

A Cold and Pitiless Stone

An examination of the global diamond industry.

Preface

The purpose of this report is to provide insight into the issues surrounding the global diamond trade. Through an investigation of all aspects of this complex industry, it aims to provide the reader with a better understanding of the effects it has on people and the environment worldwide.

The global diamond industry is a complex affair. Simplistically it encompasses the process from the extraction of the diamond from the earth to its final sale. Between this beginning and end point are a myriad of steps, including its transportation and refining, wrought with serious complications. These complications include: conflict diamonds, unfair working conditions, and environmental damage by illegal mining.

The global diamond industry has grown to colossal proportions as the organization, Diamond Consultants Canada explains,

The diamond industry is truly a global business. Exploration and mining occurs from the far north of Canada and Russia to the jungles of Africa, and the deserts of Australia.

Diamond cutting and polishing and jewellery fabrication is undertaken from large factories in China, and India to small-specialized facilities in New York, and Milan.

Diamonds are purchased and worn all around the world, from the fashion centers of London and Hollywood to the houses and homes in Beijing, New England and Saskatchewan.¹

¹ Diamond Consultants Canada. *The Diamond Industry: An Opportunity and Impact Assessment*. p 2. <http://www.citypa.ca/Portals/0/PDF/EconPlan/Economic%20Development/Diamond%20Industry%20-%20Opportunity%20and%20Impact%20Assessment.pdf>

With "24 tonnes of rough diamonds teased from the earth every year," and "70 billion dollars worth of diamond jewellery sold each year"² it is unsurprising that this high-paying industry has spread across the world to this extent. As a consequence of these impressive sums, it is also unsurprising that the atrocities that follow its every move have spread as well.

There is a long, bloodstained history surrounding African conflict diamonds. The United Nations (UN) defines conflict diamonds as:

...diamonds that originate from areas controlled by forces or factions opposed to legitimate and internationally recognized governments, and are used to fund military action in opposition to those governments, or in contravention of the decisions of the Security Council.³

These diamonds are sometimes referred to as "blood diamonds." During the brutal conflict in Sierra Leone in the late 1990s, conflict diamonds gained a prominent place on the world's radar. Rebels in Angola, Liberia, the Ivory Coast, and the Democratic Republic of Congo also have used these rough diamonds to fund civil wars. These countries are currently at peace and controlled by the Kimberly Process, a system used to identify conflict diamonds, that will be explained in more depth in the Background.⁴

One may use a number to represent the days, months or years in which these conflicts lasted; however the post civil-war effects must be considered, as they last significantly longer than the conflict itself. In Sierra Leone alone, it is estimated that in this ten year conflict there were: "5 400 children forced into combat, forced labour or sexual slavery, 20 000 amputees, 75 000 dead, 2 million displaced (about the population of Kosovo), and an unknown number of

² Taking It Global. The Global Diamond Trade. <http://www.tigweb.org/themes/diamonds/snapshot/>

³ United Nations. Conflict Diamonds: Sanctions and War. <http://www.un.org/peace/africa/Diamond.html>

⁴ DiamondFacts.Org. Conflict Diamonds. <http://www.diamondfacts.org/conflict/index.html>

women raped."⁵ Even once freed from combat, child soldiers can suffer from severe physiological trauma. Studies have shown, "former child soldiers may experience flashbacks and nightmares about traumatic events, causing difficulties in concentration that can impair judgment and performance in school."⁶ Lasting health consequences have also been seen with women who were victims of sexual assault. Human Rights Watch Reports:

The incidence of sexually transmitted diseases is very high among the victims of sexual violence. The incidence of HIV/AIDS in rape victims is currently unknown but of great concern given rising rates of infection.... Victims of sexual violence often suffer anxiety and depression which lasts for years.⁷

These atrocities are blatant violations of basic human rights. According to the Universal Declaration of Human Rights, article five states, "no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment."⁸ After all that has been done to stop these horrific conflicts involving the diamond trade, new conflicts are arising, such as the one in Zimbabwe. This will be explained in depth in Case Study 1, which examines the situation in Zimbabwe.

Another aspect of concern in the diamond industry is the labour used in the polishing and cutting of diamonds; children. Tom Zoellner, the author of The Heartless Stone states, "for an industry like diamond polishing, which puts a premium on small hands and sharp young eyes, the temptation is overwhelming." With estimates of child polishers, in Surat, India reaching 100

⁵ Janine DiGiovanni. Sierra Leone Magazine: Sierra Leone: Case Study.
<http://www.crimesofwar.org/archive/archive-sierracase.html>

⁶ Mike Wessells. Child Soldiers. p. 33

⁷ Human Rights Watch. Sierra Leone: Getting Away with Murder, Mutilation, Rape.
http://www.hrw.org/legacy/reports/1999/sierra/SIERLE99-03.htm#P667_117336

⁸ United Nations. Universal Declaration of Human Rights. <http://www.un.org/en/documents/udhr/index.shtml#ap>

000, this alarming use of cheap labour is very popular.⁹ These children sacrifice their basic education, as well as health, and are often subjected to beatings, or conditions of squalor. In many cases they are forced to work by their families. This is a basic violation of human rights according to article twenty-six, which states, "everyone has the right to education.... Elementary education shall be compulsory," and article twenty-three which states, "everyone has the right to work, to free choice of employment, to just and favourable conditions of work."¹⁰ This topic will be further discussed in the case study of India which outlines its involvement in the diamond trade.

With the sustainability of the environment at the top of the global agenda, it is unsurprising that Brazil has passed laws to control the mining of its land. The Brazilian Constitution requires that "a miner must submit a detailed report, usually more than 500 pages long, on how he plans to repair the damage he would create." With this costing up to \$50 000, most miners ignore this protocol completely, leaving serious environmental damage in their wake. This will be discussed further in the case study of Brazil.

The problems surrounding the ever-thriving diamond trade are significant and have no simple resolution. Action must be taken soon, for these pressing issues can cause lasting effects.

Summary

This report examines the world's diamond industry, exploring the atrocities and injustices caused by the greed of those profiting. The information presented in this report has been gathered

⁹ Tom Zoellner. The Heartless Stone. (New York: Picador. 2007) p 207

¹⁰ United Nations. Universal Declaration of Human Rights. <http://www.un.org/en/documents/udhr/index.shtml#ap>

from a variety of sources including; a variety of informative books, web sites, films, and newspaper and magazine articles, as well as an interview.

This report includes the a definition of the global diamond industry and describes why it is a significant global issue. It details the beginning and progression of this multi-billion dollar industry as it has expanded its reach across the globe. Included in this report are the contributions and influence of diamond industry expert Martin Rapaport. This paper also aims to examine the role of control, essentially who controls this issue, and who should be concerned about this issue. Connections between spirituality and religion and the diamond industry are identified. Case studies from three countries across the world affected by the diamond industry, Zimbabwe, Brazil, and India are presented and examined in detail. Canada's involvement in this issue, and it's role in its continuation is also studied. Possible solutions to improving and eliminating the issues created by the global diamond trade conclude this report. Essentially this paper includes a variety of information on all aspects of the global diamond trade to help further educate the reader about this issue, as well as reveal the impact they have or can have.

Background

"Regarded for their exquisite beauty and the timeless qualities of love and devotion that they represent, diamonds have fascinated mankind throughout the centuries." The rareness of natural diamonds and the nature of their creation is what makes their value so astoundingly high. As long as 3.3 billion years ago, they were created, when carbon was put under immense pressure and temperature deep within the earth, at distances of 250 miles or even greater.

While the world diamond production has tripled in size since 1980, diamonds are still scarce. More than 12 000 kimberlite deposits (diamond-bearing volcanic rock) have been found across the world over the last quarter-century, but only one percent contain enough diamonds for commercial use.¹¹

Before 1870, when the first diamond mine was discovered in South Africa near the Orange River, diamonds were a scarce resource, with only a few pounds being produced each year.¹² As more and more mines were discovered, the possible profits were as well. Different regions of the world have rich histories surrounding diamonds, but this report will focus on that of Brazil and Africa with the aim to give more insight to the issues discussed.

For over two thousand years India's 'Golconda' diamond mines were the most prominent global producer but were nearly depleted by the early 1700s. The diamond trade was revived in 1725 during the 'diamond rush' years, from 1725 to 1860, when a new Portuguese colony in Brazil was established. The Portuguese crown declared a 'royal monopoly' on all diamond mining in Brazil, placing the industry under state-regulated control. During this time Brazil produced between 50 000 and 250 000 carats of rough diamonds per year.¹³

Alluvial mining involves diamonds that have travelled from their original location due to erosion, and usually involves sifting through mud on riverbeds.¹⁴ Slaves were imported from Africa for this labour intensive work. By 1901 around 5 000 African slaves worked in the Bahia mines at Serra da Sincorá.

¹¹ DiamondFacts.Org. Mining. <http://www.diamondfacts.org/about/mining.html>

¹² West African Diamonds PLC. Overview of Diamonds and Diamonds Exploration. <http://www.afdiamonds.com/wad/view/wad/en/page70>

¹³ Kevin Hulsey Illustration, INC. Diamond Mines of the World: Brazil. http://www.khulsey.com/jewelry/diamond_mines_brazil.html

¹⁴ Tom Zoellner. The Heartless Stone. (New York: Picador. 2007) p 79

More recently, in 1999 diamond mining in Brazil caused conflict with the indigenous peoples of Cinta Larga. Nearly 3 000 *garimpeiros*, or roaming miners, illegally entered the protected reservation to mine for diamonds. Mining was forbidden within the reservation in order to preserve the indigenous peoples' homeland. Before the Federal Police could end the operation up to fifty million dollars worth of diamonds were smuggled to Belgium.¹⁵

The Brazilian government is currently attempting to gain more control the mining of its land due to the growing environmental effects. With a change made in the Brazilian constitution in 1988 the federal government took control of all valuable metals under the soil, restricting mining. Tom Zoellner, author of The Heartless Stone explains, "it was a noble attempt to reverse a long legacy of environmental damage but its affects have been minimal. Who was to tell a farmer he couldn't look for diamonds under his own soil?"¹⁶

It is time to return to the concept of conflict diamonds earlier explained. Simply stated, they are diamonds used to fund rebel groups. Mainly throughout the 1990s many countries in Africa were plagued by brutal civil wars funded by diamonds. The following will be a brief review of some of the civil wars in Africa, and the current state of some of these countries.

Angola is a former colony of Portugal that gained independence in 1975. The country failed to find stability following independence and was thrown into several civil wars between two opposing groups, the UNITA and MPLA, for the next twenty-seven years. The conflicts which began in 1975 and ended in 2002 cost 1.5 million lives. While the civil wars are over, dangerous landmines still litter the countryside. Fortunately, "today, conflict diamonds are no

¹⁵ Kevin Hulsey Illustration, INC. Diamond Mines of the World: Brazil.
http://www.khulsey.com/jewelry/diamond_mines_brazil.html

¹⁶ Tom Zoellner. The Heartless Stone. (New York: Picador. 2007) p 72

longer traded in Angola. Angola is a participant of the Kimberley Process and currently produces approximately 9% of the world's diamonds."¹⁷

Liberia, a country in western Africa was involved in a civil war from 1989 to 2003 that destroyed much of its economy. This civil war can be attributed to their corrupt president Charles Taylor. Taylor provided arms and training to the rebel group, Revolutionary United Front (RUF) in Sierra Leone in exchange for diamonds. With the support of the UN Mission, the now peaceful Liberia elected a new president in 2005.¹⁸

The Ivory coast is a former French colony in western Africa that was thrown into civil war in 1999 when a military coup overthrew the government. Currently, there is small scale conflict taking place in the informal diamond mining areas in the north and the east. After being renewed in October 2007 the Ivory Coast remains under a UN Security Council Resolution prohibiting the import and export of diamonds. The country is a member of the Kimberley Process and its government is working closely with the UN to successfully end its activity in trading conflict diamonds.¹⁹

The Kimberley Process has been mentioned several times thus far. It is one of the most significant solutions created to eliminate conflict diamonds. It originated in May 2000 when Southern African diamond producing states met in Kimberley, South Africa, to discuss ways to stop the trade in 'conflict diamonds' and ensure that diamond purchases were not funding violence. By November 2002 negotiations between governments, the international diamond industry and civil society organizations resulted in the creation of the Kimberley Process

¹⁷ DiamondFacts.Org. Background. <http://www.diamondfacts.org/conflict/background.html>

¹⁸ IBID.

