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President: Mr. Ali Abdussalam Treki (Libyan Arab Jamahiriya)

The meeting was called to order at 10.20 a.m.

Agenda item 12

The role of diamonds in fuelling conflict

Letter from Namibia transmitting the report of the Kimberley Process to the General Assembly pursuant to General Assembly resolution 63/134 (A/64/559)

Draft resolution (A/64/L.26)

The President (*spoke in Arabic*): I give the floor to The Honourable Bernard Martin Esau, Deputy Minister of Mines and Energy of Namibia, to introduce draft resolution A/64/L.26.

Mr. Esau (Namibia): I have the honour to address the General Assembly today in my capacity as Chair of the Kimberley Process Certification Scheme for 2009 pursuant to General Assembly resolution 63/134, by which the Assembly requested the Chair of the Kimberley Process to submit a report to its sixty-fourth session on the implementation of the Process. I therefore have the pleasure to present the report on the progress of the implementation of the Kimberley Process in 2009.

Diamonds, like other natural resources, have played a role in fuelling and/or prolonging conflicts in various parts of the world, as the proceeds from illicit diamond mining and trading have been used to procure arms and ammunition. Apart from the fact that that misuse of a country's mineral endowment is devastating for the very citizens who should benefit

rather than suffer from such resources, it also has an enormous negative influence on the international diamond trade and the economies of countries far from the theatres of conflict.

As a consequence, the Kimberley Process was conceived as a leading multi-stakeholder partnership bringing together Governments, non-governmental organizations and the diamond industry in order to prevent conflict diamonds from entering the legal international trade. By helping to break the link between arms and trading in illegal diamonds, the Kimberley Process contributes to the prevention and resolution of conflicts.

It was an honour for Namibia to lead the Kimberley Process during 2009 in its efforts to further the promulgation of national legislation prohibiting the import and export of rough diamonds unless certified as conflict-free, and the national implementation of appropriate controls over diamond production and trade.

Diamond mining is of great economic value for many developing countries. It constitutes a large percentage of the gross domestic product (GDP), export earnings and Government revenues. In the case of my country, Namibia, diamonds account for more than 40 per cent of export earnings, 10 per cent of GDP and 7 per cent of Government revenue. Last year alone, Namibia produced diamonds worth approximately \$600 million.

Diamond mining is a catalyst for socio-economic development, poverty alleviation and the provision of

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essential social services such as health care and education. Namibia therefore attaches great importance to the Kimberley Process. We believe that the Kimberley Process Certification Scheme (KPCS) not only sets benchmarks in the regulatory process and management of the diamond trade, but also guarantees transparency in marketing our diamonds and provides a valuable platform for cooperation among participants in the Process.

Namibia has put in place a robust and comprehensive regulatory regime in order to protect the integrity of our diamond industry from conflict diamonds. In addition, a number of Government agencies, including our Diamonds Inspectorate and the protected resources unit of the Namibian police are specifically charged with the protection of our diamonds from smuggling and other illicit activities.

During 2009, improvement in the security situation in many countries has been noted, to which the Kimberley Process Certification Scheme has contributed. We have indeed made significant strides in the implementation of the Process. A project to establish footprints for diamonds in order to quickly identify anomalies in trade statistics was carried out. A new database containing rough diamond statistics was also launched and is available on the participants-only website. Special attention was also given to artisanal alluvial diamond mining. A joint work plan was designed to help improve the situation in countries facing challenges in complying with the standards of the Kimberley Process. Furthermore, a number of countries undertook initiatives aimed at eliminating illicit diamond trading.

At the end of 2008, the Kimberley Process had 49 members. I am pleased to report that there is a great interest from a large number of countries in joining the Process. Kenya and Swaziland have already applied, and Egypt and Mozambique have expressed their interest in joining. Outreach efforts were undertaken to encourage other diamond-producing countries to join the process.

Regular peer review visits are an important tool to improve the effectiveness of the Kimberley Process. During 2009, visits were paid to the diamond-producing and trading countries of the European Union, the Democratic Republic of the Congo, Turkey, Liberia, Sierra Leone and Angola.

The support of the international community has been important to the success of the Kimberley Process. In that regard, I would like to acknowledge with appreciation the two types of technical assistance that have been offered by the World Bank to Kimberley Process participants, through the Communities and Artisanal and Small-Scale Mining network and other World Bank projects.

The Kimberley Process has made significant strides in the fulfilment of its mandate. However, it still faces daunting challenges. In that regard, continued efforts from Governments, working groups in the industry, the World Diamond Council and civil society are necessary to maintain and strengthen the system.

I wish to express my sincere gratitude to all Participants, in particular the chairs of the working groups and committees, for the support they have rendered to Namibia during our chairmanship of the Process. I trust that the incoming Chair and Vice-Chair will enjoy the same support.

It is now my distinct honour to introduce the draft resolution entitled “The role of diamonds in fuelling conflict: breaking the link between the illicit transaction of rough diamonds and armed conflict as a contribution to prevention and settlement of conflicts” (A/64/L.26). The support of the United Nations has been a key element for success, and the General Assembly has traditionally adopted this resolution in support of the activities of the Kimberley Process.

The draft resolution, inter alia, acknowledges the progress made by the working groups, Participants and observers during 2009. It also stresses that the widest possible participation in the Kimberley Process Certification Scheme is crucial for its success, and it underscores the willingness of the Process to provide technical assistance to those Participants in need. We are looking forward to the support of all delegations in the adoption of this draft resolution by consensus, which will signify the continued importance that the General Assembly attaches to the Kimberley Process.

At this juncture, before I conclude, I would like to draw the Assembly’s attention to the additional sponsors of draft resolution A/64/L.26: Angola, Argentina, Belarus, Brazil, China, Congo, Mexico, Singapore, Somalia and the Bolivarian Republic of Venezuela.

Ms. Mongwa (Botswana): At the outset I wish to convey our sincere appreciation to the delegation of Namibia for the capable manner in which they conducted the work of the Kimberley Process during Namibia's tenure as the 2009 Chair of the Process. We also commend them for the excellent report on the activities of the Kimberley Process over the year, as well as the successful conclusion of consultations on draft resolution A/64/L.26, on the role of diamonds in fuelling conflict, which my delegation has also co-sponsored.

My delegation attaches great importance to this agenda item, as it symbolizes the international community's resolve to individually and collectively do its part to ensure that no more will precious natural resources such as diamonds bring so much sorrow and suffering to humankind. The annual General Assembly deliberations on this item renew the international community's commitment to remain engaged in contributing to the prevention and settlement of conflicts by supporting all efforts aimed at stopping illegal trade of rough diamonds from fuelling armed conflicts. They also reaffirm the Kimberley Process as the internationally recognized vehicle for championing this cause and for continued regulation of diamond trade.

