Commission Implementing Regulation (EU) 2020/2149 of 9 December 2020 amending Council Regulation (EC) No 2368/2002 implementing the Kimberley Process certification scheme for the international trade in rough diamonds, in order to add Italy as a Union authority and to take into account the withdrawal of the United Kingdom from the Union

COMMISSION IMPLEMENTING REGULATION (EU) 2020/2149

of 9 December 2020

amending Council Regulation (EC) No 2368/2002 implementing the Kimberley Process certification scheme for the international trade in rough diamonds, in order to add Italy as a Union authority and to take into account the withdrawal of the United Kingdom from the Union

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 2368/2002 of 20 December 2002 implementing the Kimberley Process certification scheme for the international trade in rough diamonds,⁽¹⁾ and in particular Article 17, Article 19(1 and 2), and Article 20 thereof,

Whereas:

- (1) The Withdrawal Agreement⁽²⁾ sets out the arrangements for the withdrawal of the United Kingdom of Great Britain and Northern Ireland ('United Kingdom') from the Union and from the European Atomic Energy Community ('Euratom').
- (2) The transition period set out in Part Four of the Withdrawal Agreement ends on 31 December 2020 when Union law ceases to apply to and in the United Kingdom.
- (3) Pursuant to Article 5(4) of the Protocol on Ireland/Northern Ireland to the Withdrawal Agreement, read in conjunction with Annex 2 to that Protocol, the provisions of Regulation (EC) No 2368/2002 apply to and in the United Kingdom in respect of Northern Ireland. The Protocol on Ireland/Northern Ireland will become applicable at the end of the transition period.
- (4) Annex II to Regulation (EC) No 2368/2002 lists the Participants in the Kimberley Process certification scheme and their duly appointed competent authorities.
- (5) By virtue of the adoption of the Administrative Decision 'Admission of the United Kingdom of Great Britain and Northern Ireland to the Kimberley Process Certification Scheme' by Kimberley Process Participants at the Delhi Plenary in November 2019, the United Kingdom is admitted as a Kimberley Process certification scheme Participant, with such participation taking effect only from the date on which Union law ceases to apply to and in the United Kingdom. The United Kingdom should be added to the list of Kimberley Process Participants in Annex II to Regulation (EC) No 2368/2002.

- (6) In addition, the addresses of the competent authorities of several participants in the Kimberley Process, found in Annex II to Regulation (EC) No 2368/2002, require an update.
- (7) Article 19 of Regulation (EC) No 2368/2002 provides for a list of Union authorities to be maintained by the Commission in Annex III to that Regulation.
- (8) Following the request for designation of a Union authority pursuant to Article 19 of Regulation (EC) No 2368/2002 by Italy, the Commission met with the Union authority designated by Italy to verify its preparedness to assume the duties referred to in Regulation (EC) No 2368/2002. The preparations undertaken and the procedures envisaged by the Union authority designated by Italy suggest that it will be able to reliably, timely, effectively and adequately fulfil the tasks required by Chapters II, III and V of Regulation (EC) No 2368/2002. The relevant authority in Italy should therefore be added to the list of Union authorities in Annex III to Regulation (EC) No 2368/2002.
- (9) Following the withdrawal of the United Kingdom from the Union and Euratom, the Union authority in the United Kingdom should be removed from the list of Union authorities in Annex III to Regulation (EC) No 2368/2002.
- (10) In accordance with Article 17(4) of Regulation (EC) No 2368/2002, the Commission shall list in Annex V each organisation that fulfils the requirements of Article 17. Following the withdrawal of the United Kingdom from the Union and Euratom, the *London Diamond Bourse and Club* should be removed from the list of diamond organisations implementing the system of warranties and industry self-regulation, found in Annex V to Regulation (EC) No 2368/2002.
- (11) Annexes II, III and V to Regulation (EC) No 2368/2002 should be amended accordingly.
- (12) The measures provided for in this Regulation are in accordance with the opinion of the Committee referred to in Article 22 of Regulation (EC) No 2368/2002.
- (13) To allow the Union's implementation of the Kimberley Process certification scheme in relation to the United Kingdom as soon as possible, this Regulation should enter into force as a matter of urgency,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 2368/2002 is amended as follows:

- (1) Annex II is replaced by the text in Annex I to this Regulation;
- (2) Annex III is replaced by the text in Annex II to this Regulation;
- (3) Annex V is replaced by the text in Annex III to this Regulation.

