



Kimberley Process Communiqué
Brussels Plenary, 12 - 16 November 2018

16 November 2018

1. The Kimberley Process celebrates its fifteenth anniversary this year. Since it was launched in 2003, the Kimberley Process has contributed towards peace, security and prosperity. It has proven to be an effective multilateral tool for conflict prevention in stemming the flow of conflict diamonds. The Kimberley Process has had valuable developmental impact in improving the lives of most people dependent on the trade in diamonds. The Kimberley Process has been complemented by other initiatives in natural resource governance.
2. The commitment of the Tripartite of governments, industry and civil society is at the heart of this success. At the Kimberley Process Plenary which met from 12 to 16 November 2018 in Brussels, Belgium, under the Chairmanship of the European Union, which has been guided by the principles of sustainability, inclusiveness, responsibility and dialogue, Participants and Observers underlined the need for further engagement. They agreed to be further committed to implementing and further strengthening the effectiveness of the Kimberley Process.
3. As part of the new 2030 Agenda for Sustainable Development, all countries adopted a set of goals to end poverty, protect the planet and ensure prosperity. The Kimberley Process already contributes toward the achievement of these goals. The Plenary noted that Goal 16 will be critical for the eradication of extreme poverty within a decade. Together we will continue to work to ensure that the Process remains not just relevant for the future but that it makes an even greater contribution toward achievement of Agenda 2030 and the Sustainable Development Goals.
4. The Plenary recalled the Resolution of the UN General Assembly of 7 March 2018, recognizing that *'continued action to curb the trade in conflict diamonds is imperative'* and encouraging *'further strengthening of the Kimberley Process to enhance its effectiveness to address 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, including peacebuilding, and the achievement of the 2030 Agenda and the Sustainable Development Goals'*.
5. The Plenary recalled its commitment to the reform and review of the Kimberley Process including enhancing its effectiveness and considering how to strengthen the scope of the Kimberley Process in the Core Document, in line with the 2017 Brisbane Plenary Communiqué. The Plenary noted the submissions, to that end, by the European Union, the United States, Canada, as well as the joint submission by the World Diamond Council and the Civil Society Coalition, and invited further contributions from

Participants and Observers. All such contributions will be compiled and considered by the Kimberley Process.

6. The Plenary reaffirmed its commitment to strengthening the three pillar structure that is at the heart of the Kimberley Process and welcomed the newest member of the Civil Society Coalition, Maluti Community Development Forum, from Lesotho. The Plenary recognised the vital role played by Observers in contributing to ensuring the effectiveness of the certification scheme and providing technical expertise to its Working Groups and Committees, Applicants and Participants.
7. The Plenary underlined the central place of mining communities in the Kimberley process. The fora held in Antwerp (June 2018) and Zambia (September 2018) devoted particular attention to engaging artisanal miners in governance structures, developing best practices building upon experiences of other minerals and gold in artisanal and small-scale mining, and promoting the rule of law. The Plenary appreciated the dynamism of the Working Group on Artisanal and Alluvial Production as a key actor in tackling the challenges that face artisanal and alluvial mining communities.
8. The Plenary welcomed efforts to enhance cooperation on Kimberley Process matters with a regional dimension, acknowledged the potential of the Mano River Union Regional Approach for further developing cooperation among the Kimberley Process Participants in the Central African region, and invited the Working Group on Artisanal and Alluvial Production to explore ways to continue encouraging cooperation at regional level. Implementing best practices, building capacity and promoting the rule of law will be at the forefront of these efforts. The Plenary noted the leadership role of the Mano River Union Secretariat and further noted the interest shown by Ghana and Togo to be Observers of the Mano River Union Regional Approach of the Kimberley Process.
9. The Plenary welcomed the forum held in Brussels (November 2018) on environmental challenges in diamond mining, which allowed for a meaningful exchange on sound environmental practices to minimize the impact of diamond mining on the environment and on opportunities for dependent mining communities.
10. The Plenary welcomed the forum "Innovation and Technology: State-of-art in the rough diamond trade" organised in the margins of the June 2018 Intersessional by the World Diamond Council, as well as the Footprint and Fingerprint seminar organised by the Working Group of Diamond Experts in the margins of the Plenary on the conclusions of the Working Group of Diamond Experts Scientific Subgroup's workshop on fingerprinting and footprinting held in South Africa in October 2018. The Plenary equally valued the briefing "Diamonds and Synthetic Diamonds – The Way Forward" as an important contribution to the debate on marketing rough diamonds versus synthetic diamonds. The Plenary took note of the ongoing procedure initiated by the Working Group of Diamond Experts to formally introduce two 6-digit sub headings for "*synthetic diamonds*" in the World Customs Organization's Harmonised Commodity Description and Coding System (HS) tariff nomenclature.
11. The strong participation of Ministers and governmental delegates from 43 countries including the European Union (28 Member States), and the crucial contribution of industry and civil society, allowed for valuable discussions and consensus based decisions. The presence of Guests of the Chair, of the World Customs Organisation and

