

AMNESTY INTERNATIONAL PRESS RELEASE

AI Index: POL 30/011/2003 (Public)
News Service No: 180
31 July 2003

Kimberley process finally agrees membership list but lack of monitoring undermines credibility

A global coalition of non governmental organizations working with the Kimberley Process Certification Scheme (KPCS) for rough diamonds has welcomed the publication of a new list of participating countries. The list excludes those countries that failed to meet the minimum requirements of the scheme. But NGOs stressed that without adequate monitoring of the KPCS there is no way of ensuring that countries are actually halting the trade in conflict diamonds.

"Without effective and regular monitoring of the Kimberley Process it is difficult to evaluate whether national regulations are worth the paper they are written on," said Corinna Gilfillan of the UK-based NGO, Global Witness.

The 40 countries that did make the list only meet the requirements on paper. The Participation Committee did not assess how laws and regulations are being implemented and enforced. This underlines the urgent need for regular and impartial monitoring of in the Kimberley Process to assess whether diamond control systems work effectively in practise. Currently there are no formal arrangements for effective monitoring, and many governments are even reluctant to discuss the subject.

Ian Smillie of Partnership Africa Canada said, "Passing new regulations is not enough. We already have laws against theft and human rights abuse. These have not stopped conflict diamonds in the past. The laws must have teeth."

The KPCS was launched on January 1, 2003. In April, the deadline for membership was extended to July 31, 2003, because many countries had failed to pass the necessary legislation and did not have certificates with appropriate security features. A Participation Committee, including representatives of several governments, the diamond industry and NGOs, has been reviewing credentials since the new deadline was agreed.

Despite the new deadline, and in spite of extensive discussions and detailed negotiations lasting over three years, it is disappointing that 24 interested countries have still not passed the required legislation. They will therefore be excluded from the scheme until their legislation is put in place, and will be banned from trading in rough diamonds as of August 31, 2003.

Given the past levels of trafficking in conflict diamonds, NGOs have repeatedly called for all participating countries to be reviewed for compliance every two years, in order to ensure the credibility of the scheme.

"The current monitoring arrangements are completely inadequate," said Amnesty International, the Human Rights organization.

ActionAid - U.K. - www.actionaid.org
Amnesty International - Canada
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Fatal Transactions - Netherlands - www.niza.nl/fataltransactions
Global Witness - U.K. - www.globalwitness.org
Network Movement for Justice and Development - Sierra Leone
One Sky - Canadian Institute of Sustainable Living - Canada - www.onesky.ca
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Physicians for Human Rights - U.S.A.
World Vision U.S.A.

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Editor Notes: The KPCS, launched in January 2003, requires governments and the diamond industry to implement import/export control regimes in rough diamonds to prevent conflict diamonds from fuelling war and human rights abuse. The KPCS was negotiated by governments, civil society organizations and the diamond trade, in response to a civil society campaign against the trade in conflict diamonds. Governments had until today to pass laws and regulations to implement the scheme, and to produce tamper-proof certificates of origin. The KPCS needs to be strengthened to include regular, impartial monitoring for all national diamond control systems.

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