Undoubtedly the United Nations system is an important partner in this agenda. It not only validates and underscores the important role of the Kimberley Process but also contributes to the consolidation and effective implementation of all principles and objectives of the Process. In this regard, this resolution and many other General Assembly and Security Council resolutions are critical mandates in further cementing this unique and mutually beneficial relationship.

My delegation notes with satisfaction the significant work done by the Kimberley Process, a voluntary tripartite initiative that consists of 75 countries, the diamond industry and non-governmental organizations. The membership of the Process deserves commendation for being the first line of defence against the illegal diamond trade through their compliance with Process requirements and their oversight on rough diamond trade.

The Kimberley Process demands that its members adhere to high standards to enable them to certify shipments of diamonds as legitimate. Participating

States must meet minimum requirements, which include putting in place national legislation and institutions and export, import and internal controls, as well as committing to transparency and the exchange of statistical data.

It is heartening to note from the progress report that most Kimberley Process participants comply with its requirements. This has resulted in, among other things, timely submission of reports by all members and enhanced implementation of Process requirements. The impact of these actions has translated into a significant reduction of markets for conflict diamonds and the cutting off of a major source of funding for rebel groups and militias involved in conflict.

It was not so long ago that there were a number of such conflicts, particularly in Africa. Diamonds fuelled civil wars, with terrible and devastating consequences. Not only was the safety of citizens in these affected countries put at risk, but peace, security and the stability of their Governments were compromised as well.

It is thanks to firm and unwavering global efforts that today the international community has shifted its focus to peace consolidation and reconstruction in the former conflict-diamond countries of Sierra Leone, Liberia and the Democratic Republic of the Congo, to mention a few. We now wait anxiously for the last conflict-diamond country to join the ranks of clean diamond-producing countries.

Despite this notable progress, my delegation remains concerned by reports of non-compliance with Kimberley Process provisions by some participants and other emerging challenges. We are pleased with the measures that have been put in place to address them, but we wish to emphasize that, while most of world's diamond production is from legitimate sources, we cannot ignore even the smallest percentage of illicit diamond production. Such production and its illegal use can contribute to civil strife and instability.

It is thus imperative that the international community continue to maintain vigilance against illicit diamond trade and that countries continue to exercise much greater scrutiny of their own internal control systems, including much stronger checks on all diamond-related activities, to ensure legal diamond production.

Clearly, the highest possible level of participation and cooperation among Governments, civil society and the private sector is essential to the effective implementation and monitoring of and compliance with the Kimberley Process. In this respect, we commend Member States that have expressed an interest in joining the Kimberley Process and encourage others to consider joining the Process.

My delegation remains confident that, through joint efforts such as this initiative, we will continue to ensure that, more than ever before and in many more countries, diamonds become a major source of financing for economic development. Already, some of us can attribute our positive socio-economic development to diamonds. For Botswana, there is a direct correlation between diamond revenues and safe drinking water, better living conditions and better health care, including free anti-retroviral drugs for all the people of Botswana who need them, the sum total of which is a better quality of life for everyone in Botswana, now and in the future.

In conclusion, conflict diamonds should remain a matter of serious concern to the international community. For this reason, we should all remain engaged in global efforts to eliminate conflict and the illicit diamond trade.

Finally, allow me to also take this opportunity to welcome Israel as the Chair of the Kimberley Process for 2010 and the Democratic Republic of the Congo as the Vice-Chair. I wish to assure them both of my delegation's continued cooperation, support and goodwill.

Mr. Normandin (Canada): It is my honour to address the General Assembly today on behalf of Canada, Australia and New Zealand.

Allow me to begin by thanking Namibia for its tenure as Chair of the Kimberley Process in 2009. The theme selected by Namibia, "Diamonds for development", served as a timely reminder of the critical contribution the diamond industry can make to many economies, especially in the developing world.

I would like to take this opportunity to welcome Israel as the incoming Kimberley Process Chair. We look forward to working with Israel to enhance the effectiveness and implementation of the Kimberley Process in the year ahead. I would also like to

congratulate the Democratic Republic of the Congo on its Vice-Chairmanship for 2010.

The year 2009 was a very difficult year for the Kimberley Process. Much credibility has been lost in the public eye, and calls for reform of the Certification Scheme — by civil society, industry and participants themselves — have steadily grown.

We are concerned over the situation in Zimbabwe, which was found to be non-compliant with the minimum standards of the Kimberley Process by a review mission that visited the country in June and July. There are credible reports that elements within the Government of Zimbabwe are trying to work around the Kimberley Process Certification Scheme. We urge Zimbabwe to fully implement the workplan immediately and in good faith, and call on all Kimberley Process participants to implement monitoring measures to contain the illicit trade in Marange diamonds.

We are also troubled that civil society observers monitoring the implementation of the Kimberley Process Certification Scheme continue to face harassment in many countries. We would like to reiterate that the Kimberley Process draws its strength from its multi-stakeholder nature. All parties must be allowed to participate freely in Kimberley Process-related activities.

There were some notable successes this year as well. In particular, we welcome Liberia's offer to host a meeting to foster regional cooperation in areas such as information-sharing, illicit networks and improvement of internal controls. We are also encouraged by the mandate given to the Kimberley Process by the United Nations Group of Experts on Côte d'Ivoire to undertake improvements to the diamond footprint of that country.

The ongoing development of Kimberley Process rules and procedures will assist in enhancing the effectiveness of the Scheme. We are pleased with the progress made regarding the adoption of important Kimberley Process administrative decisions this year, including on cooperation in implementation and enforcement and on information-sharing with the United Nations. The latter will help the Security Council improve the effective monitoring of its resolutions, which is a welcome development.

(spoke in French)

On 11 and 12 May 2000, the first Forum on Conflict Diamonds was held in Kimberley, South Africa. As we approach the tenth anniversary of that historic meeting, the Kimberley Process finds itself at a crossroads. While it has contributed to stemming the trade in conflict diamonds, now more than ever participants must demonstrate the necessary political will to apply the rules if the Kimberley Process is to be effective.

Here, let me be clear. Canada, Australia and New Zealand remain fully supportive of the Kimberley Process. It enhances the accountability, transparency and effective governance of the trade in rough diamonds. However, the Kimberley Process must be able to adapt to new challenges if it is to remain a relevant instrument in combating the trade of conflict and illicit diamonds. Consumers do not distinguish between conflict diamonds from areas controlled by rebel groups and those from regions controlled by Governments with blood on their hands. It is imperative that the international community be vigilant in monitoring for any human rights abuses committed in the production and trade of diamonds. It must also work better together to end these practices. Ultimately, we must not let diamonds linked to human rights abuses enter the international diamond market and place at risk an industry that is of great importance to many of our economies.