Article 2

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 1 January 2021.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 9 December 2020.

For the Commission Josep BORRELL FONTELLES Vice-President

ANNEX I

ANNEX II

List of participants in the Kimberley Process certification scheme and their duly appointed competent authorities as referred to in Articles 2, 3, 8, 9, 12, 17, 18, 19 and 20 ANGOLA

Ministry of Mineral Resources and Petroleum and Gas

Av. 4 de Fevereiro no 105

1279 Luanda

Angola

Export authority:

Ministry of Industry and Trade

Largo 4 de Fevereiro #3

Edifício Palacio de vidro

1242 Luanda

Angola ARMENIA

Department of Gemstones and Jewellery

Ministry of Economy

M. Mkrtchyan 5

Yerevan

Armenia AUSTRALIA

Department of Foreign Affairs and Trade

Investment and Business Engagement Division

R.G. Casey Building

John McEwen Crescent

Barton ACT 0221

Australia

Import and export authority:

Department of Home Affairs

Customs and Border Revenue Branch

Australian Border Force

5 Constitution Ave

Canberra City 2600

Australia

Department of Industry, Science, Energy and Resources

GPO Box 2013

Canberra ACT 2601

Australia BANGLADESH

Export Promotion Bureau

TCB Bhaban

1, Karwan Bazaar

Dhaka

Bangladesh BELARUS

Ministry of Finance

Department for Precious Metals and Precious Stones

Sovetskaja Str, 7

220010 Minsk

Republic of Belarus BOTSWANA

Ministry of Minerals, Green Technology and Energy Security (MMGE)

Fairgrounds Office Park, Plot No 50676 Block C

P/Bag 0018

Gaborone

Botswana BRAZIL

Ministry of Mines and Energy

Esplanada dos Ministérios, Bloco'U', 4º andar

70065, 900 Brasilia, DF

Brazil CAMBODIA

Ministry of Commerce

Lot 19-61, MOC Road (113 Road), Phum Teuk Thla, Sangkat Teuk Thla

Khan Sen Sok, Phnom Penh

Cambodia CAMEROON

National Permanent Secretariat for the Kimberley Process

Ministry of Mines, Industry and Technological Development

Intek Building, 6th floor,

Navik Street

BP 35601 Yaounde

Cameroon CANADA

International:

Global Affairs Canada Natural Resources and Governance Division (MES) 125 Sussex Drive Ottawa, Ontario K1A 0G2

Canada

For General Enquiries at Natural Resources Canada:

Kimberley Process Office

Lands and Minerals Sector Natural Resources Canada (NRCan)

580 Booth Street, 10th floor

Ottawa, Ontario

Canada K1A 0E4 CENTRAL AFRICAN REPUBLIC

Secrétariat permanent du processus de Kimberley

BP: 26 Bangui

Central African Republic CHINA, People's Republic of

Department of Duty Collection

General Administration of China Customs (GACC)

No 6 Jianguomen Nie Rev.

Dongcheng District, Beijing 100730

People's Republic of China HONG KONG, Special Administrative Region of the People's Republic of China

Department of Trade and Industry

Hong Kong Special Administrative Region

Peoples Republic of China

Room 703, Trade and Industry Tower

700 Nathan Road

Kowloon

Hong Kong

China

MACAO, Special Administrative Region of the People's Republic of China

Macao Economic Bureau

Government of the Macao Special Administrative Region

Rua Dr Pedro José Lobo, no. 1-3, 25th Floor

Macao CONGO, Democratic Republic of

Centre d'Expertise, d'Evaluation et de Certification des Substances Minérales Précieuses et Semi-précieuses (CEEC)

