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The role of diamonds in fuelling conflict

Botswana:* draft resolution

The role of diamonds in fuelling conflict: breaking the link between the illicit transaction of rough diamonds and armed conflict as a contribution to prevention and settlement of conflicts

The General Assembly,

Recognizing that the trade in conflict diamonds continues to be a matter of serious international concern, which can be directly linked to the fuelling of armed conflict, the activities of rebel movements aimed at undermining or overthrowing legitimate Governments and the illicit traffic in and proliferation of armaments, especially small arms and light weapons,

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

Expressing deep concern regarding the unprecedented challenges faced by the Kimberley Process arising from ongoing geopolitical tensions and conflicts,

Noting the negative impact of such conflicts on regional stability and the obligations placed upon States by the Charter of the United Nations regarding the maintenance of international peace and security, and recognizing that continued action to curb the trade in conflict diamonds is imperative,

Noting also that the Kimberley Process remains a unique tripartite initiative that brings together stakeholders in Government, industry and civil society in its quest to prevent conflict diamonds from entering the diamond trade and has had a valuable development impact in improving the lives of people in some diamond-mining communities and contributing to the achievement of the 2030 Agenda for Sustainable Development¹ and the Sustainable Development Goals,

Noting with appreciation that the Kimberley Process, as an international initiative led by participants, has pursued its deliberations on an inclusive basis

* Any changes to the list of sponsors will be reflected in the official record of the meeting.

¹ Resolution 70/1.



involving concerned stakeholders, including producing, exporting and importing States, the diamond industry and civil society, as well as applicant States and international organizations,

Recalling that conflict prevention and the elimination of conflict diamonds from legitimate trade is the primary objective of the Kimberley Process, and stressing the need to continue its activities in order to achieve this objective,

Welcoming the important contribution of the Kimberley Process, which was initiated by African diamond-producing countries and supported by other Kimberley Process participants, and calling for the consistent implementation of commitments made by Kimberley Process participants and the diamond industry and civil society organizations, as observers,

Acknowledging the role that the Kimberley Process has played, in the past 20 years, in stemming the flow of conflict diamonds and the significant development impact it has had in improving the lives of many people dependent on the trade in diamonds, and noting that the plenary meeting of the Kimberley Process, in looking towards the future, committed to continue to ensure that the Kimberley Process remains relevant as a credible tool in curbing the flow of conflict diamonds, capturing the evolving nature of conflicts and realities on the ground,

Acknowledging also that the diamond sector is an important catalyst for promoting economic and social development, which are necessary for poverty reduction and achieving the Sustainable Development Goals in many producing countries, particularly in developing countries,

Bearing in mind the positive benefits of the legitimate diamond trade to producing countries, workers and their communities, and underlining the need for continued regional and international action to prevent the problem of conflict diamonds from negatively affecting the trade in legitimate diamonds, which makes a critical contribution to the economies of producing, exporting and importing States,

Noting that the total elimination of conflict diamonds from the diamond market continues to be the primary objective of the Kimberley Process, and stressing the need for the Kimberley Process to continue evolving to meet the social and environmental challenges in line with the 2030 Agenda and the Sustainable Development Goals,

Recognizing that the Kimberley Process promotes legitimate rough diamond trade, and recalling the positive benefits of legitimate diamond trade to producing countries, including its transparency and accountability throughout the diamond industry, and the contribution it has made to the economies of producing, exporting and importing States, and therefore underlining the need for continued international action with regard to the ethical exploitation, sale and trade of rough diamonds,

Expressing appreciation to Angola, Ghana, Guyana and Zimbabwe for their continued efforts to improve implementation of the Kimberley Process Certification Scheme for Rough Diamonds in their respective countries, and welcoming the efforts to enhance regional cooperation on Kimberley Process matters, including among artisanal and alluvial diamond-producing countries in Central Africa and the Mano River Union, and encouraging the sharing of lessons and increased capacity-building for the Certification Scheme,

Appreciating the efforts of Austria, China, the Russian Federation and the United States of America as candidates for hosting the Kimberley Process secretariat throughout the evaluation exercise, and encouraging their continuous support in the forthcoming operation of the secretariat,

Recalling the Charter and all the relevant resolutions of the General Assembly and of the Security Council related to conflict diamonds, and determined to contribute to and support the implementation of the measures provided for in those resolutions,