Mr. Carmon (Israel): At the outset, I wish to express Israel's firm support for the Kimberley Process. In a world where natural resources can fuel war, violence and civil strife, it is imperative that the international community act in a concerted manner to stem the tide of blood diamonds. Since 2000, the efforts of the Kimberley Process Certification Scheme (KPCS) have minimized the presence of blood diamonds in the world market while marginalizing those who engage in the commerce of conflict diamonds.

As Israel prepares to assume the chairmanship of the Kimberley Process, we recognize the progress that continues to be made. Israel welcomes the communiqué of the Kimberley Process from Namibia of 5 November 2009. We were pleased to see the expansion of the Working Group on Monitoring, as well as the position adopted by the plenary regarding

particular indications of non-compliance with the Kimberley Process Certification Scheme.

Despite those and other measures of progress, challenges remain. Israel is concerned by the state of the minimum requirements of the KPCS in Zimbabwe, especially given the review mission's findings of "credible indications of significant non-compliance with the minimum requirements of the KPCS" by Zimbabwe (A/64/559, *attachment I, para. 13*). Israel took note of Zimbabwe's commitment to urgently start implementation of the joint workplan and we hope that Zimbabwe will address in a substantive manner the aforementioned issues of compliance.

Israel is also concerned by the situation of Venezuela's implementation of the minimum standards of the Certification Scheme. However, we hope that, after having voluntarily separated from the KPCS for a period of two years, Venezuela will implement the minimum standards of the Certification Scheme and eventually fully reintegrate into the KPCS.

Israel is prepared to assume greater responsibility as the incoming Chair of the Kimberley Process Certification Scheme so that we can continue to contribute in a positive manner towards a more comprehensive and effective implementation of the Kimberley Process. Israel, as one of the largest trading centres of diamonds, attaches great importance to the Kimberley Process and has in place a strict system to ensure compliance. As noted by Mr. Christian Berger, the head of the KPCS delegation that visited Israel in 2008, Israel's system of spot checks and overall organization was "worthy of emulation in other Kimberley Process countries".

As we move forward, Israel reiterates its commitment to the KPCS, as well as to United Nations sanctions pertaining to conflict diamonds. Our collective action on this important matter can ensure that more and more diamonds are appreciated for their beauty and not for their role in conflict.

The President (*spoke in Arabic*): In accordance with General Assembly resolution 3208 (XXIX) of 11 October 1974, I now call on the observer of the European Community.

Mr. Schwaiger (European Community): I have the honour to speak on behalf of the European Union regarding agenda item 12, entitled "The role of diamonds in fuelling conflict". The European Union,

which participates as a single member in the Kimberley Process, would like in the first place to welcome the results of the Swakopmund plenary session in so far as they illustrate the Kimberley Process capacity to further adapt as an innovative instrument to prevent diamonds from fuelling conflicts.

The European Union notes with satisfaction that the tools that make the Kimberley Process Certification Scheme (KPCS) so unique have been further strengthened during this past year. The peer review system has ensured continued monitoring of the Scheme's implementation. Review visits to important trading and producing countries have been organized in 2009, including review visits to countries that have been affected by the scourge of conflict diamonds, such as Angola, the Democratic Republic of the Congo, Sierra Leone and Liberia.

I am also pleased to say that the European Union, as the world's main trading centre, received a review visit in February 2009 as a vivid illustration of its commitment to the KPCS. The European Union, as Chair of the Working Group on Monitoring, encourages the continued commitment of participants to scrutiny through Process review visits.

The European Union actively supports the efforts of the Kimberley Process to continue to adapt to a changing environment and notes with satisfaction the introduction of new types of Process measures, such as international vigilance measures making use of the footprints of certain diamonds. The European Union firmly believes that the consistent use of such tools will strengthen the Process's ability to tackle the illicit trade in conflict diamonds. The European Union also welcomes in this respect the plenary decision to set up an team of technical experts to address the challenges posed by cross-border Internet trading.

The most vivid illustration of the capacity of the Kimberley Process to develop innovative solutions to address complex crises is provided by the plenary decision and workplan to address Zimbabwe's non-compliance in the Marange mining area. The European Union looks forward to implementation of Zimbabwe's commitment to undertake a series of ambitious actions to bring diamond mining in Marange into compliance with the minimum requirements of the Process and to subject exports of Marange diamonds to independent Process verification pending full compliance. The European Union stands ready to contribute to the

action plan as a key element to protect the integrity of the Kimberley process and ensure that Marange diamonds contribute to Zimbabwe's economic development and do not fuel further violence and human rights violations. The European Union further calls on Kimberley Process participants to improve regional cooperation and implement international vigilance measures in order to contain the flow of illicit diamonds from Marange.

The continuing Kimberley Process engagement and monitoring of diamond production in Côte d'Ivoire, in the light of Security Council resolution 1893 (2009), further illustrate the positive role that the Kimberley Process can play in concrete crises where production and trade of diamonds might affect peace and security.

The Kimberley Process decision to increase oversight of Guinea's diamond production and trade, and continued engagement with Ghana and Liberia in particular, underline the efforts of the Kimberley Process to support regional cooperation in this respect.

At the end of the day, however, the Kimberley Process Certification Scheme's credibility as an international process depends on effective implementation by its participants. In this respect, the European Union also welcomes the adoption of a decision regarding cooperation on Process implementation and enforcement that represents a significant step forward, as it will foster greater cooperation between national agencies involved in the fight against infringements to Kimberley Process rules and can indeed make a difference on the ground.

In 2009, the international community has demonstrated its determination to act collectively and constructively in response to challenges to the Kimberley Process, and the European Union would like to express its gratitude to Namibia for its stewardship of the Process in 2009. We now warmly welcome Israel as the upcoming Kimberley Process Chair and look forward to working together to implement the decisions reached in Swakopmund, Namibia. We would also like to congratulate the Democratic Republic of the Congo upon its selection as 2011 Kimberley Process Chair.

The President (*spoke in Arabic*): We have heard the last speaker in the debate on this item.

(spoke in English)

The Assembly will now take a decision on draft resolution A/64/L.26, entitled “The role of diamonds in fuelling conflict: breaking the link between the illicit transaction of rough diamonds and armed conflict as a contribution to prevention and settlement of conflicts”.

Thailand has asked to join the list of sponsors.

A recorded vote has been requested on the following words in paragraph 23 of draft resolution A/64/L.26:

“and takes note that the Process has selected Israel as Chair and the Democratic Republic of the Congo as Vice-Chair of the Process for 2010”.

I call on the representative of Sweden on a point of order.

Mr. Lidén (Sweden): It is very unclear to us exactly what we are voting on at this point. Could you repeat, Mr. President, exactly what the vote is about and what a vote in favour would indicate and a vote against would mean?

The President: A recorded vote has been requested for a part of the paragraph, so I will repeat it. The Assembly is now voting on the following words in paragraph 23:

“and takes note that the Process has selected Israel as Chair and the Democratic Republic of the Congo as Vice-Chair of the Process for 2010”.