3989, av des cliniques

Kinshasa/Gombe

Democratic Republic of Congo CONGO, Republic of

Bureau d'Expertise, d'Evaluation et de Certification des Substances Minérales Précieuses (BEEC)

BP 2787

Brazzaville

Republic of Congo COTE D'IVOIRE

Ministère de l'Industrie et des Mines

Secrétariat Permanent de la Représentation en Côte d'Ivoire du Processus de Kimberley (SPRPK-CI)

Abidjan-Plateau, Immeuble les Harmonies II

Abidjan

Côte d'Ivoire ESWATINI

Office for the Commissioner of Mines

Minerals and Mines Departments, Third Floor Lilunga Building (West Wing),

Somhlolo Road,

Mbabane

Eswatini EUROPEAN UNION

European Commission Service for Foreign Policy Instruments Office EEAS 03/330 B-1049 Bruxelles/Brussel Belgium **GABON** Centre Permanent du Processus de Kimberley (CPPK) Ministry of Equipment, Infrastructure, and Mines Immeuble de la Geologie, 261 rue Germain Mba B.P. 284/576 Libreville Gabon **GHANA** Ministry of Lands and Natural Resources Accra P.O. Box M 212 Ghana Import and export authority: Precious Minerals Marketing Company Ltd (PMMC) **Diamond House** PO Box M.108 Accra Ghana **GUINEA** Ministry of Mines and Geology Boulevard du Commerce - BP 295 Quartier Almamya/Commune de Kaloum Conakry Guinea **GUYANA** Geology and Mines Commission P O Box 1028 Upper Brickdam Stabroek

Georgetown

Guyana INDIA

Government of India, Ministry of Commerce & Industry

Udyog Bhawan

New Delhi 110 011

India

Import and export authority:

The Gem & Jewellery Export Promotion Council

KP Exporting/Importing Authority

Tower A, AW-1010, Baharat Diamond Bourse

Opp NABARD Bank, Bandra Kurla Complex

Bandra (E), Mumbai - 400 051

India INDONESIA

Directorate of Export and Import Facility, Ministry of Trade M. I. Ridwan Rais Road, No 5 Blok I Iantai 4

Jakarta Pusat Kotak Pos. 10110

Jakarta

Indonesia ISRAEL

Ministry of Economy and Industry Office of the Diamond Controller

3 Jabotinsky Road

Ramat Gan 52520

Israel JAPAN

Agency for Natural Resources and Energy

Mineral and Natural Resources Division

Ministry of Economy, Trade and Industry

1-3-1 Kasumigaseki, Chiyoda-ku

100-8901 Tokyo, Japan

Japan KAZAKHSTAN

Ministry for Investments and Development of the Republic of Kazakhstan

11, Mangilik el street Nur-Sultan Republic of Kazakhstan KOREA, Republic of Ministry of Foreign Affairs United Nations Division 60 Sajik-ro 8-gil Jongno-gu Seoul 03172 Korea LAOS, People's Democratic Republic Department of Import and Export Ministry of Industry and Commerce Phonxay road, Saisettha District Vientiane, Lao PDR P.O Box: 4107 Laos **LEBANON** Ministry of Economy and Trade Lazariah Building Down Town Beirut Lebanon **LESOTHO** Department of Mines Ministry of Mining Corner Constitution and Parliament Road P.O. Box 750 Maseru 100 Lesotho LIBERIA **Government Diamond Office** Ministry of Mines and Energy Capitol Hill

Committee for Technical Regulation and Metrology

P.O. Box 10-9024 1000 Monrovia 10 Liberia MALAYSIA Ministry of International Trade and Industry MITI Tower, No 7, Jalan Sultan Haji Ahmad Shah 50480 Kuala Lumpur Malaysia Import and export authority: Royal Malaysian Customs Department Jabatan Kastam Diraja Malaysia, Kompleks Kementerian Kewangan No 3, Persiaran Perdana, Presint 2, 62596 Putrajaya, Malaysia. MALI Ministère des Mines Bureau d'Expertise d'Évaluation et de Certification des Diamants Bruts Cité administrative, P.O. BOX: 1909 Bamako République du Mali MAURITIUS Import Division Ministry of Industry, Commerce & Consumer Protection 4th Floor, Anglo Mauritius Building Intendance Street Port Louis Mauritius **MEXICO** Directorate-General for International Trade in Goods 189 Pachuca Street, Condesa, 17th Floor Mexico City, 06140 Mexico Import and export authority:

