

STOP BUYING AND SELLING BLOOD DIAMONDS

The Kimberley Process and World Diamond Council are a sham.

By MARTIN RAPAPORT

Severe human rights violations, including murder, rape and forced labor, have taken place in the diamond fields of Marange, Zimbabwe. Recent reports from Human Rights Watch (HRW) indicate that these horrific conditions continue to take place.

Blood diamonds from Marange, Zimbabwe, have been issued Kimberley Process (KP) certificates and imported into the cutting centers, where they were cut and polished and then sold to dealers, jewelry manufacturers and retailers. Tens of thousands of carats of blood diamonds are now in dealers' inventories and jewelers' showcases — and are being actively sold to consumers.

The jewelry trade's purchase and distribution of blood diamonds is funding a continuing cycle of horrific human rights violations. Our industry is providing money and distribution to those who murder, rape and enslave. Every time we buy or sell a blood diamond, we are sending a message of encouragement to the perpetrators of these inhuman crimes. We are legitimizing their dirty business. We become their partners in crime.

We must face the fact that the KP has been issuing certificates for Marange blood diamonds. The KP has made these "certified blood diamonds" perfectly legal. Customs officials did not — and do not — have the right to stop Marange diamonds with KP certificates. Instead of eliminating blood diamonds, the KP has become a process for the systematic legalization and legitimization of blood diamonds. When you get right down to it, the KP

has become a blood diamond laundering system. The KP is not just a sham; it's a scam.

To understand how this could happen, we must define "blood diamonds" and compare our definition to the KP definition of "conflict diamonds."

Rapaport definition: "*Blood diamonds are diamonds involved in murder, mutilation, rape or forced servitude.*"

KP definition: "*Conflict diamonds means rough diamonds used by rebel movements or their allies to finance conflict aimed at undermining legitimate governments, as described in relevant United Nations Security Council (UNSC) resolutions insofar as they remain in effect, or in other similar UNSC resolutions which may be adopted in the future, and as understood and recognised in United Nations General Assembly (UNGA) Resolution 55/56, or in other similar UNGA resolutions which may be adopted in future...*"

The KP definition of conflict diamonds does not address human rights violations and does not include blood diamonds. It is a legal definition established by governments to limit the scope and authority of the KP. The KP is a highly politicized

process controlled by governments for governments. Its primary function is to protect governments and their revenue — legitimate or not — from rebel forces and consumer boycotts. The KP is essentially agnostic when it comes to human rights. As HRW concluded in its November 6, 2009, report: "This diamond monitoring body has utterly lost credibility."

In spite of the above, there is a common misconception

ZIMBABWE'S BLOOD DIAMONDS ASK BEFORE YOU BUY*



Photo: AP Photo/Tsvangirayi Mukwazhi

*www.hrw.org

in the jewelry trade that diamonds with KP certificates are free of human rights abuses. Trade organizations, under the misguided leadership of the World Diamond Council (WDC), have promoted and continue to promote the KP as an acceptable standard for ensuring human rights compliance, even though they know that the KP has been issuing certificates for blood diamonds that have penetrated the diamond and jewelry supply chain. The WDC refuses to inform the trade that the KP cannot be relied upon to ensure human rights compliance and that polished blood diamonds are in the supply chain. The WDC has lost its moral compass. Its primary loyalty is now to the KP and not to the diamond industry or even the basic principles of human decency.

WHAT TO DO?

- **Raise Consciousness.** We need to raise consciousness within the jewelry industry about the problem of blood diamonds so that people will stop trading them. Industry organizations that should play a role need to be awakened. I suggest sending emails to Terry Burman, chairman of Jewelers of America (JA), director of the Responsible Jewellery Council (RJC) and the WDC, at tburman@jewels.com; Matt Runci, president and chief executive officer (CEO) of JA, chairman of the RJC, director of the WDC, at matt@jewelofam.org; Cecilia Gardner, president and CEO of the Jewelers Vigilance Committee (JVC), director of the WDC and CIBJO, at clgjvc@aol.com. You might want to cc the email to other leaders and send a copy to us.

Ask these leaders to confirm that polished blood diamonds are in the distribution system and ask what you or they can do about it. Ask them to use their organizations to inform the trade about the problem. If you know anyone on the board of these organizations, give them a call and ask them to have their organization let people know about blood diamonds.

Email us at fairtrade@rapaport.com if you would like to help us raise consciousness. We will be holding conferences to discuss the issue at BaselWorld on Friday, March 19, 2010, at the Basel Congress Center from 2:00 p.m. to 4:00 p.m., and the JCK Vegas Show, Monday, June 7, 2010, at the Sands Convention Center from 2:00 p.m. to 4:00 p.m. We need new ideas and solutions. We need your help to get organized.

- **Stay informed.** Visit diamonds.net/zimbabwe for background information and google Marange diamonds to stay up to date. Help us stay informed. If you know about people or companies that are selling Marange diamonds, email us. While we don't have the resources to investigate all claims, if a name comes up enough or the case is compelling, we will quietly notify relevant investigative authorities.

- **Return diamonds** that you suspect may be blood diamonds. Pay careful attention to diamonds that have a green hue. Unless you are absolutely sure of where the diamond

came from, it is probably a good idea to return all diamonds with a green or green/gray hue in the D to Z and light green color range, not fancy green colors. While there are green diamonds from other places, about 60 percent of Marange's cuttable diamonds are green and tens of thousands of carats have come onto the market over the past year. Furthermore, we are getting reports that the color of some green Marange diamonds is unstable and may worsen.

While many in the industry are opposed to the idea of returns, the hard fact is that you are going to have to make a personal decision about what to do. Thanks to the KP, blood diamonds are perfectly legal and you have no right to return them. On the other hand, do you really want to be selling what may be blood diamonds? It's a financial and ethical issue with a high dose of uncertainty. There may be no clear answers. You might want to talk to a spiritual or ethical adviser.

- **Ask Before You Buy.** As noted in the HRW campaign*, "Zimbabwe's Blood Diamonds, Ask Before You Buy," asking is probably the most important thing you can and should do. Recognize that you are responsible for what you buy and that someone's life may be at stake. Make sure you know who your suppliers are and ask them serious questions to ensure that the diamonds you buy are not from Marange nor involved in other serious human rights abuses. Err on the side of caution. Tell your supplier you really care about where your diamonds come from. If they know you care, they also will care. Make it a point to personally talk to every diamond supplier about human rights issues and how important they are to you.

You will also want your supplier to sign a document promising to refund payment for any diamonds that turn out to be associated with human rights violations. But don't rely solely on the paper; remember to have the talk.

CONCLUSION

It's time to transcend Kimberley and the WDC. One wonders how many lives will have to be destroyed before the demonstrations begin — before victims come marching down Fifth Avenue, as they did a decade ago. What will it take to get our trade to stop buying and selling blood diamonds?

I know that there are many good and decent people in the diamond and jewelry trade. And I know that many of you care but are frustrated and feel the situation is hopeless. I urge you to reconsider. I urge you not to give up.

We can and will beat this problem. It will take time and unprecedented levels of cooperation. But I do believe that there are enough people in our industry who really care about human rights and that we can make a difference by working together. There is so much good that we can do. I am confident that when the right people come together, we can and will build a more fair and ethical diamond market. We can and will create solutions that will make the world proud of us and our diamonds. ♦