



THE KIMBERLEY PROCESS CERTIFICATION SCHEME (KPCS): COMBATING CONFLICT DIAMONDS IN GLOBAL TRADE

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Abstract

The Kimberley Process Certification Scheme (KPCS) represents one of the most significant international initiatives aimed at eliminating conflict diamonds from the global diamond trade. Established in 2003 based on United Nations General Assembly Resolution 55/56, the KPCS fundamentally transformed the diamond industry by implementing a comprehensive certification system designed to prevent rough diamonds from financing armed conflicts against legitimate governments. This article examines the history, structure, effectiveness, and ongoing challenges of the Kimberley Process, analyzing its impact on global diamond trade and its role in ensuring peace and security.

Keywords: Kimberley Process, conflict diamonds, diamond certification, rough diamonds, international trade regulation, peace and security, United Nations, World Diamond Council, Global Witness, diamond industry regulation, natural resources and conflicts

Historical Background and Development (Origins and Initial Motivations). In May 2000, several diamond-producing states of Southern Africa met in Kimberley, South Africa, with industry stakeholders and diamond trade experts to discuss ways to prevent trade in "conflict diamonds." The states aimed to ensure that diamond revenues would not finance violent rebel movements seeking to undermine legitimate governments. This meeting in Kimberley, South Africa, which gave the process its name, represented the first coordinated international effort to address the conflict diamond problem.

This issue was included in the agenda of the 55th session of the UN General Assembly. Diamond-producing states concerned about the harmful social consequences of "conflict diamonds" trade began to establish a framework to reduce these impacts. The international community's response was swift and decisive, with the United Nations General Assembly adopting a crucial resolution supporting an international certification scheme for rough diamonds.

Formalization and Implementation. In November 2002, after two years of negotiations, the Kimberley Process Certification Scheme (KPCS) was launched and signed by 37 countries in Interlaken, Switzerland. The KPCS came into force in 2003,



when participating countries began implementing its rules. This rapid transition from concept to implementation demonstrated the international community's commitment to addressing the conflict diamond crisis.

Participant Scope. Currently, it includes 60 participants representing 86 countries, with the European Union and its 27 member states counted as one participant under the European Commission. Today, the Kimberley Process (KP) comprises 60 participants representing 86 countries (with the European Union as a single participant), accounting for more than 99% of global rough diamond production and trade. This near-universal coverage is crucial for the scheme's effectiveness, as it ensures that virtually all legitimate diamond production and trade occurs within a regulated framework.

The KP operates under a unique tripartite structure, which includes:

Government Participants: sovereign states and regional economic integration organizations
Industry Observers: primarily represented by the World Diamond Council
Civil Society Observers: various non-governmental organizations

Organizational Structure. Leading and coordinating the KP, ensuring effective implementation and preparation for leadership succession. Developing and overseeing initiatives that support and enhance the KPCS, addressing challenges and promoting ethical practices in the industry. The KP operates under a rotating chairmanship system, where different participating countries take turns leading the organization for one-year terms.

Other working groups include the Technical Working Group (or Diamond Experts Working Group), which reports on implementation difficulties and proposes solutions, and the Statistics Working Group, which provides diamond trade data. These specialized working groups ensure continuous monitoring and improvement of the technical and operational aspects of the certification scheme.

Core Requirements and Certification Process. Scheme participants are obligated to: meet "minimum requirements" and establish national legislation, institutions, and import/export controls; adhere to transparent practices and exchange vital statistical data; certify shipments as conflict-free.

The KPCS imposes several key obligations on participating countries:

Legislative Framework: Participating states must implement strict legal and regulatory standards to control the import and export of rough diamonds and ensure compliance with KP requirements. **Transparency Obligations:** Participants commit to transparent practices that are crucial for diamond supply chain integrity through clear and timely statistical data exchange. **Restricted Trade:** Trade is





permitted only among certified KP members who fully comply with these international standards ensuring the legitimacy of diamond trade.

Certification Mechanism. The KP certification scheme requires rough diamonds to be shipped in tamper-resistant containers and exported with a Kimberley Process Certificate certifying that the rough diamonds have not benefited rebel movements. This certification system represents the practical core of the KPCS and provides a paper trail tracking diamonds from mine to market.

All imported and exported rough diamonds must be accompanied by a valid Kimberley Process certificate issued by the Kimberley Process authority in the exporting country. The rough diamonds must be in a tamper-resistant container. The requirement for tamper-resistant containers adds an additional layer of security to the certification process.

Achievements and Impact. The reduction of "conflict diamonds" from approximately 15% of global diamond production in the 1990s to less than 1% today. This dramatic reduction represents one of the most significant achievements of the KPCS and demonstrates its effectiveness in achieving its primary objective.

