

Annex 6

High-level workshop on the fight against fraud and smuggling of rough diamonds in Central Africa

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Lessons learned from the KP regional approach in the Mano River Union

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What?



- Regional cooperation between Sierra Leone, Guinea, Côte d'Ivoire and Liberia to:
 - Support the implementation of the Kimberley Process in the Mano River Union at the regional and national levels
 - Combat smuggling of minerals by improving government oversight from mining to export
 - Enhance the development and livelihood aspects of artisanal mining
 - Stabilize fragile mineral-rich areas
- Through closer cooperation and exchange of best practices between mining ministries, law enforcement, civil society and industry
- Presentation based on reporting by and interviews with USAID/PRADD, GIZ, EU, KP CSC, IMPACT and DDI



When?

- **2006:** regional conference on Diamonds for Development in Liberia
- **2010:** MRU focus in KP Enforcement Seminar and Diamonds Without Borders report
- **2013:**
 - UN PoE on Liberia calls for regional approach to KP compliance in MRU
 - Recommendation of KP Review Visit to Liberia (led by DRC)
 - Regional scoping mission by KP Technical Team (DRC, EU, CSC, DDI) to identify shared challenges, opportunities and interest among countries
- **2014:**
 - KP Review Visit (led by DRC) leading to end of embargo on Côte d'Ivoire
 - Adoption of first KP Regional Approach Action Plan at MRU Workshop on Harmonization and Enforcement
 - Endorsement by KP Plenary
- **2015-2016:** KP technical team (with EU and PRADD funding) improve and harmonize diamond mining regulations, based on Washington Declaration Diagnostic Framework
- **2017-2018:** MRU Regional Approach Phase I, coordinated by GIZ, implemented by tripartite structures from 4 countries and supervised by MRU Secretariat (with EU and BMZ funding)
- **2019-2022:** MRU Regional Approach Phase II, focus on improving frameworks for economically, environmentally and socially sustainable mineral governance

Why?

- Shared challenges:
 - History of mineral-fueled conflicts
 - Widespread alluvial and artisanal diamond mining
 - Vulnerability to smuggling:
 - Cross-border deposits
 - ECOWAS free movement of goods and people, leading to generally unrestricted and unmonitored border crossings



Selection of key achievements

- Online Database for Information Sharing (ODIS), to enable peer-to-peer learning and exchange
- Regional monitoring framework for ASM and KP compliance
- Four best practice papers on ASM governance for peer-to-peer learning
- Development of electronic cadaster systems to transparently manage mining licenses and revenue collection
- Diverse trainings on anti-smuggling, diamond valuation, KP internal controls, tax inspections, OECD due diligence
- Awareness raising for border communities/ASM on KP implementation and combatting smuggling
- MoU between Gemfair/DeBeers, GIZ and MRU Secretariat for joint delivery of capacity building to advance ASM standards in West Africa

Lessons learned: foundational

- Trust and honesty to identify and address each country's vulnerabilities through regional cooperation
- Clarity on motivations and objectives of each participating country
- Institutional secretariat and technical support to oversee commitments and planning
- Involvement of high-level country representatives with decision-making power
- Representative steering committee that meets/calls regularly
- Stakeholder mapping of all actors and institutions that should be involved in each country, lines of authority between them and procedures to be followed

Lessons learned: procedural

- Careful preparation and step-by-step implementation:
 - (1) comprehensive needs analysis/risk assessment
 - (2) prioritisation
 - (3) specific and realistic roadmap
 - (4) clear division of tasks/responsibilities
- Ensure all three pillars (government, industry and civil society) have a role
- Combine work on national and regional level
- Improve cooperation and understanding between law enforcement and mining compliance officers
- Sharing sensitive law enforcement information requires in-person meetings rather than online exchange platforms
- Build in synergies between law enforcement and development efforts
- Build an evidence base for regional cooperation by researching best practices & similarities and differences in challenges and approach
- Formalise and publicize efforts to build momentum and generate support

Recommendations for this high-level workshop



1. Identify 3 key goals this regional cooperation wants to achieve in 3 years from now. This could be:
 - One on information exchange (eg. shared database of legal and penalised traders)
 - One on law enforcement cooperation (eg. joint targeted action against cross-border criminal network)
 - One on development (eg. professionalisation of ASM in border regions)
2. Agree on a roadmap that includes
 - step-by-step plan and timeline from national-level preparatory work to functioning regional cooperation
 - Allocation of responsibilities
 - Stakeholder mapping
 - Identification of training, capacity and research needs
3. Report back on progress at next year's KP Intersessional meeting, to demonstrate commitment and generate support

Rationale for enhanced law enforcement cooperation



- From 2014 MRU Workshop Report on Harmonization and Enforcement:
 - Individual countries are often doing more enforcement than their regional peers, or even national colleagues, may know
 - Other than through an ad hoc meeting or informal exchanges on margins of KP meetings, little is done in a systematic manner to capture best practices and lessons learned
 - Timing of enforcement-related actions as important as design
 - Ensure license-vetting procedures include law-enforcement checks, in-country and in-region
 - Introduce regional dimension to investigations of illicit diamond trade and possible connection to other criminal networks