Recalling also General Assembly resolution 55/56 of 1 December 2001 and Security Council resolution 1459 (2003) of 28 January 2003, in which the Assembly and the Council strongly supported the Kimberley Process Certification Scheme as a valuable contribution in breaking the link between the illicit transaction of rough diamonds and armed conflict as a contribution to prevention and settlement of conflicts,

Noting that the implementation of the Kimberley Process Certification Scheme continues to have a positive impact in reducing the opportunity for conflict diamonds to play a role in fuelling armed conflict and helps to protect legitimate trade and ensure the effective implementation of the relevant resolutions on trade in conflict diamonds,

Acknowledging that lessons learned from the Peacebuilding Commission may be useful for some Kimberley Process participants and that some Kimberley Process participants may also have experiences to share with respect to peacebuilding, as appropriate,

Recognizing that the ongoing and regular review and reform of the Kimberley Process is necessary to keep pace with and aim to address the ongoing threat of instability, conflict and contemporary challenges in the diamond trade in order for the Kimberley Process to continue to fulfil its mandate in the regulation of the trade of rough diamonds and the prevention of conflicts,

Welcoming the decision of the 59 Kimberley Process participants, representing 85 countries, including the 27 States members of the European Union represented by the European Commission, to address the problem of conflict diamonds by participating in the Kimberley Process and implementing the Kimberley Process Certification Scheme,

Recognizing that State sovereignty should be fully respected and that the principles of equality, mutual benefits and consensus should be adhered to, and welcoming the implementation of the Kimberley Process Certification Scheme in such a way as not to impede the legitimate trade in diamonds or impose an undue burden on Governments or industry, particularly smaller producers, and not to hinder the development of the diamond industry,

Recognizing also that the Kimberley Process Certification Scheme, which came into effect on 1 January 2003, will be credible only if all participants have the requisite national legislation coupled with effective and credible internal systems of control designed to eliminate the presence of conflict diamonds in the chain of producing, exporting and importing rough diamonds within their own territories and across their borders, while taking into account that differences in production methods and trading practices, as well as differences in the institutional controls thereof, may require different approaches to meeting minimum standards, and encouraging all participants to work towards overall compliance with the Kimberley Process standards,

Welcoming the voluntary system of industry self-regulation through the System of Warranties, in accordance with the Kimberley Process Certification Scheme core document, that supports the effectiveness of the Certification Scheme,

Noting that the plenary meeting of the Kimberley Process expressed appreciation to Botswana, as the 2022 Chair of the Kimberley Process, for its efforts in promoting the continuation of work during the coronavirus disease (COVID-19)

pandemic in a hybrid format allowing for flexibility, in a comprehensive and accessible manner,

Noting also the outcomes of the eighteenth plenary meeting of the Kimberley Process, hosted by Botswana from 1 to 4 November 2022,

Noting further that the plenary meeting of the Kimberley Process established the Ad Hoc Committee on Review and Reform of the Kimberley Process, as articulated under paragraph 20 of the Kimberley Process Certification Scheme core document,

1. *Recognizes* that the Kimberley Process Certification Scheme helps to ensure the effective implementation of relevant resolutions of the Security Council containing sanctions on the trade in conflict diamonds and contributes to the prevention of conflicts fuelled by diamonds, and calls for the full implementation of existing Council measures targeting the illicit trade in rough diamonds, particularly diamonds which play a role in fuelling conflicts;

2. *Also recognizes* the important contributions that the international efforts to address the problem of conflict diamonds, including the Kimberley Process, have made and can make to the settlement of conflicts and the consolidation of peace;

3. *Notes* that the annual reporting process on Kimberley Process Certification Scheme implementation is the main comprehensive and regular source of information on the implementation of the Kimberley Process provided by participants, and calls upon participants to submit consistent and substantive annual reports in order to conform to this requirement;

4. *Also notes* that the 2022 plenary meeting appreciated the work by the working groups and committees to ensure that the Kimberley Process delivers and keeps pace with evolving challenges and noted the adoption of the administrative decision on the Ad Hoc Committee on Review and Reform, in particular its paragraph 4.1, whereby the plenary meeting entrusted the Committee:

