



Kimberley Process *for* Rough Diamonds



www.state.gov/e/eeb/diamonds

What is the Kimberley Process?

The Kimberley Process is the international initiative launched in 2003 to prevent rough diamonds from being used to finance such brutal civil wars as those which occurred in the diamond-producing countries of Sierra Leone, Liberia and Angola in the 1990s.

The 74 countries which participate in the Kimberley Process agree to trade rough diamonds only with other countries in the organization. Diamonds must be shipped with Kimberley Process certificates and must be in tamper-resistant containers.

How does the U.S. control rough diamonds?

The Clean Diamond Trade Act of 2003 and Executive Order 13312 commit the U.S. government to the Kimberley Process and establish the framework for how the U.S. government implements that commitment. The Rough Diamonds Control Regulations of 2004 spell out the legal obligations of U.S. rough diamond importers and exporters. The laws and regulations are available at: www.state.gov/e/eeb/diamonds.



What are the legal obligations of a rough diamond importer or exporter?

- ◆ All imports and exports of rough diamonds must be accompanied by a Kimberley Process certificate.
- ◆ Exports of rough diamonds from the United States must be accompanied by a U.S. Kimberley Process certificate obtained from a U.S. Kimberley Process Authority licensee and validated by the U.S. Census Bureau.
- ◆ Imports and exports of rough diamonds must be sealed in a tamper-resistant container. Packaging must have an indicator or barrier to entry that could reasonably be expected to provide visible evidence that tampering had occurred. Standard mailing and express consignment packaging alone is not considered tamper-resistant.
- ◆ Rough diamonds may only be imported from, or exported to, countries that are participants in the Kimberley Process. The current list of participating countries can be found at: www.kimberleyprocess.com
- ◆ New regulations issued in May 2008 require that all imports of rough diamonds, regardless of the value of the shipment, be entered by a formal entry for consumption using a U.S. Customs and Border Protection (CBP) Form 3461 (Entry/Immediate Delivery) and a CBP Form 7501 (Entry Summary).

- ◆ Importers and exporters must fax a copy of all Kimberley Process certificates (U.S. and those received from other countries) to the U.S. Census Bureau at: 1-800-457-7328.
- ◆ Rough diamonds from Côte d'Ivoire are prohibited from entering the United States because of a diamond embargo imposed in United Nations Security Council Resolution 1643 (2005).
- ◆ Rough diamond importers and exporters must retain records of all Kimberley Process (U.S. and foreign) certificates for five years.
- ◆ As of September 2008, rough diamond importers and exporters must file an annual report including total import and/or export activity and stockpile information via email to: USKimberleyProcess@state.gov. Beginning in 2009, reports will be due annually on April 1.



Do I need a Kimberley Process certificate?

U.S. shippers need a Kimberley Process certificate to export rough diamonds including gem quality or industrial diamonds that are unworked or simply sawn, cleaved or bruted and classified under Harmonized Commodity Description and Coding System subheadings 7102.10, 7102.21 and 7102.31.

How do I obtain a Kimberley Process certificate?

Kimberley Process certificates are available only by entities licensed by the U.S. Kimberley Process Authority. To obtain a U.S. Kimberley Process Authority license, contact the USKPA at the offices of the Jewelers Vigilance Committee: 212-997-2002.



For more information see:
www.state.gov/e/eeb/diamonds.

Contacts:

U.S. Department of State, Special Advisor for Conflict Diamonds, 202-647-1713

U.S. Census Bureau, Foreign Trade Division, 301-763-2259

Office of Foreign Assets Control, Compliance Hotline, 202-622-2490

U.S. Customs and Border Protection, Enforcement Policy Branch, 202-863-6057