Directorate-General for Trade Facilitation and Foreign Trade

SE. Undersecretary of Industry and Trade

1940 South Insurgentes Avenue, PH floor

Mexico City, 01030

Mexico

SHCP-AGA. Strategic Planning and Coordination

Customs Administration "2"

160 Lucas Alaman Street, Obrera

Mexico City, 06800

Mexico NAMIBIA

The Government of Republic of Namibia Ministry of Mines and Energy

Directorate of Diamond Affairs Private Bag 13297

1st Aviation Road (Eros Airport)

Windhoek

Namibia NEW ZEALAND

Middle East and Africa Division

Ministry of Foreign Affairs and Trade

Private Bag 18 901

Wellington

New Zealand

Import and export authority:

New Zealand Customs Service

1 Hinemoa Street

PO box 2218

Wellington 6140

New Zealand NORWAY

Ministry of Foreign Affairs

Department for Regional Affairs

Section for Southern and Central Africa

Box 8114 Dep

0032 Oslo, Norway PANAMA

National Customs Authority

Panama City, Curundu, Dulcidio Gonzalez Avenue, building # 1009

Republic of Panama RUSSIAN FEDERATION

International:

Ministry of Finance

9, Ilyinka Street

109097 Moscow

Russian Federation

Import and Export Authority:

Gokhran of Russia

14, 1812 Goda St.

121170 Moscow

Russian Federation SIERRA LEONE

Ministry of Mines and Mineral Resources

Youyi Building

Brookfields

Freetown

Sierra Leone

Import and export authority:

National Minerals Agency

New England Ville

Freetown

Sierra Leone SINGAPORE

Ministry of Trade and Industry

100 High Street

#09-01, The Treasury

Singapore 179434

Import and Export authority:

Singapore Customs

55 Newton Road

#06-02 Revenue House

Singapore 307987 SOUTH AFRICA

South African Diamond and Precious Metals Regulator

251 Fox Street

Doornfontein 2028

Johannesburg

South Africa SRI LANKA

National Gem and Jewellery Authority

25, Galle Face Terrace

Post Code 00300

Colombo 03

Sri Lanka SWITZERLAND

State Secretariat for Economic Affairs (SECO)

Sanctions Unit

Holzikofenweg 36

CH-3003 Berne/Switzerland TAIWAN, PENGHU, KINMEN AND MATSU, SEPARATE CUSTOMS TERRITORY

Export/Import Administration Division

Bureau of Foreign Trade

Ministry of Economic Affairs

1, Hu Kou Street

Taipei, 100

Taiwan TANZANIA

Mining Commission

Ministry of Energy and Minerals

P.O BOX 2292

40744 Dodoma

Tanzania

THAILAND

Department of Foreign Trade Ministry of Commerce 563 Nonthaburi Road Muang District, Nonthaburi 11000 Thailand TOGO The Ministry of Mines and Energy Head Office of Mines and Geology 216, Avenue Sarakawa B.P. 356 Lomé Togo TURKEY Foreign Exchange Department Ministry of Treasury and Finance T.C. Başbakanlık Hazine Müsteşarlığı İnönü Bulvarı No 36 06510 Emek, Ankara Turkey Import and Export Authority: Istanbul Gold Exchange/Borsa Istanbul Precious Metals and Diamond Market (BIST) Borsa İstanbul, Resitpasa Mahallesi, Borsa İstanbul Caddesi No 4 Sariyer, 34467, Istanbul Turkey UKRAINE Ministry of Finance State Gemological Centre of Ukraine 38-44, Degtyarivska St. Kyiv 04119 Ukraine