¹⁹ IBID.

Certification Scheme (KPCS) .²⁰ The KPCS document outlines the requirements for controlling rough diamond production and trade which include:

- a) with regard to shipments of rough diamonds exported to a Participant, require that each such shipment is accompanied by a duly validated Certificate;
- (b) with regard to shipments of rough diamonds imported from a Participant, require that each shipment is accompanied by a duly validated Certificate;
- (c) ensure that no shipment of rough diamonds is imported from or exported to a non-Participant;
- (d) ensure that the shipment leaves its territory in an identical state as it entered its territory (i.e. unopened and not tampered with)²¹

The document also expressively states all participant recognize,

that the trade in conflict diamonds is a matter of serious international concern, which can be directly linked to the fuelling of armed conflict, the activities of rebel movements aimed at undermining or overthrowing legitimate governments..... {and} the devastating impacton the peace, safety and security of people in affected countries and the systematic and gross human rights violations that have been perpetrated. ²²

Therefore, not only does it prohibit the flow of conflict diamonds in participating countries, but raises the global awareness of the seriousness of the issue.

The Kimberley Process took effect in 2003 when participating countries started to implement its rules. It has proved an effective way of decreasing the trade in conflict diamonds as, "diamond experts estimate that conflict diamonds now represent a fraction of one percent of

²⁰ Kimberley Process. Background. http://www.kimberleyprocess.com/background/index_en.html

²¹ IBID.

²² IBID.

the international trade in diamonds, compared to estimates of up to 15% in the 1990s." It has also helped stabilize fragile countries and has supported their development by creating a legal market that otherwise may never have existed. In Sierra Leone for example, "\$125 million worth of diamonds were legally exported in 2006, compared to almost none at the end of the 1990s."²³

The newest conflict in Africa involving diamonds is taking place in Zimbabwe's Marange diamond mine, and began in October 2008. There is much controversy surrounding this issue in relation to the Kimberley Process. According to Human Rights Watch, "the Kimberley Process decided in November not to suspend Zimbabwe or ban the sale of its stones. Its weak excuse was a technicality in its mandate that defines blood diamonds as those mined by abusive rebel groups, not abusive governments." This will be explained further in the case study of Zimbabwe.²⁴

Around the world there are long traditions of unpleasant practices surrounding the diamond industry. These traditions took many years to form, and their resolution will also take time.

Expert

"The high price of diamonds in America- a subject in which he is regarded as either a crusading hero to the consumer or a gleeful destroyer of fortunes, depending on who is making the assessment," writes Tom Zoellner of Martin Rapaport, an expert on the global diamond trade.

25

Martin Rapaport is most famous for publishing the *Rapaport Diamond Report*, also known as 'The Rap Sheet,' a rudimentary table that lists the high asking prices of rough and

²³ Kimberly Process. Background. http://www.kimberleyprocess.com/background/index_en.html

²⁴ Tiseke Kasambala. Stem the flow of blood diamonds from Zimbabwe. <http://articles.latimes.com/2009/dec/07/opinion/la-oe-kasambala7-2009dec07>

²⁵ Tom Zoellner. The Heartless Stone. (New York: Picador. 2007) p 292

polished diamonds. With the information Rapaport provided, "any customer buying diamonds can now learn the approximate {amount} paid for the stone in the wholesale market, and can negotiate accordingly." ²⁶

Not only is Martin Rapaport an expert on the economics of the diamond trade, but he is also a passionate advocate for the "social evils in the Third World brought about by the trade." Having travelled to many countries torn apart by civil wars funded by conflict diamonds, such as Sierra Leone, he has seen these atrocities first hand. As the founder of Rapaport Group he has established countless advocacy programs to aid countries suffering due to the diamond trade.

Martin Rapaport was an influential member of the original group that evolved the concept of the Kimberley Process to end the trade of conflict diamonds. He has been an influential member of the World Diamond Council and regularly participates in Kimberley Process meetings.

Rapaport is the director of the Development Diamond Initiative (DDI), whose goals are to establish a successful diamond industry in third world countries mining diamonds for the benefit and growth of the country. The Rapaport Group also established an educational fund for the children of Sierra Leone in coordination with US-AID.

One of Martin Rapaport's strongest convictions is Fair Trade, where the miners of the diamonds receive wages proportional to the retail price of the diamond. He therefore established the Fair Trade Diamond and Jewellery Association and the Rapaport Group funds the annual Fair Trade Jewellery Conference and jewellery exhibit at the Las Vegas Jewellery Show. The Rapaport Group has also worked to establish programs for fair trade diamonds and gold from Sierra Leone.

²⁶ Tom Zoellner. The Heartless Stone. (New York: Picador. 2007) p 294

Rapaport Group runs a website called Diamonds.net that features up to date news of many of the issues caused by the diamond trade. Many of the articles are written by Martin Rapaport himself.²⁷

On February 1, 2010 Martin Rapaport resigned from the World Diamond Council (WDC) due to the situation in Zimbabwe concerning the Marange mine (which will be further explained in the Zimbabwe case study). In a letter to the WDC Rapaport states:

The WDC is aiding and abetting human rights violations through the dissemination of misinformation and by withholding information that would limit the trading of blood diamonds. Continued trading of blood diamonds by the jewellery industry under the guise of WDC legitimization enables, empowers and provides financial support to individuals, companies and governments that perpetuate severe human rights abuses in the diamond sector. ... I am shocked that the WDC continues to cover up human rights abuses.²⁸

While Martin Rapaport's involvement in the diamond trade has made him very wealthy, he has admitted his real passion lays in bringing more morality to the business. His views are, undoubtedly influenced by his Jewish faith, that, "what happens in Africa really is a problem, not because it hurts demand, but because treating people is the right thing to do- it's a *mitzvah*."²⁹

Role of Control

Who is it that has the role of control in fuelling the ever growing diamond industry? The groups that have the most effect on the diamond industry are: the consumers, the diamond companies, and governments.

²⁷ Martin Rapaport . About Us. <http://www.diamonds.net/cms/About-Us#advocary>

²⁸ Rapaport Group. Press Release: Rapaport Resigns from World Diamond Council. <http://www.diamonds.net>

²⁹ Tom Zoellner. The Heartless Stone. (New York: Picador. 2007) p 300

For an industry to exist, there must be a consumer. In the case of the diamond industry the consumers are those that purchase the diamond jewellery, who are traditionally North Americans and Europeans who use diamonds to symbolize love or grandeur. Every year approximately fifty-five billion dollars are spent on diamonds worldwide. The average North American will spend approximately 3 000 to 4 500 dollars (though the cost can range from hundreds to millions) on the standard engagement ring.³⁰ The consumers fuel this industry with their ever growing demand, a high demand which inspires the cheap labour from which these diamonds originate.

Tom Zoellner, author of The Heartless Stone comments that the workers at a mining camp in Kate Bombale, in Central Africa, "would be paid \$200 for a gem that would easily retail for \$40 000 in a mall in Albuquerque."³¹ These sort of injustices towards the miners can be changed with the development of a consumer conscience. By ensuring that they purchase 'fair trade' diamonds, consumers can guarantee that those mining, and polishing the diamonds receive fair wages more proportional to the end retail price of the diamond. Fair trade is defined as, " an internationally-recognised approach to trading which aims to ensure that producers in poor countries get a fair deal. A fair deal includes a fair price for goods and services, decent working conditions, and a commitment from buyers so that there is reasonable security for the producers."³²

It is also important that purchasers of diamonds are certain of where the diamond originates, that way they can be certain they are not participating in the funding of a conflict. While the Kimberley process is working to eradicate conflict diamonds, due to complications,

³⁰ Global Life Insurance. What Is The Average Cost For A Diamond Engagement Ring? <http://global-life-insurance.net/9857/what-is-the-average-cost-for-a-diamond-engagement-ring/>

³¹ Tom Zoellner. The Heartless Stone. (New York: Picador. 2007) p 31

³² Earl Soham. What is fair trade? http://www.tribes.co.uk/responsible_travel/what_is_fair_trade

diamonds from Zimbabwe's Marange diamond mine, for example, are still being sold in the global market.

The role of a consumer in relieving the issues surrounding the diamond trade will be further discussed in the Possible Solutions, but it is important to understand how much control the consumers have in this industry. Companies must meet the demand of the consumers, and if the demand is conflict-free, fair trade diamonds, that is what the companies will produce.

Diamond companies play an enormous role in the control of this issue. When one thinks of diamonds the name 'De Beers' seems to follow. The origins of this illustrious diamond company trace back to the 1870s when diamonds were first discovered across Africa. The sudden volume of diamond being found devalued the diamonds on the market. Realizing this, early investors in the industry, led by Sir Ernest Oppenheimer, formed De Beers Consolidated Mines to control supply.³³ De Beers still maintains a strong hold on the diamond industry, but is not without controversy. The number of mines that De Beers has gained ownership of over the decades would have sunk the price of diamonds long ago, but De Beers was able to solve that problem by, "simply limiting the amount of stones sold to its sight holders, amassing over the course of the past 100 years a stockpile of diamonds in a vault at the {Diamond Trading Company} worth \$4 billion. At their artificial price of course."³⁴ Due to this price fixing De Beers is barred from doing any business in the United States.³⁵

While De Beers controls the economic realities of diamonds, as well as the demand around the world, it also has a role in the human rights issues involved in the diamond trade. At the end of the 1990s the UN panel of experts reviewed import licences for a company

³³Chang, So Young. et al. The Global Diamond Industry.
<http://www4.gsb.columbia.edu/chazen/journal/article/14252/The+Global+Diamond+Industry>

³⁴ Greg Campbell. Blood Diamonds. [Colorado: Basic Books. 2004] p 109

³⁵ IBID. p 117

transporting diamonds between Liberia and Belgium and discovered that, "diamonds far in excess of the quality, or quantity of available in Liberia had been imported as Liberian in province and origin." After De Beers was rumoured to have been involved in this scheme (although no evidence could be found) the company took immediate action. Within a year of this report, the company shut down its Conakry, Guinea, buying office because it was found diamonds from Sierra Leone were almost certainly being smuggled there. This shows the control the diamond companies have because rebel groups would be unable to profit from diamonds if there was no market for them. If diamond companies do take part in the purchase of diamonds from conflict torn areas, their reputations can be destroyed if these activities are discovered.³⁶

Small-scale jewellery businesses also take part in ensuring that the diamonds they purchase and sell are from reputable sources. Mel Brass Jewellers, located in Barrie, Canada is morally, and professionally responsible concerning the diamonds they sell. To ensure that the diamonds are from conflict free sources they, "buy from reputable labs where the diamonds are followed and certified by the Kimberly Process Certification Scheme." (see appendices III) Another way they ensure that the diamonds they purchase are conflict free is purchasing Canadian Arctic diamonds.³⁷

Governments of countries also play a significant role in controlling the issues surrounding the diamond trade. For instance, the Kimberly Process is enforced by the governments of participating countries. It is extremely beneficial to the countries and people because, according to the UN, "controls on conflict diamonds cut off sources of funding for rebels, help shorten wars and prevent their recurrence. Peace in diamond producing regions will

³⁶ Greg Campbell. Blood Diamonds. (Colorado: Basic Books. 2004) p 125

³⁷ Alyssa (Mel Brass Jewellers). Personal Interveiw. April 30, 2010

bring about the potential for economic development and tax revenue for building infrastructure as legitimate mining ventures increase." In the instance of child labour in the polishing of diamonds it is the government of India that has attempted exercising control by issuing a five hundred dollar fine to any polishing mills employing children. It is certain that governments play a large role in controlling these issues for it is they who can establish the rules required to regulate them.

