



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.

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

**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.