



# REAL CARE IS RARE

An on-the-ground perspective on  
blood diamonds and the fifth 'C'



KIMBERLEY  
PROCESS  
CIVIL SOCIETY  
COALITION

# **Real Care is Rare**

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# CONTENTS

- ACRONYMS .....5
- EXECUTIVE SUMMARY .....6
- INTRODUCTION.....8
- HOW BRIGHT IS YOUR DIAMOND? .....9
  - The need to catch up with modern understandings of “conflict diamond” ..... 10
  - The “blood diamond” saga continues: human rights abuse by private security guards..... 13
  - Undermining development diamonds..... 15
- “C” for caring collaboration: the need for a sector-wide approach..... 17
  - “C” for competitive advantage ..... 17
  - “C” for consumer confidence ..... 18
  - “C” for choking point..... 19
- CONCLUSION..... 20
- ANNEX I: KPCSC Recommendations..... 21
- ANNEX II: Company responses to issues raised in this report ..... 22
- ENDNOTES..... 26
- BIBLIOGRAPHY ..... 30

## **Who is the Kimberley Process Civil Society Coalition?**

The Kimberley Process Civil Society Coalition is a coalition of NGOs united in raising the voices and visibility of communities affected by diamond mining and in seeking to align the diamond sector with standards of good governance and responsible corporate conduct. The KP CSC is the civil society observer to the Kimberley Process, and therefore constitutes the mechanism's third institutional pillar. Most KP CSC members come from Africa, the world's principle diamond producing continent. They include representatives from Cameroon, Democratic Republic of Congo, Guinea, Ivory Coast, Liberia, Lesotho, Sierra Leone and Zimbabwe. This gives the KP CSC insight into some of the multiple contexts in which diamonds are mined. The KP CSC also has one trading center-based member – a Belgian research institute focused on conflict and resources in Sub-Saharan Africa. The KP CSC works both within and outside the Kimberley Process to raise difficult issues affecting the diamond sector.

*For more about the Kimberley Process Civil Society Coalition please visit:*  
<https://www.kimberleyprocess.com/en/civil-society-coalition>

## **What is the Kimberley Process?**

The Kimberley Process (KP) is an international mechanism intended to prevent the flow of conflict diamonds onto the global market through the implementation of an import/export certification scheme applicable to rough diamonds. Established in 2003, the KP meets twice a year and brings together 82 participating member states. KP membership requires states to meet certain basic requirements regarding rough diamond handling. The KP is a tripartite system that includes civil society and industry as observers to the process, which is implemented by participating governments. Vehement calls for KP reform have been ongoing for a decade. They are the result of serious failings in the KP's scope and efficacy, which have long been decried by civil society and certain industry actors, as well as intergovernmental organisations. Chairmanship of the KP for 2019 is held by India, who is responsible for overseeing the progress of both the scheme's work and its ability to reform. This year marks the last year of a three-year KP Reform cycle.

# ACRONYMS

AFECC – Anhui Foreign Economic Construction Company

AMDC – Africa Minerals Development Centre

AMGF – African Minerals Governance Framework

AMV – Africa Mining Vision

ASM – Artisanal and Small-Scale Mining

AU – African Union

CAR – Central African Republic

DDE – Dubai Diamond Exchange

DPA – Diamond Producers Association

DRC – Democratic Republic of Congo

GJEPC – Gems and Jewellery Export Promotion Council

KP – Kimberley Process

KP CSC – Kimberley Process Civil Society Coalition

KPCS – Kimberley Process Certification Scheme

LSM – Large Scale Mining

NGO – Non-Governmental Organisation

OECD – Organisation for Economic Cooperation and Development

UN – United Nations

US – United States

ZCDC – Zimbabwe Consolidated Diamond Company

## EXECUTIVE SUMMARY

Up to today brutal human rights abuses, including killings, torture and sexual violence, continue to occur in certain diamond mining areas on the African continent and beyond, affecting both artisanal and industrial production. Moreover, some corporate miners are alleged to be harming local community livelihoods as a result of unmitigated environmental damage coming from their operations, including water, air and noise pollution. Meanwhile, other actors are alleged to be undermining the development potential of diamonds for those countries that rightly stand to benefit from them.

This paper spotlights some of the more widely reported ethics issues that have continued to arise in certain diamond mining localities in countries like Angola, Zimbabwe, Venezuela, Tanzania, Lesotho and Sierra Leone. It outlines individual cases of publicly reported issues that range from environmental damage and corruption to military predation and serious violence perpetrated by state or private security forces. In annex, it provides a compilation of how some companies respond to such issues.

None of the issues raised in this report currently fall within the scope of the Kimberley Process. Intended to stem the flow of conflict diamonds, this international mechanism will only intervene where diamonds are exploited by rebels to fight governments. As a result, diamonds involved in all other conflict-related issues continue to flow onto the international market largely unchecked. Worse, the Kimberley Process certifies such diamonds as “conflict free”, potentially aiding to whitewash such stones vis-à-vis unwitting jewellery consumers reliant on KP assurance.

This year marks the end of a three-year KP reform cycle. It is a last chance for governments to address some of the KP’s most significant flaws, especially its failure to prevent the flow of blood diamonds. Doing so would require broadening the definition of conflict diamonds to include major cases of serious violence in whatever context they take place. This is an issue paramount to the integrity of the KP.

Unfortunately, proposals to this end have so far been met with division and even resistance among certain KP member states. As well as undue politicization of the KP, the lack of consensus in addressing problems like diamond-related violence may also reflect prevailing commercial dynamics in the global diamond supply chain that can incentivize states to maintain the current status quo. For some, bad ethics makes for good business. This seriously undermines existing efforts to address such ethics problems through industry-led voluntary schemes.

While resistance to KP reform might offer short-term benefits for some, it exacerbates the growing challenges that the diamond sector is now facing. As long as issues like serious violence are allowed to continue despite the existence of a forum to prevent them, like the KP, consumer trust in steps to eradicate blood diamonds will diminish. This risks eroding trust in the diamond sector as a whole, undermining its long-term sustainability, and the otherwise positive benefits it can offer.

Certain sections of industry have understood the reputational risk that these ethics issues pose. Industry insiders have repeatedly highlighted that Millennials and Generation Z are socially conscious and have a strong desire for ethically sourced stones. Indeed, today’s consumers are not only presented with a plethora of options for luxury spending but those with an appetite for diamonds are now also being marketed lab-grown stones, which seek to compete with natural diamonds on both price and ethics.

Here, it is essential for states to understand, as certain industry actors do, that the future of the diamond sector will more than ever before depend on consumers associating them with positive values like equitable and sustainable development, and not with conflict, violence, environmental harm or human rights abuse. The KP’s own industry observer, the World Diamond Council, has called upon states to support that transition through Kimberley Process reform.

Diamonds represent a narrative of love, beauty and purity. The Kimberley Process was originally established as a guardian of that narrative. However, where Care is the fifth C driving value, the Kimberley Process Civil Society Coalition highlights that “Real Care is Rare” from the perspective of a number of communities adversely affected by diamond mining. Here, as women consumers are encouraged to embrace diamonds as a symbol of their worth, their lives stand in stark contrast to those of their counterparts in certain diamond producing localities where diamonds have come to symbolize loss of life, love or livelihood.