The issues surrounding the global diamond trade are extremely diverse. The United Nations states that:

Governments, inter-governmental and non-governmental organizations, diamond traders, financial institutions, arms manufacturers, social and educational institutions and other civil society players need to combine their efforts, demand the strict enforcement of sanctions and encourage real peace. The horrific atrocities in Sierra Leone and the long suffering of the people of Angola have heightened the international community's awareness of the need to cut off sources of funding for the rebels in order to promote lasting peace in those countries; such an opportunity cannot be wasted.³⁸

Due to the diversity and seriousness of the issues surrounding the diamond trade, effort must be shown on a global level if any level of positive control is to be established.

Role of Spirituality

The world's diamond trade has significant spiritual and cultural ties across the world. These ties affect how diamonds are viewed, their influence on cultures, as well as who consumes them.

³⁸ United Nations. Conflict Diamonds: Sanctions and War. <http://www.un.org/peace/africa/Diamond.html> http

The diamond craze that swept European royal courts in the seventeenth century, and has had great impact on the current North American and European views of diamonds, managed to miss Japan completely. It is not poverty, but culture that influenced this trend. Engagement rings have no place in traditional Japanese views of romance. A Japanese man relayed to Tom Zoellner that, "if you were a good samurai with a good income, people around you would find you a wife. Trying to attract the attention of a woman was regarded as nothing a samurai should do." The notion of courtship was very foreign to this country where marriages were generally arranged. The Shinto marriage ceremony, was "called the *yuino* {and} involved a formal banquet where the two families exchanged gifts or money." This view has changed considerably as a market for diamonds was opened up in Japan by the De Beers diamond company in the 1960s. This new market is a product of advertising specifically meant to idolize western culture and the 'modern' generation. In 1966 less than one percent of women received engagement rings when they married, but by 1991 Japanese women received engagement rings in nearly ninety percent of marriages. As of 2008, Japan accounted for 14% of global jewellery sales, accounting for a large percent of the global market (see appendices I) The custom of marriage, which dates back thousands of years has been changed by the diamond, and an entirely new market has been opened up, which serves to continue fuelling the diamond industry.³⁹

The sentimental view of diamonds in European countries, or of European roots, has a superstitions base, especially in the case of betrothal and wedding rings. Oldest rings were made of iron or gold. An early Anglo-Saxon suitor would present the ring on the tip of their sword, meaning they would fight for their loved one. The ring was placed on the third finger of the left hand. Since the, "Venus vein ran from this finger to the heart, the bridegroom thereby figurative

³⁹ Tom Zoellner. The Heartless Stone. (New York: Picador. 2007) p 36

put the golden ring around the girl's heart."⁴⁰ After the beginning of the second World War the use of the diamond in engagement rings became much more prominent because of the sentimentality of the time. New designs of 'sweetheart' jewellery developed such as 'eternity' rings and brooches, which featured diamonds and were given after marriage before the man left to fight. This increased popularity has stayed with the Western world to this day, creating a thriving market for the diamond industry.⁴¹

In many regions of Africa, diamonds have become a very spiritual part of the culture. While French corporations have dug diamonds since the 1880s, it has only been since the late 1960s, during the time Jean-Bedel Bokassa was President of Central Africa, that large-scale recruitment for diamond miners in the African country side occurred. During this time "lust for imperial glitter became a presidential obsession." But after the death of Bokassa the diamond mania did not end. Instead, in the Central African Republic a whole new folk religion has emerged, changing the culture itself. In thirty years the diamond had transformed, and formed the economy of the back country, partly driven by this new-found spiritual connection. Most of the spirituality revolves around spirits of the dead, said to reside inside the diamonds. Yango, an African miner describes his experiences with the spirits of the diamonds; "the spirit comes and asks you to make sacrifices... Diamonds follow good deeds. The spirit then says, 'I have heard you, I am your grandfather,' and then tells me where to go and dig." It is these strong traditions in mining that Africa has developed that make this such an important resource to the country, as well as one of great revenue. This has played a role in the desire of rebel groups to take control of this resource.⁴²

⁴⁰ James Remington McCarty. Fire in the Earth; the Story of the Diamond. [New York: Harper. 1942) p 206

⁴¹ IBID. p 207

⁴² Tom Zoellner. The Heartless Stone. [New York: Picador. 2007] p 28

The cultural and spiritual ties diamonds possess across the world has created the illustrious, thriving industry we know today. These ties have also created difficulties in solving the problems we know today because they are no longer just logical issues, but are influenced by culture and emotion.

Case Study 1: Zimbabwe

Vast alluvial deposits of diamonds are found in the mountains of Eastern Zimbabwe. The gems lie near the surface of the ground, so they can be collected by hand. It is estimated that these diamonds could earn Zimbabwe, "as much as 200 million US dollars a month, enough to fund the country's reconstruction." Instead, they have created nothing but greed and misery.

In late 2005, news circulated the city of Mutare, in Manicaland, Zimbabwe that diamonds could be found in the mountains of Marange, approximately 100 km south of the city (see appendices II). African Consolidated Resources staked the claim to mine diamonds in the area. CEO, Andrew Cranswick explains;

This.. could make Zimbabwe one of the top one or two or three diamond producers in the whole world. It is a finite deposit by all appearances and will be mined out in maybe 5 - 15 years. In which case it is all finished, and so, if we squander the opportunity to benefit Zimbabwe and its people, then that's it. We have only got one shot at this.

African Consolidated Resources were never able to carry out their plans as the government of Zimbabwe, lead by President Robert Mugabe, seized the land. This opened the fields to the civilians of Zimbabwe and "tens of thousands of desperate and impoverished Zimbabweans flocked to the area, hoping for a share in its riches". At this time the unemployment level in Zimbabwe was at an estimated eighty-five percent due to the government's Operation

Murambatsvina⁴³ (intended to crack down on black-market trading and other criminal activity in slum areas⁴⁴) in 2005, driving more than 700 000 families out of their homes and breadwinners losing their source of livelihoods.⁴⁵

Seeing the potential of this new diamond resource, the government decided to take control, ordering the police as well as the army to rid the area of illegal miners. On November 21, 2006, five months after the discovery of diamonds in Marange, the government launched a nationwide police operation code-named Chikorokoza Chapera (End to Illegal Panning). The aim was to stop illegal mining across the country, including in Marange. Approximately 600 police officers were deployed, arresting about 22 500 people nationwide, about 9000 in Marange, who were said to be illegal miners and seized gems and minerals with an estimated total value of seven million dollars US.⁴⁶ BBC reports that, "helicopter gunships, soldiers and police were sent to attack the illegal diggers. At least 150 of them were killed. According to survivors we spoke to, some of them were set on by police dogs and torn apart."⁴⁷ The Zimbabwe Civic Action Support Group interviewed countless anonymous victims. One explains, " it was very difficult to go to hospital because if you dared, the soldiers would follow and capture you. So many people died at home." Another recounts, " Those who were caught were taken to army bases and tortured. The soldiers beat people for days, and women were gang-raped."⁴⁸

After securing the mine the police set up about eleven checkpoints over the 100 kilometer road from Mutare to Marange to restrict access. The organization Human Rights Watch interviewed local people who believed, "these restrictions were an attempt by the police to allow

⁴³ Sokwanele, Zimbabwe Blood Diamonds- Transcript. <http://www.sokwanele.com/thisiszimbabwe/archives/5093>

⁴⁴ BBC News. Zimbabwe slum demolitions resume. <http://news.bbc.co.uk/2/hi/africa/4715635.stm>

⁴⁵ Sokwanele. op. cit.

⁴⁶ Human Rights Watch. Diamonds in the Rough. p 19. <http://www.hrw.org/en/node/83957/section/8>

⁴⁷ BBC News. Profiting from Zimbabwe's 'blood diamonds'. <http://news.bbc.co.uk/2/hi/africa/8007406.stm>

⁴⁸ Sokwanele, Zimbabwe Blood Diamonds- Transcript. <http://www.sokwanele.com/thisiszimbabwe/archives/5093>

access to the fields only to those willing to pay off police officers. Time allowed on the fields also depended on how much one paid the police: the bigger the bribe, the more time one was allowed. Those able to pay bigger bribes went in first." One miner explains:

We could easily bribe them. At the end of 2006, we used to gain access to the fields simply by giving the police a pack of cigarettes, a can of beer or *mutsege* (roasted nuts). At one time we even devised a plan with three *gwejelines* (women) in my team where the women had sex with the six police on guard and, while they attended to the police, we were digging for diamonds.

With time, the police began to charge more. At each checkpoint police began to extort payments of at least five dollars US for miners to proceed onwards. Police officers also formed syndicates with local minors to guarantee themselves a portion of the diamond revenue. The syndicates functioned as a group of miners under the control of members of police. A member of the Police Support Unit based in Manicaland told Human Rights Watch:

During the time I was based in Marange at the end of 2007, together with a colleague we controlled six syndicates with a combined total of 102 members. We would grant them access to the fields, and they would dig for diamonds while we guarded them and then hand over the diamonds to us to sell, and then we shared the proceeds equally, giving 50 percent to each side. My government salary for three months was less than US\$5, but from the diamond business together with my colleague we made more than US\$10,000 in three months.⁴⁹

From November 21, 2006 to the end of October 2008 police committed numerous human rights abuses, including killings, torture, beatings, and harassment of local miners in Marange.

⁴⁹ Human Rights Watch. Diamonds in the Rough. p 22. <http://www.hrw.org/en/node/83957/section/8>

These mostly occurred when raids were carried out to drive local miners from the diamond field or when miners entered the fields without paying. On many occasions police were ordered to shoot on sight by the senior police officer commanding Mutare Rural District, Chief Superintendent O.C. Govo, who was in charge of these operations. Human Rights Watch interviewed one police officer who recounted:

At the end of August 2008, Govo addressed us and said we were all too lenient with local miners. He then said he was going to show us how to deal decisively with local miners. Around 10 that night, he led us to a well-known camp of local miners in the hills. First he fired a searchlight into the air and then he began to shoot randomly at the sleeping miners.⁵⁰

Police also routinely and arbitrarily arrested members of the local community in the area around the diamonds fields, often without any reasonable suspicion that a person was involved in illegal or unlicensed mining, prospecting, or trading. The prison of Mutare quickly surpassed its 300 person capacity, often having more than 1600 inmates due to mass arrests. Many were not fed, and those in detention slept outside in the open, but within the prison perimeter and under guard. Many villagers also sustained dog bite wounds from police harassment. A medical officer at a private hospital in Mutare told Human Rights Watch that in 2008 alone he had treated more than 200 victims with dog-bite wounds from Marange.⁵¹

In the February 2010 edition of the 'Rapaport Diamond Report,' Martin Rapaport sheds light on the current status of this conflict, reporting, "severe human rights violations, including murder, rape and forced labour, have taken place in the diamond fields of Marange, Zimbabwe.