the World Trade Organisation, was highly appreciated. The Plenary underlined the crucial role of Kimberley Process Focal Points. The Plenary welcomed new Focal Points and appreciated the induction session the Kimberley Process Chair organised for them.

12. The Plenary noted with appreciation the close coordination and information sharing across the Kimberley Process Working Groups and Committees, enabling all Kimberley Process actors to work closely together towards common goals.
13. Participants and Observers thanked the European Union for its leadership and look forward to working under the Chairmanship of India in 2019.

Work of the Working Groups and Committees

14. The Plenary appreciated the commendable work by the Working Groups and Committees in 2018 to ensure that the Kimberley process delivers and keeps pace with evolving challenges, and noted the adoption of the following Administrative Decisions:
 - Administrative Decision ‘Establishment of a Kimberley Process Secretariat’
 - Administrative Decision for ‘KP Engagement with External Organizations’
 - Administrative Decision on the ‘Compilation of Modifications to Technical Definitions’
 - Administrative Decision on the ‘Use of Unified Diamond Nomenclature and Terminology as a Best Practice’.
15. The Plenary recognized the added value of engaging with external international and regional organizations to support the work of its Working Groups and Committees and welcomed the Administrative Decision that provides criteria for engagement in a spirit of transparency and inclusiveness.
16. The Plenary welcomed the Administrative Decision regarding a compilation of modifications to technical definitions in the Kimberley Process Core Document which represents a very helpful step towards bringing greater clarity and legal certainty to all Kimberley Process actors.
17. 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)

18. The Plenary took note of the first edition of the Artisanal Diamond Mining Forum (ADMF) which took place on 14 September 2018 in Livingstone, in Zambia, back to back with the International Conference on the Artisanal and Small Scale Mining and Quarrying. This gave the opportunity to Artisanal Diamond Miners to concert with other stakeholders of the Kimberley Process family and express themselves directly on the challenges they are facing on the ground.
19. The Plenary noted with appreciation the logistical and financial support provided by the European Union to the organization of this event, including by sponsoring the participation of 30 Artisanal Miners and members of the Civil Society Coalition.

20. To implement some lessons learnt during the Artisanal Diamond Mining Forum, the Plenary was informed that the WGAAP had tasked US and the Diamond Development Initiative to prepare a guideline to improve the implementation of Miners' cooperatives, and the Civil Society Coalition to design a capacity building programme on the Kimberley Process procedures for Artisanal Diamond Miners.
21. The Plenary encouraged the yearly organization of the Artisanal Diamond Mining Forum.
22. The WGAAP and the Working Group of Diamond Experts held a joint session on the implications of the growth in the production of synthetic diamonds. The discussion that followed thereafter showed the strong need for differentiation between rough diamonds and synthetic (laboratory grown) diamonds, addressing the negative images related to artisanal diamond production and for openness to the continued discussion on the expansion of the scope of the Kimberley Process.
23. The Working Group of Diamond Experts Chair reported on the process undertaken with the World Customs Organization towards the establishment of the HS code for "synthetic diamonds" (laboratory grown) and encouraged the Kimberley Process Participants to seek support from their respective delegations to World Customs Organization meetings on this matter.
24. The WGAAP and the Working Group on Statistics held a joint session on the disaggregation of artisanal and small-scale mining production to be reported to the Kimberley Process. In accordance, changes brought into the Kimberley Process web site to accommodate this were presented by the Working Group on Statistics Chair and adopted for implementation starting from the year 2019.
25. The Plenary took note of the continued progress on the implementation of the Regional Approach Action Plan in the Mano River Union countries.
26. The Plenary welcomed efforts to advance regional cooperation in Central Africa, drawing on successes from the Mano River Union and lessons learned from the Artisanal Diamond Mining Forum.

