

Kimberley Process Civil Society Coalition calls for urgent industry action: 'Stop the ongoing flow of conflict diamonds'

Many human rights challenges related to the mining and trading of diamonds are no different than those with other commodities. However, in addressing these challenges, the diamond industry faces sector-specific risks. These stem, on the one hand, from the generic consumer-facing marketing that mischaracterizes the diamond industry as universally beneficial and oversimplifies complex global challenges. On the other hand, the Kimberley Process (KP) Certification Scheme (KPCS), the sector's regulatory system designed to stop conflict diamonds from entering the legal trade, has been stuck in a deadlock for more than a decade as member countries fail to reach consensus on adapting it to current challenges.

Consequently, diamond mining continues to cause violence and conflict in several producer countries. These conflict or blood diamonds still circulate and are being sold to unwitting jewelry consumers relying on KPCS assurance. This problem has remained unaddressed for far too long and something finally needs to be done about it.

While governments have an important responsibility, industry should not wait idly for governmental action or limit their commitment entirely to abstract ethical ideals. Diamond and jewelry businesses genuinely committed to responsible diamond sourcing can make an important contribution to ending this deadlock by taking a number of concrete steps. Specifically, the KP Civil Society Coalition calls on them to endorse the following commitments:

- 1. Abandon conflict-free marketing claims.** Contrary to what is often claimed, the KPCS provides no guarantees that certified diamonds are free of conflict. This is due to the extremely narrow KP definition of conflict diamonds as 'rough diamonds used by rebel movements to finance conflict aimed at undermining legitimate governments' as well as the loopholes caused by substandard internal controls in many member countries. As there exists today no standardised, testable system guaranteeing that any diamond is free of conflict, conflict-free assurances constitute consumer deception. Such claims have real-life consequences including removing incentives to address ongoing diamond-related human rights abuses and violence through the KPCS or any other mechanism.
- 2. Stop talking about diamond-affected communities without actually talking with them.** Communities impacted by diamond mining, manufacturing and trading are often invoked in industry discourse with claims ranging from how much they owe to diamonds to what they stand to lose if consumers stop buying natural diamonds. Yet rarely are communities themselves provided the opportunity to explain how they perceive or experience this impact or to learn more about the end purpose of these operations that so greatly affect their lives. Therefore, we call on industry actors across the supply chain to honestly, transparently and without manipulation engage diamond-affected communities, and not just hand-chosen examples, in particular when publicly discussing or making statements about their well-being.

- 3. Implement due diligence on diamond supply chains.** An on-going, proactive and reactive due diligence process, in line with international standards based on the OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas, serves to ensure that companies respect human rights and do not contribute to conflict. Given the challenges of ensuring traceability when diamonds often change hands and parcels multiple times from mine to market, it is all the more important to improve, and independently audit, social, environmental and human rights standards at the mining level.

For industrial mining, a promising standard exists today, but no diamond mining companies have yet subscribed to it. The Initiative for Responsible Mining Assurance (IRMA) offers the only third-party, arms-length certification of industrial-scale mine sites for all mined materials that is co-created and governed equitably by the private sector (mining and purchasing), local communities, civil society, and workers. A commitment to higher standards for industrial mining should moreover go hand in hand with support to professionalise and source from artisanal and small-scale mining. Given the millions of people that depend on this livelihood, this is the sector's best guarantee of enhancing its development impact.

- 4. Stop representing standards created by industry associations, such as the World Diamond Council's revised System of Warranties (SoW) Guidelines, as proof of ethical diamond origin or actual human rights due diligence.** The SoW Guidelines promote best business practices. They only require users, however, to "educate themselves" on the OECD Due Diligence Guidance, not to take functional, concrete steps to identify, prevent, mitigate, and account for human rights risks and impacts along the diamond supply chain.

Similarly, the revised SoW Guidelines assure buyers that diamonds originate from sources that are compliant with universally accepted principles of human and labor rights, anti-corruption, and anti-money laundering. Yet, in fact they merely "encourage" compliance with the UN Guiding Principles on Business and Human Rights. Human rights are rights, not suggestions. The majority of diamonds are traded (as rough or polished) without disclosure and documentation of mine of origin, precluding full knowledge of the conditions in which they were mined. Therefore, such assurances that diamonds are free of conflict and respect human and labour rights can be misleading and distract from genuine due diligence.

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About the Kimberley Process Civil Society Coalition

The Kimberley Process Civil Society Coalition is the umbrella organization that acts as an observer of the Kimberley Process on behalf of civil society. Its industry counterpart in the KP is the World Diamond Council, which equally has observer status. Most coalition members come from Africa, the world's main diamond producing continent. Representing communities affected by diamond mining and trade, they strive to improve diamond sector governance in their home countries. Their local and regional expertise enables them to follow up on KP implementation on the ground and articulate a grassroots perspective on the diamond sector at the KP forum. The coalition includes representatives from Cameroon, Democratic Republic of Congo, Guinea, Ivory Coast, Liberia, Lesotho, Sierra Leone and Zimbabwe. One member is based in Belgium, which is the home country of the world's principal trading hub for rough diamonds. For more information, please visit <https://www.kpcivilsociety.org/about-us/>