⁵⁰ Human Rights Watch. Diamonds in the Rough. p 25. <http://www.hrw.org/en/node/83957/section/8>

⁵¹ IBID. p26

Recent reports from Human Rights Watch (HRW) indicate that these horrific conditions continue to take place."⁵²

Forced labour has now become a major issue in the Marange diamond fields. According to witnesses, "on November 24, 2008, soldiers rounded up 76 people in Mutare, put them on a bus, and took them to Chiadzwa, where they were detained, beaten, and forced to dig for diamonds for the soldiers." Witnesses said that soldiers routinely force members of the local community, including children and women, to work on the diamond fields for them. If anyone resists, they risk torture, beatings, or even death.⁵³

Children are being forced to work without pay in Marange, performing grueling work. A local lawyer told Human Rights Watch that his organization had received credible information leading him to conclude that "as of February 2009 at least 300 children continued to work for soldiers in the diamond fields." The children are forced to work the same hours as the adults, usually eleven hours, carrying diamond ore from the field and helping the women sieve and sort the stones and receive no pay and little food. Beatings are commonplace for children if they perform unsatisfactorily or protest.⁵⁴

These working conditions for children are against international law. The International Labour Organization's Convention on the Worst Forms of Child Labour, which was approved by Zimbabwe on December 11, 2000, forbids forced or compulsory labor for children, who are defined as any person under the age of 18. Article 3(d) of the convention states that "the worst forms of child labour 'comprise' work which, by its nature or the circumstances in which it is

⁵² Martin Rapaport. Stop Buying and Selling Blood Diamonds. p. 2 <<http://www.diamonds.net/zimbabwe/ZIM-ARR-RDR-020110.pdf>>

⁵³ Human Rights Watch. Diamonds in the Rough. p 38. <http://www.hrw.org/en/node/83957/section/8>

⁵⁴ IBID. p 39

carried out, is likely to harm the health, safety or morals of children."⁵⁵ By these standards the labour that is hazardous to the health of these children, where they are subjected to beatings and are deprived of their education is considered the worst violation of this right possible.

Villagers of the local communities around the Marange mines continue to be subjected to arbitrary searches and theft at the hands of the soldiers. The soldiers also search houses without the necessary search warrants, in violation of Zimbabwean laws protecting privacy and prohibiting arbitrary searches. Soldiers beat villagers and demand to know the source of money they use to buy various items, and then confiscate those items such as food, blankets, mobile phones, cars, and furniture. Villagers claim that local children and women are forced to cook food for the soldiers and slaughter their livestock.⁵⁶

Sexual abuse and assault on women living in the diamond fields and nearby villages has also become very common. Human Rights Watch was told by several women that police officers would, "amuse themselves by fighting over women and gambling on them, with the victors winning the "prize," a chance to forcibly have sex with the women for the night."⁵⁷ During their 2009 review mission to Zimbabwe the Kimberley Process Certificate Scheme interviewed a woman who "tested HIV positive after she had been forced to have sex with two men and then raped by a military officer."⁵⁸ Even in cases where the victims of this abuse did not contract a sexually transmitted disease victims of sexual violence often suffer anxiety and depression which lasts for years.⁵⁹

⁵⁵ International Labour Organization. C182 Worst Forms of Child Labour Convention, 1999
<http://www.ilo.org/ilolex/cgi-lex/convde.pl?C182>

⁵⁶ Human Rights Watch. Diamonds in the Rough. p 38. <http://www.hrw.org/en/node/83957/section/8>

⁵⁷ Human Rights Watch. Diamonds in the Rough. p41 . <http://www.hrw.org/en/node/83957/section/8>

⁵⁸ A. Kpandel Fayia. et al. Kimberley process certification scheme Review mission to Zimbabwe 30 June – 4 July, 2009. <http://graphics8.nytimes.com/packages/pdf/world/ZimFinaldraft020909.pdf>

⁵⁹ Human Rights Watch. Sierra Leone: Getting Away with Murder, Mutilation, Rape.
http://www.hrw.org/legacy/reports/1999/sierra/SIERLE99-03.htm#P667_117336

After the Kimberley Process investigative mission in July 2009 revealed the human rights abuses and corruption at the Marange diamond fields, the Kimberley Process decided not to suspend Zimbabwe from participation, or the export of its diamonds. This is due to the definition of "conflict diamonds" as they are what it's mandate specifically addresses. A conflict diamond is defined as mined by rebel groups, but in Zimbabwe it is the government mining the diamonds. Due to this technicality, the human rights abuses that the Kimberley Process was designed to address continue.⁶⁰

Case Study 2: Brazil

The country of Brazil has a long history in the diamond industry, as explained previously. Traditions of uncontrolled mining have caused severe environmental effects and safety concerns. In an attempt to combat these issues the Brazilian government made a change to their constitution in 1988 that basically states,

mineral rights were decoupled from land ownership. The federal government took 'eminent domain' possession of all the valuable metals underneath the soil... Anyone who wanted to mine a piece of land... had to fill out a stack of applications and permits before turning a single spadeful of dirt. A miner also had to submit a detailed report, usually more than five hundred pages long, on how he planned to repair the environmental damage he would create.

This action had little effect. Many farmers relied on the diamonds under their soil for supplementary income and they had, "been feeding poor families here for generations."

⁶⁰ Arvind Ganesan. Major Diamond Retailers: Act Now to Stop Zimbabwe Blood Diamonds.
<http://www.hrw.org/en/news/2009/12/17/letter-select-major-diamond-retailers>

Furthermore, the process of filing the reports, "cost a minimum of \$50 000, more than any low-level miner could afford to pay." Rather, this has caused widespread illegal diamond mining, smuggling and corruption.⁶¹

The mining law is enforced irregularly due to badly funded and poorly trained police. It is commonly only used to the advantage of larger mining companies when they want illegal miners off a claim. Mario Vasconcelos, a trade representative in the United States Embassy in Brazil explains, "The authorities usually look the other way. How can a group of five men with no money do any meaningful remediation work? They leave the land in shambles." In some cases, the law is partially abided. The common scam includes obtaining an 'exploration permit.' The miners pretend to be exploring the land for research rather than production, and other permits are ignored, including the costly environmental repair work they include.⁶²

There are a current estimate 300 000 *garimpeiros*, or illegal diamond miners, in the Amazon basin⁶³, accounting for approximately 90 per cent of diamond production in Brazil.⁶⁴ This percentage excludes the unknown amount of diamonds that are smuggled out of the country to avoid taxes.⁶⁵ Transactions between illegal miners and buying offices are, in most cases, undocumented, and separate records are used for illegal sales, so the government never sees the actual amount of money circulating the businesses.⁶⁶

The organised mining segment in Brazil is having a positive impact on the country and economy as, "the miners pay taxes; build infrastructure used for developing the area in which they work; pay wages; provide reasonably safe working conditions and assistance to workers;

⁶¹ Tom Zoellner. The Heartless Stone. (New York: Picador. 2007) p72

⁶² IBID. p 72

⁶³ IBID. p 70

⁶⁴ Shawn Gerald Blore. The Failure of Good Intentions. p 6. Available at: http://www.shawnblore.com/Reports_Diamonds.htm

⁶⁵ Zoellner Op. Cit. p 72

⁶⁶ IBID. p 74

and are progressively adopting environmental control measures, and reclaim degraded areas." However, extensive issues are facing Brazil due to this illegal mining, environmental and social alike. Informal mining operations are characterized by, "pitiful working conditions, and operators that exploit workers, destroy mineral reserves, cause widespread environmental degradation and, participate in criminal activities."

There are two main types of *garimpeiro* mining. Above the surface diamonds are usually found in the banks of rivers where soil has already been washed away. The river is dammed, and high pressure hoses are used to expose the diamondiferous material inside the banks, and pumps are used to drain water so that this material can be extracted. In cliffs, diamonds are exposed using dynamite which can be very dangerous for the workers.⁶⁷ When a river is too wide to be dammed, divers are used to reach the sand at the bottom while their colleagues man the equipment from a raft. These divers are equipped with a breathing tube, a suction hose, and a crowbar, which are used to break apart walls of ore beneath the water. A tunnel, known as a 'road' is created in the bottom of the river. This is the most dangerous aspect as large boulders can shift, and collapse on the divers. There are no records of these mining related deaths as contacted authorities would close the illegal mines.⁶⁸

Garimpeiros do not work for a wage, rather a percentage cut of the diamonds. Generally, the owners of the pumps and equipment needed receive half of the profits, and ten percent is given to the owner of the land on which they are mining. The remaining forty percent is then shared by the miners.⁶⁹

⁶⁷Tom Zoellner. The Heartless Stone. (New York: Picador. 2007) p 71

⁶⁸IBID. p 86

⁶⁹IBID. p 71

A serious social impact due to the reliance miners have on the diamonds is becoming evident. Due to the nature of the quick, easy money that can be made by the *garimpeiro's*, "violence and drug use among raft *garimpeiros* is fairly common." Adversely, with this unstable job the *garimpeiros* can go for months without finding any diamonds.⁷⁰

With the persistence of these rudimentary forms of mining, serious environmental degradations has occurred. Impacts include;

deforestation, which has contributed to reduced plant and animal biodiversity and loss of fertile soil; mining scars, sometimes of great extent and depth, which have been particularly problematic in urban areas; pollution of surface waters by sediments tailings of all ores, which continue to pollute waters, soils and air; alteration of the flow and deteriorated quality of groundwater⁷¹

Some attempts have been made to combat this issue. Brazil's Department of National Mineral Production (DNPM) have used the Kimberley Process, adopted in 2003 to make changes to the constitution to allow illegal miners claim to lands, so as to identify the true origins of diamonds.⁷² In 2005 only 600 *garimpeiro* claims had been accepted,⁷³ but hopes are to force the miners into a semblance of legality, with a higher level of environmental responsibility.

This attempt has seen the development of further issues in the diamond industry. With the ability to sell their stones legally, the *garimpeiros* have begun creating certificates for irregularly sourced diamonds, many from Brazil itself. The creation of these contraband routes has allowed for exploitation by less reputable sources of diamonds. For instance, on August 19, 2004 the

⁷⁰ Shawn Gerald Blore. The Failure of Good Intentions. p 8. Available at: http://www.shawnblore.com/Reports_Diamonds.htm

⁷¹ A.B Macedo. Environmental management in the Brazilian non-metallic small-scale mining sector. [Elsevier: 2003]

⁷² Shawn Gerald Blore. The Failure of Good Intentions. p 16. Available at: http://www.shawnblore.com/Reports_Diamonds.htm

⁷³ IBID. p 6

Brazilian Kimberley Certificate #64 was issued, covering the export of 6876.92 carats of rough diamonds to Dubai. This legitimate government document was based on false information; that the diamonds originated from a pair of *garimpeiro* claims outside Diamantina in the north of Minas Gerais. Not only is the area from which the diamonds were mined extremely unpromising, licence records show that the diamonds were to have been mined in seven days. This is highly unlikely as, " in the Roosevelt Reserve, likely the richest alluvial deposit in Brazil, a fully-mechanized *garimpeiro* team working flat out for 24 hours a day would take three months to amass 6,800 carats worth of diamonds."⁷⁴ This lack of transparency, as well as the careless manner in which the DNPM issues Kimberley Process Certificates creates a simple smuggling path for diamond dealers. This is especially dangerous in the case of dealers in countries that have been suspended from the Kimberley Process, such as the Republic of the Congo, as it jeopardizes the legitimacy of the entire system.⁷⁵

Case Study 3: India

Despite the provisions in the Indian Constitution, and in laws prohibiting child labour, its reality is well recognized and child labour is thriving. Estimates of the numbers of working children in India vary between 20 million and up to 100 million. The International Labour Organizations describes that,

the nature of child labour is changing, with increasing numbers of children in urban areas working. There is clear evidence that, as industries such as the gemstone and diamond industry have grown, they have acted as a magnet for poor rural families to move into

⁷⁴Shawn Gerald Blore. The Failure of Good Intentions. p 19. Available at: http://www.shawnblore.com/Reports_Diamonds.htm

⁷⁵IBID. p 21

cities, and often whole families end up working, particularly where schooling is inadequate.