If the KP is truly committed to preventing conflict flows and supporting communities, as it claims, then it needs to address the significant flaws in its design. This can only be achieved through international cooperation – the kind of cooperation for which the KP was originally built. Conscientious consumers should watch the outcome of this year’s Kimberley Process plenary in November 2019 to discern the seriousness with which the KP will treat their concerns about diamond related abuse.

With this report, the KP Civil Society Coalition calls upon both Kimberley Process member states and all actors in the wider diamond industry to provide the caring collaboration required to address the systemic issues of harm still plaguing certain key segments of the diamond supply chain. Preventing the flow of blood diamonds – diamonds obtained using serious violence irrespective of who the perpetrator is – should form the bottom bar in any such effort. In doing so, the KP CSC emphasizes the need for the KP to seek more sophisticated regulatory interventions than simply imposing nationwide embargoes as a principle means of stopping conflict flows.

# INTRODUCTION

The Kimberley Process Certification Scheme is intended to provide global consumers with a guarantee that their diamond purchases do not contribute to the violence associated with conflict. However, this report shows that in a number of cases diamonds continue to be involved in situations characterized by violence and other forms of conflict. These cases fall outside the scope of the Kimberley Process because it narrowly defines conflict diamonds as diamonds ‘used by rebel movements or their allies to finance conflict aimed at undermining legitimate governments’.<sup>1</sup> This definition has been challenged by both civil society and certain members of industry for a decade. Meanwhile, diamond-related harm has been allowed to accumulate, rendering its revision now most urgent.

This year marks the end of a three-year KP reform cycle – a last opportunity to address some of the KP’s most significant failings. However, the KP is still struggling to answer long-standing calls for its reform. Some participant states are against an expansion of the KP’s scope as a mere matter of principle. Others push a national political agenda that does not prioritize the interests of the diamond sector as a whole and minimizes consumer and community concerns. As a result, the first two years of the current KP reform cycle saw no substantive debate on scope, despite the constructive efforts of a number of KP participant states. This year’s June Intersessional Meeting in Mumbai, finally saw deliberations on scope get out of first gear. However, if the KP is to achieve sustainable reform, it now has only a matter of months to address the most challenging issue on the present reform agenda.

Kimberley Process reform is urgent, especially for African producer states. We are seeing a new generation [of consumers] equipped with more knowledge, concern and passion than ever before,” said CEO of De Beers Diamond Jewellers, François Delage, in July last year.<sup>2</sup> Not only are today’s consumers presented with a plethora of options for luxury spending,<sup>3</sup> but the advent of the fast-growing synthetic diamond market represents a serious challenge to all diamond producers. Synthetics companies are actively marketing themselves as an ethical and cheaper alternative to natural diamonds with style influencers like Penelope Cruz and Leonardo DiCaprio backing this drive.

Generic diamond marketing has countered this trend by emphasizing the rarity of natural diamonds. In addition, the Diamond Producers Association (DPA), which markets the production of leading mining companies, has spotlighted the development potential of diamonds in outlining their contributions to employment and communities in a number of contexts.<sup>4</sup> Such development contributions are key to maintaining diamonds as a success story.

Far from wanting to downplay such achievements, it is important to understand that violence and conflict are not simply an “artisanal mining problem”.<sup>5</sup> Industrial mining can also become a driver for diamond-related violence and conflict where certain companies and governments do not meaningfully engage with responsible resource extraction and trade. In such contexts, industry standard setting alone cannot achieve its aim of breaking the links between diamonds and harm. It is here that the KP has its role to play.

As generic marketing closes a third year of its “Real is Rare. Real is a Diamond” campaign, the KP CSC points out that if allowed to persist despite the existence of a collaborative mechanism to address it, ongoing violence will continue to taint the image of diamonds whatever their geological origin. This erodes consumer trust in the diamond narrative – in the hope, beauty, love and purity that diamonds are supposed to represent. Addressing such reputational risks through international cooperation is the KP’s *raison d’être*. It is the ultimate test of its remaining relevance as a consumer facing conflict prevention initiative.



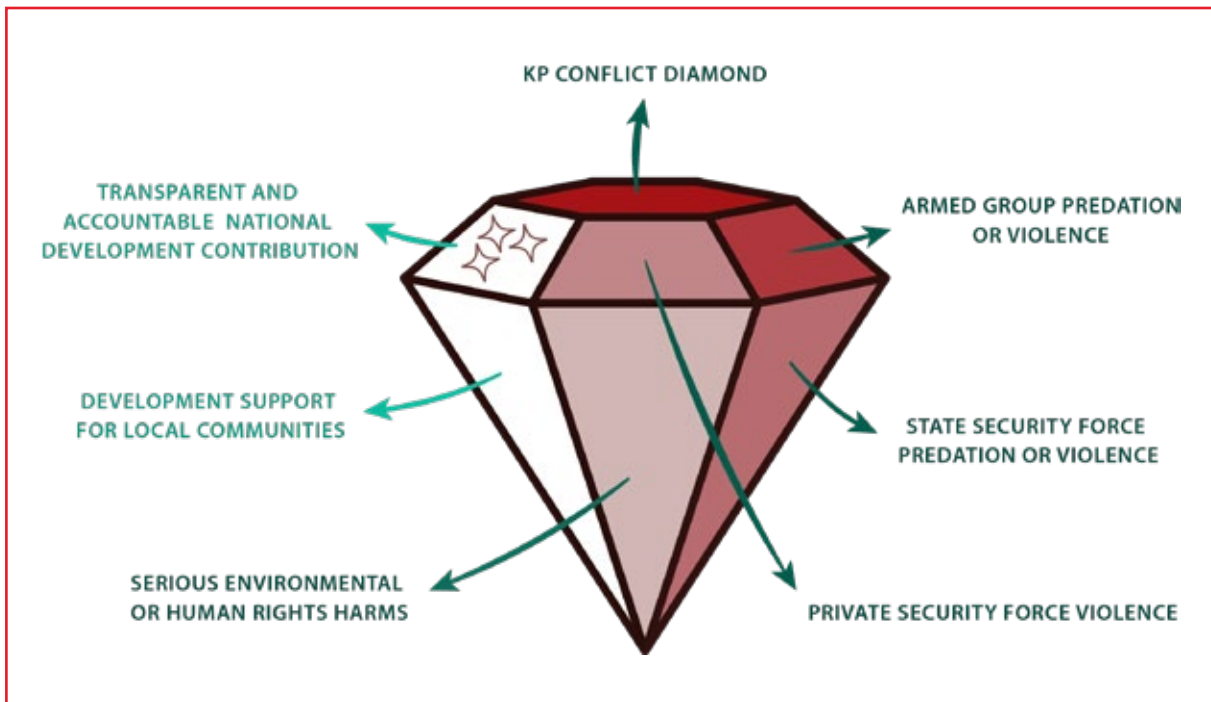
## HOW BRIGHT IS YOUR DIAMOND?

Diamonds are mined in a variety of ways and contexts. This makes generic claims about their impacts challenging at best, especially in the absence of reliable information about origin. Many consumers asking at retail level will often find that their diamonds cannot currently be traced back to their country of origin.<sup>6</sup> However, knowing the different contexts and therefore issues that can be implicated in diamond production allows consumers to better understand the extent to which their purchases contribute positively or negatively to the world - the extent to which they might consider their diamonds truly *brilliant*.