I call on the representative of Israel on a point of order.

Mr. Carmon (Israel): Mr. President, could you please clarify what happens with those words in paragraph 23? It is not clear to us. What are we voting on?

The President: A recorded vote has been requested by one delegation on that part of paragraph 23 of draft resolution A/64/L.26. A delegation has requested a recorded vote on part of that paragraph. I will repeat it again. It is the part of that paragraph starting from:

“and takes note that the Process has selected Israel as Chair and the Democratic Republic of the Congo as Vice-Chair of the Process for 2010”.

I call on the representative of Jamaica on a point of order.

Mr. Williams (Jamaica): My delegation would like to know whether we are being asked to keep that section of the paragraph or to delete that section of the paragraph.

The President: Those voting in favour are voting to keep the paragraph intact; those voting against are voting to take that part of the paragraph out.

I call on the representative of the United States of America on a point of order.

Mr. DeLaurentis (United States of America): Mr. President, that was our question as well. I would like to ask you to repeat for the Hall one more time what a “yes” vote signifies and what a “no” vote signifies on this vote that has been called.

The President: I request the representative of the Secretariat to clarify.

Mr. Botnaru (Department for General Assembly and Conference Management): A recorded vote has been requested on the following words of paragraph 23 of draft resolution A/64/L.26:

“and takes note that the Process has selected Israel as Chair and the Democratic Republic of the Congo as Vice-Chair of the Process for 2010”.

Those who vote “yes” are in favour of keeping the paragraph as it is; those who vote “no” mean for those words to be deleted from paragraph 23 of draft resolution A/64/L.26.

The President: I call on the representative of Israel on a point of order.

Mr. Carmon (Israel): Frankly, we very much appreciate the fact that it has been reiterated again and again in this Hall that we have been selected as Chair of the Kimberley Process, and we are very grateful for that, but we should like to ask why, procedurally, we should vote on something that is already in the draft resolution. Why should this be voted on? Maybe, through you, Sir, we could ask the initiators of this vote what the reasoning is behind it.

The President: Will the representative of the Secretariat please answer that?

Mr. Botnaru (Department for General Assembly and Conference Management): I can say that the draft resolution is still a draft resolution that can be orally revised, modified or amended before the General Assembly takes action on it. This is in accordance with

rule 89 of the rules of procedure of the General Assembly, which says, "A representative may move that parts of a proposal or of an amendment should be voted on separately".

The President: I call on the representative of Peru on a point of order.

Mr. Pérez (Peru): My question was about under which rule this was being put to vote, and the representative of the Secretariat has just explained that. So, should I understand that this is a proposal to delete the paragraph, or is it an amendment of the paragraph?

The President: I think we have clarified that. Some delegations have asked for a recorded vote on part of paragraph 23. I think we should go ahead and try to vote.

I call on the representative of Israel on a point of order.

Mr. Carmon (Israel): I must insist on the procedural question. The representative of the Secretariat quoted from rule 89. If we understand it well, a text that is already in the draft resolution can be voted on if there is a change, but again I must ask why there should be a vote on something that is already in the draft resolution.

The President: Again, I will ask the representative of the Secretariat to reply.

Mr. Botnaru (Department for General Assembly and Conference Management): I cannot understand the question. Could you repeat it, please?

Mr. Carmon (Israel): Of course. We have before us a draft resolution which says exactly what has been proposed for deletion. There is a request from a certain delegation to vote on something that is already in the draft resolution. The representative of the Secretariat quoted from rule 89, saying that there is a possibility to do so. But we understand that this possibility exists if there is a change, not if there is a reiteration of something that is exactly, word by word, in the draft resolution. The question, if I may ask, is why we should vote on something that is already in the draft resolution in a process that we understand would welcome consensus. Why should there be a vote and reiteration of something without changing the text in the draft resolution?

The President: I call on the representative of the Secretariat.

Mr. Botnaru (Department for General Assembly and Conference Management): There is a request from a Member State for a recorded vote on a part of a paragraph of a draft resolution before the General Assembly. There being such a request, it is my understanding that there is no consensus on that paragraph of the draft resolution. There is a request from a Member State for a vote that apparently will, should it be successful, modify paragraph 23 of this draft resolution. I cannot comment on the substance of the words that the Member State has requested to be put to the vote. As a result of the vote, the paragraph may be changed or not. Should the vote result in the paragraph being changed, then the paragraph will have a different text from what is currently in paragraph 23 of draft resolution A/64/L.26.

The President: I call on the representative of Canada on a point of order.

Mr. Normandin (Canada): I am still seeking a clarification under the point of order. If a delegation does not agree with a proposed paragraph, should it not be proposing an amendment, such that then we would be voting on the clear amendment? Is that not the normal procedure?

The President: I will ask one of the representatives who asked for the recorded vote. I would ask the representative of Syria whether he meant that he would like to propose an amendment or just to put these words to a separate vote? Can he explain that to us?

Mr. Falouh (Syrian Arab Republic) (spoke in Arabic): My delegation has asked for a recorded vote on one part of paragraph 23 of draft resolution A/64/L.26 owing to its opposition to the wording of that paragraph, in particular regarding the selection of Israel as Chair of the Process. That is why we have asked for a recorded vote.

The President: I call on the representative of Namibia on a point of order.

Mr. Mbuende (Namibia): We, too, are trying to understand the proceedings here. I am not going to comment on the text because it reflects the historical fact that a meeting took place which selected Israel and the Democratic Republic of the Congo as Chair and Vice-Chair, respectively. That is what is reflected in the draft resolution. We are reflecting a record. We are not legislating anything. We are only saying that that is

what happened. We and 49 other countries were party to that decision, and that is the decision that is reflected here.

Be that as it may, we will return to that discussion later. The issue is that there is an objection to a historical fact. That being so, what is the alternative to that historical fact? Is there any proposal being put forward on which we are being asked to vote? One votes for a text to be deleted or retained, but we are not even sure whether we are being asked to vote to keep or to delete the text or for an alternative text.

For what purpose is the text being put to vote? Is it for a deletion? What are the alternatives? What are we waiting for? When a text is put to the vote, normally we vote for either one or other text. But, here, we have the historical fact reflected and we have not been given anything else to vote for.

We request your help, Mr. President, so that we can make our decision in terms of what we are voting for. Later on, on behalf of Namibia in its capacity as Chair and also as a country that depends largely on diamonds, I will make a statement with regard to the various extraneous issues that are being introduced, but before we come to that, maybe we need a clarification at this stage.

The President: I think the matter is clear. We are asked to vote. If the majority votes in favour of the wording of the paragraph in question staying as it is, the paragraph will stay as is. If the majority is against, or would like us to remove those words, then, later, we can see what can be done. So let us vote now, first, and then we can decide later.

I call on the representative of Israel on a point of order.

