

AUSTRALIAN CUSTOMS NOTICE NO. (2002/66)

Amendments to the Customs (Prohibited Imports) Regulations 1956 and Customs (Prohibited Exports) Regulations 1958 - Kimberley process - rough diamonds

The following amendments to the *Customs (Prohibited Imports) Regulations 1956* and the *Customs (Prohibited Exports) Regulations 1958* were notified in Special Gazette No. S484 of 20 December 2002.

# United Nations General Assembly sanctions against the international trade in ‘conflict diamonds’

By United Nations General Assembly Resolutions 55/56 of 1 December 2000 and Resolution 56/263 of 13 March 2002, the United Nations (UN) called for the introduction of an international certification scheme to restrict the trade in ‘conflict diamonds’. Conflict diamonds are rough (uncut) diamonds mined without government approval and used to finance armed conflicts and the activities of rebel movements intended to undermine or overthrow legitimate governments.

The UN resolutions resulted in the development of the Kimberley Process Certification Scheme for Rough Diamonds (the Kimberley Process) which covers rough diamonds that are unworked or simply sawn, cleaved or bruted and fall to classifications 7102.10, 7102.21 or 7102.31 of the Harmonised Commodity Description Classification System or Australian Harmonised Export Commodity Classification.

On 5 November 2002 Australia - along with 36 other countries and the European Community, adopted the Kimberley Process under the Interlaken Declaration. The attachment to this document provides a list of those countries that have adopted the Kimberley Process with effect from 1 January 2003. It is important to note that the list of countries will change over time as more countries adopt the Kimberley Process. Customs understands that information on which countries have adopted the Kimberley Process will be available from the Kimberley Process Secretariat website (refer later in this document).

Under the Kimberley Process Australia has undertaken to ensure that:

* shipments of rough diamonds can neither be imported from nor exported to a country that has not adopted the Kimberley Process;
* shipments of rough diamonds will be transported in tamper resistant containers; and
* a Kimberley Process Certificate, issued in the country of export, will accompany each shipment of rough diamonds.

The certification scheme will commence on 1 January 2003.

Information on export procedures is available on the Department of Industry, Tourism and Resources (DITR) website at (<http://www.industry.gov.au/>). Any enquiries concerning the issue of Australian Kimberley Process Certificates for the export of rough diamonds should be directed to DITR, Canberra on (02) 6213 7182.

Further information is available from the following sources.

* Information on the Kimberley Process, is available from the Kimberley Secretariat website at <http://www.kimberleyprocess.com/default.asp>.
* Information on Customs procedures is available from Customs Information Centres on 1300 363 263 or by e-mail at [information@customs.gov.au](mailto:information@customs.gov.au).

The legislative authority for the amendments is Customs (Prohibited Imports) Amendment Regulations 2002 (No. 5) - Statutory Rule 2002 No. 332 and Customs (Prohibited Exports) Amendment Regulations 2002 (No. 5) - Statutory Rule No. 330.

Philomena Carnell National Manager Cargo Branch

for

the Chief Executive Officer

December 2002

# Attachment to ACN 2002/66

**LIST OF COUNTRIES TO PARTICIPATE IN THE KIMBERLEY PROCESS FROM 1 JANUARY 2003 \***

(Note: Countries of the European Community are listed individually)

Angola Austria

Belgium Botswana

Brazil Burkina Faso

Canada China, People’s Republic of

Central African Republic Congo, Democratic Republic of

Côte d’Ivoire Denmark

Finland France

Gabon Germany

Ghana Greece

Guinea India

Ireland Israel

Italy Korea, Republic of

Lesotho Luxembourg

Mauritius Mexico

Namibia Netherlands

Norway Philippines

Portugal Russian Federation

Sierra Leone South Africa

Spain Sri Lanka

Swaziland Sweden

Switzerland Tanzania

Thailand Ukraine

United Arab Emirates United Kingdom

United States of America Zimbabwe

**\*** List provided by the Department of Foreign Affairs and Trade.