The Kimberley Process only seeks to address diamonds used by rebel groups to finance conflict aimed at undermining governments. This narrow definition does not cover what people now generally understand to mean “conflict” or “blood” diamonds, nor does it provide any assurances regarding the development contribution of diamonds.

For example, it means that diamonds continue to flow onto the international market even when they are associated with predation by armed groups who are not fighting governments, military exploitation for personal gain, abuses or violence committed by government or private security forces against people on or near mining areas, or widespread environmental damage that undermines local livelihoods. To avoid these links, consumers are reliant solely on the assurances of retailers and miners regarding their responsible sourcing practices. These are generally voluntary, self-regulated and can vary regarding the issues they address and steps taken to address them.

### “Shine bright like a diamond”?



In a number of contexts diamonds bring notable benefits for producer countries and their populations. However, in fragile contexts, like those characterised by post-conflict transition, limited state oversight, or underdevelopment, issues like conflict, serious human rights abuse and severe environmental damage can become involved in their production.

For example, in post-conflict countries where security providers receive limited or no human rights sensitization, former rebels employed in state security forces or as private security guards can

continue to commit abuses. Abuses are especially likely where communities are rendered vulnerable and angered by mining-related displacement or environmental degradation affecting livelihoods. Where livelihood options are restricted or no alternatives offered, individuals and communities can be pushed into conflict with large-scale mining. Moreover, where artisanal miners are forced to operate illegally due to criminalisation or lack of access to formalization, this can increase not only their vulnerability to abuse and exploitation, but also the kind of illicit trade that masks conflict diamonds. Such illicit trade can undermine the integrity of the KP, and is often associated with practices that can sap producing countries of desperately needed tax revenues.

Whilst some see buying synthetic diamonds as overcoming the potential negative impacts of natural diamond mining, these stones too can fall short of fifth 'C' "brilliance" to the extent that they do not deliver benefits to countries and communities for whom diamonds form part of their natural capital.

## The need to catch up with modern understandings of "conflict diamond"

*"The Kimberley Process (KP) unites administrations, civil societies, and industry in reducing the flow of conflict diamonds - 'rough diamonds used to finance wars against governments' - around the world."*

Kimberley Process website

As stated above, the KP defines "conflict diamonds" as meaning only rough diamonds used by rebel groups to fund wars against governments – a definition reflective of thinking on conflict minerals twenty years ago. This is no longer an issue like it was in 2000 when numerous African civil wars were funded by diamond revenues. As such, other conflict minerals initiatives, like the OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict Affected and High Risk Areas, have since recognized that minerals are involved in modern day conflict in many more ways than this.

The KP's narrow definition has meant that, for instance, when armed groups were engaged in violent predation on diamond mining in the Central African Republic (CAR) in 2009 and 2010,<sup>7</sup> the KP took no action. Here, the fact that the KP's mandate was read as restricting it to intervening only in cases where rebels are actively fighting government, served to undermine its capacity to act as a conflict prevention tool.<sup>8</sup> These rebels later joined forces and ousted the Central African government in March 2013. This triggered a brutal and bloody sectarian conflict from which the country is still trying to recover. The CAR is today the only country with a KP embargo still in place due to the continued exploitation of diamonds by armed groups in the east of the country.<sup>9</sup>

However, modern day conceptions of conflict diamonds are not just restricted to diamonds exploited by rebel groups. State security forces, like the army or police, and private security agents, can also turn diamonds into conflict stones.

### Conflict, violence and state security forces

State security forces have carried out serious violence in the context of diamond mining in some countries. This has occurred for instance where they have been deployed to exact widespread abuses against artisanal miners with the aim of securing control over diamond mining areas in order to facilitate industrial mining. This happened most infamously in the 2008 massacre of over 200 artisanal miners by the Zimbabwean military in Marange.<sup>10</sup>

Similar events have also taken place more recently. Various media reporting highlighted the use of

mass violence again in September/October 2018 when Angolan security forces reportedly sought to expel thousands of Congolese artisanal miners back into the Democratic Republic of Congo (DRC).<sup>11</sup> This brutal approach to addressing the complex challenges posed by artisanal mining and mass migration sparked international alarm about the potential for triggering regional inter-ethnic violence and reigniting conflict in the DRC's fragile Kasai region.<sup>12</sup> It thus also presented a serious threat to international peace and security on which the KP has had nothing to say.

Military involvement with diamonds can also pose security risks where rogue military officials obtain control over diamond mining for their own private benefit. This can happen where, for example, rebel groups with control over mining areas are integrated into national security forces as part of peace negotiations. It can also occur where troops are deployed to remote or difficult to regulate areas of the country. The implications of military involvement in diamond mining for international peace and security can be considerable if it creates a conflict of interest between the military and the country's development. Not only can it result in serious abuses, criminality and corruption in diamond mining, but it can also erode a government's ability to exert genuine control over its security forces, rendering it hostage to the interests of military elites. The implications of this for long term political stability, democracy and development are severe.

Military official involvement in diamond mining has been reported in a number of countries, including Angola and Zimbabwe.<sup>13</sup> As recently as January 2019, persons dressed in military fatigues are reported to have looted diamond ore from Zimbabwean government stockpiles unchallenged by security guards – an incident that the Zimbabwean Mining Ministry has pledged to investigate.<sup>14</sup> In Zimbabwe, the State is previously accused of granting the military establishment shares in mining companies, whilst allowing a parallel system of illegal mining to thrive, thus appeasing military rank and file.<sup>15</sup>

This problem is not, however, restricted to African producer states. In 2017, the year following Venezuela's readmission to the Kimberley Process,<sup>16</sup> International Crisis Group reported that, "In [Venezuela's] south-eastern gold and diamond mining areas, the so-called *sindicatos* (nominally miners' unions, but in practice armed criminal gangs reportedly linked to senior military officers and state government) exercise de facto control, smuggling vast quantities of precious minerals out of the country."<sup>17</sup>

Beginning to address the involvement of diamonds in some of the above conflict risks would represent a significant achievement for the sector.

## What does diamond-related “violence” or “human rights abuse” look like?

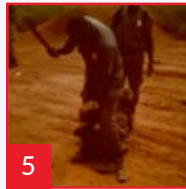
The last ten years has seen the Kimberley Process refuse to address violence perpetrated by public or private security providers operating in and around diamond mining locales. Despite the efforts of some diamond industry actors, failure to prevent such violence has seen both testimony and photographic evidence continue to mount depicting the grim realities experienced by both individuals and communities in and around certain diamond mining areas. Here, the brutality behind terms like diamond related “violence” or “human rights abuse” is illustrated in the following mosaic of publicly circulating explicit materials from a variety of contexts over the last years. Other recent images of such realities highlight that they remain of relevance today.