Working Group on Statistics (WGS)

27. The Plenary welcomed the submission of missing statistical data to the Kimberley Process Rough Diamond website by six previously non-compliant Participants (Democratic Republic of Congo, Côte D'Ivoire, Guinea, Israel, Lesotho and the Republic of Korea).
28. The Plenary welcomed the work carried out by the Working Group on Statistics on the review and revision of the statistics section of the Core Document and its submission to the Ad Hoc Committee on Review and Reform.
29. The Plenary noted the important work carried out by the Working group on Statistics and the Working Group on Alluvial and Artisanal Production in the review and development of requirements for the modification of the Kimberley Process Rough

Diamond website which will allow producers of rough diamonds to report production data by alluvial and industrial statistics. Expected website implementation is September 2019.

30. The Plenary noted the Working Group on Statistics implementation of the Data Anomaly Questionnaire Process which identifies anomalies in reported production, trade and certificate count statistics by Kimberley Process Participants. Identified Participants are required to respond to a questionnaire regarding the anomalies identified in accordance with the 2012 Administrative Decision on Data Anomaly Questionnaire Process.
31. The Plenary welcomed the Working Group on Statistics efforts to finalize the reconciliation best practice document. The document will provide guidelines to the Kimberley Process Participants regarding the reconciliation practices with its trading Partners.
32. The Plenary welcomed the Working Group on Statistics continued statistical support and assessment of proposed exports from the Central African Republic (CAR) as established in accordance with the Administrative Decision on the Resumption of Exports of Rough Diamonds from CAR and its Operational Framework.
33. The Plenary welcomed Lesotho and Ghana as members of the Working Group on Statistics.

Working Group of Diamond Experts (WGDE)

34. The Plenary took note of the work of the Working Group of Diamond Experts on the incompatibility of the carnet with the Kimberley Process Certification Scheme and updating previous guidance on the applicability of the Kimberley Process Certification Scheme on sending of mineralogical samples consisting of rocks with protruding diamonds. The Plenary endorsed the recommendation of the WGDE that Lesotho, a Provisional Member of the Working Group of Diamond Experts since 2017, becomes a member of the WGDE. The Plenary approved the suggestion of the WGDE to accept the Civil Society Coalition as Provisional Member for one year.
35. The entire Kimberley Process Family gave extensive thanks to Mr Mark van Bockstael for 16 years of leadership of the WGDE, and for his contribution to the Kimberley Process as a whole.

Working Group on Monitoring (WGM)

36. The Working Group on Monitoring finalized the reports of all the review visits that took place in the year 2017 and the Plenary adopted the said reports.
37. The Plenary noted the WGM's decision to approve Lesotho as a full member of Working Group.
38. The Plenary welcomed the submission of all the Annual Reports by all 54 Participants as well as all the Observers for the 2017 calendar year. The Plenary further acknowledged and commended all Participants and Observers for submitting reports as

an indication of commitment to the implementation of the Kimberley Process Certification Scheme.

