Inclusion of Greenland in implementing the Kimberley Process certification scheme

2013/0198(COD) - 18/06/2013 - Legislative proposal

PURPOSE: to amend Council Regulation (EC) No 2368/2002 as regards the inclusion of Greenland in implementing the Kimberley Process certification scheme.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: this proposal aims at enabling Greenland to **participate in the Kimberley Process certification scheme on rough diamonds** through its cooperation with the European Union. The scheme set out in the proposal would allow for the import and export of rough diamonds from Greenland to the Union as well as to other participants of the certification scheme, provided that all imports and exports of rough diamonds are verified and, for exports, certified by Union authorities pursuant to the rules set out in Regulation (EC) No 2368/2002 implementing the Kimberley Process certification scheme for the international trade in rough diamonds.

IMPACT ASSESSMENT: Greenland and Denmark undertake to transpose and implement in the legislation applicable to Greenland the relevant provisions of Regulation (EC) No 2368/2002 as regards the conditions and formalities for importing and exporting rough diamonds, their transit to a participant other than the Union, the participation of the Union, including Greenland, in the Kimberley Process certification scheme and associated obligations.

LEGAL BASIS: Article 207 of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: the proposal **extends the territory of the Union to also cover the territory of Greenland for the purposes of the Kimberley Process certification scheme**. Accordingly, **Greenland will be prohibited to accept imports or exports of rough diamonds** to or from outside of the territory of the Union **without a valid Kimberley Process (KP) certificate**.

The amendments will allow for the export of rough diamonds from Greenland to third countries as long as they are accompanied by an EU KP certificate. The conditions for certification previously required evidence that the rough diamonds were lawfully imported into the Union.

For diamonds mined and extracted in Greenland that have never been exported before, an alternative condition is introduced by this proposal, notably to **demonstrate proof** in this regard.

In addition, the proposal:

- sets out the modalities of submitting rough diamonds to Union authorities for verification,

- extends the special rules for transit to Greenland.
- enables Greenland's participation in the Committee for the implementation of the Regulation, and
- enables Greenland's representation in the Kimberley Process and cooperation with other Member States through the Commission.

The proposal is closely connected to a proposal for a Council Decision setting out specific rules for the circulation of rough diamonds between the Union and Greenland.

The application of that Decision is proposed to align with the entry into force of this amendment to the Regulation.

BUDGETARY IMPLICATION: the proposal has no implications for the EU's budget.