**IMAGES 1 and 2**  
Artisanal miner victims of dog attacks, Marange, Zimbabwe, 2015  
Photo credit: Centre for Research and Development Zimbabwe



**IMAGE 3**  
Decomposing body of artisanal miner alleged to have been killed by security guards, Marange, Zimbabwe, 2017  
Photo credit: Centre for Research and Development Zimbabwe



**IMAGES 4, 5 and 6**  
Artisanal miners being tortured by private security guards, Lunda Norte, Angola, 2014 and 2016 respectively  
Image credit: Maka Angola



**IMAGES 7, 8 and 9**  
Victims of violence against artisanal miners in 2017 and early 2018, Marange, Zimbabwe  
Photo credit: Centre for Research and Development Zimbabwe



**IMAGES 10 and 11**  
Locals left with disabilities after allegedly being shot by private security guards, Shinyanga, Tanzania, 2016 and 2013 respectively  
Photo credit: Tanzania Media Foundation



## The “blood diamond” saga continues: human rights abuse by private security guards

*“Maintaining its focus in the face of today’s global challenges, The KP enables nations, governments and organisations to share their expertise and insights, and to have a positive, long-term impact on the trade in conflict diamonds and the lives of people in genuine need.”*

Kimberley Process website

For a long time, violence in the diamond mining sector has been almost exclusively associated with artisanal mining. This has led to the stigmatisation of artisanal diamond mining even for countries where governments seek to cut such harmful ties by supporting responsible artisanal diamond production.<sup>18</sup> Whilst it is true that artisanal mining can entail insecurity, a key characteristic of its association with violence is often that it is usually artisanal miners that are targeted by it. In numerous cases, however, such violence is perpetrated to protect industrial mining interests. Here, large scale mining (LSM) can likewise be implicated. This happens where industrial mining interests are brutally advanced or defended not only at the hands of state security forces (for example, in “clearing” areas for LSM), but also by private security guards. Here, the narrative that violence in diamond mining is an “artisanal mining” problem is no longer valid.

In locales where industrial mining-related violence takes place, artisanal miners seeking to enter concession areas in search of diamonds are usually driven by poverty and a lack of alternatives. These people often hail from areas where, far from feeling any benefit from diamond exploitation, community members instead feel seriously disadvantaged by it due to, for example, restrictions on freedom of movement and access to local resources, or damage to health or livelihoods. Their choice to continue engaging in repeated trespass despite the risk of violence and death usually highlights not only their desperate sense of need, but also the fact that inflicting such violence is not an effective deterrent to trespass.

The following case studies illustrate how such issues have today come to characterise the modern-day “blood diamond” phenomenon. They also illustrate how such violence has continued even despite repeated public outcry and industry schemes intended to prevent them.

### Angola

The alarm on serious human rights abuses in Angola’s diamond fields was first raised nearly ten years ago.<sup>19</sup> Moreover, video testimony of family members who have lost sons, fathers and brothers, killed by guards as they sought to financially support their families in Angola’s diamond fields appears to have gone ignored since 2012.<sup>20</sup> Footage of artisanal diamond diggers calling for their mothers as they are tortured by private security guards allegedly contracted by mining companies operating in Lunda Norte province also surfaced both in 2014 and 2016.<sup>21</sup> Despite the controversy stirred by such images, demand for Angolan diamonds has remained relatively constant with only minor fluctuations in exports, which generate over one billion US dollars of revenue on average annually.<sup>22</sup> Meanwhile, recent reports indicate that such practices persist in the country.<sup>23</sup>

### Zimbabwe

Whilst violent abuses against miners by Zimbabwe’s state security forces appear to have declined from previous levels, reports and photographs of corpses as well as maimed faces and limbs have nevertheless continued to emanate from zones like Marange since 2010 to date.<sup>24</sup> Reports indicate that this is now more often a result of private security guard behaviour. Here, victims caught by private security “reaction squads” contracted to secure concessions for diamond miners like Zimbabwe Consolidated Diamond Company (ZCDC), report having no regrets over their intrusion despite the

consequences, citing their inability to access employment in the crisis-stricken country and their desperate need to financially support parents, wives and children.<sup>25</sup> Local sources cite instances of miners having their hands tied behind their backs whilst dogs are set on them. The brutality faced by illegal panners in the Marange area is currently estimated to occasion around 40 deaths annually.<sup>26</sup>

Late 2018 and early 2019 saw ZCDC host two diamond security conferences to generate dialogue and information sharing on the issue of violent abuse in mining areas. It is also said to have sought human rights training for its security agents. It remains to be seen if and how ZCDC will implement any recommendations or advice generated by these two initiatives, and local reports of attacks on miners have continued to raise concern.<sup>27</sup>

Anjin Investments – a joint venture between China’s Anhui Foreign Economic Construction Company (AFECC) and a subsidiary of Zimbabwe Defence Industries – is alleged to have been implicated in similar such abuses before the cessation of its Zimbabwean operations amid allegations of fraud in 2016.<sup>28</sup> It is since reported to have recommenced operations in Zimbabwe earlier this year.<sup>29</sup> An invitation to respond to allegations concerning this earlier period was sent to Anjin by the KP CSC on 29 May 2019, though no reply was received by the time of publication.

Meanwhile, Zimbabweans continue to be driven to the country’s perilous diamond fields by crushing poverty. Such poverty persists despite over 2.5 million carats of KP certified diamonds worth 170 million US dollars being exported from Zimbabwe in 2017 alone<sup>30</sup> – a dramatic underrepresentation of the true value of diamond flows due to the intensity of corruption surrounding the sector.<sup>31</sup>

## Tanzania

In Tanzania private security contractors working at Petra Diamonds’ Williamson mine are also alleged to have perpetrated killings and assaults on intruders.<sup>32</sup> Reports of deaths, disappearances, detentions, assaults and injuries leading to disabilities, are said to go back years to when private security contractors started operating at the site.<sup>33</sup> They reportedly involve not only groups of artisanal miners seeking to scan waste material for leftover diamonds, but also locals trespassing onto the undemarcated concession for pasture, firewood or water collection.<sup>34</sup> Here, locals in a number of villages close to the mine claim that early promises to support local facilities and assign land and training for small scale mining have not in fact materialised.<sup>35</sup> Intrusion at the mine is reported to be an ongoing phenomenon, with spikes during periods of crop failure, when such risky activity can bring vital income.

Whilst media reporting has previously highlighted that steps had been taken to try and address the perpetration of abuses in late 2016,<sup>36</sup> anecdotal reports indicate further cases since. Locals report that those entering the company’s licensed area to sustain their livelihoods are legally subject to high fines and confiscation of property.<sup>37</sup> Where they are unable to pay such fines, they allegedly face prosecution with a possible 6-month jail sentence. A heavy focus on criminal prosecution of trespassers is said to have had a chilling effect on those that might otherwise speak out against incidents of unlawful behavior.<sup>38</sup>

In response to queries about these allegations by the KP CSC, Petra Diamonds stated that enquiries into similar allegations formed part of a wider parliamentary inquiry into the diamond industry but that “to date no allegations have been substantiated.”<sup>39</sup> It went on to refer to training provided to security agents and to its comprehensive stakeholder engagement plan, devised in 2010 and entailing liaison with surrounding villages and the district council. The company provided little further detail on the extent to which it had investigated such allegations itself, or on whether or how it ensures the efficacy of its training, engagement and monitoring systems in light of such allegations .

## Undermining development diamonds

*“Community agreement and action protects societies around the world.”*

Kimberley Process website

Where local communities pay a heavy price for large scale diamond production but are excluded from its net benefits, this can become a driver of poverty. Not only does it undermine the development potential of diamonds, but where it brings communities into conflict with local and national authorities, it can also occasion the lethal use of force.