39. The WGM further acknowledged the assessment of 2017 Annual Reports and encourages the submission of all the outstanding assessments of the 2017 Annual Reports.
40. The Plenary noted and thanked Thailand, Malaysia, Mauritius, the Russian Federation, Angola, Japan for hosting review visits during the 2018 calendar year. The Plenary further noted the planned review visit to New Zealand in the week commencing on 3rd of December 2018.
41. The Plenary adopted the 2017 review visit reports of Israel, Sri Lanka, Laos, Mali, Namibia, and Botswana. The Malaysia report of the 2018 review visit was also adopted. The said Participants are expected to provide reports on the implementation of the Review Visit recommendations at the upcoming Intersessional meeting of 2019 as well as in their subsequent Annual Reports.
42. The Plenary further appreciated the leadership of Botswana, South Africa, Togo, China, and Zimbabwe in the aforementioned review visits. Appreciation is also forwarded to the review visit teams for completing the reports in order to monitor the implementation of the Kimberley Process Certification Scheme.
43. It was noted the review visit reports of Cameroon, India, European Union, Sierra Leone and Democratic Republic of Congo have long been pending since 2016 and therefore the team leaders thereof and host countries should ensure that the completion thereof is realized by 2019 Intersessional meeting.
44. The Plenary further noted the preliminary reports of the review visit to the Russian Federation, Angola, Mauritius and Thailand and team leaders are urged to prioritize the finalization of the review visit reports thereof.
45. The Plenary acknowledged the intent of Singapore, Panama, Switzerland, Zimbabwe, Canada, South Africa and the United States of America to a host review visit in 2019.
46. The Plenary acknowledged the work conducted by the Kimberley Process Central African Republic Monitoring Team including the footprint comparison by the Working Group of Diamond Experts in its implementation of the July 2015 Administrative Decision and Operational Framework for the Resumption of Exports from the Central African Republic. The work and efforts of the Central African Republic Monitoring Team are well appreciated. The Plenary recognized the Central African Republic Monitoring Team has met the one-week timeline of export approvals established in the Terms of Reference and the Export Procedures Flowchart and encouraged continued efforts to ensure an efficient approval process.
47. The Central African Republic Monitoring Team received a briefing from the United Nations Panel of Experts representative regarding the current conditions in the Central African Republic. The Central African Republic CAR Monitoring Team acknowledged receiving a proposal by the Central African Republic to add nine additional sub-prefectures as Kimberley Process ‘compliant zones’ and commits to reviewing the

proposed zones in accordance with the Operational Framework and Terms of Reference. The Plenary encouraged the CAR's KP authorities to continue implementing the Administrative Decision, Operational Framework, Terms of Reference and Export Procedures Flowchart and to ensure enhanced vigilance measures and the traceability of rough diamonds from all 'compliant zones'.

48. The Plenary noted the interest of the Russian Federation to participate in the work of the Central African Republic Monitoring Team.
49. The Plenary noted that South Africa provided technical assistance in a form of training on diamond valuation and sorting to the CAR officials and also noted the technical assistance provided by the European Union and United States of America.
50. The joint work programme by the Working Group on Monitoring and the Working Group on Artisanal and Alluvial Production relating to the Central African region to work closely together, in implementing similar modalities in the Central African region as in the Mano River Union. The Kimberley Process will be constantly updated on these efforts.
51. The Plenary noted that a number of fraudulent certificates have been reported and subsequently uploaded on the Kimberley Process website as part of information sharing and encourages Participants to continuously report such certificates in an effort to raise awareness and curb illegal transactions. Fraudulent certificates should be dealt with in accordance with the internal legal frameworks and Kimberley Process requirements.

Committee on Participation and Chairmanship (CPC)

52. The Plenary acknowledged that the Committee on Participation and Chairmanship Chair advised that Gabon has met the conditions set out in the Administrative Decision KP/2017/Plenary/2 and welcomed Gabon as a Kimberley Process Participant.
53. The Plenary noted the ambition of Qatar to join the Kimberley Process Certification Scheme.
54. The Plenary took note that the Committee on Participation and Chairmanship was informed of the fact that Macao Special Administrative Region (Macao SAR) of the People's Republic of China will formally implement the Kimberley Process Certification Scheme starting from October 1, 2019.
55. The Plenary noted the work of the Committee on Participation and Chairmanship on preparing revised text relating to the Participation of Observers in the work of the Kimberley Process.
56. The Plenary noted the commitment of the Committee on Participation and Chairmanship to enforcing the 2005 Administrative Decision on Guidelines for the Participation Committee with respect to statistical non-compliance, and noted that Bangladesh remained noncompliant.
57. The Plenary welcomed the European Union as the incoming Chair of the Committee on Participation and Chairmanship in 2019.

58. The Plenary welcomed the joint candidacy submitted by Botswana and the Russian Federation to serve as Vice-Chair during the period of 2019-2020. The Plenary took note that the two applicants will continue their discussions in accordance with the relevant rules, on the sequence of their respective Vice-Chairmanships, and that they will inform the Kimberley Process Chair of the outcome thereof in writing before 31 December 2018. Should no agreement be reached by that time, consultations will continue in accordance with paragraph 11 of the 2015 Administrative Decision on the Rules and Criteria for Selecting Vice-Chair of the Kimberley Process.

Committee on Rules and Procedures (CRP)

59. The Plenary adopted an Administrative Decision on “KP Engagement with External Organizations”. This Administrative Decision will facilitate the process of establishing a standardized approach to Kimberley Process engagement with External Organizations.

