

# Procedure file

Basic information	
CNS - Consultation procedure Decision	2013/0201(CNS)  Procedure completed
Rules and procedures to enable the participation of Greenland in the Kimberley Process certification scheme  See also <a href="#">2013/0198(COD)</a>  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
	<b>INTA</b> International Trade		10/07/2013
		S&D <a href="#">MOREIRA Vital</a> Shadow rapporteur PPE <a href="#">SAÏFI Tokia</a> ALDE <a href="#">BEARDER Catherine</a> Verts/ALE <a href="#">JADOT Yannick</a> ECR <a href="#">STURDY Robert</a>	
	Committee for opinion	Rapporteur for opinion	Appointed
	<b>DEVE</b> Development		The committee decided not to give an opinion.
	<b>AFET</b> Foreign Affairs		The committee decided not to give an opinion.
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">Competitiveness (Internal Market, Industry, Research and Space)</a>	<a href="#">3295</a>	20/02/2014

Key events			
18/06/2013	Legislative proposal published	<a href="#">COM(2013)0429</a>	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	<a href="#">A7-0466/2013</a>	Summary
04/02/2014	Results of vote in Parliament		
04/02/2014	Decision by Parliament	<a href="#">T7-0048/2014</a>	Summary

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
	See also <a href="#">2013/0198(COD)</a>
Legal basis	Treaty on the Functioning of the EU TFEU 203
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	INTA/7/13096

### Documentation gateway

Legislative proposal	<a href="#">COM(2013)0429</a>	18/06/2013	EC	Summary
Committee draft report	<a href="#">PE521.827</a>	06/11/2013	EP	
Committee report tabled for plenary, 1st reading/single reading	<a href="#">A7-0466/2013</a>	19/12/2013	EP	Summary
Text adopted by Parliament, 1st reading/single reading	<a href="#">T7-0048/2014</a>	04/02/2014	EP	Summary

### Additional information

National parliaments	<a href="#">IPEX</a>
European Commission	<a href="#">EUR-Lex</a>

### Final act

[Decision 2014/136](#)  
[OJ L 084 20.03.2014, p. 0099](#) Summary

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

**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 amend 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 Unions customs territory by the use of an attesting document issued by authorities in Greenland. These shipments upon entry to the Unions 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 EUs budget.

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

---

The Committee on International Trade unanimously adopted the report by Vital MOREIRA (S&D, PT), in the framework of a special legislative procedure (Parliaments 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

---

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

---

**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.