The following case studies outline some of the implications of serious environmental degradation and exploitation for local communities, their relations with local authorities, and sustainable development agendas more generally.

### Lesotho

In Lesotho, a producer of some of the highest quality diamonds on the international market, contamination from diamond mine slime dams and tailings is alleged to be undermining the livelihoods of local communities in the Mokhotlong district, amongst others.<sup>40</sup>

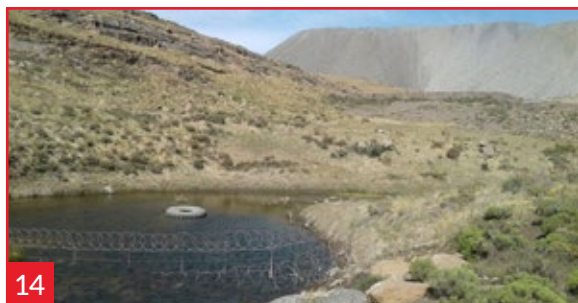
For example, water contamination from Gem Diamonds’ Letseng Diamond Mine, is alleged to be causing serious harm to local wetlands.<sup>41</sup> Communities in this area depend on subsistence farming and livestock rearing. They allege that water contamination from the mine has increasingly forced them to compete with one another for access to clean water, with some reporting severe sickness from recycled water provided by the mine in an attempt to address water stresses.<sup>42</sup> They further allege substantial drops in production levels as a result of environmental degradation occasioning livestock sickness and decreasing space for grazing.<sup>43</sup> In other areas, mine blasts, which can average three a week, are said to have damaged and even destroyed buildings in the vicinity to such an extent that affected families feel insecure.



**IMAGE 12**  
*Dwellings alleged to have been damaged by mine blasts from the Letseng Mine, Maloraneng village, Mokhotlong, Lesotho 2018 Photo credit: Centre for Investigative Journalism, Lesotho*



**IMAGE 13**  
*Women queuing for recycled water, Patising village, Mokhotlong, Lesotho, 2018 Photo credit: Maluti Community Development Forum, Lesotho*



14



15

### **IMAGES 14 and 15**

*Mine tailings and a dump truck wheel abandoned in a local community water source and later removed and discarded next to source, Maloraneng Valley Wetlands, Mokhotlong, Lesotho 2018 Photo credit: Maluti Community Development Forum and Centre for Investigative Journalism, Lesotho*

In response to enquiries by the KP CSC, Gem diamonds has strongly denied these allegations, referring to the sustainability section of its website for information about its social and environmental policies.<sup>44</sup>

Community representatives assert that outcry about such issues is yet to be answered by both relevant government agencies and companies in the region. Here, community protests about similar such issues concerning Namaka Diamonds' Kao Mine reportedly culminated in the deaths of two local demonstrators in 2018.<sup>45</sup> In these instances, adversely affected communities in Lesotho feel that they have yet to see the true development benefits of their country's considerable diamond riches, despite \$370 million worth of KP certified diamonds being exported from Lesotho in 2018 alone.<sup>46</sup>

## Sierra Leone

In Sierra Leone, families affected by contamination of air and well water, blasting and the destruction of livelihoods, crops and homes allegedly resulting from large-scale mining activities carried out by Koidu Ltd have been protesting on these issues since 2007. Between 2007 and 2012, four individuals protesting to secure the safety and subsistence of their communities, were killed by police during demonstrations.<sup>47</sup>

Despite commission of enquiry recommendations from 2008 supporting redress for communities adversely affected by mining, this is said to remain outstanding.<sup>48</sup>

Whilst Sierra Leonean families affected by these issues are currently in the process of suing for the harms caused to them, their chances of obtaining any meaningful redress are remote.<sup>49</sup> Complicated corporate legal structures are often used by mining companies to distance on-the-ground operations from revenues generated. In the case of Koidu Ltd this is said to mean keeping all revenue in holding companies, often based in tax havens or secrecy jurisdictions.<sup>50</sup> This leaves no capital within reach for anyone seeking compensation for damage caused by the diamond miner, despite its holding company, Ocea, reportedly exporting over 330 million US dollars in rough stones from Sierra Leone between 2012 and 2015 alone.<sup>51</sup>

The only hope these families have of obtaining substantive redress is if their lawyers are able to "pierce the corporate veil" by establishing that the miner should be treated as being one and the same as the beneficiary company holding its revenues. This has proved notoriously difficult due to secrecy surrounding such business structures. In Koidu Ltd's case, it has already seen one litigation attempt to obtain unpaid taxes from its parent company Ocea dismissed on the technicality that the two companies are separate legal entities.<sup>52</sup>

## Zimbabwe

Where weak state institutions make such situations possible, worker's rights can also be implicated. In many contexts, employment is a key development contribution of diamond mining. In some, however, such benefits are countered where workers rights are violated by dangerous working conditions, discriminatory practices or even physical abuse, maintained by unfair dismissals in violation of labour laws. Thus, for example, 2015 saw Zimbabwean workers for Anjin Investment accuse the miner of discrimination for paying Chinese staff six times more than Zimbabwean staff for the same jobs, as well as subjecting employees to dangerous health and safety conditions, and in some cases, abuse.<sup>53</sup> In such cases, the development contribution of diamond mining related employment is in fact rendered null, being instead a situation of exploitation. Anjin was contacted by the KPCSC to comment on these issues but no response has been received to date.



### ***Diamonds and underdevelopment: the bigger picture***

Diamonds form part of the natural capital of a number of countries whose peoples have the right to benefit from this resource. However, in a number of contexts, the development contribution of diamonds to national economies has proved negligible at best.. This development failure is often one of the outcomes of governance deficits in affected states. Corruption and illicit trade in general, which is often related to the extractive industries, are seeing the African continent lose an estimated \$50 billion annually in illicit financial flows.<sup>54</sup> This is roughly double the official development assistance that the continent receives.

In this context, transparency and accountability surrounding resource contracts, corporate structures, supply chains and revenues are central to the ability of the diamond sector to live up to its development claims. Here, indicators of effective development contributions include where diamond producer countries make public their resource contracts with miners and where companies publicly eschew the use of tax havens and secrecy jurisdictions, as well as being transparent about revenue sharing or compensation provision in countries of extraction.

## **“C” FOR CARING COLLABORATION: THE NEED FOR A SECTOR-WIDE APPROACH**

The above situations can be devastating for families and communities affected by them. They are also of serious concern to consumers. Retailers have tried to respond to these issues by developing standards and protocols for responsible diamond sourcing.<sup>55</sup> Addressing these problems however requires more than just good will efforts by some industry leaders. It requires the diamond sector as a whole – industry and states – to commit to eradicating diamond related abuses by collaborating on solutions to prevent them.

### **“C” for competitive advantage**

Until today, many companies and countries have seen diamond-related ethics through the commercial lens of “competitive advantage”. Here, in addition to the “four c” characteristics that guide diamond classification (carat, colour, clarity and cut), diamonds can also be valued on their ethical credentials, most often their “conflict-“ or “harm-free” origin. As well as affecting diamond demand, ethics can therefore impact diamond pricing. This has especially benefited countries like Botswana, whose rough diamonds are often in high demand because they are associated with positive ethics such as national development contribution, as well as their high quality.

