

RESTRICTIONS ON DIAMONDS

RELATED ARTICLE: ARTICLE 3p OF COUNCIL REGULATION NO. 833/2014
FREQUENTLY ASKED QUESTIONS – AS OF 20 DECEMBER 2024

1. What is the diamond import ban?

Last update: 22 December 2023

On 6 December 2023, building on the statements of February and May 2023, the Leaders of the Group of Seven (G7) agreed to introduce import restrictions on non-industrial diamonds, mined, processed, or produced in Russia, by 1 January 2024, followed by further phased restrictions on the import of Russian diamonds processed in third countries targeting 1 March 2024.

The EU sanctions on Russian diamonds contained in the 12th sanctions package (Article 3p of Council Regulation No. 833/2014) are part of this concerted G7 effort to introduce an internationally coordinated diamond ban, that aims at depriving Russia of this important revenue stream estimated at EUR 4 billion per year, of which approximately EUR 1.5 billion are annual imports into the EU.

A ban is only effective if a major part of the world's diamond retail market implements such a ban. To this end, the Commission has been engaging with G7 countries and other key partners, including industry, with the aim of designing and ensuring the effective implementation of coordinated restrictive measures, including through tracing technologies.

2. What are the different stages of the diamond ban?

Last update: 20 December 2024

Article 3p of Council Regulation No. 833/2014 prohibits the purchase, import, or transfer of Russian non-industrial diamonds in several stages:

- Since 1 January 2024, diamonds (natural and synthetic) and products incorporating diamonds (jewellery) listed in Parts A, B and C of Annex XXXVIII A of Council Regulation No. 833/2014 are banned if they originate in Russia or have been exported from Russia. The same applies to such goods (of any origin) if they transited through Russia;
- Since 1 March 2024, the prohibition applies also to Russian natural diamonds as listed in Part A of Annex XXXVIII A that have been processed in a third country, consisting of Russian diamonds equal to or above 1.0 carats per diamond;
- Since 1 September 2024, the prohibition applies also to Russian natural and synthetic diamonds (all products listed in Parts A and B of Annex XXXVIII A) that have been processed in a third country, consisting of or incorporating diamonds originating in

Russia or exported from Russia with a weight equal to or above 0.5 carats or 0.1 grams* per diamond.

- The entry into force of the prohibition on jewellery (all products listed in Part C of Annex XXXVIII A) incorporating Russian diamonds processed in third countries (other than Russia), initially planned for 1 September 2024, has been postponed. On 24 June 2024, the Council adopted Council Regulation (EU) 2024/1745 (the 14th sanctions package) postponing the application of this measure (Article 3p, new paragraph 4). The date of entry into force of such a ban has not been set yet, as it depends on what the Council decides in view of action taken within the G7 to pursue that measure.

* Synthetic diamonds are measured in grams in the Combined Nomenclature (1 carat = 0.2 grams)

3. Do the thresholds of 1.0 carats and 0.5 carats refer to the weight of the diamond before it is polished, or after?

Last update: 22 December 2023

The weight thresholds apply equally to rough and polished diamonds at the time of importation into the Union.

4. Is diamond jewellery incorporating Russian diamonds banned?

Last update: 20 December 2024

It depends on the origin of the jewellery or whether it has been exported or transited Russia.

As of 1 January 2024, it is prohibited to purchase, import, or transfer jewellery incorporating Russian diamonds as listed in Part C of Annex XXXVIII A of Council Regulation No. 833/2014 if it originates in Russia or has been exported from Russia (Article 3p, paragraph 1). The same applies to jewellery incorporating diamonds of any origin that transited through Russia (Article 3p, paragraph 2).

A ban on jewellery that has been processed in a third country, incorporating diamonds originating in Russia or exported from Russia with a weight equal to or above 0.5 carats or 0.1 grams per diamond, was supposed to enter into force as of 1 September 2024. On 24 June 2024 the Council adopted Council Regulation (EU) 2024/1745 (part of the 14th sanctions package) and postponed the entry into force of this measure. The date of entry into force of such a ban has not been set yet, as it depends on what the Council decides in view of action taken within the G7 to pursue that measure. A new Regulation determining the date of the entry into force of such a ban will have to be adopted by the Council (Article 3p, new paragraph 4).

