM of how it is implementing recommendations of the review visit of 2016.

48. The Plenary noted an invitation for the KP review mission by CAR. The Plenary decided to consider sending a review mission in 2022, taking into account the prevailing conditions in the CAR, in consultation with MINUSCA and the CAR Government under specific Terms of Reference to be developed by WGM in consultation with the review mission team and CAR MT. The review mission team will include the representatives from WGAAP, WGM, WGDE, WGS, WDC, ADPA and CSC, and other interested Participants. The review mission will establish contact with the CAR Government, MINUSCA, UN Panel of Experts and other relevant bodies in the CAR.

49. The WGM recognized the work completed by the CAR MT and acknowledged that the Revised Operational Framework of 2019 and the supporting Terms of Reference have assisted in bringing tangible benefits toward increasing legitimate diamond exports from the Central African Republic.

50. The Plenary took note of the challenges encored by the CAR on KP certification processes, standards, such as the quality of the diamond pictures provided by the CAR Focal Point to the CAR Diamond Expert Team (DET), the inconsistencies/incompleteness in trade data and KP certificates, the missing export shipments that did not reach their declared destination and the under sorting cases concerning exported diamonds causing lost revenues, and noted that the CAR provided extensive explanations to the issues raised. The Plenary encouraged the CAR to explore greater coordination and collaboration with its regional and sub-regional entities so as to ensure coordinated efforts including technical assistance.

Committee on Participation and Chairmanship (CPC)

51. The Plenary welcomed the report of the CPC on the work done in 2020-2021.

52. The Plenary welcomed the admission of the State of Qatar, the Kyrgyz Republic and the Republic of Mozambique as KPCS Participants.

53. The Plenary noted the interest and commitment of the Republic of Uzbekistan to join the Kimberley Process Certification Scheme.

54. The Plenary adopted the Administrative Decision on Questionnaire for the Admission of New Observers in the Kimberley Process, which would be the basic data collecting document for gathering relevant information of the applicants wishing to become an Independent Observer in the Kimberley Process, facilitate review and assessment of their application by the CPC.

55. The Plenary noted that Indonesia remained statistically non-compliant despite regular follow ups made by the Kimberley Process Chair and the CPC Chair, respectively. The Plenary consented to grant Indonesia an opportunity to respond to the Kimberley Process within a period of six months, commencing from the adoption of this final Communique, i.e. November 12, 2021.

56. The Plenary reaffirmed the commitment of the CPC to enforce the 2005 Administrative Decision on Guidelines for the Participation Committee with respect to statistical non-compliance.

57. The Plenary welcomed the admission of the United Kingdom of Great Britain and Northern Ireland as provisional member of the CPC.

58. The Plenary welcomed the Russian Federation as the incoming Chair of the Committee on Participation and Chairmanship for 2022.

Committee on Rules and Procedures (CRP)

59. The Plenary welcomed the report of CRP on the work done in 2020-2021.

60. The Plenary adopted the updated Administrative Decision on Rules of Procedure of Meetings of the Intersessional and the Plenary Meeting, and its Ad Hoc Working Groups and Subsidiary Bodies as proposed by the CRP.

61. The Plenary welcomed the Declaration on Supporting Principles for Responsible Diamond Sourcing as Best Practices (“Frame7”) that was tabled jointly by Russia and Botswana in 2020 and discussed during joint sessions of the CRP and the WGM.

62. The Plenary welcomed the decision of the CRP to initiate in 2022 the solicitation of volunteers for Chair and Vice Chair of the Committee.

63. The Plenary welcomed the admission of the United Kingdom of Great Britain and Northern Ireland as provisional member of the CRP.

64. The Plenary welcomed the progress in consolidating the Core Document that has enabled provisional closure of several sections. The Plenary noted that this work, led by the EU, will continue in the Sub-team on the Core Document within the CRP.

65. The Plenary welcomed the extensive work undertaken in the context of the Sub-team on the Core Document as regards the definition of ‘conflict diamonds’, led by the EU, allowing significant steps forward. The Plenary invites the incoming and future Kimberley Process Chairs, all KP Participants and Observers to take these efforts forward for the next review cycle, taking note of the work that has been done and reflected in the letter circulated on 11 November 2021 by the Kimberley Process Chair 2021 and the Kimberley Process Chair 2018.