60. The Plenary noted the inclusion into the provisional programme of the work of the CRP for 2019 the preparation of amendments to Section VII of the 2003 Administrative Decision on “Rules of Procedure of Meetings of the Plenary, and its Ad Hoc Working Groups and Subsidiary Bodies” (the 2003 Administrative Decision) pursuant to the final Communiqué (Brisbane, 2017) giving the Chinese language the status of a working language in the Kimberley Process.

61. In the meantime, all Kimberley Process Chairs will ensure equal status for the Chinese language as a working language.

62. The Plenary noted the inclusion into the provisional programme of the work of the CRP for 2019 the preparation of review of the 2003 Administrative Decision on “Rules of Procedure of Meetings of the Plenary, and its Ad Hoc Working Groups and Subsidiary Bodies” on the basis of previous years’ best practices.

63. The Plenary noted the inclusion into the provisional programme of the work of the CRP for 2019 the elaboration of the definition "conflict of interest", specified in paragraph 2.5 of the Administrative Decision on “KP Engagement with External Organizations” and Section 3, Annex II to the Administrative Decision on “KPCS Peer Review System” and the scope of its application.

64. The Plenary noted the work of the Committee on Rules and Procedures on the draft Administrative Decision on “Rules and Criteria for Selecting Candidates for Vice-Chair of the Kimberley Process” and welcomed the continuation of work on the Administrative Decision in 2019.

Ad hoc Committee on Review and Reform (AHCRR)

65. The Ad hoc Committee on Review and Reform was formed in the Brisbane Plenary and has been working extensively over the last one year on the issues identified in the Administrative Decision. The Plenary welcomed the work done by the Ad Hoc Committee on Review & Reforms (AHCRR), which had formed four sub teams on Core Document, establishment of Permanent Secretariat, establishment of Multi Donor Trust Fund and strengthening of Peer Review Mechanism to simultaneously work on these

four areas identified at the AD on AHCRR adopted at Brisbane Plenary to be the focus areas for reform of KP in its third reform cycle since the establishment of the KPCS in 2003.

66. The Plenary took note that as part of reform, the AHCRR, has come, following the conclusions of a dedicated needs assessment, to a consensus in principle, for establishment of Permanent Secretariat. The potential tasks of the Secretariat will be based on the currently assigned tasks of the ASM as per the 2011 amendment to the 2010 AD on the establishment of the Ad Hoc Committee for exploring the modalities of enhancing the efficiency of the KP with a view to provide Administrative Support for its activities. The respective AD as proposed by AHCRR to the Plenary for Establishment of a Kimberley Process Secretariat was adopted by the Plenary.
67. The Plenary also took note that the Ad hoc Committee on Review and Reform plans to work further on this matter in 2019.
68. The sub-committee on MDTF will continue its work in 2019 to establish the modalities for setting up such a fund.
69. Within the framework of the work of Ad hoc Committee on Review and Reform, the Working Group on Monitoring made significant progress toward the strengthening of the Administrative Decision on Peer Review with the intention to present for adoption at the 2019 Plenary.
70. The Plenary welcomed the significant progress in consolidating the Core Document, bringing greater clarity and ease of use in a way that is consistent with, and true to the purpose of, the KP, and acknowledged the mapping exercise conducted to that end and the methodology applied.
71. The Plenary appreciated the proposals for consolidation of the Kimberley Process Core Document regarding several aspects of the Core Document, as outlined in the AHCRR report to the Plenary.
72. The Plenary noted that the Ad hoc Committee on Review and Reform will continue discussion and consultations on the areas of consolidation of the Core Document and strengthening of Peer Review Mechanism, establishment of the Permanent Secretariat, establishment of the Multi Donor Fund, and considering how to strengthen the scope of the Kimberley Process and will report to the Intersessional and Plenary meeting.
73. The Plenary reaffirmed the mandate of the Ad hoc Committee on Review and Reform as set forth in the Brisbane Administrative Decision on Review and Reform KP/2017/Plenary/AD1, until December 2019. The Plenary welcomed Angola as the new Chair of the Ad hoc Committee on Review and Reform and Canada as the new Vice-Chair of the Ad hoc Committee on Review and Reform in 2019.