India has become the world's largest centre for polishing diamonds, which is partially due to its exploitation of cheap labour, particularly child labour.⁷⁶

Many families are forced to supplement their income by sending their children to work instead of school. Other causes of child labour occur due to spiritual traditions. In the Hindu religion, for example, many families feel obligated to follow the tradition of providing weddings and dowries for their daughters. In this case, it is the responsibility of the eldest son to sacrifice school and go to work at a young age.⁷⁷

In 1997 the International Trade Confederation of Free Unions estimated that, "at least 10 percent of India's diamond polishers were children."⁷⁸ Since then, there has been no definite statistic to track the current numbers. For instance, in the city of Surat, the most prominent diamond cutting center in India, estimates of child diamond polishers range from 2500 to 100 000.⁷⁹ This is due to the legality of the matter. The 1986 Child Labour (Prohibition & Regulation) Act of India prohibits the employment of children below the age of 14 in factories, mines and in other forms of hazardous employment, and regulates the working conditions of children in other employment.⁸⁰ Due to this act, mill owners face a "\$500 fine if state inspectors find any children in their workroom."⁸¹ Despite this, the cheap labour is worth the risk. A manager at one of Surat's diamond factories, Manubahi Patel, explains,

⁷⁶Meghan Hoppe. Child Slave Labor in India's Diamond Industry. http://ihscslnews.org/view_article.php?id=61

⁷⁷ Tom Zoellner. The Heartless Stone. (New York: Picador. 2007) p 208

⁷⁸ IBID. p 207

⁷⁹ IBID. p 209

⁸⁰ NIC. Child Labour Prohibition. http://india.gov.in/spotlight/spotlight_archive.php?id=11

⁸¹ Op Cit. p 207

there is still a flood of boys coming in at about fourteen years of age. What the bosses do is hide the children whenever an inspection is coming through... The only thing that will stop it is if the village families stop sending their children to the cities. If you are running short of money, you'll send your boy to live with relatives and work in the plant and have him send money home. That's how it works...⁸²

It is very unlikely that the supply of child labour from the villages will end though. The villages often view the act of going to the city to work as a "heroic journey" and the young diamond polishers are seen as role models.⁸³

The conditions of the diamond polishing factories are generally bad. Most factories are congested and poorly lit and ventilated. Over half of the industry's workforce suffers from work-related health issues such as: kidney dysfunction, lung disease, stomach problems, wheezing, pains in their joints and eyesores. Doctors in the Surat area have found that, "more than 30 percent of the children contract tuberculosis, seemingly due to unhygienic conditions, overcrowding, and malnutrition." Common complaints of children are eye strain, body aches and finger tips scraped by the polishing discs and subsequent infections and allergic dermatitis due to the frequent use of dirty water.⁸⁴ It is common that the wearing of facial masks is either unenforced or an unavailable option for the workers. Doctor Joseph Garcia, a professor at John Hopkins University School of Medicine explains, "They're going to be inhaling a lot of particulate. There would certainly be a higher risk of developing asthma or lung fibrosis."⁸⁵

The diamonds usually dealt with in these factories are cheap and miniscule, and are, "so lightweight that even breathing on them the wrong way can send them flying." If one is lost, a

⁸² Tom Zoellner. The Heartless Stone. [New York: Picador. 2007] p 210

⁸³ IBID p 208

⁸⁴ Meghan Hoppe. Child Slave Labour in India's Diamond Industry. http://ihscslnews.org/view_article.php?id=61

⁸⁵ Op Cit. p 213

child, or even adult worker will often be beat or fired. Afterwards, it is difficult to be hired again in the industry. With no other qualifications or education, it is very difficult for them to create a new life.⁸⁶

With children often working days as long as ten hours, and making as little as the equivalent of two US dollars per day it is very difficult for them to get an education. Their work leaves them too tired to pursue their studies, and the low pay they receive makes it impossible for them to take time off to study. In India, an education is extremely important if one wants to live a comfortable life; it is even a factor in eligibility concerning marriage prospects.⁸⁷

In 2006 India's diamond exports surpassed 14 million US dollars, which has been very important to the country in terms of its economic improvement.⁸⁸ Bhart Desai, an editor of the *Times of India* explains, "they (the government) do not want to meddle with the diamond industry. It's 'hands off.'" Among the rubber factories and chemical refineries of this rapidly industrializing country, enforcement of child labour laws in the diamond factories is very low priority."⁸⁹

Vinod Babbar, head of Gujarat, India's Labour and Employment Department admits that child labour is rampant in the diamond industry, particularly in the informal, small scale businesses. He describes the main problem when tackling the issue of child labour in India, "we have to change our whole mind set. People didn't used to care about this. They thought, 'well the

⁸⁶ Tom Zoellner. *The Heartless Stone*. (New York: Picador. 2007) p 208

⁸⁷ *IBID.* p 212

⁸⁸ Daniel Workman. *India's Diamond Trade Sparkles*. http://international-trade-leaders.suite101.com/article.cfm/indias_diamond_trade_sparkles

⁸⁹ *Op Cit.* 215

family is poor and the child is making good money and supporting them.' But they are really depriving the child of the best years of their life."⁹⁰

Role of Organizations

The diamond industry has an impact worldwide. We have a global responsibility to work towards creating a peaceful industry that does not profit from the misery and conflict of others. Many intergovernmental organizations (IGO's), non-governmental organizations (NGO's) and various other organizations play a pivotal role in helping to fight the atrocities, and issues surrounding the diamond industry. Organizations may help in various ways including: educating society, such as Human Rights Watch or directly intervening with peace keepers, like the United Nations.

Human Rights Watch

Human Rights Watch (HRW) is one of the world's foremost independent organizations in defending human rights. By drawing attention to violations around the world they, "give voice to the oppressed and hold oppressors accountable for their crimes." For thirty years this organization has investigated countless situations to build pressure for action to be taken to combat human rights violations.

After an investigative visit to the Marange diamond fields in Zimbabwe, in June 2009 HRW published a detailed report titled, 'Diamond in the Rough' drawing international attention, and providing experts, like Martin Rapaport, the concrete information they need to campaign

⁹⁰ Tom Zoellner. The Heartless Stone. (New York: Picador. 2007) p 216

against this issue. Pressure from HRW to the Kimberley Process, as well as the Zimbabwean government have inspired attempts to control this situation, and earning promises from the government of Zimbabwe that the demilitarization of Marange will occur as they attempt to neutralize the situation.⁹¹

Human Rights Watch has also reported on many other issues concerning the impact of the diamond industry, including the child polishers of India and fair trade issues concerning diamond miners in developing countries across the world. Through educating the consumers of these diamonds, it is their goal to make a positive change in the industry.

United Nations (UN)

The United Nations (UN), an international organization founded in 1945 after the Second World War by 51 countries, is committed to maintaining international peace and security, developing friendly relations among nations and promoting social progress, better living standards and human rights. It provides a forum for its 192 participating Member States to express their views through the General Assembly, the Security Council, the Economic and Social Council and other bodies and committees.⁹²

On 1 December 2000 the United Nations General Assembly adopted a resolution to break the link between illicit rough diamonds fuelling armed conflict in countries such as Angola, and Sierra Leone (these conflicts a previously elaborated upon in the Background information). The General Assembly recognised the crucial role conflict diamonds play in prolonging wars in parts

⁹¹Human Rights Watch. Diamonds in the Rough. <http://www.hrw.org/en/node/83957/section/8>
http://www.hrw.org/en/search/apachesolr_search/diamonds+in+the+rough

⁹²United Nations. UN at a glance. <http://www.un.org/en/aboutun/index.shtml>

of Africa, as well as the role legitimate diamonds have in bring prosperity and development around the world.⁹³

An instance where the UN was especially effective in combating conflict diamonds was in 2000, when the UN officially accused Charles Taylor, president of Liberia, of backing the insurgency in neighbouring Sierra Leone by providing arms and training to the Revolutionary United Front (RUF) in exchange for diamonds. In 2001, the UN imposed its sanction on Liberia and by August 2003 Taylor ended his presidency due to a peace deal to end the civil war. After exile in Liberia he was transferred to the Netherlands for a trial in The Hague international court for eleven war crime charges. As of 2010, the trial is ongoing.⁹⁴

Partnership Africa Canada (PAC)

Partnership Africa Canada (PAC) works in partnership with organizations in Africa, Canada, and internationally to build sustainable human development in Africa. PACs main contribution in the diamond industry are its annual reports created to educate and devise solutions to problems facing the industry. In October 2009 it published its 2009 review titled, "Diamonds and Human Security." This review detailed gaps in the control of the Kimberley Process in areas such as smuggling in Brazil and conflict diamonds in Zimbabwe.⁹⁵

The Rapaport Group

Founded by diamond expert Martin Rapaport, the Rapaport Group is committed to supporting disadvantaged sectors of the jewellery industry through the establishment of Fair

⁹³United Nations. Conflict Diamonds: Sanctions and War. <http://www.un.org/peace/africa/Diamond.html>

⁹⁴ DiamondFacts.org. Background. <http://www.diamondfacts.org/conflict/background.html#liberia>

⁹⁵ Partnership Africa Canada. About Us. <http://www.pacweb.org/about-e.php>

Trade and Fair Made diamond, gem and jewellery products and markets. It focuses on the artisanal mining sector by supporting fair trade standards for digger groups, and jeweller makers especially in Sierra Leone and other developing countries. Their fair trade principle, concerning the communities in which the diamonds are mined, and the companies selling them, are as follows,

1. Fair Wages
2. Community Benefit
3. Do No Harm
4. Monitoring and Branding

The Rapaport Group takes a strong proactive role promoting and implementing corporate responsibility programs around the world believing that the private sector has an important role to play in creating sustainable economic development in third world countries. The Rapaport group initiates programs to combat poverty in Africa and ten percent of profits are donated to charity.

In late 2009 the Rapaport Group and the RapNet Diamond Trading Network implemented a trading ban on all diamonds from Zimbabwe's Marange diamond fields due to severe human rights violations, denying firms continuing their trade in Marange diamonds all Rapaport services. Martin Rapaport also resigned from the World Diamond Council on February 1, 2010 to protest continued trade in the Marange mine.⁹⁶

⁹⁶ Martin Rapaport . [About Us](http://www.diamonds.net/cms/About-Us#advocary). <http://www.diamonds.net/cms/About-Us#advocary>

Global Witness

Global Witness is an NGO dedicated to exposing the corrupt exploitation of natural resources and international trade systems, and driving campaigns that end impunity, resource-linked conflict, and human rights and environmental abuses.⁹⁷

In 1998 Global Witness launched an international conflict diamond campaign that was instrumental in the creation of the Kimberley Process Certification System (KPCS) in 2003. In 2008 Global Witness performed follow-up research on the progress of this system in West Africa and Uganda finding that its implementation in key countries was still very weak. Through a report warning of increased trade in illicit and conflict diamonds evading government controls and threatening the effectiveness of the Kimberley Process, governments were forced to take action against participants not meeting the KPCS's basic provisions. Due to this campaigning Venezuela suspended itself from the KPCS for two years.