Mr. Carmon (Israel): I thank the current Chair of the Kimberley Process, the representative of Namibia, for what he said. That is exactly what we feel also. If there is a vote, the vote should be on something that is different from draft resolution A/64/L.26. If the representative of the country that wants to bring something to a vote would like a vote, it should be on something that is either deleted or changed, but not on the draft resolution.

We would definitely ask for a clarification or maybe some legal advice on this matter. We feel very uneasy having to vote on something that is in the draft resolution.

The President: I once again give the floor to the representative of the Secretariat to explain. Perhaps he can convince representatives.

Mr. Botnaru (Department for General Assembly and Conference Management): Thank you, Mr. President. Rule 89 of the rules of procedure was mentioned. Let me read out rule 89:

“A representative may move that parts of a proposal or of an amendment should be voted on separately. If objection is made to the request for division” — which may be the case today — “the motion for division shall be voted upon. Permission to speak on the motion for division shall be given only to two speakers in favour and two speakers against. If the motion for division is carried,” — here there is a proposal to delete some words from the paragraph — “those parts of the proposal or of the amendment which are approved shall then be put to the vote as a whole. If all operative parts of the proposal or of the amendment have been rejected, the proposal or the amendment shall be considered to have been rejected as a whole.”

That means that if those words from paragraph 23 of draft resolution A/64/L.26 are adopted, paragraph 23 stays as it is and the General Assembly can proceed to adopt draft resolution A/64/L.26 as a whole without a vote.

I hope that that clarifies the matter.

The President: I think that that is clear. Let us proceed.

I call on the representative of the United States of America on a point of order.

Mr. DeLaurentis (United States of America): Once again, we are a little confused as to what the procedures are. We believe that the questions posed by the representatives of Canada, Namibia, Israel and others with respect to the procedure that is under way are very appropriate. We still have not heard what the amendment is that we are voting on, and we would respectfully request a legal opinion on this matter.

The President: We will now suspend the meeting for 15 minutes to seek the advice of the Legal Adviser.

The meeting was suspended at 11.30 a.m. and resumed at 12.10 p.m.

The President: After consultation with the legal adviser, we would like to offer a clarification. The Syrian Arab Republic has requested a separate vote on part of operative paragraph 23 of draft resolution A/64/L.26, in accordance with rule 89 of the Assembly's rules of procedure, as is the right of any Member State.

Pursuant to that request, we will now proceed to the separate vote on the words in question in operative paragraph 23. Under the separate vote, a vote in favour means that the words in question will remain in the draft resolution; a vote against means that the words in question will be deleted. After that, the General Assembly will take action on the draft resolution as a whole.

The General Assembly will now therefore take a decision on the wording of operative paragraph 23 of the draft resolution: "and takes note that the Process has selected Israel as Chair and the Democratic Republic of the Congo as Vice-Chair of the Process for 2010". A recorded vote has been requested.

I call on the representative of the Syrian Arab Republic on a point of order.

Mr. Ja'afari (Syrian Arab Republic) (*spoke in Arabic*): I have asked to speak on a point of order, in accordance with the rules of procedure, in order to clarify the matter on which we are expected to vote.

We noticed that there was some misunderstanding among some of our colleagues. Our request pertains only to the request to vote on the deletion of a minor part of paragraph 23, not an entire sentence. What we requested, specifically, was the deletion of the following words from paragraph 23: "Israel as Chair and". The amended sentence would read as follows:

"Acknowledges with great appreciation the important contribution that Namibia, as Chair of the Kimberley Process in 2009, has made to the efforts to curb the trade in conflict diamonds, and takes note that the Process has selected the Democratic Republic of the Congo as Vice-Chair of the Process for 2010".

This was what we requested, not that the entire sentence be deleted.

The reason for this, as everyone knows, is that my country's delegation highly appreciates Namibia's Kimberley Process chairmanship for this year. Namibia

is a friendly State that we greatly esteem. We ask that there be no misunderstanding of what we ask and desire to achieve. What we really want is that no mention be made of Israel for reasons that are no secret to anyone and that are primarily concerned with Israel's malignant role in the world diamond trade in general, and in Africa in particular.

As you know, Mr. President, and as the Legal Adviser has stated, the rules of procedure allow for a vote on any phrase or word in any draft resolution.

The President: I call on the representative of Egypt on a point of order.

Mr. Attiya (Egypt): I wish to clarify something, because I think that what was read out earlier as the amendment proposed by Syria was different from what was explained just now by the Syrian representative. We have to be clear beforehand on what has been decided and what we are voting on. To my delegation, this is a clear amendment.

The President: I call on the representative of Israel on a point of order.

Mr. Carmon (Israel): I would like to associate my delegation with what the representative of Egypt said. Until the meeting was suspended, the vote was on one thing: an affirmative reiteration of what is written in the draft resolution. What we just heard a few moments ago from one particular representative was something else: the request of that representative to delete something. I think we deserve to know what we are voting on.

The President: The representative of Israel is impatient and should have waited. The vote will be on what was decided before the suspension.

A recorded vote was taken.

In favour:

Albania, Andorra, Angola, Argentina, Australia, Austria, Bahamas, Barbados, Belarus, Belgium, Benin, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Burundi, China, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, El Salvador, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Haiti, Hungary, Iceland, India, Ireland, Italy, Jamaica, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malawi, Malta, Mexico,

Monaco, Montenegro, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Norway, Panama, Peru, Philippines, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, San Marino, Senegal, Serbia, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Suriname, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Zambia, Zimbabwe

Against:

Democratic People's Republic of Korea, Iran (Islamic Republic of), Lebanon, Libyan Arab Jamahiriya, Somalia, Syrian Arab Republic

Abstaining:

Algeria, Bangladesh, Bolivia (Plurinational State of), Botswana, Brunei Darussalam, Cambodia, Chile, Comoros, Egypt, Indonesia, Kuwait, Malaysia, Maldives, Mauritania, Nigeria, Sudan, United Arab Emirates, Venezuela (Bolivarian Republic of)

The original wording of operative paragraph 23 of draft resolution A/64/L.26 was retained by 90 votes to 6, with 18 abstentions.

The President: The Assembly will now take a decision on draft resolution A/64/L.26, entitled "The role of diamonds in fuelling conflict: breaking the link between the illicit transaction of rough diamonds and armed conflict as a contribution to prevention and settlement of conflicts". May I take it that the General Assembly decides to adopt draft resolution A/64/L.26?

Draft resolution A/64/L.26 was adopted (resolution 64/109).

The President: I shall now call on those representatives who wish to speak in explanation of position on the resolution just adopted. May I remind delegations that explanations of vote or position are limited to 10 minutes and should be made by delegations from their seats.

Mr. Lidén (Sweden): I have the honour to speak on behalf of the European Union.