(a) To review and propose, for the plenary's adoption, a definition of "conflict diamonds" which captures the evolving nature of conflicts and the realities on the ground;

(b) To strengthen Kimberley Process Certification Scheme implementation with regard to technical assistance between participants in rough diamond mining and trading;

(c) To consider conducting a structural review of the Kimberley Process with a view to addressing challenges facing communities impacted by diamond mining activities, through corporate social responsibility and support for artisanal and small-scale mining communities;

(d) To clarify the Kimberley Process position on total country compliance or partial compliance zoning in producing countries;

(e) To consider strengthening Kimberley Process governance;

5. *Recognizes* the ongoing work of the Working Group of Diamond Experts on the digitalization of Kimberley Process certificates, the adoption of new technical guideline No. 17 on potentially diamondiferous exploration samples, the value reported on Kimberley Process certificates, confiscation and disposition of rough diamonds and "hand-carried" shipments of rough diamonds;

6. *Reaffirms* the commitment of the Kimberley Process to continue its cooperation with the World Customs Organization and the intention to work on reviewing the explanatory notes of the harmonized system code to further engage with

the World Customs Organization on processes and technologies now used in diamond cutting and polishing;

7. *Welcomes* the decision by the 2022 plenary meeting of the Kimberley Process to establish the Kimberley Process secretariat in Gaborone;

8. *Stresses* the decision by the plenary that, while the financial contributions to the Kimberley Process secretariat are not mandatory for Kimberley Process members, such contributions are critical to the proper functioning of the Kimberley Process secretariat, and therefore encourages Member States to also voluntarily support the operationalization of the secretariat;

9. *Notes with satisfaction* the finalization and adoption by the Kimberley Process of the report of the review visits to Zimbabwe that took place in May 2022, and encourages the finalization of the report of the review visit to Sierra Leone that took place in October 2022;

10. *Notes* the plenary's views of the Kimberley Process as an effective multilateral tool for conflict prevention in stemming the flow of conflict diamonds, and its valuable development impact in improving the lives of people in some diamond-producing countries and its contribution to the 2030 Agenda for Sustainable Development and the Sustainable Development Goals;

11. *Reaffirms* the importance of the tripartite nature of the Kimberley Process, stresses that the widest possible participation in the Kimberley Process Certification Scheme is essential, and therefore encourages participants to contribute to the work of the Kimberley Process by participating actively in the Certification Scheme and ensuring compliance with its undertakings and the effective implementation of its measures, underscores the importance of the Civil Society Coalition and its members to the Kimberley Process, and acknowledges the importance of supporting additional applications for membership by civil society organizations;

12. *Recalls* the central place of mining communities in the Kimberley Process and the need to devote particular attention to engaging Kimberley Process stakeholders and communities, especially artisanal miners, in governance structures, developing best practices, and promoting the rule of law;

13. *Welcomes* efforts to enhance cooperation with and assistance to participants in Kimberley Process matters, including with a regional dimension, focusing on the implementation of best practices, capacity-building and compliance with Kimberley Process standards, rules and procedures;

14. *Also welcomes* the adoption by the Kimberley Process of the Declaration on Supporting Principles for Responsible Diamond Sourcing as Best Practices, and encourages its further implementation for the benefit of the global diamond industry and communities;

15. *Recognizes* the value of engaging with relevant external organizations to support the work of the Kimberley Process and its working bodies;

16. *Encourages* further strengthening of the Kimberley Process to enhance its effectiveness in addressing challenges posed to the diamond industry and related communities, including from instability and conflict, and to ensure that the Kimberley Process remains relevant for the future and continues to contribute to international peace and security and the achievement of the 2030 Agenda and the Sustainable Development Goals, and looks forward to further exploring and advancing the ways in which the Kimberley Process contributes to peacebuilding and sustaining peace;

17. *Acknowledges with great appreciation* the important contribution that Botswana made as Chair of the Kimberley Process in 2022, and welcomes the

selection of Zimbabwe as Chair and the United Arab Emirates as Vice-Chair of the Kimberley Process for 2023;

18. *Requests* the Chair of the Kimberley Process to submit to the General Assembly at its seventy-eighth session a report on the implementation of the Kimberley Process;

19. *Decides* to include in the provisional agenda of its seventy-eighth session the item entitled “The role of diamonds in fuelling conflict”.
