

OTHER FACETS

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TAYLOR WAR CRIMES TRIAL BEGINS PAC's Ian Smillie is First Witness

The long-awaited war crimes trial of former Liberian president Charles Taylor started in The Hague in January. The trial's first witness was Ian Smillie, Partnership Africa Canada's Research Coordinator. Smillie has led PAC's work on conflict diamonds since 1999, and in 2000 was seconded to a UN Security Council Expert Panel which reported on links between diamonds and the weapons traffic in Sierra Leone and Liberia.

The Special Court for Sierra Leone, set up to deal with atrocities perpetrated during the country's 11-year civil war, was moved to The Hague because of fears that Taylor's presence in Sierra Leone might lead to political or military instability. Taylor, who is accused of direct complicity in the war in Sierra Leone and of profiting from the country's diamond trade, is pleading innocent to 11 counts of war crimes and crimes against humanity. He is alleged to have encouraged mass murder, the sexual enslavement of girls, widespread rape, the recruitment of child soldiers, and the systematic amputation of limbs.

Human Rights Watch described the start of the case as a huge moment. 'A former head of state is being tried for these most serious crimes,' said Elise Keppler, a lawyer with the group's international justice programme.

Information on the Taylor trial can be found at <http://charlestaylortrial.org/>. The trial itself can be watched 'live' on the Internet with a 30 minute delay when the court is sitting, at <http://www.sc-sl.org/>. Smillie's report for the Office of the Prosecutor, Special Court for Sierra Leone, entitled 'Diamonds, the RUF and the Liberian Connection' is available at <http://charlestaylortrial.files.wordpress.com/2008/01/p-19-report-ian-smillie.pdf>

KIMBERLEY PROCESS ANNUAL PLENARY

NGO Participation Increases – But Funding Problems Remain

The annual Kimberley Process Plenary Meeting took place in Brussels in November and was attended by an all-time record number of NGOs since the KPCS came on stream in 2003. NGOs from Guinea, Sierra Leone, Liberia, Côte d'Ivoire, Republic of Congo, DRC, Ghana, South Africa, Brazil, Canada, the UK, Netherlands, Belgium and Germany took part in a two-day orientation workshop in advance of the plenary, and then participated in working group meetings and the full plenary session.

The pre-plenary workshop, organized by Partnership Africa Canada and Global Witness, was largely funded by the Government of Belgium. At the end of the Plenary, the NGOs released a declaration saying that while collaboration with local civil society had been identified as a priority in the 2006 review of the KPCS, many member governments are still not engaging civil society organizations meaningfully in implementing the KP.

'The engagement of civil society and artisanal producers at national level is critical to ensuring robust and effective internal controls,' they said. 'Participants should systematically work with local civil society during review visits, share information and reports relating to national KP implementation and maintain a spirit of transparency and collaboration...The Kimberley Process will gain in strength and effectiveness from broadening, deepening and financing

this partnership with civil society, and we call on the KP and member countries to make this a priority from now on.'

Dário Machado, President of the Coromandel Garimpeiro Cooperative said, 'As a result of our participation in the KP Plenary in November 2007... and us subsequently becoming members of the KP Civil Society Coalition, the Government of Brazil has recognized the importance of our involvement in the implementation of the KPCS in Brazil. A joint government, industry and civil society forum has now been created and meetings of the forum have been held both in November and December 2007. Without the invitation to the Plenary, none of this would have happened.'

With the exception of a contribution from Rio Tinto Diamonds, no funding mechanism for on-going civil society participation in the KP has yet been organized. Some governments and companies, however, are considering the possibility of support for continuing civil society participation in Kimberley Process review visits and working groups.

DDI APPOINTS EXECUTIVE DIRECTOR

The Board of Directors of the Diamond Development Initiative announced at the end of January that the organization's first Executive Director will be **Dorotheé Gizenga**. She has worked at Partnership Africa Canada since 2003, and has also worked for the governments of Canada and Ontario and with many community organizations in Africa and Canada. She brings a wide range of experience and skills to DDI, an organization that PAC has helped to establish.

VENEZUELA AGREES TO KP VISIT

At the November Kimberley Process Plenary meeting Venezuela agreed to invite a KP review team to visit the country. Venezuela, which is a mid-size diamond producing country, has reported virtually no diamond production and no exports whatsoever for several years. This was the subject of a major Partnership Africa Canada report, published in November 2006.

The Lost World: Diamond Mining and Smuggling in Venezuela documented how and why Venezuela's diamonds – an industry that produces from 150,000 to 200,000 carats per year, worth as much as US\$20 million annually – had been driven underground. The report described how Venezuelan diamonds evade production controls at the mine site, and how they travel clandestinely from Venezuela to Brazil, Guyana and into the legitimate jewellery trade. The report named smugglers, describing how they buy and transport diamonds.