Furthermore, there is a ban on gold jewellery (Article 3o) and precious metal jewellery (Article 3i) from Russia.

5. Can I travel with diamond jewellery to and from Russia?

Last update: 22 December 2023

Yes, the prohibition of Article 3p does not apply to jewellery incorporating Russian diamonds for personal use of natural persons travelling to the European Union or of their immediate family members travelling with them, as long as it is owned by those individuals and not intended for sale.

A similar exemption also applies to the gold ban of Article 3o and to the ban on exports of diamond jewellery included in the luxury goods list in Annex XVIII of Council Regulation No. 833/2014 (Article 3h).

6. Does the prohibition of Article 3p also apply to restricted goods that are already within the territory of the Union before entry into force of the relevant restrictive measures?

Last update: 20 December 2024

As for all other restrictive measures prohibiting the import, transfer or purchase, (see in this regard Q.3 of the IMPORT, PURCHASE & TRANSFER OF LISTED GOODS) the restriction envisaged in Article 3p of Council Regulation No. 833/2014 does not concern goods which are already released for free circulation within the territory of the Union (i.e. usually already placed on the market) at the time when the respective measure enters into force. For goods already in the Union but not yet released for free circulation, the provisions of Article 12e of Council Regulation No. 833/2014 apply.

For diamonds that are exported and wish to re-enter the EU, please refer also to Questions 12 on documentation and 15 on grandfathering.

7. What sanctions other than Article 3p affect diamonds in Council Regulation No. 833/2014?

Last update: 22 December 2023

The EU already added the imports of synthetic diamonds from Russia to the import bans on 6 October 2022 (Article 3i of Council Regulation No. 833/2014).

In addition, there is a ban to import, transfer, and purchase gold jewellery as of 22 July 2022 (Article 3o) and precious metal jewellery (Article 3i) from Russia (added on 6 October 2022). To the extent diamonds are set in those products they are covered.

Diamonds and jewellery are subject to an export ban of luxury goods to Russia if the value is at least 300 EUR (Article 3h and Sections 10 and 18 of Annex XVIII). This includes for example synthetic/reconstructed diamonds, diamond dust and diamond jewellery, and some other luxury products, such as watches whether or not incorporating diamonds.

8. What is the traceability-based verification and certification mechanism for rough diamonds?

Last update: 20 December 2024

The EU will establish a robust traceability-based verification and certification mechanism for diamonds within the G7 as of 1 March 2025 (the ‘G7 Certification Scheme’).

Optional G7 certification of rough diamonds started on 1 March 2024 based on documentary evidence proving the origin of the diamond(s) upon importation.

The traceability-based verification once mandatory on 1 March 2025 applies to diamonds of a carat weight above a certain threshold (0.5 carats or above). For imports into the Union during the so-called “sunrise period” between 1 March 2024 and 28 February 2025, please see Questions 12 and 15 below.

While several scenarios exist, in principle, information identifying a rough diamond will first be onboarded (registered) into a traceability platform in the producer country. Once the rough diamond arrives at the G7 import node, a verification, including a physical check of the diamond, is performed by the competent authorities. In addition, a blockchain-based G7 ledger (‘the distributed ledger’) will query validated traceability systems to obtain already existing information about the diamond to be imported in a G7 jurisdiction. A G7 certificate is then issued and added to the G7 ledger after successful verification.

The system of G7 certification is operational as of 1 March 2024 in a pilot phase. The system of G7 certification was intended to be fully operational as of 1 September 2024. On 24 June 2024 the Council adopted Council Regulation (EU) 2024/1745 (part of the 14th sanctions package) and extended the duration of the pilot phase until 1 March 2025.

During the ‘sunrise period’, economic operators can choose to use either the traceability-based certification or other evidence when importing into the Union (for further details regarding accepted evidence proving the non-Russian origin see Question 12 below). As of 1 March 2025, the use of the traceability-based mechanism will be mandatory for imports of diamonds with a weight of 0.5 carats or above.

The G7 Certification Scheme works by using and expanding on existing tracing technologies and controls. Producers of diamonds will be able to onboard the required information to the traceability platform, which is then verified through the distributed ledger and certified at the G7 import node (for further details on the import node for rough diamonds, see Question 9).

