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Kimberley Process lets Zimbabwe off the hook (again)

The Kimberley Process (KP) has thrown away its main point of leverage over the Zimbabwean government by allowing it to export diamonds from the controversial Marange region without first fulfilling previous commitments to reform its diamond trade, said the Kimberley Process Civil Society Coalition of NGOs today.

"The Kimberley Process has effectively given up on Zimbabwe," said Alfred Brownell, President of Green Advocates, Liberia. "KP member governments and the diamond industry seem ready to turn their back on the interests of Zimbabwe's citizens, the public good and the principles on which the Kimberley Process was founded."

The Marange diamond fields were seized in 2008 by government security forces, who killed at least 200 small scale miners. At the end of 2009 the Zimbabwean government agreed to undertake a series of reforms as a basis for Kimberley Process authorisation of further exports. This 'Joint Work Plan' required among other things, demilitarisation, action on smuggling, and the legalisation of small scale mining.

Yesterday's deal at the Kimberley Process annual plenary meeting in Kinshasa, Democratic Republic of Congo, dispenses with any meaningful link between Zimbabwe's compliance with the Joint Work Plan and the KP's authorisation of diamond exports. This comes in spite of the Zimbabwean military remaining deeply involved in diamond mining in Marange, persistent and widespread smuggling and no progress in enabling small scale miners to work legally. Regular reports of human rights abuses against miners by security forces continue.

A previous agreement between the Kimberley Process and Zimbabwe gave local civil society representatives the official status of Local Focal Point, allowing them to access Marange and formally report back to the Kimberley Process. This status promised protection for activists who have previously been arrested and harassed over their work on Zimbabwe's opaque diamond industry.

The new agreement, while maintaining that civil society organisations retain access to the Marange fields, strips the Local Focal Point of its official status.

"It's a pure business deal that leaves out key concerns of Zimbabwe's civil society: that is protection of the locals from human rights abuses in and around Marange and ensuring that Marange diamonds are properly accounted for, for the benefit of the suffering Zimbabwean people," Farai Maguwu said from New York where he is being honoured with Human Rights Watch's Alison Des Forges Award for Extraordinary Activism for his work in the Marange diamond fields.

This deal does nothing to boost the confidence of members of the Kimberley Process Civil Society Coalition, who had boycotted the Kinshasa meeting over fears that substantive and ongoing concerns about Zimbabwe's compliance would be ignored.

"This deal only reinforces the perception that there is no limit to how far the KP is prepared to go in lowering the ethical bar on Marange," said Shamiso Mtisi, Coordinator of the Local Focal Point and Environmental Lawyer at the Zimbabwe Environmental Law Association. "Given the chance to keep Zimbabwe to its previous commitments, the KP has shown itself incapable of doing the right thing."

The deal in Kinshasa also poses a very difficult question for the diamond industry and KP member countries: What of the hundreds of millions of dollars worth of stockpiled diamonds linked to the worst bouts of violence in late 2008 and 2009?

"The integrity of the entire clean diamond supply chain is on the line," said Alan Martin, Research Director of Partnership Africa Canada. "How can consumers buy a diamond this Christmas with any confidence that they are not buying a Marange diamond mined in unquestionable violence? How can industry give any assurances that they will be able to separate these diamonds from the legitimate diamond supply chain?"

In the approach to elections next year in Zimbabwe, the new agreement completely fails to address the risk of the diamond industry financing political violence in Zimbabwe. Each election in Zimbabwe over the last decade has been accompanied by widespread violence and intimidation. Coordinating the violence requires significant sums of money to pay security agents and youth militias.

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Notes

1. The Kimberley Process is a rough diamond certification scheme, established in 2003. It brings together governments, industry and civil society, and aims to eradicate the trade in conflict diamonds. Member states are required to pass national legislation and set up an import/export control system. Over 75 of the world's diamond producing, trading and manufacturing countries

participate in the scheme.

2. The Kimberley Process Civil Society Coalition includes Green Advocates (Liberia), CECIDE (Guinea), COOPERGADI and COOPERGAC (Brazil), CLONG (Republic of Congo), CENADEP, GAERN (Democratic Republic of Congo), Fatal Transactions, GRPIE (Côte d'Ivoire), the Network Movement for Justice and Development (Sierra Leone), Centre for Research and Development (Zimbabwe), Partnership Africa Canada (PAC) and Global Witness (GW).

3. The Kimberley Process (KP) Civil Society Coalition formally walked out of the biannual KP meeting in June 2010 and boycotted the Kinshasa KP meeting in October-November 2011 in protest at the weak stance the KP has taken towards the problems of diamonds associated with human rights abuses in Zimbabwe and Côte d'Ivoire and rule breaking by Venezuela.