Rules and procedures to enable the participation of Greenland in the Kimberley Process certification scheme

2013/0201(CNS) - 20/02/2014 - Final act

PURPOSE: to lay down the rules and procedures to enable the participation of Greenland in the Kimberley Process certification scheme.

LEGISLATIVE ACT: Council Decision N° 136/2014/EU laying down rules and procedures to enable the participation of Greenland in the Kimberley Process certification scheme

CONTENT: this Decision is closely linked to an amendment of Regulation (EC) No 2368/2002, the scope of which is extended to the territory of Greenland for the purpose of the Kimberley 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.**

Objective and scope: the Decision sets out the general rules and conditions for the participation of Greenland in the system of certification and import and export controls for rough diamonds set out in Regulation (EC) No 2368/2002. To that end, it lays down rules and procedures for the application of the KP certification scheme for rough diamonds imported into or exported from Greenland, either to the Union or to other participants in the KP certification scheme.

General rules: Greenland shall ensure that Regulation (EC) No 2368/2002 is transposed in the legislative provisions applicable to Greenland as regards the conditions and formalities for importing and exporting rough diamonds, their transit through the Union from and to a participant other than the Union, the participation of the Union, including Greenland, in the KP certification scheme, obligations relating to due diligence, anti-circumvention, exchange of information. It shall also designate the authorities responsible for implementing the relevant provisions of Regulation (EC) No 2368/2002 within its territory

Import/export of diamonds: in general, the Regulation provides that:

- Greenland should only export rough diamonds to other participants in the KP certification scheme after they have been **certified by a Union authority** listed in Annex III to Regulation (EC) No 2368/2002 (notably rough diamonds mined or extracted in Greenland may be imported into the Union only where they are accompanied by the attesting document as specified in the Annex);

- The Union authorities should also verify imports of rough diamonds into Greenland.

In order to permit the international trade in rough diamonds in Greenland, in accordance with the rules on trade within the Union, Greenland should undertake to transpose the relevant provisions of Regulation (EC) No 2368/2002 into the national law of Greenland so as to allow the application of the Decision,

Reports: the Greenland authority *(Bureau of Minerals and Petroleum*) shall provide the Commission with a monthly report on all attesting documents. For each attesting document this report shall list a list of specified technical information regarding issue, expiry and validity.

ENTRY INTO FORCE: 09.04.2014. The Decision shall apply from the day Greenland notifies the Commission that it has implemented in national law the relevant provisions of Regulation (EC) No 2368 /2002 to allow the inclusion of Greenland in the KP certification scheme.