The blockchain-based G7 ledger is a standalone software ledger accessible to competent authorities and will be interoperational with several existing solutions facilitating the G7 Certification Scheme.

9. What do I need to know before I plan to import rough diamonds into the Union?

Last update: 20 December 2024

Importers shall provide evidence of the country of mining origin of the diamonds if the diamonds are above a certain carat weight as follows:

On 1 March 2024, all rough diamonds (CN codes 7102 31 00 and 7102 10 00) of 1.0 carats or above entering the EU market were required to pass through a so-called ‘rough import node’, located in Antwerp (Belgium) for initial verification (including physical check) and certification. Belgium already today handles 99.99% of the EU’s import of rough diamonds. Since 1 September 2024, the threshold was lowered to 0.5 carats or above.

The Authority for the verification of diamonds (listed in Annex XXXVIII B) is the following:

Federal Public Service Economy at the Diamond Office

Hoveniersstraat 22

B-2018 Antwerpen

Belgium

A G7 certificate identifying the diamond is issued in the rough node.

The verification at the importation of polished diamonds is intended to be based on the G7 certificates that follow the rough diamond through the production/polishing process.

For imports into the Union during the so-called “sunrise period” between 1 March 2024 and 28 February 2025, please see Questions 12 and 15 below.

10. What is the link with Kimberley Process (KP) certification?

Last update: 20 December 2024

The KP has a key role to play in controlling rough diamonds and ensuring that they are conflict free. The sanctions on natural Russian diamonds apply to both rough and polished, diamonds with the exception of non-industrial diamonds. The system of implementation of the sanctions on diamonds will complement KP certification and verifications.

The control measures of the ban on Russian diamonds are implemented in phases. Since 1 January 2024 the use of KP certificates is accepted as evidence of country of origin for imports of rough diamonds. Since 1 March a certification system issuing G7 certificates is in use, but KP certificates will still be accepted as evidence of country of origin if no Russian diamonds are mixed with other origins. While mixed parcels will be accepted, as the certificates for such parcels not always disclose the origin, it is therefore needed to provide, in addition to the KP certificate, evidence proving that diamonds, over the weight threshold, are of non-Russian origin. As of 1 March 2025, the obligation to use the G7 traceability and certification system for rough diamonds will be mandatory under the EU’s restrictive measures. The KP certification requirements will continue to apply. However, as of 1 March

2025, only KP certificates with single origin or De Beers DTC mixed origin, will be accepted (see Question 12).

11. Where can I find the list of goods covered by the diamond ban of Article 3p?

Last update: 20 December 2024

The goods subject to the diamond ban are listed in Annex XXXVIII A of Council Regulation No. 833/2014:

Part A

	CN code	Description
	7102 10	Unsorted diamonds
	7102 31	Non-industrial diamonds, unworked or simply sawn, cleaved or bruted
	7102 39	Non-industrial diamonds, other than unworked or simply sawn, cleaved or bruted

Part B

	7104 21	Synthetic or reconstructed diamonds, unworked or simply sawn or roughly shaped
	7104 91	Synthetic or reconstructed diamonds, other than unworked or simply sawn or roughly shaped

Part C (currently only in force for imports into the EU coming directly from Russia or from third countries and of Russian origin)

Ex	7113	Articles of jewellery and parts thereof, of precious metal or of metal clad with precious metal, incorporating diamonds
Ex	7114	Articles of goldsmiths' or silversmiths' wares and parts thereof, of precious metal or of metal clad with precious metal, incorporating diamonds
Ex	7115 90	Other articles of precious metal or of metal clad with precious metal, incorporating diamonds, not elsewhere specified, excluding platinum catalysts in the form of wire cloth or grill
Ex	7116 20	Articles of natural or cultured pearls, precious or semi-precious stones (natural, synthetic or reconstructed), incorporating diamonds
Ex	9101	Wristwatches, pocket-watches and other watches, including stopwatches, incorporating diamonds, with case of precious metal or of metal clad with precious metal

12. What requirements do I need to consider for importation of rough or polished natural diamonds between 1 March 2024 and 28 February 2025 (“sunrise period”)?

