



**KIMBERLEY PROCESS CIVIL SOCIETY ORGANISATION**  
**OPENING SPEECH for the 2021 KP Plenary Meeting**  
**Virtual meeting hosted by the Russian Federation**  
**8 NOVEMBER 2021**

**KP Chair**  
**President of World Diamond Council**  
**Ladies and gentlemen,**

Civil society would like to open this forum with a **reality check**. We would like to present to you a selection of positive and negative developments we have observed through our intensive work with communities impacted by diamond mining in various countries. We'll be holding up these testimonies as mirrors throughout this week's discussions because we regret that the Kimberley Process' increasing preoccupation with technicalities and political grandstanding alienates this process from the realities it claims to address.

Throughout the past year the KP CSC has invested time and resources in **grassroots monitoring** of diamond mining in various countries. With the financial support of the European Union we have started mapping the socio-economic and human rights impacts of artisanal, small and large-scale diamond mining in 8 African countries, namely Lesotho, Democratic Republic of Congo, Cameroon, the Central African Republic, Guinea, Sierra Leone, Ivory Coast and Zimbabwe. We'll be releasing our findings in the coming weeks. In other countries where we don't yet have civil society members, such as Angola, Mozambique, India, UAE, Tanzania and Botswana, we have done remote monitoring through online sources and local contacts.

This is a selection of our most important findings:

- In all 8 countries where the KP CSC has done grassroots monitoring, **poverty** in mining communities remains rampant. This applies both to communities living from artisanal diamond mining, as well as to those living nearby large multinational operations. While the regulatory frameworks in most countries still favor industrial over artisanal mining, the revenues from the former fail to flow back to the local communities impacted by the exploitation of their mineral wealth.
- Given the millions of people whose livelihoods depend on artisanal diamond mining, the development potential of this sector is huge, but still insufficiently appreciated. The KP CSC therefore applauds the **GEMFAIR initiative** in Sierra Leone that has made great progress in bringing responsibly sourced artisanal diamonds to the market. We also welcome the commitment by the **Antwerp World Diamond Centre** and the Congolese mining authorities to

pilot an artisanal **mine-to-market initiative in DRC**. We encourage industry and governments to support similar initiatives in other countries.

- In my own country Zimbabwe, we have witnessed some promising developments. The Zimbabwe Consolidated Diamond Company (ZCDC) has become the first diamond mining company to embrace the Initiative for Responsible Mining Assurance (IRMA). The IRMA seeks to answer the global demand for more socially and environmentally responsible mining. It offers independent third-party verification and certification against a comprehensive standard for all mined materials. ZCDC is undergoing a self-assessment in preparation for IRMA auditing. This is commendable. Still in Zimbabwe, a tripartite national level KP Compliance Self-Assessment process was initiated in October 2021 and still ongoing to evaluate compliance with KP minimum requirements. Lessons learnt will be shared with the KP. This is a much needed step given the fact that the country was last assessed by the KP in 2012. Other countries due for KP Review Visits should follow suit. Reports of violence in Marange have significantly gone down with no reports received from the area in the past several months. This is despite cases of poor community consultation of traditional leadership by the Chinese diamond miner Anjin, leading to renewed protests by and tensions with communities in the area.
- In 2019, the KP CSC helped bring to light horrific human rights abuses, including killings and torture of local communities, by a private security company protecting Petra Diamonds' Williamson Mine in **Tanzania**. We welcome the settlements that have been reached in UK courts for 96 victims and their families represented by the law firm Leigh Day. We call on Petra Diamonds and the Tanzanian government to ensure that all others who suffered abuses find justice.
- In **Sierra Leone**, the Affected Property Owners Association (APOA), with support from our Coalition member NMJD, has been proceeding in court for over two years now against the Kimberlite Diamond Mining Company, Koidu Limited for its involvement in human rights abuses, failure to effect resettlement and various other social and environmental ills. While local people perish, the company continues to hide behind complex corporate and financial structures, and there is no scrutiny at all from the KP.
- Civil society moreover remains concerned about the environmental and human health damage caused by diamond mining. In this light, we welcome the decision by the judiciary in **India** to ban diamond mining in the precious **Buxwaha** forest.
- We are deeply concerned about reports of **serious pollution of the Congo River Basin** by diamond mines across the border in Angola. The Catoca mine admitted a leak in its tailing dam in July, but denies that this would have released any toxic material. In September, the DRC authorities reported that at least 12 people had already died and over 4,000 got sick. Meanwhile there are reports of a typhoid outbreak in the region, with numerous children getting sick due to a lack of clean drinking water. With these serious concerns, authorities in DRC and Angola, should take adequate measures to mitigate the impact of this pollution on human and environmental health.
- The KP CSC was part of the Review Mission to **Mozambique** and witnessed how the country has prepared itself to join the KP if admitted. This was evidenced through the establishment of a KP Office, appropriate legal and