With 59 participants, the KP is estimated to account for 99.8% of global rough diamond production. This near-universal coverage ensures that the vast majority of legitimate diamond trade occurs within a regulated framework, making it extremely difficult for conflict diamonds to enter major markets through official channels.

Broader Impact on Peace and Security. This process has not only significantly reduced the number of conflict diamonds in the open market but also helped economies thrive based on the trade of this mineral. By eliminating a primary source of conflict financing, the KPCS has contributed to peace and stability in regions previously affected by conflicts.

Some countries still heavily rely on diamond trade: for instance, in Botswana, it generates more than half of government revenue and accounts for more than one in twenty jobs. This scheme has enabled legitimate diamond-producing countries to benefit from their natural resources without the threat of conflict diamonds undermining market confidence.

Criticisms and Limitations. Conflict diamonds are defined by the Kimberley Process as "rough diamonds used by rebel movements to finance wars against legitimate governments." This narrow definition means that the Kimberley Process does not have the mandate to address broader human rights risks associated with diamond trade. This limitation has been the subject of ongoing criticism from human rights organizations.





Organizations such as Human Rights Watch have noted that the Kimberley Process is too narrow in scope and does not adequately serve to address other human rights-related issues in the diamond production chain. Critics argue that focusing only on rebel movements ignores other forms of violence and human rights violations that may occur in diamond mining.

Implementation Challenges. Throughout its brief history, it has consistently faced implementation problems: the situation in the Central African Republic (CAR) is the most recent example - despite an embargo on diamonds from CAR imposed in 2013, conflict diamonds from territories controlled by armed groups in the country still reached international markets.

The biggest challenge proving the Kimberley Process's success is the difficulty of tracking diamonds after they leave the mines. For example, when a KPCS diamond is exported from its country to Belgium or Dubai, both major rough diamond trading centers, it receives a KP certificate from the country of origin. This tracking problem represents a fundamental weakness in the current system.

Civil Society Limitations. The process's effectiveness has been questioned by organizations such as Global Witness (withdrawn from the scheme on December 5, 2011) and IMPACT (withdrawn on December 14, 2017), as it failed to achieve its objectives and does not guarantee that diamonds reaching markets are not conflict diamonds.

After Global Witness withdrew from the process, it stated that despite all available means, the scheme could not effectively address issues of non-compliance, smuggling, money laundering, and human rights violations in the world's diamond mines.

Limited Coverage. Since the Kimberley Process only applies to rough diamonds, once stones are cut and polished, they are no longer covered by the scheme. The diamond trade has taken on the obligation to provide a system of guarantees that can be meaningfully and independently verified, but has not yet fulfilled this obligation. This limitation creates potential gaps in the system once diamonds enter the cutting and polishing stage.

Technological Innovations. The diamond industry has begun exploring technological solutions to improve tracking, including blockchain technology and advanced monitoring systems. These innovations could address the tracking problems that have plagued the existing system.

Future Prospects and Recommendations. It also led the team that developed the long-awaited KP Secretariat, which was launched in Gaborone, Botswana, in





2024. The establishment of a permanent secretariat is a significant institutional development that could enhance the KP's operational effectiveness.

Enhanced Monitoring and Verification. Future reforms should focus on developing more robust monitoring and verification mechanisms, including:

- Independent monitoring systems
- Enhanced data collection and analysis
- Stricter penalties for non-compliance
- Improved coordination among participants

Broader Human Rights Integration. They also discussed how issues such as environmental protection and human rights can become part of the certification scheme. The integration of broader human rights and environmental concerns into the KPCS system represents a key direction for future development.

The Kimberley Process Certification Scheme represents a significant achievement in international efforts to address the connection between natural resources and conflicts. Current Kimberley Process chair Winston Chitando expressed his perspective that the KP mechanisms "have been largely successful," while recognizing that a Review Committee would be valuable to confront the challenges ahead.

While the KPCS has achieved its primary objective of dramatically reducing the flow of conflict diamonds in global markets, significant challenges remain. The narrow definition of conflict diamonds, implementation difficulties, and limited scope in addressing broader human rights concerns underscore the need for continued reform and adaptation.

The future effectiveness of the Kimberley Process will depend on its ability to evolve and address these challenges while maintaining the broad international consensus that has been its greatest strength. As the international community continues to grapple with complex relationships between natural resources, conflicts, and development, the KPCS provides both a model for success and lessons about the limitations of narrow, technical approaches to complex political problems.

Ongoing discussions about reforms and establishing new institutional mechanisms indicate that the Kimberley Process remains a dynamic and evolving initiative. Its ultimate success will be measured not only by its ability to prevent conflict diamonds from reaching global markets but also by its contribution to broader goals of peace, human rights, and





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