Last update: 20 December 2024

During the “sunrise period” between 1 March 2024 and 28 February 2025 importers into the Union may provide documentary evidence for importation of both rough and polished natural diamonds into EU customs territory. Rough natural diamonds of CN codes 7102 31 00 and 7102 10 00 with a weight equal to or above 1.0 carat (since 1 March 2024) or equal to or above 0.5 carat (since 1 September 2024) need to be submitted without delay to the authority in Annex XXXVIII B (see Question 9).

To import rough or polished natural diamonds into the EU using documentary evidence, a set of minimum information is required to be prepared and available prior to, or at the time of importation.

For rough and polished natural diamonds, the following cumulative information is required to be available.

- Mining country of origin.
- Names of buyer and seller.
- CN codes and description.
- Number of parcels in a shipment.
- Weight in carat of the diamond(s) if at least one diamond (if multiple diamonds are shipped in a parcel) is of 0.5 carat or above (since of 1 September 2024).
- Value of the diamonds.
- Place of importation, exportation, and route of transportation as applicable depending on the lifecycle of the diamond(s) prior to importation in the EU.

The type of documents containing the above information required for submission with entry may vary. But it is the importer’s responsibility to ensure the documentation meets all the above information requirements. As an illustrative and non-exhaustive list, please consider the below examples of documentation.

For rough natural diamonds	For polished natural diamonds
<ul style="list-style-type: none">• KP certificates with single origin (De Beers DTC mixed origin* accepted) for diamonds at or above 0.5 carat (since 1 September 2024).	<ul style="list-style-type: none">• Signed attestation or supplier declaration confirming that none of the diamonds at or above 0.5 carat (since 1 September 2024) in the shipment are mined in Russia.

<ul style="list-style-type: none"> • KP certificates with mixed origin accompanied by documentary evidence, proving that no diamonds at or above 1.0 carat since 1 March 2024 or 0.5 carat since 1 September 2024 in the shipment are mined in Russia, are recognised during a transition period between 1 March 2024 to 28 February 2025, after which only KP certificates with single origin or De Beers DTC mixed origin* will be accepted. 	
<p>Additional documents proving the required information may include:</p>	<p>Evidence supporting the attestation or supplier declaration is mandatory and may include:</p>
<ul style="list-style-type: none"> • Customs declaration form • Invoice • Packing list • Transport documentation, e.g. waybill document • Evidence from traceability systems 	<ul style="list-style-type: none"> • Customs declaration form • Invoice • Packing list • Transport documentation, e.g. waybill document • Laboratory grading report • Evidence from traceability systems

It is recommended that importers consider using the G7 import node in Belgium (see Question 9 above) to obtain a G7 Certificate before the end of the sunrise period (28 February 2025), to support transition to the requirement starting 1 March 2025. Rough diamonds are preferably imported using single origin KP certificates. Rough diamonds imported using mixed origin KP certificates receive a G7 certificate, provided that documentary evidence demonstrates (including for imports in the EU) non-Russian provenance and origin of diamonds during the sunrise period (1 March 2024 – 28 February 2025). The documentary evidence does not apply to De Beers DTC mixed origin* KP certificates.

Additional certification nodes outside the EU such as in Canada and other diamond mining countries in Africa are under consideration to support a multi-certification node system. The aim is to make those operational as soon as possible while maintaining the integrity of the

traceability and certification system and thereby reducing the risk of Russian diamonds contaminating the supply chain.

* De Beers’ so-called ‘Botswana Sort’ diamonds are accepted because they consist of aggregated diamonds not mined in Russia (Botswana, Canada, Namibia and South Africa).

13. What documentary evidence is necessary for the importation of rough or polished synthetic diamonds?

Last update: 20 December 2024

Direct imports from Russia of synthetic diamonds are banned since 1 January 2024. Since 1 September 2024 imports of rough and polished diamonds with a weight equal to or above 0.5 carat (0.1 gram) are also banned if the synthetic diamond is manufactured in Russia and the final processing (polishing etc.) has taken place in a third country.

To import rough or polished synthetic diamonds into the EU using documentary evidence, a set of minimum information is required to be prepared and available prior to, or at the time of importation.