As the representative of the European Union delegation stated earlier during the debate, the European Union attaches great importance to the

Kimberley Process. This initiative allows the international community to act in a transparent and coordinated manner to eradicate the trade in conflict diamonds. It is imperative that the Kimberley Process remain independent and consensual.

The European Union values the support that the United Nations can lend to the Kimberley Process. Unfortunately, there seems to be a trend to politicize this issue when it is addressed by the General Assembly. This might undermine the work to ensure that diamonds fund peace and development rather than conflict.

Resolution 64/109 adopted today does not provide for the kind of support that the Kimberley Process needs from the General Assembly. The text does not accurately reflect the discussions that took place during the Kimberley Process plenary session of 2 to 5 November in Swakopmund, Namibia. In particular, we regret the fact that no reference is made to the continuing challenges faced by Zimbabwe in implementing the Kimberley Process Certification Scheme. The plenary adopted an administrative decision and an workplan to address the outcome of the review mission to Zimbabwe, which had found credible indications of significant non-compliance with the minimum requirements of the Certification Scheme.

Mr. Hackett (Barbados), Vice-President, took the Chair.

The European Union also wishes to underline its regret that the election of the new Chair and Vice-Chair of the Kimberley Process was not welcomed in accordance with customary practice. The European Union warmly welcomes Israel as the upcoming Chair and the Democratic Republic of the Congo as Vice-Chair of the Kimberley Process for 2010.

Mr. Normandin (Canada): The purpose of United Nations resolutions on the role of diamonds in fuelling conflicts has been to provide a comprehensive review and update of the main items of discussion and decisions adopted at the Kimberley Process sessions in a given year. Canada has joined consensus in order to support the Kimberley Process, but is disappointed that this year's resolution 64/109 does not accurately reflect the work of the Kimberley Process in 2009. Canada takes issue with two points.

First, the main item on the Kimberley Process agenda this year was Zimbabwe. A review mission, led

by Liberia, took place in June and July and found “credible indications of significant non-compliance” (A/64/559, *attachment I, para. 13*) with the minimum requirements of the Certification Scheme. This language is taken from the communiqué agreed to by Zimbabwe in Namibia. The review team also confirmed consistent reports of human rights abuses related to diamond production at Marange. The Kimberley Process adopted a workplan for immediate and urgent implementation by Zimbabwe. Regrettably, the resolution ignores this key development.

Secondly, Canada does not support the resolution’s wording on the current and upcoming chairmanships. Israel was a consensus choice for Vice-Chair and then Chair of the Kimberley Process, and resolutions have traditionally welcomed the incoming Chair. This resolution should have done this. For these reasons, Canada was not able to co-sponsor this resolution.

Mr. Sumi (Japan): Japan strongly supports the Kimberley Process. We appreciate the role of the Kimberley Process Certification Scheme in helping to ensure the effective implementation of Security Council resolution 1459 (2003) to combat trafficking in conflict diamonds and establish a mechanism for the prevention of future conflicts. Japan recognizes the high importance of the Kimberley Process for the settlement of conflicts and the advancement of peace and security in the world. We also support the Kimberley Process offers of assistance to help those participants experiencing temporary difficulties in complying with the requirements of the Kimberley Process Certification Scheme to overcome their challenges. Japan continues to encourage those countries to engage in the Process.

Japan thanks all of those who participated in the active discussions to formulate the resolution this year under the Chair of the Kimberley Process. We regret only that we could not complete our discussions and reach consensus. It is Japan’s hope to continue to play an active role in support of the Kimberley Process.

We take this opportunity to express our appreciation to Namibia, the outgoing Chair, and to welcome Israel as Chair and the Democratic Republic of the Congo as Vice-Chair. We look forward to cooperating with them and other members of the Kimberley Process to further improve the Process.

Mrs. Baeriswyl (Switzerland) (*spoke in French*): Switzerland thanks Namibia for its valuable work as Chair of the Kimberley Process over the past year. Switzerland is deeply committed to the process, which has a positive impact in reducing the role of conflict diamonds in fuelling armed conflict and in helping to protect legitimate trade.

With regard to resolution 64/109, Switzerland is disappointed with its content. We are convinced that a better outcome for all parties could have been reached, and fear that, with the omission of references to Zimbabwe, the image of the Kimberley Process will be damaged and work on future such resolutions will become even more difficult. This was a squandered opportunity to address some of the major challenges facing the Kimberley Process.

Furthermore, we feel that the role of the private sector and civil society has not been adequately reflected. In that context, although we joined consensus, we did so with a sense that the international community had not entirely fulfilled its duty.

Allow me to reiterate Switzerland’s appreciation for the valuable accomplishments of the Namibian Chair. We welcome and congratulate Israel as the incoming Chair and the Democratic Republic of the Congo as the Vice-Chair, and wish them a challenging and successful year that we hope will take the Kimberley Process one step forward.

Mr. McLay (New Zealand): New Zealand takes this opportunity to explain its position on resolution 64/109 on the role of diamonds in fuelling conflict. New Zealand joined consensus on the resolution because we strongly support the Kimberley Process. We are disappointed, however, that language on Zimbabwe, in particular, was removed from the resolution, and it was for this reason that we did not co-sponsor. We are concerned at the situation in Zimbabwe, which was found to be non-compliant with the minimum standards of the Kimberley Process.

We welcome Israel as the incoming Chair of the Kimberley Process and look forward to working with them. We also look forward to constructive and consensus-based negotiations on this resolution next year.

Finally, New Zealand expresses concern at the procedural confusion — I could use stronger

language — that preceded the adoption of this resolution.

Mr. Rose (Australia): Australia, as a strong supporter of the Kimberley Process, traditionally co-sponsors the resolution thereon. We consider it important that the General Assembly be appraised of the work of the Kimberley Process in its efforts to curb the trade in conflict diamonds.

Unfortunately, this year's resolution 64/109 falls short in two respects and does not accurately reflect proceedings within the Kimberley Process. For that reason, we have been unable to co-sponsor the resolution.

First, we regret that we were not able to agree a consensus reference to the situation in Zimbabwe. At its session last month, the Kimberley Process plenary adopted an administrative decision on the state of compliance with the minimum requirements of the Kimberley Process Certification Scheme by Zimbabwe. The plenary adopted a joint workplan for implementing the recommendations of the July review mission to Zimbabwe and welcomed Zimbabwe's commitment to urgently starting implementation of the joint workplan, while calling upon participants to support the plan. Regrettably, the resolution ignores that reality.

Secondly, we regret that the resolution was not able to welcome the selection of Israel as Chair and the Democratic Republic of the Congo as Vice-Chair of the Kimberley Process for 2010. As mentioned by Canada, on behalf of Canada, Australia and New Zealand in our debate on this item earlier this morning, we would like to welcome Israel as the incoming Kimberley Process Chair and we look forward to working with them to enhance the effectiveness and implementation of the Kimberley Process in the year ahead.