institutional structures, acquisition of infrastructure, recruitment of staff and establishment of a tripartite National KP Council (including Government, industry and civil society). While important challenges remain, and while illegality and human rights issues in Mozambique's ruby mining give rise to concerns, these are welcome steps towards increased scrutiny of diamond mining and trading in the country.

As for the discussions of this week, we welcome the proposed **Principles for Responsible Diamond Sourcing**. To translate this into meaningful action, the KP will have to make decisions on how to put these principles into practice. As we have highlighted in our recent call for industry action, when industry or governments limit their commitment to abstract ethical ideals, this constitutes nothing more than marketing. For this purpose, the KP CSC calls for the implementation of genuine due diligence on diamond supply chains in line with the OECD Guidance. This is an important step in making the consumer assurances offered by the KP Certification Scheme, and by extension the updated WDC System of Warranties, more meaningful.

This forum has often discussed the challenges related to artisanal and small-scale mining. Yet, in our view it has not given sufficient attention to those associated with large-scale mining. Problems with industrial mines are less common, but if things go wrong, the impact tends to be much more devastating and leaves communities powerless in a David v. Goliath battle with colossal corporate interests. There is a solution available to detect and mitigate problems more readily, but it has not yet made its way in the diamond sector. I refer to the Initiative for Responsible Mining Assurance, which is the only third-party, arms-length certification of industrial-scale mining for all mined materials that is co-created and governed equitably by the private sector, local communities, civil society, and workers. The KP CSC calls for IRMA certification for all industrial diamond mines.

While the situation in the **Central African Republic** has always worried civil society, a number of new developments are extremely concerning. The first relates to reports, by among others UN experts, that foreign mercenaries and CAR military elements are involved in excessive use of force, indiscriminate killings and large-scale looting. What makes this even more worrisome is that some of these same actors are implicated in diamond mining and trading. While all of this is already shrouded in secrecy, the fact that the monitoring of UN experts and civil society is being increasingly curtailed, risks to blind the KP entirely in the CAR. Finally, the draft new CAR Mining Code raises serious questions. Particularly, the centralization of commercial and supervisory power in one public company poses important risks with regard to transparency and proper checks and balances.

Eight years after the KP imposed its embargo on the CAR, we think it is time for the KP to evaluate whether it is achieving the objectives this was set to reach. If the objective is to stop conflict diamonds from reaching international markets, then the KP is failing because the embargo leaks like a sieve. If the objective is to stop diamonds from fueling conflict in CAR, then the KP is failing because armed groups continue to profit from illegal diamond mining and trade. If the objective is to protect communities from suffering, then the KP is failing, because the embargo has driven them even more into the hands of criminal, armed and terrorist groups and causes

serious cuts in their income. In the view of civil society, the KP will never achieve its objectives in the CAR as long as it does not embed this into a comprehensive regional approach, that includes accompanying measures to mitigate the negative impacts of the embargo on the communities whose livelihoods depend on diamonds.

The Civil Society Coalition would like to reiterate its support for the adoption during this plenary of an Administrative Decision on the establishment of **national multi-stakeholder working groups** within the Kimberley Process Certification Scheme (KPCS). We believe that multi-stakeholder initiatives provide a space for stakeholders to build trust with each other. This is particularly the case in contexts where government and industry have not previously had a working relationship with civil society organizations. By building this working relationship, different stakeholders can collaborate to identify practical and effective solutions to the challenges they face.

On a final note, the Coalition is happy to introduce our new full member CRRAG from the Central African Republic, who provides a great complement to our team in a country that is of key interest to the diamond sector. With a lot of confidence for the future, I'm moreover delighted to announce today that the Coalition will be transitioning to a new leadership. Michel Yoboué from GRPIE in Côte d'Ivoire will take it over as KP CSC Coordinator in 2022.

Delivered by:

**Shamiso Mtisi** – *Coordinator KP CSC.*

On behalf of the Kimberley Process Civil Society Coalition

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