For rough and polished synthetic diamonds, the following cumulative information is required to be available.

- Manufacturing country of origin or signed attestation or supplier declaration confirming that none of the diamonds at or above 0.5 carat (since 1 September 2024) in the shipment have been manufactured in Russia.
- Names of buyer and seller.
- CN codes and description.
- Weight in carat of the diamond(s) if at least one diamond (if multiple diamonds are shipped in a parcel) is of 0.5 carat (0.1 gram) or above (since of 1 September 2024).
- Value of the diamonds.
- Place of importation, exportation, and route of transportation as applicable depending on the lifecycle of the diamond(s) prior to importation in the EU.

The type of documents containing the above information required for submission with entry may vary. But it is the importer’s responsibility to ensure the documentation meets all the above information requirements. As an illustrative and non-exhaustive list, please consider the below examples of documentation.

For rough synthetic diamonds	For polished synthetic diamonds
<ul style="list-style-type: none"> • Signed attestation or supplier declaration confirming that none of the diamonds at or above 0.5 carat 	<ul style="list-style-type: none"> • Signed attestation or supplier declaration confirming that none of the diamonds at or above 0.5 carat

(0.1 gram) (since 1 September 2024) in the shipment are manufactured in Russia.	(0.1 gram) (since 1 September 2024) in the shipment are manufactured in Russia.
Additional documents proving the required information may include:	Evidence supporting the attestation or supplier declaration is mandatory and may include:
<ul style="list-style-type: none"> • Customs declaration form • Invoice • Packing list • Transport documentation, e.g. waybill document • Evidence from traceability systems 	<ul style="list-style-type: none"> • Customs declaration form • Invoice • Packing list • Transport documentation, e.g. waybill document • Laboratory grading report • Evidence from traceability systems

14. What changes did the 14th package of sanctions adopted on 24 June 2024 introduce to the ban on Russian diamonds?

Last update: 20 December 2024

The following elements were added or modified in the 14th package:

- a “grandfathering” clause for stocks of diamonds held in the EU or in third countries (but outside Russia): the 14th package clarifies that diamonds that were physically located in the EU or a third country (other than Russia), or were polished or manufactured there, before the import ban on Russian diamonds entered into force, are not subject to the ban (Article 3p, new paragraphs 11 and 12).
- the possibility to temporarily import or export jewellery, for example for trade fairs or repairs (Article 3p, new paragraph 13).
- prolonging by six months (until 1 March 2025) the sunrise period during which the G7 certification is recommended to facilitate importation but remains optional. Alternatively, importers of diamonds may continue providing documentary evidence for importation of both rough and polished natural diamonds into the EU. On 1 March 2025 the full-traceability and certification scheme for imports of rough and polished natural diamonds will become mandatory (Article 3p, amended paragraph 10).
- postponing the ban on jewellery incorporating Russian diamonds processed in third countries (other than Russia), which was foreseen to enter into force on 1 September 2024. It is up to the Council to decide to activate the ban at a later stage in view of action taken within the G7 to pursue that measure (Article 3p, amended paragraph 4).

- clarification that rough diamonds imported through the Authority for the verification of diamonds (listed in Annex XXXVIII B) (i.e. Federal Public Service Economy at the Diamond Office, Belgium) do not need to be resubmitted for verification in view of certification in the case of a subsequent importation (Article 3p, amended paragraph 8).

15. Are existing stocks of diamonds subject to the restrictions on diamonds (“grandfathering”)?

Last update: 20 December 2024

No. In principle, stocks of diamonds imported before the ban on Russian diamonds are not subject to the restrictions. Non-industrial, natural, or synthetic diamonds (both rough and polished) of unknown or Russian origin that an economic operator already possessed before the date of applicability of the respective prohibitions can be grandfathered. Thus, the provenance of the diamonds is irrelevant, except for stock held in Russia which cannot be grandfathered.

For example: if an economic operator purchased diamonds of below 1.0 carat but above 0.5 carat prior to 1 September 2024 (i.e. the weight range banned for importation after 1 September 2024) those diamonds can in principle be grandfathered upon importation in the EU or prior to exportation from the EU.