From one view, a competitive advantage lens helps drive major diamond producers to promote higher ethical standards. Here, diamond industry leaders have variously sought to engage on ethics issues. For example, De Beers has not only sought to enforce high ethical standards throughout its supply chain through its Best Practice Principles, but has also started piloting efforts to support artisanal miners.<sup>56</sup> Elsewhere, Alrosa works with its clients using its revised Alrosa Alliance Guidance in Responsible Business Practices, which includes reference to the need to implement the UN Guiding Principles on Business and Human Rights (amongst other standards), and is intended for use by both its “long-term clients and other diamond industry stakeholders”..<sup>57</sup>

Whilst such industry schemes are warmly welcome, it is increasingly clear that they have not prevented the major diamond-related abuses that have long concerned both consumers and diamond mining-affected communities more widely.

Worse, the broader competitive advantage lens through which diamond ethics are often treated risks helping to continue such abuses. This is because not only does it maintain a secondary market for “cheaper” unethical diamonds, but it can also put industrial diamond producers at an advantage over artisanal producers to the extent that their diamonds are perceived as more ethically clean and therefore desirable. This ultimately serves to pit industrial mining interests against weaker artisanal miners, with some states ironically resorting to violence to assert the former, as observed in Zimbabwe and Angola.

## “C” for consumer confidence

Today numerous diamond consumers continue to buy stones affected by the issues outlined in this brief without even realising it. This is often because of a frequent lack of transparency about the origin of diamonds, which is largely obscured by sorting and polishing practices in the middle of the jewellery supply chain.<sup>58</sup>

### *Around the world in 80 ways – the problem of diamond traceability*

Unless diamonds used in jewellery come from unmixed parcels obtained from manufacturers supplied directly under contracts with major diamond miners, consumers are rarely able to know where or how their diamonds were mined.

Manufacturers drive demand in rough diamonds, seeking out large quantities of equally sized, similar quality stones for specific jewellery lines. Rough diamond traders cater to customer needs (other traders, or manufacturers), and generally specialize in diamond categories as defined under the aforementioned four C's. Securing a sufficient supply of stones of the right category – of which there are up to 16,000 combinations<sup>59</sup> – often trumps origin during sorting. Indeed, a single mine can produce diamonds with a variety of characteristics over time. Rough diamonds are generally therefore presented and sold according to size and quality characteristics, with less focus on origin. Many diamond parcels thus contain mixes of stones of various origins often rendering jewellers unable to disclose origin to their customers.<sup>60</sup> The serious logistical and economic obstacles to traceability posed by these exigencies has previously frustrated downstream efforts to secure diamond traceability through industry schemes.<sup>61</sup> This is why after they have left the country in which they were mined, Kimberley Process certificates on many diamond parcels simply state that the stones inside a parcel are of ‘mixed’ origin, without specifying which countries that might include. Once a diamond is cut, a KP certificate is no longer required and consumer confidence rests solely on industry schemes.

Key industry players are investing in technology to try and overcome some of the problems frustrating traceability.<sup>62</sup> This is a welcome move. Today, however, most consumers can still only rely on the Kimberley Process – an assurance that, as outlined above, is no guarantee regarding modern-day blood diamonds. Moreover, whilst traceability schemes can give consumers peace of mind about their personal diamond consumption, they offer little to the communities on the ground affected by abuse if used only to reassure that those diamonds within the scheme are harm-free.

The reality is that where a secondary market for cheaper unethical/blood diamonds is allowed

to continue, so too is diamond-related abuse. This starts to raise serious ethical questions for the diamond sector as a whole. To date, many are unaffected by or even benefit from this status quo. Those actors engaged in abuses continue to access the international market. Meanwhile, certain traders and buyers in the middle of the supply chain profit through access to cheap high-quality rough diamonds, “discounted” because of their association with controversy. Even those rough diamond producers whose output is seen as ethically sound are inadvertently placed in a situation of benefit by their competitive advantage over those whose production is not, driving higher prices for their stones.

These commercial realities compromise Kimberley Process reform consensus, with a number of states seemingly failing to see sufficient benefit to ending abuses in diamond production across the board through collaborative action under the KP. Such market realities also, however, undermine responsible business practices that seek to promote sector wide improvement.

Thus, for example, Angolan security forces committed widespread violence against artisanal miners in Lunda Norte province in late 2018, despite the government being a stakeholder in a major diamond mine elsewhere in Angola with leading diamond producer, Alrosa. Alrosa has emphasised that its ethical principles and guidelines are unquestionably applicable in Angola, and will likewise guide the company’s recently announced activities in Zimbabwe.<sup>63</sup> Whilst the company’s best practice guidance appears to have gone ignored by the Angolan government, Alrosa’s ethics assurances have nevertheless generated cautious optimism about its entry to the Zimbabwean mining sector with hopes that the company will prove to be a source of positive change by helping to drive improvements locally.<sup>64</sup>

## “C” for choking point

Trading and manufacturing states are central to eradicating abuses in diamond production. Here, some actors in hubs that have emerged since the development of the Kimberley Process have been accused of capitalising on unethical practices.<sup>65</sup>

For example, Dubai has been accused of building its base as an international trading center by attracting diamond traffic through the facilitation of “transfer pricing” practices associated with undervaluation and illicit flows, <sup>63</sup> as well as placing key African mining officials in a conflict of interest with their own country’s national development by appointing them to the Dubai Diamond Exchange board around 2011.<sup>64</sup> Up to the time of publication, the Dubai Diamond Exchange had not responded to a KP CSC request for comment regarding these issues.

However, certain Indian polishers too have been particularly implicated in profiteering on ethics issues by cashing in on higher margins offered by diamonds whose prices have been suppressed because of their links to conflict or human rights controversy. For example, industry insiders point out that Indian traders have been buying cut price Zimbabwean stones for years, maximising profits where their controversial origin is obscured by polishing. Here, dealers are said to have *“maintained that Zimbabwe diamonds could only be bought at hefty discounts of as much as 25-40 percent arguing that diamonds from the country came with serious reputational risks for traders.”*<sup>66</sup>

Earlier this year, senior officials for the Indian Gems and Jewellery Export Promotion Council (GJEPC) appeared to be formalising this approach in publicly stating GJEPC’s intent to secure direct rough diamond imports from Zimbabwe to enable small to medium-sized Indian manufacturers to benefit from the “discounted rates” at which Zimbabwean goods are sold despite their high quality.<sup>67</sup> Such stones, it seems can be put into international circulation through Mumbai to Dubai and Antwerp, where they can subsequently be sold at full price because their origin has been obscured by polishing.

Upon enquiry by the KP CSC regarding the ethical implications of this, GJEPC representatives denied *“any relationship or knowledge on the content”* of the Times of India article quoting one of its top officials from Surat on this issue.<sup>68</sup>

Regardless, such market responses to ethics issues in the diamond sector help to maintain the continuation of violence in certain producer countries, undermining consumer sourcing efforts intended to prevent them. Where such practices are allowed to continue unchecked, they raise serious ethical concerns for the diamond sector as a whole.<sup>69</sup>

## CONCLUSION

The diamond sector is at a cross-roads. So too are Millennials and Generation Z. Being confronted with issues of violence, inequality, injustice and environmental crises, sees these smart consumers not just wanting “to talk about changing the world, they want to actually do it”.<sup>70</sup> Rising awareness of their consumer power sees them expecting brands to walk the walk in how they affect issues like institutional integrity, human inequity and environmental degradation. Here, ethical sincerity – that is, care – is increasingly subject to the same degree of scrutiny as colour, cut or clarity.