The PAC report was first ignored and then denounced by the Venezuelan authorities, and for months the Kimberley Process response was marked by confusion and inaction. The importance of coming to grips with the issues and of becoming a more active player in the Kimberley Process was impressed upon Venezuelan authorities at the Brussels Plenary, and after much discussion, it was agreed that a review team, to be headed by former KP Chair Karel Kovanda, will visit Venezuela before the end of March.

PAC Program Manager Dorothee Gizenga welcomed the mission. 'Recognizing the significant challenges Venezuela faces in relation to artisanal small scale mining,' she said, 'PAC looks forward to the review, which should help to identify ways that the KP can assist Venezuela with its KPCS implementation. It will be important for the KP team to visit Venezuela's border and diamond mining areas and for it to talk to miners' cooperatives,' she added.

Venezuela's deputy mining minister, Iván Hernández, took part in the KP Plenary and described his government's plans for a 'socialist diamond mining project'.

CONGOLESE DIAMOND REFORMS REMAIN ELUSIVE

Diamonds Earn Diggers \$1 per Day

Reforms to the diamond industry in the Democratic Republic of the Congo (DRC) are not moving quickly enough – in a country where the political balance is fragile and where recovery from years of war remains frustratingly slow. That is the central message in the 2007 DRC *Diamond Industry Annual Review* published in October by Partnership Africa Canada and the Centre National d'Appui au Développement et à la Participation Populaire (CENADEP) in Kinshasa.

Diamonds have been at the centre of the country's problems: diamonds and other minerals financed much of the conflict that in one way or another is estimated to have taken four million Congolese lives. Diamonds nevertheless remain a central part of the country's economy, and they will play an important role in its future.

More than half of the Congo's foreign exchange earnings are derived from the export of diamonds, and an estimated 700,000 people dig for them. These artisanal miners work under dangerous and unhealthy circumstances. Most are unregistered, and their efforts are largely unrecognized. In fact, more than 90% of the country's \$700 million in diamond exports is produced by small-scale entrepreneurs, working under sub-human conditions and earning on average, a dollar a day.

Research for the report, carried out over a two month period in 2007, involved extensive travel by PAC researchers through the DRC's diamond mining areas, and involved meetings with miners, buyers, smugglers and officials in an effort to understand this complex and very important aspect of the country's economy, and its future.

PAC's Diamond Industry *Annual Reviews*, first produced in 2004, are available for Angola and Sierra Leone as well. They aim to provide governments, civil society and investors with information that will be helpful in the promotion of greater transparency and more positive developmental outcomes from the industry. The DRC review, available in English and French, can be found at http://www.pacweb.org/e/images/stories/documents/drc_annual%20review_2007-eng.pdf.

DIAMOND RICHES CONTRIBUTE LITTLE TO ANGOLAN DEVELOPMENT

Management and Human Rights Problems Persist: Report

Progress in Angola's diamond sector after five years of peace has, by some measures, been extraordinary. That is one finding in the 2007 edition of Partnership Africa Canada's *Angolan Diamond Industry Annual Review*, released in November. Diamond production nearly doubled, from 5 million carats in 2002 to 9.5 million in 2006. Gross revenue from diamond sales has effectively doubled, while the annual diamond contribution to government coffers has more than tripled, from US\$45 million to US\$165 million over that same five year period.

But so far there have been few positive results for ordinary people living in Angola's diamond mining areas, and life is even tougher for those who work as artisanal miners. The bedrock of the country's peace is the international Kimberley Process diamond certification system, which aims to prevent the conflict diamonds that fuelled Angola's civil war for years. But Angola's implementation is based on a misguided attempt to criminalize artisanal diamond diggers on the one hand, and a slipshod, half-hearted chain of warranties system on the other. As a result, the PAC report says, Angola's application of Kimberley Process regulations in the crucial informal sector fails to meet international standards.

The report describes how the Angolan government has given away large percentages of joint venture projects to political friends and insiders, most of whom contribute little to the success of the operations. 'The money these companies

and individuals receive effectively robs the people of Angola of funds that could have been used for development,' says Bernard Taylor, PAC's Executive Director.

The report also examines the impact of the industry on local people in the provinces where diamonds are mined. *Annual Review* researchers travelled widely in Lunda Norte and Lunda Sul. They found few schools, little treated drinking water, roads unrepaired since colonial days, and little public investment geared to solving these problems. One of the richest areas in Angola appears also to be one of the most backward. Five years after the end of the war, the people of those provinces are beginning to grow impatient.

