



Do I need a Kimberley Process certificate?

For exports, U.S. shippers need a Kimberley Process certificate to export rough diamonds including gem quality or industrial diamonds that are unworked or simply sawn, cleaved or bruted and classified under Harmonized Commodity Description and Coding System subheadings 7102.10, 7102.21 and 7102.31. Imports into the United States of rough diamonds classifiable in these three HTS subheadings require a valid Kimberley Process certificate issued by the foreign participant.

How do I obtain a Kimberley Process certificate?

Kimberley Process certificates are available only by entities licensed by the U.S. Kimberley Process Authority. For further information, contact the USKPA at the offices of the Jewelers Vigilance Committee: 212-997-2002.



For more information see:
www.state.gov/e/eeb/diamonds.

Contacts:

U.S. Department of State, Special Advisor for Conflict Diamonds, 202-647-2856

U.S. Census Bureau, Foreign Trade Division, 301-763-2259

Office of Foreign Assets Control, Compliance Hotline, 202-622-2490

U.S. Customs and Border Protection, Enforcement Policy Branch, 202-863-6627



Kimberley Process for Rough Diamonds



www.state.gov/e/eeb/diamonds



What is the Kimberley Process?

The Kimberley Process is the international initiative launched in 2003 to prevent rough diamonds from being used to finance such brutal civil wars as those that occurred in the diamond-producing countries of Sierra Leone, Liberia and Angola in the 1990s.

The 75 countries that participate in the Kimberley Process agree to trade rough diamonds only with other countries in the organization. Diamonds must be shipped with Kimberley Process certificates and must be in tamper-resistant containers.

How does the U.S. control rough diamonds?

The Clean Diamond Trade Act of 2003 and Executive Order 13312 commit the U.S. government to the Kimberley Process and establish the framework for how the U.S. government implements that commitment. The Rough Diamonds Control Regulations, 31 CFR part 592, spell out the legal obligations of U.S. rough diamond importers and exporters. The laws and regulations are available at: www.state.gov/e/eeb/diamonds.



What are the legal obligations of a rough diamond importer or exporter?

- ◆ All imports and exports of rough diamonds must be accompanied by a Kimberley Process certificate.
- ◆ Exports of rough diamonds from the United States must be accompanied by a U.S. Kimberley Process certificate obtained from a U.S. Kimberley Process Authority licensee and validated by the U.S. Census Bureau.
- ◆ Imports and exports of rough diamonds must be sealed in a tamper-resistant container. Packaging must have an indicator or barrier to entry that could reasonably be expected to provide visible evidence that tampering had occurred. Standard mailing and express consignment packaging, or such packaging that simply contains a resealable plastic bag, is not considered tamper-resistant.
- ◆ Rough diamonds may only be imported from, or exported to, countries that are participants in the Kimberley Process. The current list of participating countries can be found at: <http://www.state.gov/e/eeb/diamonds/docs/113716.htm>
- ◆ All imports of rough diamonds, regardless of value of the shipment, must be entered by a formal entry for consumption using a U.S. Customs and Border Protection (CBP) Form 3461 (Entry/Immediate Delivery) and a CBP Form 7501 (Entry Summary).

- ◆ Exports of rough diamonds must be filed in the Automated Export System (AES) pre-departure regardless of the export value. The AES Internal Transaction Number (ITN) must be placed on the upper right corner of the Kimberley Process certificate document.
- ◆ Importers and exporters must fax a copy of all Kimberley Process certificates (U.S. and those received from other countries) to the U.S. Census Bureau at: 1-800-457-7328.
- ◆ Rough diamonds from Côte d'Ivoire are prohibited from entering the United States because of a diamond embargo imposed in United Nations Security Council Resolution 1643 (2005). As of January 2010, rough diamonds from Venezuela and from the Marange region in Zimbabwe are subject to KP restrictions.
- ◆ Rough diamond importers and exporters must retain records of all Kimberley Process (U.S. and foreign) certificates for five years.
- ◆ Rough diamond importers and exporters must file an annual report including total import and/or export activity and stockpile information via email to: USKimberleyProcess@state.gov. Reports for activity in the previous calendar year are due annually on April 1.