However, in order to benefit from this grandfathering exception, certain conditions need to be fulfilled. These conditions differ based on the location of the goods before the date of applicability of the respective prohibitions:

A. The products were located in the Union before the prohibition and thereafter exported to a third country other than Russia (paragraph 11 of Article 3p).

Given that the exported products are now held outside of the Union, importers must provide documentary evidence proving that the products were physically located in the Union before the date of applicability of the respective prohibitions.

B. The products were located, polished or manufactured in a third country other than Russia before the prohibition (paragraph 12 of Article 3p).

Depending on the type of product, at the moment of importation into the Union, importers must provide the following evidence:

- for products falling under CN codes 7102 10 00, 7102 31 00 and 7104 21 00: evidence that the products had initially been imported into the third country before the date of applicability of the respective prohibition.

- for products falling under CN codes 7102 39 00 and 7104 91 00, as well as for products listed in Part C of Annex XXXVIII A with unknown or Russian origin: evidence that the products had been finally processed or manufactured in the third country, or had been

physically located in a processed or manufactured state in the third country before the date of applicability of the respective prohibition.

16. Where can I find more details on the grandfathering registry?

Last update: 20 December 2024

Operators registered in Belgium and holding diamond stocks in Belgium may opt to submit details of their stocks electronically to the authority listed in Annex XXXVIII B (please see Question 9) for grandfathering. Before exporting such grandfathered diamonds to third countries, they need to be physically inspected by the authority listed in Annex XXXVIII B, after which they will obtain, a GF certificate number.

Operators holding diamond stocks in other Member States may opt to obtain a GF-Certificate number prior to exportation, by submitting their shipment to the Authority listed in Annex XXXVIII B for physical inspection accompanied by documentary evidence.

Please note that registering stock in the grandfathering registry is optional. Subsequent importation into the EU of exported diamonds eligible for grandfathering can also be done using documentary evidence supporting the grandfathered status of the diamonds (see Question 15).

For details on grandfathering in Belgium please consult guidance documents containing practical details on implementation of the grandfathering, here:

<https://www.awdc.be/en/grandfathering-guidelines>

17. Will grandfathered diamonds receive a G7 certificate that I can use when exporting the diamonds?

Last update: 20 December 2024

No, grandfathered diamonds will not receive a G7 certificate. However, diamond operators may submit diamonds for registration to the authority in Annex XXXVIII B in order to receive a 'GF' (Grandfather) certificate prior to their exportation from the EU. This GF certificate can be used upon subsequent importation into the EU.

18. What is the purpose of the new paragraph 13 of Article 3p?

Last update: 20 December 2024

Paragraph 13 of Article 3p contains an exemption which will allow to import jewellery for participation in trade fairs or for the purpose of repairs.

As noted above (see Questions 2 and 4) a prohibition on jewellery incorporating Russian diamonds processed in third countries (other than Russia) is not in place yet, but Article 3p provides that such a prohibition could be decided by the Council.

In that case (if and when the Council will decide to put in place the prohibition), the new paragraph 13 of Article 3p contains an exemption which would allow to import such jewellery (or other products listed in C of Annex XXXVIII A) that was manufactured before the date of entry into force of the ban, for participation in trade fairs or for the purpose of repairs.

Until the moment that the prohibition will be put in place, the exemption does not apply.

To benefit from this exemption, the products have to be placed under the temporary admission, inward processing, outward processing or temporary export customs procedures when entering or exiting the Union. These are special customs procedures that deviate from definitive importation or exportation.

19. I have a rough diamond which has obtained a G7 certificate from the Authority for the verification of diamonds (listed in Annex XXXVIII B) (i.e. Federal Public Service Economy at the Diamond Office, Belgium) and, after exportation, I would now like to subsequently import it into the EU. Upon subsequent importation, do I need to resubmit the same diamond again for verification to the Authority?

Last update: 20 December 2024

No. However, normal customs and Kimberley Process-related verification will still apply. According to Article 3p, paragraph 8, upon subsequent importation there is no need to submit the diamond for verification and certification at the Authority in Belgium (Diamond Office). Upon subsequent importation, it is necessary however to provide traceability-based evidence, including a G7 certificate.