UNITED ARAB EMIRATES

U.A.E. Kimberley Process Office

Dubai Multi Commodities Centre

Dubai Airport Free Zone

Emirates Security Building

Block B, 2nd Floor, Office # 20

P.O. Box 48800

Dubai

United Arab Emirates UNITED KINGDOM⁽³⁾

Government Diamond Office

Conflict Department

Room WH1.214

Foreign, Commonwealth & Development Office

King Charles Street

London

SW1A 2AH

United Kingdom UNITED STATES OF AMERICA

United States Kimberley Process Authority

U.S. Department of State

Bureau of Economic and Business Affairs

2201 C Street, NW

Washington DC 20520

United States of America

Import and export authority:

U.S. Customs and Border Protection

Office of Trade

1400 L Street, NW

Washington, DC 20229

United States of America

U.S. Census Bureau

4600 Silver Hill Road

Room 5K167 Washington, DC 20233 United States of America VENEZUELA Central Bank of Venezuela 36 Av. Urdaneta, Caracas, Capital District Caracas ZIP Code 1010 Venezuela VIETNAM Ministry of Industry and Trade Agency of Foreign Trade 54 Hai Ba Trung Hoan Kiem Hanoi Vietnam ZIMBABWE Principal Minerals Development Office Ministry of Mines and Mining Development 6th Floor, ZIMRE Centre Cnr L. Takawira St/K. Nkrumah Ave. Harare Zimbabwe Import and export authority: Zimbabwe Revenue Authority Block E 5th Floor, Mhlahlandlela Complex Cnr Basch Street/10th Avenue Bulawayo Zimbabwe Minerals Marketing Corporation of Zimbabwe 90 Mutare road, Msasa PO Box 2628 Harare

Zimbabwe

ANNEX II

ANNEX III

List of Member States' competent authorities and their tasks as referred to in Articles 2 and 19

BELGIUM

Federale Overheidsdienst Economie, KMO, Middenstand en Energie, Algemene Directie Economische Analyses en Internationale Economie, Dienst Vergunningen en Diamant/Service Public Fédéral Économie,

PME, Classes moyennes et Energie, Direction générale des Analyses économiques et de l'Economie internationale, Service Licences et Diamants

(Federal Public Service Economy SME's, Self-employed and Energy, Directorate-General for Economic Analyses & International Economy)

Italiëlei 124, bus 71

B-2000 Antwerpen

Tel. +32 (0)2 277 54 59

Fax +32 (0)2 277 54 61 or +32 (0)2 277 98 70

Email: kpcs-belgiumdiamonds@economie.fgov.be

In Belgium the controls of imports and exports of rough diamonds required by Regulation (EC) No 2368/2002 and the customs treatment will only be done at:

The Diamond Office

Hoveniersstraat 22

B-2018 Antwerpen CZECH REPUBLIC

In the Czech Republic the controls of imports and exports of rough diamonds required by Regulation (EC) No 2368/2002 and the customs treatment will only be done at:

Generální ředitelství cel

Budějovická 7

140 96 Praha 4

Česká republika

Tel. (420-2) 61 33 38 41, (420-2) 61 33 38 59, cell (420-737) 213 793

Fax (420-2) 61 33 38 70

Status: Point in time view as at 09/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2020/2149. (See end of Document for details)

Email: diamond@cs.mfcr.cz

Permanent service at designated custom office - Praha Ruzyně

Tel. (420-2) 20 113 788 (Mondays to Fridays -7:30am – 15:30pm)

Tel. (420-2) 20 119 678 (Saturdays, Sundays and rest – 15:30pm – 7:30am) GERMANY

In Germany the controls of imports and exports of rough diamonds required by Regulation (EC) No 2368/2002, including the issuing of Union certificates, will only be done at the following authority:

Hauptzollamt Koblenz

Zollamt Idar-Oberstein

Zertifizierungsstelle für Rohdiamanten

Hauptstraße 197

D-55743 Idar-Oberstein

Tel. +49 6781 56 27 0

Fax +49 6781 56 27 19

Email: poststelle.za-idar-oberstein@zoll.bund.de

For the purpose of Articles 5(3), 6, 9, 10, 14(3), 15 and 17 of this Regulation, concerning in particular reporting obligations to the Commission, the following authority shall act as competent German authority:

