

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

Hans Merket, IPIS Researcher



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



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IMPLEMENTATION OF THE KIMBERLEY PROCESS (KP) AND ARTISANAL AND SMALL SCALE MINING (ASM) REGIONAL APPROACH TO THE MANO RIVER UNION (MRU)

REGIONAL ACTION PLAN

No	National Priorities	Results	Specific Activities to Implement	Timeline	Responsible/ Lead Agency	Key Stakeholders
1 - Fight Against Smuggling of Precious Minerals and Money Laundering						
1.1	Mapping of Artisanal Mining Sites	An interactive map of ASM sites with a complete data base is developed for each MRU country	Draw a cartographic representation of ASM sites and activity using GIS tools	2020 - 2022	MRU Secretariat, Ministries of Mines	MRU, Member States Governments
			Collect and analyze detailed data on economic, production, technical, social and environmental issues related to ASM activities			
			Design and operationalize a dynamic database			
		Polices and fiscal	Organize regional consultative meeting on the need to harmonize ASM fiscal regimes			

REGIONAL OPERATIONAL PLAN

No	Specific Activities to Implement	Performance Indicators	2020												2021												2022		
			1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3

1. Fight Against Smuggling of Precious Minerals and Money Laundering

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

