Basic information

2013/0201(CNS) CNS - Consultation procedure Decision	Procedure completed
Rules and procedures to enable the participation of Greenland in the Kimberley Process certification scheme See also 2013/0198(COD) **Subject** 6.20.02 Export/import control, trade defence, trade barriers 6.20.04 Union Customs Code, tariffs, preferential arrangements, rules of origin 6.30.01 Generalised scheme of tariff preferences (GSP), rules of origin 6.40.13 Relations with/in the context of international organisations: UN, OSCE, OECD, Council of Europe, EBRD **Geographical area** Greenland	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
INTA International Trade	MOREIRA Vital (S&D)	10/07/2013
	Shadow rapporteur SAÏFI Tokia (PPE) BEARDER Catherine (ALDE) JADOT Yannick (Verts/ALE) STURDY Robert (ECR) SCHOLZ Helmut (GUE/NGL)	

Committee for opinion	Rapporteur for opinion	Appointed
AFET Foreign Affairs	The committee decided not to give an opinion.	
DEVE Development	The committee decided not to give an opinion.	

Council of the European Union

Council configuration	Meetings	Date
Competitiveness (Internal Market, Industry, Research and Space)	3295	2014-02-20

European Commission	

Commission DG	Commissioner
European External Action Service	ASHTON Catherine

Key events

Date	Event	Reference	Summary
18/06/2013	Legislative proposal published	COM(2013)0429	Summary
10/10/2013	Committee referral announced in Parliament		
17/12/2013	Vote in committee		
19/12/2013	Committee report tabled for plenary, 1st reading/single reading	A7-0466/2013	Summary
04/02/2014	Decision by Parliament	T7-0048/2014	Summary
04/02/2014	Results of vote in Parliament		
20/02/2014	Act adopted by Council after consultation of Parliament		
20/02/2014	End of procedure in Parliament		
20/03/2014	Final act published in Official Journal		

Technical information

Procedure reference	2013/0201(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Decision
Amendments and repeals	See also 2013/0198(COD)
Legal basis	Treaty on the Functioning of the European Union TFEU 203
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	INTA/7/13096

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE521.827	06/11/2013	
Committee report tabled for plenary, 1st reading/single reading		A7-0466/2013	19/12/2013	Summary
Text adopted by Parliament, 1st reading/single reading		T7-0048/2014	04/02/2014	Summary

European Commission			
Document type	**Reference**	**Date**	**Summary**
Legislative proposal	COM(2013)0429	18/06/2013	Summary

Additional information		
Source	**Document**	**Date**
National parliaments	IPEX	
European Commission	EUR-Lex	

Final act	
Decision 2014/0136 OJ L 084 20.03.2014, p. 0099	Summary

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

2013/0201(CNS) - 18/06/2013 - Legislative proposal

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

PROPOSED ACT: Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT: the Council adopts the act after consulting the European Parliament but without being obliged to follow its opinion.

BACKGROUND: the European Union is a participant in the **Kimberley Process Certification Scheme for the international trade in rough diamonds**. As a participant it has to ensure that a Kimberley Process Certificate accompanies each shipment of rough diamonds imported in or exported from the territory of the Union, in accordance with the rules laid down in Regulation (EC) No 2368/2002.

Greenland is not part of the Union territory but it is included in the list of overseas countries and territories set out in Annex II to the Treaty. The participation of Greenland in the Kimberley Process Certification Scheme would strengthen economic relations between the European Union and Greenland in the diamond industry and, in particular, it would enable Greenland to export rough diamonds accompanied by the European Union Certificate issued for the purposes of the certification scheme, with a view to promoting the economic development of Greenland.

Trade in rough diamonds in Greenland should, therefore, be conducted in compliance with Union rules implementing the Kimberley Process Certification Scheme for the international trade in rough diamonds. Accordingly, the scope of application of Regulation (EC) No 2368/2002 will be extended to the territory of Greenland for the purpose of the certification scheme, as provided for in the parallel proposal to amend the Regulation in question.

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 203 of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: the proposal is closely related to the proposal to amed Regulation (EC) No 2368/2002 which 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**.

Imports/exports of rough diamonds:

- the export of rough diamonds from Greenland to third countries will be allowed as long as they are accompanied by a European Union Kimberley Process certificate.
- for imports into Greenland from third countries, the rough diamonds and the accompanying certificate will first have to be submitted for verification to one of the six authorities of the Union who deal with issuing EU Kimberley Process Certificates.

Applicable rules: the proposal sets out specific rules for circulation of rough diamonds between the Union and Greenland, either with the Union or Greenland as destination, or with the view that rough diamonds would be then exported to a third country from the Union. In either case, the main requirements for rough diamonds to enter or leave the territory of Greenland or the Union is to:

- be accompanied by:

- either a document (or a copy thereof validated by a Union authority) attesting that they were mined in Greenland, or
- a copy of a Kimberley Process certificate as validated by a Union authority, and

- be in sealed tamper-resistant containers.

Rough diamonds mined or extracted in Greenland, provided that **they have not been exported previously to a third country**, may enter the Union's customs territory by the use of an attesting document issued by authorities in Greenland. These shipments upon entry to the Union's customs territory will be have to be verified by a Union authority, and the copy issued by this authority will have to accompany shipments between the Union customs territory and Greenland for any subsequent circulation.

As for **export of rough diamonds to and from third countries**, Greenland will only be able to import or export if the diamonds are first shipped to one of the authorities of the Union to issue an EU Kimberley Process certificate or to verify the Kimberley Process certificate of another Kimberley Process participant.

Once rough diamonds mined or extracted in Greenland had been exported to a third country, upon their return they may circulate between the Union and Greenland according to the same rules that apply to all other rough diamonds imported into the Union.

This proposal is closely connected to a proposal for an amendment to the Regulation of the European Parliament and of the Council on the inclusion of Greenland in implementing the Kimberley Process certification scheme.

The application of that Regulation should be aligned with the entry into force of this proposal for a Decision.

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

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

2013/0201(CNS) - 19/12/2013 - Committee report tabled for plenary, 1st reading/single reading

The Committee on International Trade unanimously adopted the report by Vital MOREIRA (S&D, PT), in the framework of a special legislative procedure (Parliament's consultation), approving without amendment, the proposal for a Council decision laying down rules and procedures to enable the participation of Greenland in the Kimberley Process certification scheme.

Given that the Kimberley Process is an important innovative instrument to stem the flow of conflict diamonds (rough diamonds used by rebel movements to finance wars against legitimate governments) and that it would be even more beneficial if all the territories were associated with this process (namely Greenland who would therefore become part of the EU certification system as an Overseas country and territory), the committee has suggested that this proposal be adopted without amendment.

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

2013/0201(CNS) - 04/02/2014 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 540 votes to 0, with 14 abstentions – in the framework of a special legislative procedure (Parliament consultation) - a legislative resolution on the proposal for a Council decision laying down rules and procedures to enable the participation of Greenland in the Kimberley Process certification scheme.

Parliament approved, without amendment, the Commission proposal.

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.