Generalzolldirektion

– Direktion VI –

Recht des grenzüberschreitenden Warenverkehrs/Besonderes Zollrecht

Krelingstraße 50

D-90408 Nürnberg

Tel. +49 228 303-49874

Fax +49 228 303-99106

Email: DVIA3.gzd@zoll.bund.de IRELAND

The Kimberley Process and Responsible Minerals Authority

Geoscience Regulation Office

Department of Environment, Climate and Communications

29-31 Adelaide Road

Dublin

D02 X285

Ireland

Tel. +353 1 678 2000

Email: KPRMA@DECC.gov.ie ITALY

In Italy the controls of imports and exports of rough diamonds required by Regulation (EC) No 2368/2002, including the issuing of Union certificates, will only be done at the following authority:

Agenzia delle Dogane e dei Monopoli

Laboratorio chimico di Torino – Ufficio antifrode –Direzione Interregionale Liguria, Piemonte e Valle d'Aosta

Corso Sebastopoli, 3

10134 Torino

Tel. +39 011 3166341 - 0369206

Email: dir.liguria-piemonte-valledaosta.lab.torino@adm.gov.it

For the purpose of Articles 5(3), 6, 9, 10, 14(3), 15, and 17 of this Regulation, concerning in particular reporting obligations to the Commission, the following authority shall act as the competent Italian authority:

Agenzia delle Dogane e dei Monopoli

Ufficio Origine e valore - Direzione Dogane

Piazza Mastai, 12

00153 Roma

Tel. +39 06 50245216

Email: dir.dogane.origine@adm.gov.it PORTUGAL

Autoridade Tributária e Aduaneira

Direção de Serviços de Licenciamento

R. da Alfândega, 5

1149-006 Lisboa

Tel. + 351 218 813 843/8

Fax + 351 218 813 986

Email: dsl@at.gov.pt

In Portugal the controls of imports and exports of rough diamonds required by required by Regulation (EC) No 2368/2002, including the issuing of EU certificates, will only be done at the following authority:

Alfândega do Aeroporto de Lisboa

Aeroporto de Lisboa, Terminal de Carga, Edifício 134 1750-364 Lisboa Tel. +351 210030080 Fax +351 210037777 Email address: aalisboa-kimberley@at.gov.pt ROMANIA Autoritatea Națională pentru Protecția Consumatorilor (National Authority for Consumer Protection) 1 Bd. Aviatorilor Nr. 72, sectorul 1 București, România (72 Aviatorilor Bvd., sector 1, Bucharest, România (72 Aviatorilor Bvd., sector 1, Bucharest, Romania) Cod postal (Postal code) 011865 Tel. (40-21) 318 46 35/312 98 90/312 12 75 Fax (40-21) 318 46 35/314 34 62 www.anpc.ro

ANNEX III

ANNEX V

List of diamond organisations implementing the system of warranties and industry self-regulation referred to in Articles 13 and 17

Antwerpsche Diamantkring CV

Hoveniersstraat 2 bus 515

B-2018 Antwerpen

Beurs voor Diamanthandel CV

Pelikaanstraat 78

B-2018 Antwerpen

Diamantclub van Antwerpen CV

Pelikaanstraat 62

B-2018 Antwerpen

Vrije Diamanthandel NV

Pelikaanstraat 62

B-2018 Antwerpen

(1) OJ L 358, 31.12.2002, p. 28.

- (2) Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community (OJ L 29, 31.1.2020, p. 7).
- (3) Without prejudice to the application of Regulation (EC) No 2368/2002 to and in the United Kingdom in respect of Northern Ireland, in accordance with Article 5(4), read in conjunction with Annex 2, point 47, of the Protocol on Ireland/Northern Ireland to the Withdrawal Agreement as of 1 January 2021 (OJ L 29, 31.1.2020, p. 7).

Status:

Point in time view as at 09/12/2020.

Changes to legislation:

There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2020/2149.