

Broad coalition of civil society groups call for greater governance in global diamond industry

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The diamond industry continues to be tainted by links between diamonds, human rights abuses and conflict finance. We the undersigned, who represent a diverse group of national and international civil society organizations, stand united in our efforts to break these links through a variety of means and to ensure that doing so remains a central concern for governments and industry engaged in the sector.

Collectively, we are deeply concerned by recent remarks by the 2016 Kimberley Process (KP) Chair directed at the KP Civil Society Coalition. Not only do these remarks indicate a disregard and lack of respect for the critical role that civil society has played and continues to play in the KP but they put at stake a crucial pillar of the KP's tri-partite structure. Any attempt to marginalize or silence civil society either individually or collectively risks the foundation on which the KP is built.

We wish to remind the diamond industry, governments, and consumers of our serious concerns regarding the diamond sector and the work that still needs to be done to address these long-standing issues. These concerns are shared by the KP Civil Society Coalition as well as those of us working outside the scheme, including Amnesty International, Global Witness, and the Enough Project. We will together continue to work on these issues in multiple forums, and continue to welcome engagement with concerned stakeholders who share our interests in seeing meaningful progress on these issues.

It is now close to 20 years since civil society organizations first brought to light serious concerns about the role of diamonds in fueling brutal conflicts across Central and West Africa. This effort led to a multilateral, multi-stakeholder negotiation over the course of several years that led to the establishment of the KP.

Civil society played an essential role throughout these initial negotiations and has remained an integral part of the system since its launch in 2003, often providing invaluable information-gathering, monitoring, expertise, and analysis that the KP relies on for credible decision-making. At times, this has required civil society organizations, whether inside the KP or not, to make strong statements and take difficult stands about failures within the KP and the actions of its participating states.

Such a stand was taken in 2016, resulting in the difficult decision of the KP Civil Society Coalition to remain engaged with the work of the KP but not to support the work of the United Arab Emirates as 2016 Chair, in the absence of meaningful engagement and reform by the UAE. No such reforms have been forthcoming.

As a mixed grouping of both members of the KP Civil Society Coalition and allied organizations, we remain united in addressing the serious and well-known issues that continue to afflict the

diamond industry. These issues have been raised repeatedly, not only by civil society but also by international organizations and the media. They include:

- Preventing diamonds from fueling violence and conflict of any kind or funding abusive government forces, in line with the OECD Due Diligence Guidance and applicable UN Security Council sanctions and resolutions;
- Ensuring companies in the diamond industry are legally required to meet their responsibility to respect all human rights throughout their global operations, as outlined in the UN Guiding Principles on Business and Human Rights and the OECD Due Diligence Guidance;
- Supporting greater revenue and data transparency across the diamond supply chain, in line with the Extractive Industries Transparency Initiative (EITI), the Open Contracting Partnership, and similar efforts;
- Addressing in both producing countries and trading centres the undervaluation of diamonds and links to tax evasion and transfer mispricing;
- Addressing the potential for the diamond supply chain to be used for the purposes of money laundering, corruption, or threat finance, in line with the Financial Action Task Force (FATF) 2012 Recommendations and the FATF's 2014 report on diamonds;
- Taking effective steps to eliminate forced or child labor in diamond mining or manufacturing, in line with applicable International Labour Organization (ILO) Conventions; and
- Promoting sustainable and meaningful economic development throughout the diamond sector and particularly in artisanal producing countries, in line with the UN Sustainable Development Goals and the KP Washington Declaration.
- Continuing to expand on efforts within the KP that are rooted in productive multi-stakeholder collaboration, such as working to improve KP enforcement and strengthened internal controls in manufacturing, trading, and producing countries, including in regions like West Africa and the Central African Republic.

We note that these concerns with the state of the natural diamond sector are not those of civil society alone. The rough diamond industry as a whole faces increasing pressure from the emergence of synthetic diamonds. The presentation of synthetic diamonds as a “responsible” alternative to natural diamonds has huge implications for an industry that continues to be tainted by the association of diamonds with serious harms. The banking sector’s concerns with respect to responsible business and countering potential misuse of the sector for money laundering and threat finance also has the potential to significantly impact the diamond trade.

The World Diamond Mark, the Diamond Producers Association, and other efforts have emerged in recent years in response to these pressures. These initiatives indicate increasing awareness of the concerns that exist across the diamond supply chain, from mining countries to manufacturers, to retailers and consumers. Actions, however, speak louder than words and we call on these organizations and the diamond industry to focus less on messaging and more on results.

Many engaged in the diamond sector have taken positive steps, but industry and governments have a long way to go to address the issues listed above. As civil society we look forward to working together with industry and governments who share an interest in taking steps to ensure that diamonds are not tainted by association with human rights abuses and other harms. With this goal in mind, we will also engage with other stakeholders in the supply chain, such as artisanal mining associations, relevant banks, and consumers across the globe.

The Kimberley Process is but one mechanism for engaging on diamond-related issues. It serves an important purpose. But it ignores abusive government forces, lacks transparency and places no responsibility on companies to investigate their supply chains. Other mechanisms, including those that expect diamond companies to check for and address risks in their supply chain and report publicly on the steps taken, have since emerged to increase the angles from which human rights and other concerns in the diamond industry can be tackled.

As civil society working across a number of initiatives our commitment to seeing real progress in bringing an end to the association between diamonds, conflict and human rights abuse remains united and unfazed.

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