Since 2008 Global Witness has been working on a campaign to address the state-sponsored violence and abuse in the Marange diamond fields of Zimbabwe and is aiming to have Zimbabwe Suspended from the Kimberly Process.⁹⁸

Prevalence in Canada

Far away from any conflict in third world countries, it is difficult to imagine what role Canada would play in the issues surrounding the diamond trade; but Canada does have a role; as a consumer.

⁹⁷ Global Witness. About Us. http://www.globalwitness.org/pages/en/about_us.html

⁹⁸ Global Witness. Annual Report 2008. http://www.globalwitness.org/data/files/pages/gw_ar_08_final.pdf

Canada is fortunate in that it contains a wealth of diamonds beneath its surface, creating less of a need to import, and conflict free option for buyers around the world. Canada first became a significant diamond producer in October 1998 when the Ekati diamond mine opened about 300 kilometres northeast of Yellowknife. By April 1999, the mine had produced one million carats. Canada is now the world's third most productive mining country, with diamond exports valued at, "over \$1.4 billion; imports, at about \$300 million."⁹⁹

"Over 90% of diamonds imported into Canada come from Israel, Belgium, the U.S. and India,"¹⁰⁰ meaning there is no certain guarantee that these industrial grade diamonds did not originate from a conflict torn area or be polished by a child labourer. Despite this, Canada has taken extensive actions to ensure that it has no role in supporting conflicts through the diamond trade. As a prominent supporter in the passing of the Kimberley Process, Canada has passed several laws dealing with the export, import, and transfer of rough diamonds to help stop the trade of conflict diamonds. The Export and Import of Rough Diamonds Act was passed by the government in 2002. The requirements for importing rough diamonds are stated as:

- (1) Every person who imports rough diamonds must ensure that, on import, they are in a container that meets the requirements of the regulations and are accompanied by a Kimberley Process Certificate that
 - (a) was issued by a participant;
 - (b) has not been invalidated by the participant; and
 - (c) contains accurate information.

⁹⁹ China Confidential. [Canadian Diamond Industry Helping India](http://chinaconfidential.blogspot.com/2008/01/canadian-diamond-industry-helping-india.html).
<http://chinaconfidential.blogspot.com/2008/01/canadian-diamond-industry-helping-india.html>

¹⁰⁰ Daniel Workman. [Canada's Diamond Trade](http://internationaltrade.suite101.com/article.cfm/canada_s_diamond_trade_sparkles).
http://internationaltrade.suite101.com/article.cfm/canada_s_diamond_trade_sparkles

Rough diamonds to be parceled separately

(2) Every person who imports rough diamonds must ensure that, on import, the rough diamonds in the container are not parceled with diamonds excluded from the definition “rough diamond” or with anything else.

This ensures that the minimum requirements of the Kimberly Process are met. In addition the act demands that a certificate is also required for all shipments of diamonds. The certificate, called the Canadian Certificate gives an officer permission to seize any shipment of diamonds that does not meet the requirements of the Export and Import of Rough Diamonds Act. Furthermore this act states that, "if imported rough diamonds arrive in Canada accompanied by a Kimberley Process Certificate ... but are in a container that has been opened, the Minister may order the person who imported the rough diamonds to return them to the participant who issued the certificate."¹⁰¹ With these strict regulations Canada is a leader in controlling the flow of conflict diamonds.

Earlier, Canadian diamonds were referred to as 'conflict free,' which is true in the sense that their mining does not occur through forced labor or prolong a civil war, but the diamonds have upset relations with the indigenous people of Canada, prolonging a conflict centuries in the making. In the Northwest Territories in the Boreal region, "hundreds of thousands of hectares of mineral claims are being "staked" without consultation - let alone approved by affected communities."¹⁰²

The development in these remote areas is also causing much strain on Aboriginal communities. The environmental impacts on the land, however small, are felt by the

¹⁰¹ Canada Legal Information Institute. [Export and Import of Rough Diamonds Act](http://www.canlii.org/en/ca/laws/stat/sc-2002-c-25/latest/sc-2002-c-25.html#_INTERPRETATION_2672), http://www.canlii.org/en/ca/laws/stat/sc-2002-c-25/latest/sc-2002-c-25.html#_INTERPRETATION_2672

¹⁰² Larry Innes. [Can we provide world with 'clean' diamonds?](http://www.greenkarat.com/about/issuesanswers/cleandiamonds.asp) <http://www.greenkarat.com/about/issuesanswers/cleandiamonds.asp>

communities who still rely on the land for sustenance. Tracy Williams, trustee for the Canadian National Parks and Wilderness Society, explains, "concern over environmental degradation of their land causes considerable real stress to all members of the community. They work at the mines. They try to maintain consistent family life, with one parent usually on a schedule of two weeks on, two weeks off. This is difficult." The benefits Aboriginals receive from the mines has also been a source of internal conflict. The Ekati mine, the first diamond mine in the North West Territories divided the aboriginal community as some felt the Impact Benefit Agreement (IBA), where monetary compensation was to be given to the aboriginals in exchange for mining on their traditional land, was just a form of bribery.

The physical effects caused by mining activities on the remote ecosystem must be accounted for as well including, drilling, road building, open pit mines, and industrial infrastructure. Contamination of the Tundra ecosystems is a major issue as Tracy Williams explains:

these diamond mines are on the tundra impairing water quality and all that survive on the water indefinitely into the future. The tundra is very fragile — permafrost....When you have a strip mine you have all kinds of impacts — roads and infrastructure, waste water, spills of oil and gas, the dust from trucks driving up from the pits 24 hours a day, and the oxidizing waste rock piles...what they do to the water and acidification of the water, to the aquatic life, is monumental.

Not only is the physical environment impacted but animal populations are also suffering. A researcher affiliated with the Lutsel K'e Dene First Nation peoples found that Bathurst caribou

herd is at an all time low due to the effect mining development has had on their migration patterns.¹⁰³

Canada's level of responsibility concerning the diamond industry is enormous in controlling its impact in other countries, but internally, work must be done to improve its control of conflicts. Larry Innes of the Toronto Star feels, "unless things change, the resulting conflicts will be damaging for everyone: affected communities, the industry, investors and the retailers and consumers who want products they can feel good about."¹⁰⁴

Possible Solutions

The greed inspired by the diamond industry has caused conflicts around the globe. These conflicts are connected in a producer, processor, and consumer relationship. It is with the co-operation of these three levels that these conflicts can be resolved.

The largest breakthrough in establishing control over the flow of diamonds and ending trade in conflict diamonds occurred in 2003 with the implementation of the Kimberley Process Certification Scheme (KPCS). The KPCS imposes extensive requirements on its members which allows them to certify shipments of rough diamonds as 'conflict-free' and prevent conflict diamonds from entering the legitimate trade. Participating states must meet its minimum requirements and put trade controls in its national legislation and commit to transparency and the exchange of statistical data concerning the diamond trade. (The Kimberley Process is further described in the Background.)

¹⁰³ Marc Choyt. Diamond Mining Impact on People, Wildlife in NWT of Canada.
<http://www.diamonds.net/news/NewsItem.aspx?ArticleID=25304>

¹⁰⁴ Larry Innes. Can we provide world with 'clean' diamonds?
<http://www.greenkarat.com/about/issuesanswers/cleandiamonds.asp>

Membership is open to all countries willing to implement its rules, and the seventy-four participating countries of the KPCS account for, "approximately 99.8% of the global production of rough diamonds."¹⁰⁵ Since its implementation the instance of conflict diamonds in the world's diamond production dropped from, "approximately 4% to considerably less than 1%."¹⁰⁶ Legal diamond trading is extremely beneficial to third world countries. In Sierra Leone, for instance since the end of the civil war, the country has been able to profit from the diamonds it possesses and, "approximately \$125 million worth of diamonds were legally exported from Sierra Leone in 2006, compared to almost none at the end of the 1990s."¹⁰⁷

With the feats the Kimberley Process has achieved, there are still flaws in its system. A report by Partnership Africa Canada and Global Witness notes that:

Each KP participant is responsible for ensuring adequate oversight and enforcement to prevent the illegal trade. An examination of key KP documents from 2004 to 2007, including annual reports submitted by participants and peer review reports, reveals that a majority of KP countries are failing in their responsibility to tackle infringements and enforce controls. Of the 48 participants for whom recent information exists, nearly two thirds (62.5%) have not reported any infringements of the KP during the period under review. However, evidence of illicit activity in the diamond sector has been exposed in NGO and media reports in over half of those countries..... In many cases, enforcement is simply not taking place.¹⁰⁸

¹⁰⁵ The Kimberly Process. Background. http://www.kimberleyprocess.com/background/index_en.html

¹⁰⁶ World Diamond Council. Fact #2. Available at: http://www.diamondfacts.org/facts/fact_02.html

¹⁰⁷ World Diamond Council. Diamond Facts. Available at: <http://www.diamondfacts.org/facts/index.html>

¹⁰⁸ Partnership Africa Canada. Loupe Holes. Available at: [http://www.globalwitness.org/media_library_detail.php/674/en/loupe_holes_illicit_diamonds_in_the_kimberley_pro](http://www.globalwitness.org/media_library_detail.php/674/en/loupe_holes_illicit_diamonds_in_the_kimberley_process)
c

This failure to share information of infringement inhibits the necessary transparency required for the KPCS to be effective globally. Furthermore, if one country fails to enforce the KPCS, conflict diamonds can easily be finding their way onto the global market.

An example of where the Kimberly Process has failed to stop the flow of blood diamonds is in the Ivory Coast. A UN report published in October 2009 found an increase in diamond exploitation in the north of the country, an area still under the military control of the Forces Nouvelles rebel group. These conflict diamonds continue to be exported and through neighboring countries and international trading centers they are laundered into legitimate trade. Alfred Brownell of Green Advocates believes: "governments' inadequate response to these cases has emphasized the urgent need for reform of the Kimberley Process. At present, timely action is consistently hampered by inefficient and obstructive procedure - this needs to change if the scheme is to fulfill its potential and its mandate." Campaigners have devised vital steps needed to improve the KP:

- Governments should introduce explicit provisions that bind KP members to ensure basic human rights in their diamond sectors;
- The consensus based decision-making process must be reformed in order to allow swift action and to avoid deadlocks;
- The KP needs an independent statistical analysis, monitoring and research capacity that sets a high standard of evaluation, avoids conflicts of interest and ensures follow-up;

- The KP's commitment to diamonds for development must translate into concrete action, particularly in artisanal producing countries.¹⁰⁹

These steps will have to be undertaken by all members of the KP if there is to be any successful reform.

The atrocities in Zimbabwe's Marange diamond mines have undergone a detailed investigation by the Kimberley Process. After its review visit in June 2009 recommendations have been made to resolve the issues of illegal mining, as well as the human rights violations. The first recommendation involves, "acknowledgement of non-compliance with KP minimum standards" and, "voluntary self-suspension from rough diamond trading until KP determines that minimum standards have been met."¹¹⁰ Due to the fact that the diamonds from Marange cannot officially be classified as blood diamonds, Zimbabwe has yet to be suspended from the Kimberly Process. Rather, due to international pressure, a self-suspension is the recommended alternative. Another recommendation explains,

Because of the Team's findings that the presence of ZNA soldiers both participate in illicit diamond trading activities and actually contribute to the general situation of lawlessness in and around Marange, the Government of Zimbabwe should follow-up on its commitment to withdraw military personnel from the area in and around Marange, including Chiadzwa village.