The report is available in English and Portuguese at <http://www.pacweb.org/e/images/stories/documents/angola-ar2007-eng.pdf>.

DDI WORKSHOP IN SIERRA LEONE Standards & Guidelines an Important Step: Deputy Minister

A multilateral consultation workshop, organized by the **Diamond Development Initiative**, the **Network Movement for Justice and Development** and **Partnership Africa Canada**, took place on January 8 and 9 in Freetown, Sierra Leone, to discuss refine a draft document dealing with 'Standards & Guidelines for Sierra Leone's Artisanal Diamond Mining Sector'. The workshop brought together senior government officials, mayors, paramount chiefs, artisanal miners' representatives, labour leaders, diamond dealers, NGOs, donors and the media, to examine the opportunities and challenges in integrating best practices into the artisanal mining sector.

A major objective of the Diamond Development Initiative is to draw development organizations and more developmentally sound investment into artisanal diamond mining areas and to help bring the informal diamond mining sector into the formal economy. **Deputy Minister of Mines and Mineral Resources, Abdul Ignosis Koroma** said, 'This workshop and the development of the DDI Standards & Guidelines document is an important step in moving forward the debate on artisanal diamond mining and its impact on the development of the communities concerned. The document will provide a wealth of essential information and will also encourage further discussion with all the parties concerned.'

At the end of the two-day workshop, participants agreed to form a multi-stakeholder forum to take forward policy and activity recommendations in the Standards & Guidelines that will improve the artisanal diamond mining sector. The DDI is scheduled to publish the Standards & Guidelines document in April. The document will be available for download from www.ddiglobal.org.

Books

Ishmael Beah, *A Long Way Gone: Memoirs of a Boy Soldier*, 2007, 229 pages, C\$26.95, US\$22.00, £7.99 (paperback)

This disturbing book received praiseworthy reviews in the *New York Time Book Review* and elsewhere when it appeared in 2007. It is a first person narrative of the war in Sierra Leone, told by a boy who was 12 when it began, and who was soon inducted into all of its horrors. Driven from his home by rebels following the murder of his family, he wanders through the rainforest with other lost boys and is eventually press-ganged into the Sierra Leone army. Serving as a 'junior lieutenant' and drugged on marijuana and *brown-brown*, a mixture of cocaine and gunpowder, he joins other youths in years of murder and mayhem. Finally he is rescued by a Catholic NGO, is rehabilitated, and eventually makes his way to the United States.

The most compelling part of the book is the first half, before Beah is taken into the army. It is a bit like Huckleberry Finn Visits Hell, as he and his young friends make their way from one awful rebel atrocity to the next, barely keeping ahead of the war, never knowing what is around the next bend in the trail. Beah's account of his years as a soldier is less compelling, and frankly, less credible. It is undoubtedly true that he took part in some of the atrocities he describes so vividly, but if they are all true, he must surely have killed many dozens of 'rebels' who seemed to be around every corner just waiting to be gunned down. In truth, the Sierra Leone army went out of its way to avoid contact with the rebels, and for much of the war the army was actually on the run, rather than the offensive. Beah admits to many viewings of the Rambo movies, and it echoes in lines like this: 'First we had to get rid of the attackers in the trees, which we did by spraying bullets into the branches to make the rebels fall off them. Those who didn't immediately die we shot before they landed on the ground.'

Beah writes at length about the difficulties involved in returning to civilian life and his rejection of those who tried to comfort him, telling him over and over, 'It wasn't your fault.' That anger is actually the strongest emotion expressed in the book until the death of an uncle towards the end of the story. In sum, *Long Way Gone* is an oddly anodyne account of horrific events, except for the wistfulness and regret at the loss of Beah's happy boyhood in Mogbwemo. This is where the beauty of his style shines: 'When we were walking, I turned around to see the village one last time. It was yet to be born for that day. A cock crowed to dispatch the last remains of night and to mute the crickets that couldn't let go of the darkness of their own accord.'

MEDIAWATCH

Global Witness, which began its work in the 1990s with efforts to stop the plunder of rain forests in Cambodia and Burma, and which went on to become a leader in the conflict diamond campaign, is the 2007 winner of the *Commitment to Development 'Ideas in Action' Award*, sponsored jointly by the **Center for Global Development** (CGD) and *Foreign Policy* magazine. A distinguished international panel chose Global Witness for the honour, bestowed annually since 2003. Previous winners include **Oxfam's** Make Trade Fair campaign and **Gordon Brown**, then Chancellor of the Exchequer and now prime minister of Britain, for his efforts in creating an advance market commitment for vaccines to fight killer diseases in developing countries.