Diamonds are not just a commodity. They are a brand. And their persistent association with practices characterised by brutal violence or gross injustice becomes increasingly conspicuous.

Violence in the diamond sector persists in a number of locations. It includes torture, killings and sexual violence both by public and private security agents. Elsewhere, where communities feel adversely affected by mining, this can push them into conflict with state authorities. At present, the KP marks all such stones as “conflict free” and continues to deny its role in preventing such violence or conflict whilst claiming to help communities in need. Bystanders fear that this denial is founded on commercial interests that undermine responsible sourcing.

As the synthetics industry gathers pace and reports of abuse continue to circulate, it may be only a matter of time until such issues are spotlighted more prominently. The timing of the current reform is therefore crucial.

Where violent abuse continues largely unchecked despite the existence of multiple industry schemes and a specific international forum claiming to “maintain its focus in the face of today’s global challenges” and “unite” civil society, government and industry to “have a positive, long term impact” on “the lives of people in genuine need”, consumer faith ebbs. Questions are raised about the extent to which a competitive advantage lens on human rights issues in fact keeps diamonds tainted by violence and abuse alive.

As a guardian for the diamond sector narrative, the Kimberley Process is uniquely placed to eradicate such negative associations with diamonds. In bringing together all relevant stakeholders it presents itself as the forum in which the caring collaboration required to address such serious violence in the diamond sector can be brought to fruition.

# ANNEX I: KPCSC RECOMMENDATIONS

## 1. KP participants must avoid token reform by breaking the real-life link between diamonds and bloodshed

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*The KP CSC invites KP participants to advance constructive, good faith and results focused discussions on the scope of the Kimberley Process by achieving consensus to address the most common serious abuses affecting diamond production today: violence by public and private security agents.*

For countries affected by serious issues of violence or abuse in the diamond sector, Kimberley Process reform presents an opportunity to engage on how such issues can be eradicated or remedied in a manner that proves beneficial and not detrimental to the revenues that they are able to generate from their diamonds.

## 2. The KP should consider replacing nationwide embargoes with more targeted interventions

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*The KPCSC calls upon states to look beyond imposing blunt nationwide embargoes as the only intervention option open to KP in all scenarios. KP reform discussions should address how a new definition might be applied – on the process and resources to be made available for determining violations of a new definition and what steps could constructively be taken to resolve situations where violations arise without causing undue harm.*

Here, it must be recognized that nationwide embargoes are not appropriate interventions in most contexts, and that measures like localized embargoes, human rights training and monitoring, are often more effective. The KPCSC would encourage discussion on collaborative solutions to address and reduce the conflict risks currently presented by diamonds.

## 3. The KP should commit to implementing the Africa Mining Vision

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*The KP CSC calls upon both states and industry to collaborate with civil society and communities in diamond mining localities in the good faith implementation of the African Union-adopted Africa Mining Vision (AMV) in accordance with its African Mineral Governance Framework (AMGF).*

The AMGF, which is equally applicable to the diamond sector, was adopted in 2018 through the efforts of the AU's Africa Mineral Development Centre (AMDC). It provides vital guidance on how to address AMV implementation with respect to revenue management laws and practices, transparency and accountability measures, environmental management, and the social and human rights impacts of mining, among other aspects. This Framework highlights the base from which African states are mandated to constructively engage in Kimberley Process reform discussions. It makes explicit reference to the applicability and relevance of human rights, child labour and environmental standards, transparency and accountability, to the African mining sector.

## 4. All actors in the diamond sector should commit to implementing internationally endorsed standards on Business and Human Rights

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*The KP CSC calls upon both states and industry to collaborate with civil society and communities in bringing the diamond sector in line with internationally accepted standards for business and human rights.*

The KP CSC encourages all States and mining companies to implement and demonstrate their implementation of the UN Guiding Principles on Business and Human Rights, the UN Model Contract for Private Security Companies, and the Voluntary Principles on Security and Human Rights. It also urges industry members at all stages of the diamond supply chain to demonstrate alignment with OECD due diligence standards and increased supply chain transparency.

# ANNEX II: COMPANY RESPONSES TO ISSUES RAISED IN THIS REPORT

An earlier draft of this paper was circulated among select stakeholders, including some members of civil society and industry. Industry actors mentioned in this report were contacted before its launch and formally invited to comment on some of the issues referred to herein. This annex contains correspondence received in response to these invitations.

For information concerning allegations referred to in this report and responses to such allegations, readers are also encouraged to refer to references footnoted in this report, as well as to the Business and Human Rights Resource Centre website.

## 1. Petra Diamonds

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*"Thank you for your letter dated 29th May regarding information received relating to Petra Diamonds Limited.*

We thank you for the opportunity to respond to the matters raised in your letter and would like to provide you with the following information.

Williamson Diamonds Limited has been subject to a Parliamentary and other inquiries into the diamond industry. The Parliamentary inquiry team included in their inquiry, the investigation of allegations similar to those you highlight in your letter, relating to the private security company employed by Williamson Diamonds Limited, and to date no allegations have been substantiated.

In 2010 a comprehensive stakeholder engagement plan was implemented by Williamson Diamonds Limited, including a grievance, enquiry and complaint mechanism. As a result, there are numerous stakeholder engagements in place with the village management of the surrounding villages as well as with the district council, and in addition, the mine has a full-time community liaison officer that is in continuous liaison with the community.

All on-mine management and security service providers receive frequent refresher training on the United Nations voluntary principles on security and human rights, and our security service provider also receives additional training provided by the Tanzania Police Force.

Since Petra Diamonds Limited acquired the operation in 2009 and for more than 30 years, there has been no change to the size of the land that the mine is mining on, and the Company has not acquired any additional land.

Williamson Diamonds is the largest private employer in the District of Kishapu with more than 70% of people employed by the operations coming from either the District or the Shinyanga Region. The Williamson mine gained national recognition for its commitment to Corporate Social Responsibility by winning awards in two areas of Tanzania's Presidential Award on Corporate Social Responsibility and Empowerment in August 2013. The mine won Presidential Certificates for Empowerment and Employment and was the runner up in a further three areas (Procurement, Water Programmes and Education). Williamson was also presented with a trophy as overall winner in 2012 in the Large Scale Minerals Projects category.

Should you require any further information relating to the matters you raised in your letter, we would request that you contact both the Shinyanga Regional Commissioner, the highest government authority in the Region and the Regional Police Commander, the most senior person concerning security matters within the region.

High ethical standards are integral to the business of Petra Diamonds Limited and key to ensuring

the provenance of our product. We conduct our business according to these values, and we only operate in countries that are members of the Kimberley Process. We adhere to a wide range of internal policies and procedures as well as complying with external standards and international best practice.

Our Sustainability Report, which is available on our website: <https://www.petradiamonds.com/investors/results-reports/> sets out Petra Diamonds' strategy, policies and practices with regards to the management of our key sustainability topics."

## 2. Gem Diamonds

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"Gem Diamonds is a leading, responsible, diamond mining company, adhering to the highest industry standards across all aspects of its operations. Furthermore, Gem Diamonds makes a significant contribution to the national and local economies of the Kingdom of Lesotho, where it is also proud to run a wide range of sustainable social initiatives, designed with the local communities to improve the lives of those living closest to our operations.