¹⁰⁹ Global Witness. Campaigners call for urgent action on Zimbabwe blood diamonds and wider reform of the Kimberley Process to prevent abuse.

http://www.globalwitness.org/media_library_detail.php/861/en/campaigners_call_for_urgent_action_on_zimbabwe_blo

¹¹⁰ Diamond News. Kimberly Process Review Mission Final Report's Recommendations. Available at: <http://www.diamondne.ws/2009/11/18/kimberley-process-zimbabwe-review-mission-final-reports-recommendations/>

The main human rights issues are created by the brutal force of the military in Marange. With their removal can come a more peaceful and orderly way of combating the issue as in accordance to the Kimberley Process' requirement that, "the Government of Zimbabwe should ensure that any efforts to increase security in and around Marange are carried out in a manner that respects human rights and does not contribute to further smuggling." In addressing the issues of diamonds being smuggled out of Zimbabwe, so as not to be identified with the atrocities occurring there, the Kimberley Process committed to, "outreach by the KP and individual Participants, as appropriate, to encourage Mozambique to improve border control and consider joining the KP as a means to combat smuggling efforts."¹¹¹ With the aid of the Kimberley Process there is hope that the human rights violations in Zimbabwe can end, but it is a difficult situation fuelled by poverty, greed, and traditions of brutal military force.

In light of the illegalities present in the diamond mining, selling, and trading in Brazil, there is much that could be done to improve the situation, as well as to ensure that African conflict diamonds do not find their way to market through Brazil. Partnership Africa Canada's 'Diamonds and Human Security Project' has outlined various recommendations to improve the situation:

1. Tougher Measures in the Diamond Markets of Europe and other Buying Countries: They feel that tougher measure in the diamond markets of Europe and other buying countries would lessen the volume of "sophisticated international trafficking networks in several of Brazil's diamond producing areas," which, "point to the continued existence of market for undocumented rough diamonds in Europe and elsewhere. In many cases, Belgium."

¹¹¹ Kpandel Fayia. et al. Kimberley process certification scheme Review mission to Zimbabwe 30 June – 4 July, 2009. <http://graphics8.nytimes.com/packages/pdf/world/ZimFinaldraft020909.pdf>

2. Review All Past Certificates: As demonstrated in the case study of Brazil, it is apparent that there is no reliable information on the volume and origin of diamonds exported from Brazil. Only with further and full investigation can the government tell to what extent Brazil's Kimberley certificates hide illegal exports.

3. Regular Department of National Mineral Production (DNPM) Visits to Mining Sites: With random visits to a percentage of mining sites, the DNPM can verify the information provided by miners seeking KP certificates, and verify their credibility.

4. Give *Garimpeiros* the Right to Issue Certificates of Local Origin: As little can be done to prevent the illegal mining of the *garimpeiros* across the country, the "DNPM should therefore move away from a system based on legal mining claim and towards a system based on certifying the regional origin of diamonds." This could be done through local cooperatives, where diamonds could be brought and verified for the *garimpeiro* miners. The DNPM keeps the ability to revoke the certifying powers of co-ops, which would shut of certification in the area and leave *garimpeiros* out of work, therefore corruption can be easily dissuaded.¹¹²

5. Establish a *Garimpeiro* Department within the DNPM: This department would educate *garimpeiros* on the benefits and reasons for legal mining, and aid in their establishing of claims and the cost of the expensive environmental requirements. This would promote legal mining as well as environmental responsibility

6. Create a Brazilian Diamond Prices Newsletter: In Brazil there is constant complaint of unfair payments for the diamonds miners sell. If a standard was developed and made available this could be rectified.¹¹³

¹¹²Shawn Gerald Blore. *The Failure of Good Intentions*. p 27. Available at: <http://www.shawnblore.com/Reports/FailureGoodIntentions.pdf>

¹¹³ IBID. p 28

7. Encourage the Formation of a Diamond Bourse: A diamond bourse is currently being developed by the GAR Mineração company in Brazil. It is a great opportunity to establish openness in the way diamonds are traded in Brazil.¹¹⁴

With the support of the Brazilian government, the global diamond community, miners, and local diamond buyers, these measures could be established, effectively bringing Brazil's diamond industry out of the shadow of legality.

Child labour in India's diamond mills is not an issue that can be suddenly rectified. First, the issues that create the need for child labour must be combated, including: poverty and illiteracy. The Indian Government has already taken strides in fighting the issue of child labour. With the Child Labour (Prohibition & Regulation) Act enacted in 1986, the employment of children (under fourteen) in certain specified hazardous occupations and processes, such as the diamond mills was prohibited. It also regulates the working conditions in non hazardous occupations. Furthermore, a program has been created in Gujarat, India, by its Labour and Employment department that gives diamond mills that violate this law the option of either paying a fine of \$500, or sending their child employees to school.¹¹⁵

The Indian government has also enacted the National Child Labour Projects (NCLP), which is a major endeavour for the rehabilitation of children in the workforce. Basically the government funds special school/rehabilitation centers in communities across the country that provide a variety of services including; non-formal education, vocational training, supplementary nutrition, and stipend to children withdrawn from employment. As of 2008, "400 200 working children have been covered under the scheme" and about "308 000 children have been

¹¹⁴ Shawn Gerald Blore. The Failure of Good Intentions. p 29. Available at: <http://www.shawnblore.com/Reports/FailureGoodIntentions.pdf>

¹¹⁵ Tom Zoellner. The Heartless Stone. (New York: Picador. 2007) p 216

mainstreamed into formal education system." Elimination of child labour is the single largest program in the Ministry of Employment and Labour's activities, and has been allocated approximately half of its total annual budget.¹¹⁶

It is apparent that the Government of India is making great strides in combating child labour, but the problem has not been solved and more must be done.

While it is illegal for children under fourteen to work in factories, such as the diamond mills, it is a law that is not suitably enforced. For any real change to occur child labour laws need to be strictly implemented at the central and state levels. Corruption and negligence in child labour offices should be dealt with very strictly by the judiciary and the police force.

As mentioned previously, poverty is one of the foremost causes of child labour, and is commonly due to the unemployment of the child's parents. One solution is to replace working children with their unemployed parents, which would result in higher family incomes, as generally adults are paid better.¹¹⁷ Unfortunately, this option may not be as viable as it is logical. It is the keen eyes, and small hands of children that adults don't possess that make them such an asset to the diamond mills. Another solution in battling poverty is the concept of fair trade. Through commercial agreements, which must include norms that guarantee fair wages, and working conditions, family incomes can be increased, helping prevent child labour. With consumer awareness of labelling campaigns-like Rugmark or the equitable commerce label-guarantee (that ensure fair trade) and support, there is a positive outlook on the future of fair trade, and its impact on child labour.

¹¹⁶ Government of India. National Child Labour Project. <http://www.labour.nic.in/cwl/welcome.html>

¹¹⁷ Children's Care International. Finding Solutions. <http://www.aipe-cci.org/en/child-labor/en-trouver-solutions.htm>

Another cause of child labour is illiteracy. The Indian Government is working to educate and rehabilitate children, and primary education has been made free and compulsory. This has had a great impact on children from the cities, but schooling is less available to children from rural areas. Schools are funded from different sources like government, local bodies and private funds. The smaller the funds the less the students receive. Until education is made more available by the government to children in rural area, either by sponsorship, or building more new schools, the steady stream of children from the country to the diamond mills will continue.¹¹⁸

While most solutions target the children themselves, education and training for woman is another viable option. From education and training comes empowerment. All studies show that when women are educated, the incidence of labour by their children, especially girl children, drops dramatically. Another solution not directly targeting the children is family control of fertility, and providing birth control, so that families are not over burdened by children. This is especially important in cases where traditions require that daughters have dowries.¹¹⁹

These solutions will not take effect overnight, but require global dedication throughout all areas of the industry: the producers who mine the diamonds, the processors who prepare them for sale, and the consumers whose import and purchasing regulations control the former two levels.

¹¹⁸ Tom Zoellner. The Heartless Stone. (New York: Picador. 2007) p 210

¹¹⁹ Children's Care International. Finding Solutions. <http://www.aipe-cci.org/en/child-labor/en-trouver-solutions.htm>

Conclusion

The diamond industry is a complex and multifaceted organism that has worked its way into the lives of people around the world. The issues surrounding this industry manifest themselves in a variety of ways, and are all intrinsically linked to the value of this much sought after stone. Countless rebel groups have used diamonds to fund civil wars, committing unimaginable atrocities. The corrupt government of Zimbabwe is profiting from the suffering of its people because of diamonds. The *garimpeiros* of Brazil skirt the edges of legality, and leave a trail of environmental damage in their wake to make a meagre living off of diamonds. Children polish diamonds in the sweltering factories of India, sacrificing health and education for their families. Companies and businesses sell diamonds to be a part of this multibillion dollar industry. And the consumers, they buy diamonds for love, luxury and beauty, fuelling the preceding occurrences. One cannot pretend that the diamond does not have a negative impact on a global scale, but the positive impact cannot be ignored as well. Once able to harness its true potential, this industry can serve as a springboard for development of poor, third world countries around the world. With the many possible solutions to combat the evils of this industry the question stands: is it possible to have a future where diamonds are not just luxuries for the privileged, but will benefit all those whose lives are consumed by this cold and pitiless stone?

Bibliography

Alyssa (Mel Brass Jewellers). Personal Interview. April 30, 2010

BBC News. "Profiting from Zimbabwe's 'blood diamonds.'" BBC News. 20 April 2009.
<<http://news.bbc.co.uk/2/hi/africa/8007406.stm>>

BBC News. "Zimbabwe slum demolitions resume." BBC News. 26 July, 2005. Web. March 22, 2010 <<http://news.bbc.co.uk/2/hi/africa/4715635.stm>>

Blore, Shawn Gerald. "The Failure of Good Intentions". Partnership Africa Canada. May 2005 .
Web. 24. Mar. 2010. < http://www.shawnblore.com/Reports_Diamonds.htm>

Campbell, Greg. Blood Diamonds. Colorado: Basic Books. 2004

Canada Legal Information Institute. "Export and Import of Rough Diamonds Act." CanLII. 12
Dec. 2002. Web. 3 Apr. 2010. <http://www.canlii.org/en/ca/laws/stat/sc-2002-c-25/latest/sc-2002-c-25.html#_INTERPRETATION_2672>

Chang, So Young. et al. "The Global Diamond Industry." Chazen Web Journal of International Business. 7 Nov. 2002. Web. 26 Mar. 2010.
<<http://www4.gsb.columbia.edu/chazen/journal/article/14252/The+Global+Diamond+Industry>>

Children's Care International. "Finding Solutions." Child Labour. Children's Care International.
Web. 1 May, 2010. <<http://www.aipe-cci.org/en/child-labor/en-trouver-solutions.htm>>

China Confidential. "Canadian Diamond Industry Helping India". China Confidential. 17 Jan. 2008. Web. 19 Mar. 2010 <<http://chinaconfidential.blogspot.com/2008/01/canadian-diamond-industry-helping-india.html>>