Canadian Diamonds, Canada's diamond industry quarterly, named PAC's **Ian Smillie** their 'man of the year' for 2007. 'Ian Smillie has been at the forefront of justice in the diamond industry for a decade,' the cover story said. 'Now he's taken the Chair of the **Diamond Development Initiative**, an international effort to bring NGOs, governments and business together to convert diamonds from a fuel for war into an engine for development. His unwavering commitment to justice makes him *Canadian Diamonds'* Person of the Year.'

In November, the **Diamond Manufacturers & Importers Association of America** wrote a widely quoted letter to **De Beers**, criticizing the company's growing support for new cutting and polishing ventures in Africa. The DMI said that this 'should not come at the expense of rough diamond allocations to American sightholders' and suggested that US manufacturers should not be made to suffer because, after all, the United States is a major aid donor to Africa. That aid, the letter said, should not be unconditional where diamonds are concerned. The convolutions in logic were not lost on the industry. One diamantaire said, 'Do they really believe that our government and congress would, for the sake of a handful of diamond companies making an extra buck, cut back on assistance to millions of hungry Africans?' In a *Diamond Intelligence*

Briefs editorial entitled 'Rough Ethics in New York', **Chaim Even-Zohar** said the DMIA had ignored the fact that 'colonial policies have systematically extracted the natural resources of Africa, without ever giving Africans a decent chance and opportunity to get the domestic added value that is provided by beneficiation from their own mineral wealth.' Even-Zohar suggested that De Beers should 'kick out' any of its sightholders who signed the letter.

In November, **Safidico**, the manufacturing arms of **Graff Jewelers**, bought the 493 carat **Letseng Legacy** diamond at tender for \$10.4 million. The world's 18th largest diamond was jointly owned by the mining company **Gem Diamonds** and the **Government of Lesotho**.

In January the **British Post Office** issued a series of six stamps commemorating **Ian Fleming** and his **James Bond** novels. An accompanying 'prestige booklet' for philatelists contains a page describing one of Fleming's few non-fiction efforts, a 1957 book entitled *The Diamond Smugglers*. The page includes a depiction of a 1954 *Sunday Times* article: 'Illicit Diamonds in Sierra Leone: Diamond Smugglers Pose Serious Threat to Economic Viability of Sierra Leone'.

The award-winning film about a Sierra Leonean child soldier, *Ezra* (*Other Facets* #23, March 2007) is now available on DVD at **California Newsreel's Library of African Cinema**: <http://www.newsreel.org/>.

An **Associated Press** wire report that 25 NGOs, mostly Brazilian, were being investigated by the Brazilian intelligence service was turned into a diamond story by **Rapport News** in January. "Intelligence Service Links NGOs with Illegal Diamond Extraction" screamed the headline. In fact the article was almost entirely about allegations that NGOs had transferred indigenous knowledge of plants and animals to pharmaceutical companies. Diamonds were mentioned only in passing and without any specifics. The theft of genetic resources is an issue of growing concern, especially to indigenous communities in many parts of the world. The AP story did not say whether charges would be laid, and the NGOs that were named denied the allegations.

Kimberley Corner

At the November Kimberley Process Plenary, the **Republic of Congo** was readmitted to the KPCS. The Republic of Congo was expelled in 2003 after a KP review mission could find no correlation between the country's diamond mining industry and its diamond export statistics. The process of readmission involved an independent survey of the country's diamond geology and mining potential, a revamping of its internal regulations, and a further review mission carried out by the Kimberley Process. With the readmission of the Republic of Congo, total KP membership has risen to 48 (plus all of the countries in the European Union), including the recent additions of **Turkey** and **Liberia**.

Later in November, the **UN General Assembly** addressed the subject of conflict diamonds and the Kimberley Process. After much UN-style 'recognizing', 'recalling', 'welcoming' and 'noting', the GA passed a resolution reaffirming 'its strong and continuing support for the Kimberley Process Certification Scheme and the Kimberley Process as a whole.'

In January, **India** took over as Chair of the Kimberley Process, following the **European Commission's** leadership in 2007. Previous chairs have been **South Africa, Canada, Russia and Botswana**. At the 2007 KP Plenary, **Namibia** was appointed vice chair, and will assume the chair in 2009.

Although a small number of countries have not yet invited a KP review of their diamond control systems, a second round of reviews has now started. The first two took place in **Zimbabwe** and in the **UAE** in June and January respectively. Dates are being established for early reviews of the **Israel, DRC, Guinea, Namibia** and the **Central African Republic**.

OTHER FACETS

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