We report fully on our environmental and social policies, and action plans, including on the significant levels of investment we choose to make in these key areas. Please visit the sustainability section of our website for detailed information.

With regards the specific allegations raised by The Kimberley Process Civil Society Coalition, Gem Diamonds strongly denies any such allegations."

## 3. Alrosa

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*"Thank you for your letter of May 29, 2019 and the acknowledgement of ALROSA as a responsible industry business player. As you rightly mentioned, ALROSA is a public company with well-established Corporate Social Responsibility (CSR) policies and culture. We strive to ensure a sustainable future of our operations by maintaining a responsible balance between commercial and public interests and by giving paramount importance to creating economic value for all our stakeholders, protecting the environment and developing the communities in locations where we operate.*

Our achievements in CSR over the years have made us strongly believe that the history of ALROSA is unique in the diamond industry and needs to be shared with the international community in support of the global diamond story. With this in mind, ALROSA has made a number of steps that showcase to our stakeholders that the Company's business practices go well beyond and can only strengthen the most robust international industry standards by being actively engaged in multilateral industry cooperation supported by our commitments on the global industry level, through memberships in the Responsible Jewellery Council (RJC), World Diamond Council (WDC) and Diamond Producers Association (DPA).

To give you an example, since 2017, ALROSA has been a certified member of the RJC. Within RJC we have been strongly engaged in championing the RJC standards and monitoring and evaluation (M&E) system, including the process of renewing the Code of Practices (CoP), the third edition of which was aired in April 2019. Significant changes have been made in the main instrument, the guidance on human rights acquired a more obliging wording still based on the UN Guiding Principles on Business and Human Rights, environmental commitments have increased. The OECD Due Diligence Guidance for Responsible Mineral Supply Chains as one of the initiatives that can ensure responsible diamond sourcing for the better of the whole industry was also introduced in the new CoP.

Driven by ALROSA, in October 2018 the WDC adopted new System of Warranties (SoW) and

its Guidelines. The SoW extends the effectiveness of the KP Certification Scheme beyond the export and import of rough diamonds and covers domestic trade encompassing all the segments of the diamond pipeline from mine to retail. Most importantly is that the new SoW extends voluntary industry self-regulation to human rights, anti-corruption, anti-money laundering and counter-terrorism financing (AML/CTF) in accordance with the universally accepted principles reflected in the following international documents:

- UN Guiding Principles on Business and Human Rights;
- ILO Declaration on Fundamental Principles and Rights at Work; UN Convention Against Corruption;
- AML Guidelines as per National Laws in line with FAFT 40 Recommendations on Money Laundering for Dealers in Precious Metals and Stones.

Another important milestone for the industry that should be mentioned is the publication of the independent research from S&P Global company Trucost on activities of DPA members and their impact on local communities, employees and the environment. It is the first-ever comprehensive report on the reality of modern diamond mining challenging misperceptions and identifying areas for further improvement.

The data from the report reveals that DPA members generate more than US\$16 billion in net socio-economic and environmental benefits through their diamond mining operations. The report finds that the vast majority of these benefits are infused into communities through local employment, sourcing of goods and services, taxes and royalties, social programmes and infrastructure investment. The report also uncovers that DPA members pay employees and contractors on average 66% above national average salaries and that companies focus extensively on employee training to ensure a highly-skilled workforce.

The research specifically concentrates on the fact that child labour and forced labour are completely out of question if you talk about the DPA members. The diamond mining community follows the highest corporate standards and demonstrates full transparency.

To add to that, ALROSA aims to extend its best practices in human and labour rights by working together with its clients (ALROSA ALLIANCE Members) via the ALROSA ALLIANCE Guidelines on Responsible Business Practices.

Among other things the Guidelines state that:

- Members shall respect human rights and strive to conduct their business in compliance with the UN Guiding Principles on Business and Human Rights based on the International Bill of Human Rights, other applicable international and national laws.
- Members shall agree to uphold their obligations in respecting human rights, develop and implement internal policies in securing and protecting human rights in accordance with these Guidelines taking into account the scale of their business and firmly follow these policies in their daily work.
- Members are entitled to adopt the procedures on securing proper observation of human rights aimed at detection, prevention, mitigation and reimbursement of damages related to any kinds of negative impact on human rights and assessment of effectiveness of adopted measures under applicable law and internal regulations.

ALROSA ALLIANCE Members confirm their compliance with the requirements mentioned above. Any incompliance with the requirements for responsible business practices contained in the Guidelines may be deemed a ground for forfeiture of a right to use the ALROSA ALLIANCE Logo.



An updated version of the ALROSA ALLIANCE Guidelines on Responsible Business Practices was introduced in 2018.

In particular, the new version of the Guidelines takes account of the Responsible Jewellery Council (RJC) Code of Practices. The guidelines for the prevention and minimizing of adverse environmental impact and environmental risk management have been expanded following the recommendations of the RJC.

The new provisions of the document urge ALROSA ALLIANCE members to state the origin of rough diamonds acquired from ALROSA, possibly accentuating their Russian, natural and non-conflict origin, and also that they are produced in full compliance with responsible business practices.

To add to this, the Company's adherence to human rights is reflected in its major corporate policies. For example, in the Policy on Sustainable Development and Corporate Social Responsibility of ALROSA, which is one of the overarching major corporate policies of ALROSA and was updated last year, reiterating our adherence to human rights.

Since 2012 ALROSA annually publishes its Social and Environmental Report, subjected to external independent audit and expert assessment, in accordance with the GRI Sustainability Reporting Standards and Mining and Metals Sector Supplement, Stakeholder Engagement Standard of the Accountability Institute (AA1000SES), where it states the importance of human rights due diligence and encourages its members to adhere to the same practices.

To sum it up, ALROSA applies the above principles and practices to all its operations, no matter in which part of the world they are located. They are unquestionably applicable in Angola, where ALROSA was engaged in developing the Catoca Diamond Mine from the ground up, using its extensive community building experience from Yakutia on the African soil. Today Catoca is one of the most efficient commercial enterprises in the country with a solid track record for changing the lives of local people for the better by bringing peace and prosperity to their homes.

Our CSR policies will also be guiding us in our activities in Zimbabwe, should we take a decision to go into an exploration and mining project in this country.

I hope these answers to your questions. I am always available for any additional inquiries."

#### 4. Gems and Jewellery Export Promotion Company

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"This is in reference to your letter dated 4th June 2019 regarding a media report in the 8th April 2019 Times of India regarding ' GJEPC is looking to set up "direct links with the Zimbabwean Government for direct import of rough diamonds to India." We have noted the article which you have pointed out which has come out in the newspaper quoting a GJEPC source.

We are surprised to see such an article & will investigate on the circumstances based on which the article was written and deny any relationship or the knowledge on the content published therein.

We can only say that GJEPC encourages every diamond producing country and entity to do direct trading with Indian Diamantaires which will in turn brings economies to the manufacturing cost.

At the same time it may be mentioned that compliance with KPCS Rules and Procedures is one of the best in India. India will continue to engage with Zimbabwe, a friendly nation with whom India shares great people relationship to improve bilateral trade and do legitimate business within the KPCS, where such opportunity exists.

# ENDNOTES

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