- Choyt, Marc. "Diamond Mining Impact on People, Wildlife in NWT of Canada." Diamonds.Net. 13 Feb. 09. Rapaport. Web. 4 Apr. 2010.
<<http://www.diamonds.net/news/NewsItem.aspx?ArticleID=25304>>
- Diamond Consultants Canada. "The Diamond Industry: An Opportunity and Impact Assessment." May 2008. Web. 28 Feb. 2010.
<<http://www.citypa.ca/Portals/0/PDF/EconPlan/Economic%20Development/Diamond%20Industry%20-%20Opportunity%20and%20Impact%20Assessment.pdf>>
- Davis, Mike. "Campaigners call for urgent action on Zimbabwe blood diamonds and wider reform of the Kimberley Process to prevent abuse." Global Witness. 29 Oct. 2009. Partnership Africa Canada. Web. 4 Apr. 2010
<http://www.globalwitness.org/media_library_detail.php/861/en/campaigners_call_for_urgent_action_on_zimbabwe_blo?>
- DiGiovanni, Janine. "Sierra Leone Magasine: Sierra Leone: Case Study." Crimes of War Project. Feb. 2001. Web. 29. Feb 2010. < <http://www.crimesofwar.org/archive/archive-sierracase.html>>
- Fayia, A. Kpandel. et al. "Kimberley process certification scheme Review mission to Zimbabwe 30 June – 4 July, 2009." New York Times.com Web. Mar 23, 2010
<<http://graphics8.nytimes.com/packages/pdf/world/ZimFinaldraft020909.pdf>>
- Ganesan, Arvind. "Major Diamond Retailers: Act Now to Stop Zimbabwe Blood Diamonds: Letter to Tiffany & Co., Zale, Cartier, and Other Major Diamond Retailers" Human Rights Watch. 19 Dec. 2009. Web. 20 Mar. 2010.
<<http://www.hrw.org/en/news/2009/12/17/letter-select-major-diamond-retailers>>
- Global Life Insurance. "What Is The Average Cost For A Diamond Engagement Ring?" Global Life Insurance. 2009. Web. 25 Feb. 2010. <<http://global-life-insurance.net/9857/what-is-the-average-cost-for-a-diamond-engagement-ring/>>
- Global Witness. "About Us." Global Witness. n.d. Web. 28 Mar. 2010.
<http://www.globalwitness.org/pages/en/about_us.html>

- Global Witness. "Annual Report 2008." Global Witness. 2008. Web. 28 Mar. 2010.
<http://www.globalwitness.org/data/files/pages/gw_ar_08_final.pdf>
- Government of India. "National Child Labour Project." Ministry of Labour and Employment. n.d.
Web. 3 April 2010. <<http://www.labour.nic.in/cwl/welcome.html>>
- Hoppe, Meghan. "Child Slave Labor in India's Diamond Industry." IHS News May 2005.
http://ihscslnews.org/view_article.php?id=61
- Human Rights Watch. "Diamonds in the Rough." 21 Jun. 2009. Web. March 10, 2010.
<<http://www.hrw.org/en/reports/2009/06/26/diamonds-rough-0>>
- Human Rights Watch. "Sierra Leone: Getting Away with Murder, Mutilation, Rape." Africa.
July 1999. Human Rights Watch. Web. 1 March 2010. <
http://www.hrw.org/legacy/reports/1999/sierra/SIERLE99-03.htm#P667_117336>
- Innes, Larry. "Can we provide world with 'clean' diamonds?" Toronto Star. 14 Dec. 2006. A27+
Canadian Boreal Initiative.
<<http://www.greenkarat.com/about/issuesanswers/cleandiamonds.asp>>
- International Labour Organization. "C182 Worst Forms of Child Labour Convention, 1999"
1999. Web. 20 Mar. 2010. <<http://www.ilo.org/ilolex/cgi-lex/convde.pl?C182>>
- Kasambala, Tiseke. "Stem the flow of blood diamonds from Zimbabwe." Los Angeles Times. 07
Dec. 2009. Web. 25 Feb. 2010. <<http://articles.latimes.com/2009/dec/07/opinion/la-oe-kasambala7-2009dec07>>
- Kevin Hulsey Illustration, INC. "Diamond Mines of the World: Brazil." All About Gemstones.
2007. Web. 26 Feb. 2010. <http://www.khulsey.com/jewelry/diamond_mines_brazil.html>
- Kimberley Process. "Background." Israel Ministry of Industry, Trade and Labor. n.d. Web. 27
Feb. 2010. <http://www.kimberleyprocess.com/background/index_en.html>

Kimberley Process Review Team. "Kimberley Process Review Mission Final Report's Recommendations." Diamond News. 18 Nov. 2009. Web. 4 Apr. 2010. <<http://www.diamondnews.com/2009/11/18/kimberley-process-zimbabwe-review-mission-final-reports-recommendations/>>

Macedo, A.B. Environmental management in the Brazilian non-metallic small-scale mining sector. Elsevier: 2003.

McCarty, James Remington. Fire in the Earth; the Story of the Diamond. New York: Harper. 1942

NIC. "Child Labour Prohibition." Spotlight: National Portal Of India. 2005. India Government. Web. 25 Mar. 2010. <http://india.gov.in/spotlight/spotlight_archive.php?id=11>

Partnership Africa Canada. "About Us." Partnership Africa Canada. Web. 24 Mar. 2010. <<http://www.pacweb.org/about-e.php>>

Partnership Africa Canada and Global Witness. "Loupe Holes." Global Witness. Nov 2008. Web. Mar 22. 2008. <http://www.globalwitness.org/media_library_detail.php/674/en/loupe_holes_illicit_diamonds_in_the_kimberley_pro>

Rapaport Group. "Press Release: Rapaport Resigns from World Diamond Council." Rapaport Group. 1 Feb. 2010. Web. 1. Mar. 2010. <<http://www.diamonds.net/Zimbabwe/Rapaport%20Press%20Release%20-%20Rapaport%20Resigns%20from%20World%20Diamond%20Council%20February%201%202010.pdf>>

Rapaport, Martin. " About Us." Diamonds.Net. 2009. Web. 01 Mar. 2010 <<http://www.diamonds.net/cms/About-Us#advocary>>

Rapaport, Martin. "Stop Buying and Selling Blood Diamonds." Rapaport Diamond Report. Feb. 2010. Web. March 22, 2010. < <http://www.diamonds.net/zimbabwe/ZIM-ARR-RDR-020110.pdf>>

Soham, Earl. "What is fair trade?" Tribes Travel. 2009. Web. 25 Feb. 2010 <http://www.tribes.co.uk/responsible_travel/what_is_fair_trade>

Sokwanele. "Zimbabwe Blood Diamonds- Transcript." This is Zimbabwe. Oct. 2009. Zimbabwe Civic Action Support Group. Web. Mar 23, 2010.
<<http://www.sokwanele.com/thisiszimbabwe/archives/5093>>

United Nations. Conflict Diamonds: Sanctions and War. United Nations (home page). 4 March 2001. United Nations Department of Public Information in cooperation with the Sanctions Branch, Security Council Affairs Division, Department of Political Affairs. 16 Feb. 2010. <<http://www.un.org/peace/africa/Diamond.html>>

United Nations. "UN at a glance." United Nations. Web. 13 Mar. 2010.
<<http://www.un.org/en/aboutun/index.shtml>>

United Nations. "Universal Declaration of Human Rights." Web. 23 Feb 2010.
<<http://www.un.org/en/documents/udhr/index.shtml#ap>>

World Diamond Council. "Background." DiamondFacts.Org. n.d. Web. 2 April. 2010.
<<http://www.diamondfacts.org/conflict/background.html#liberia>>

World Diamond Council. "Conflict Diamonds." DiamondFacts.Org. n.d. Web. 1 March 2010.
<<http://www.diamondfacts.org/conflict/index.html>>.

World Diamond Council. "Fact #2." DiamondFacts.Org. n.d. Web. 30 Mar. 2010.
<http://www.diamondfacts.org/facts/fact_02.html>

World Diamond Council. "Mining." DiamondFacts.Org. n.d. Web. 27 Feb. 2010.
<www.diamondfacts.org/about/mining.html>

World Diamond Council. "Diamond Facts." DiamondFacts.Org. n.d. Web. 3 Apr. 2010.
<<http://www.diamondfacts.org/facts/index.html>>

Workman, Daniel "Canada's Diamond Trade." Suite101. 7 Dec. 2006. Web. 4 Apr. 2010.
<http://internationaltrade.suite101.com/article.cfm/canada_s_diamond_trade_sparkles>

Workman, Daniel. "India's Diamond Trade Sparkles." Suite101. 7 Feb. 2007. Web. 19 Mar. 2010
<http://international-trade-leaders.suite101.com/article.cfm/indias_diamond_trade_sparkles>

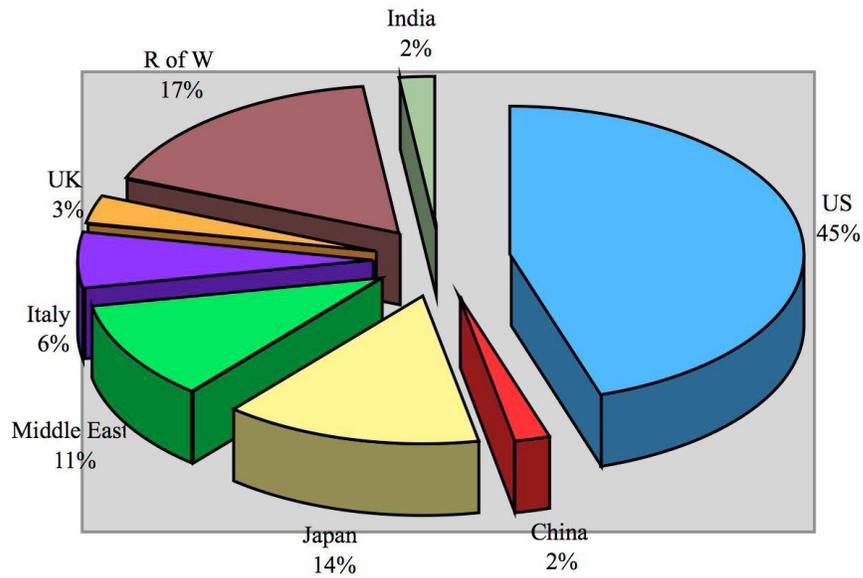
Wessells, Mark. "Child Soldiers." The Bulletin of the Atomic Scientist. Nov.-Dec. 1997. 32-39

Zoellner, Tom. The Heartless Stone. New York: Picador. 2007

Appendices

Appendices I

Global Diamond Jewellery Sales



Diamond Consultants Canada. Figure 14: Global Diamond Jewellery Sales. p 43

<http://diamondconsultants.ca/mediacontent/Opportunityand%20Impact%20Assessment.pdf>

Appendices II

Map of Marange Diamond Field



Human Rights Watch. [Diamonds in the Rough](http://www.hrw.org/en/reports/2009/06/26/diamonds-rough-0). p1.
<http://www.hrw.org/en/reports/2009/06/26/diamonds-rough-0>

Appendices III

Interview: Mel Brass Diamond Jewellers, Alyssa

Observations of Interview: Jeweller seemed offended at the mention of conflict diamonds

Do you know if the diamonds you sell are conflict free?

Of course they are. No reputable businesses deal with conflict diamonds anymore, at least in Canada.

How do you ensure that the diamonds you sell are conflict free?

We buy from a reputable labs where the diamonds are followed and certified by the Kimberly Process Certification Scheme. We also buy Canadian Arctic diamonds. Buying from your own backyard is a one hundred percent guarantee that the diamonds are conflict free.

Can you give me an example of a reputable diamond lab?

We buy mostly from GIA, the Geological Institute of America. They examine the diamonds geologically, and check the documentation of diamonds to ensure that they are from a clean sources.