I would also like to take this opportunity to express our view that it was unfortunate that a delegation that had participated actively and constructively in the informal consultations on this Process waited until the day of action to voice its opposition to a paragraph of what we understood to otherwise be a consensus resolution. That opposition has nothing to do with the role of diamonds in fuelling conflict, but was designed solely to bring extraneous issues unnecessarily into our consideration of this agenda item.

Ms. Ross (United States of America): The United States strongly supports the Kimberley Process, and we warmly welcome and look forward to working closely with Israel as it assumes the chairmanship and with the Democratic Republic of the Congo as it assumes the vice-chairmanship of the Kimberley Process in 2010.

The Governments, industry and civil society organizations engaged in the Kimberley Process deserve recognition for six years of collective efforts in preventing diamonds from being used to fund conflict. The Kimberley Process monitored over \$39 billion in the rough diamond trade in 2008, enabling the international community to work together to help ensure stability in diamond-producing countries and head off potential future conflicts.

The unique multi-stakeholder approach, in which Governments, the diamond industry, and civil society have worked together in the Kimberley Process to monitor and control the rough diamond trade, is now a model for other efforts to combat resource-based conflict. The Kimberley Process demonstrates that when Governments work together with the private sector and civil society organizations, we can ensure that the legitimate trade in diamonds helps countries reduce poverty, promote transparency and economic development, combat smuggling and money-laundering, and meet Millennium Development Goals.

We note a number of achievements by the Kimberley Process in 2009, including the establishment of measures for enhanced cooperation on law enforcement and for the sharing of critical Kimberley Process data with the United Nations. We note that the Kimberley Process continued efforts this year to control illicit diamond flows from Côte d'Ivoire, and we welcome efforts by Liberia to facilitate regional cooperation to address those illicit flows.

We also welcome progress made regarding increased oversight of exports from Guinea. The actions related to Guinea underscore the importance of the different bodies of the Kimberley Process working together to address critical issues. In the Guinea example, three working groups collaborated for many months to analyse trade statistics and other data to reach what we hope are credible conclusions and identify specific mechanisms to remedy the problems.

However, notwithstanding those positive developments, the United States has serious concerns

about Zimbabwe's non-compliance with the minimum requirements of the Kimberley Process, particularly in relation to smuggling and grave violence in and around the Marange diamond fields. As noted by the report of the review mission that travelled to Zimbabwe in late June 2009,

“When a participant fails to fulfil the obligations it that has committed itself to and satisfactorily adhere to the minimum requirements for compliance, the objectives of the Kimberley Process Certification Scheme are undermined.”

The United States remains strongly committed to the goals and the work of the Kimberley Process. As a result, we continue to expect full and expeditious implementation of the stringent controls that were agreed to by Zimbabwe during the recent plenary. That implementation is needed to address serious non-compliance in Zimbabwe and to help restore the credibility of the Kimberley Process, which we acknowledge has been damaged during 2009.

We thus note our serious concerns that Zimbabwe was not willing to reiterate its commitment to its own agreements and the integrity of the Kimberley Process through resolution 64/109. We regret that language reflecting that concern has not been included in the text of the resolution. Nevertheless, the United States joined consensus on the resolution in view of the importance that we attach to the Kimberley Process.

Further, we look to Zimbabwe's neighbours, international trading centres and the diamond industry to redouble their efforts against illicit diamonds from the Marange region in order to give the decision agreed to by Zimbabwe and the rest of the Kimberley Process a chance to succeed, and to bring the smuggling, violence and human rights violations there to an end.

In that light, we welcome the positive efforts of civil society organizations within the Kimberley Process to make more formal the need for the respect for human rights in the administration of participants' diamond mining sectors, given that the Kimberley Process itself was created to mitigate such abuses in nations facing conflict or internal strife.

The United States supports donor efforts to provide technical and development assistance to help Kimberley Process participants and candidate countries to strengthen their internal controls. One of the best ways to promote stability in diamond-producing

countries is to foster Kimberley Process Certification Scheme controls at the same time as we support development opportunities for mining communities.

Mr. Carmon (Israel): As the current Vice-Chair and the incoming Chair of the Kimberley Process, let me start by thanking all those delegations that have genuinely and warmly welcomed Israel's initiation, starting in January, as Chair. This morning, that was heard again and again in this Hall through the various deliberations that we have participated in, and I think that no further elaboration on that theatre need to be made at this stage.

Resolution 64/109, which the Assembly has adopted today, contains certain deficiencies and omissions that remain a serious cause for concern. First, the credible evidence on non-compliance with the Kimberley Process Certification Scheme by Zimbabwe, as noted in the Swakopmund communiqué of 5 November 2009, is of deep concern. The ongoing problems related to the Marange diamond fields, in particular, merit attention. However, the omission of any reference in the resolution to Zimbabwe is professionally troubling.

Secondly, Israel regrets the efforts of some States to use this important professional issue to promote a politicized agenda. What we have seen here today, unfortunately, is a gap between two worlds — the real world and a politicized General Assembly that overlooks historical facts, as the current Chair of the Kimberley Process, the representative of Namibia, has indicated. That was done, as we all witnessed, only for politicized reasons, and not because of any real worries about black diamonds, which is the issue at stake. In order to make the resolution relevant, its drafters would have done better to reflect the real-world Kimberley Process communiqué of November 2009 instead of succumbing to politicization.

For the aforementioned reasons, Israel did not co-sponsor the resolution as drafted, although we did join consensus.

One more comment from the real-world Kimberley Process is that the world is very lucky to have a real Kimberley Process in which real concerns are met. Israel, as the incoming Chair of the Process, is prepared to assume, as I have mentioned, greater responsibility so that we can continue to contribute in a positive manner towards a more comprehensive and effective implementation of the Kimberley Process.

Mr. Ja'afari (Syria) (*spoke in Arabic*): The General Assembly has just adopted by recorded vote resolution 64/109, entitled, "The role of diamonds in fuelling conflict: breaking the link between the illicit transaction of rough diamonds and armed conflict as a contribution to prevention and settlement of conflicts."

The title of the resolution indicates the great importance of this issue for our peoples, countries and Member States because it is very closely linked, on the one hand, to the illicit and dangerous trade in rough diamonds and, on the other, to attempts to fuel conflict in Africa. Therefore, I believe we need to understand the position of Syria and other countries that have just expressed their opinion in full transparency.

We regret that the General Assembly was not able to adopt Syria's proposal, which would have enabled us to reach true consensus on the resolution. The main goal of the resolution, as we understand it, is to prevent the illicit trade in rough diamonds that contributes to the exacerbation of conflict in diamond-producing countries, an aim which is at the heart of the Kimberley Process. Another goal is to prevent the illicit exploitation of the natural wealth of peoples through transnational activity that, inter alia, deprives those countries of their wealth.

In that respect, my country has echoed the esteem unanimously expressed for this year's Chair of the Kimberley Process, Namibia, and its predominant role in implementing the goals the Kimberley Process. In so doing, we also express our support for the efforts of that brotherly African nation in fighting the illicit trade in diamonds.

However, my delegation voted against including a reference to Israel in paragraph 23 of the text because we believe that the choice of Israel to chair the Kimberley Process reflects a misreading of the noble objective outlined in the very title of the resolution. No one can ignore the fact that Israeli diamond merchants, most of whom are reserve officers in the Israeli army, exploit the diamond trade in Africa and elsewhere in order to fund subversive arms deals and promote internal strife in certain countries, including the financing and use of children in armed conflict. All of these factors fuel conflict and negatively affect peace and security in Africa.

That is what the title of the resolution warns us against. The final report of the Group of Experts on Côte d'Ivoire (see S/2009/521) underscores very

clearly the involvement of Israel in the illicit export of rough diamonds from Côte d'Ivoire. Paragraph 253 of that report, in fact, highlights the fact that the Group of Experts is firmly convinced that the Israeli authorities are able to provide "vital information relevant to the Group's investigations into the trade of Ivorian rough diamonds". The Group of Experts has asked, among other things, that Israel carry out a full investigation of the possible involvement of some of its citizens and their partners in the illicit trade of Ivorian diamonds.

In paragraph 327 of the report, the Group expresses its belief that

"it is also worth noting that Mr. Freund's family, notably his father, Shimon Freund, also operates a rough diamond business based in Ramat Gan, Israel. Company X of Youri Freund (the son) regularly exports diamonds from Liberia to Mr. Shimon Freund (the father)".

We are surprised that the General Assembly would adopt a resolution that contradicts the report of another important body of the United Nations — the Group of Experts on Côte d'Ivoire — that deals with the illicit trade in rough diamonds there.

As all members know, the title of the resolution refers to breaking the link between the illicit transaction of rough diamonds and armed conflict. This is exactly what most neutral observers know about the world diamond trade. It was also made very clear to the international community in the film *Blood Diamond*, an objective portrayal that illustrates the accuracy of our position, which is shared by a great number of countries. The internationally confirmed involvement of Israel in the illicit trade in diamonds and arms promotes international terrorism and protects drug gangs and separatist movements in Africa.

The Acting President: I remind the representative of the Syrian Arab Republic that he exceeded the 10-minute limit on explanations of position.

Ms. Medina-Carrasco (Bolivarian Republic of Venezuela) (*spoke in Spanish*): At the outset, the delegation of Venezuela wishes to congratulate and thank Namibia for its direction of the Kimberley Process during its chairmanship. We would also like to congratulate the Democratic Republic of the Congo on having been elected Vice-Chair of that mechanism.

My delegation has taken the floor although we had not planned to speak in explanation of position, because, as a co-sponsor of resolution 64/109, we are truly alarmed at the politicization of this mechanism, which is supposed to be a voluntary mechanism of cooperation among a group of countries, including my own, to serve the cause of mitigating any factors that contributes to conflict in Africa. This morning, however, we have seen certain delegations — not all but some — take the floor claiming to be the guarantors of the mechanism by pointing their fingers at other countries. We believe that this is totally unacceptable. That is why we abstained in the voting on paragraph 23.

Another factor that compelled us to change our position is precisely that pointed out earlier by the representative of Syria, which we feel to be of the utmost importance. Clearly, the mechanism will have to meet to determine whether there is a conflict of interest between the chairmanship being exercised by the country that is being questioned and the legitimate objectives of the mechanism. I shall transmit this information immediately to my Government.

We know that the major producers of diamonds, which control the largest transnational diamond operations, also have serious responsibilities in this matter. Unfortunately, we fear that the Kimberley Process, if it is not revised, is going to lose its teeth and its legitimacy, which is founded on the endorsement of those responsible countries that make up the great majority of its participants.

The Acting President: I now give the floor to the representative of Zimbabwe, who has asked to speak in exercise of the right of reply.

Mr. Chidyausiku (Zimbabwe): We are very pleased that we have been able to adopt resolution 64/109 by consensus, and we are very grateful to the chairmanship of Namibia. They have done a splendid job in getting the resolution adopted.

This morning we have witnessed a charade committed by a number of countries that think they are the guarantors of the Kimberley Process, making reference to Zimbabwe in terms of non-compliance. We are of the view that, if we are talking of non-compliance, we should look at it from a global perspective. Zimbabwe is very much a victim. Our diamonds are being smuggled, fraudulently certified and finding markets in Israel, Canada, Antwerp, the

United States and elsewhere. So if we are talking about compliance, let it be global. Do not point the finger just at Zimbabwe. We are victims.

We are committed to the Kimberley Process, and we know that we can safeguard our resources if we comply with the Process. We were in Swakopmund. We agreed to a plan within the Kimberley Process. The countries that are trying to bring the issue of Zimbabwe into the General Assembly are trying to incorporate technical issues into a resolution of the General Assembly. The communiqué that we agreed to in Swakopmund is on record, and there is no reason why people would want to repeat in the resolution what is already in the communiqué. There is no added value to that.

So I want to remind those that have been pointing fingers at Zimbabwe that if there were no buyers of illicit diamonds in the world — in the United States, in Canada, in Israel — there would be no trade for those diamonds. If it is a question of compliance, let us look at compliance from a holistic point of view, rather than seek a scapegoat for political reasons.

The Acting President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 12?

It was so decided.

The Acting President: In view of the lateness of the hour, the Assembly will consider sub-item (b) of agenda item 70, “Assistance to the Palestinian people” and agenda item 115, “The United Nations Global Counter-Terrorism Strategy”, originally scheduled for today’s meeting, on Wednesday 16 December in the morning.

The President in the Chair.

Programme of work

The President (*spoke in Arabic*): I would like to draw members’ attention to two matters. The first has to do with extending the work of the Fifth Committee. Members will recall that, at its 2nd plenary meeting, on 18 September 2009, the General Assembly approved the recommendation of the General Committee that the Fifth Committee would complete its work by Friday, 11 December 2009. However, I have been informed by the Chairman of the Fifth Committee that the Committee will not be able to finish its work by today, Friday, 11 December.

May I therefore take it that the Assembly agrees to extend the work of the Fifth Committee until Friday, 18 December?

It was so decided.

The President (*spoke in Arabic*): The second matter concerns the date of the recess of the current session of the General Assembly. Members will recall that at its 2nd plenary meeting, the Assembly decided that the sixty-fourth session would recess on Tuesday,

15 December 2009. However, in view of the work that remains to be done for this part of the session, I would like to propose to the Assembly that it postpone the date of recess of the current session to Tuesday, 22 December.

If there is no objection, may I take it that the Assembly agrees to that proposal?

It was so decided.

The meeting rose at 1 p.m.