

Procedures Governing the Settlement of Disputes referred to in section 3511(d)(16) of this title.

(8) GATT 1994

The term “GATT 1994” has the meaning given that term in section 3501 of this title.

(9) ILO

The term “ILO” means the International Labor Organization.

(10) Import sensitive agricultural product

The term “import sensitive agricultural product” means an agricultural product—

(A) with respect to which, as a result of the Uruguay Round Agreements the rate of duty was the subject of tariff reductions by the United States and, pursuant to such Agreements, was reduced on January 1, 1995, to a rate that was not less than 97.5 percent of the rate of duty that applied to such article on December 31, 1994; or

(B) which was subject to a tariff-rate quota on August 6, 2002.

(11) United States person

The term “United States person” means—

(A) a United States citizen;

(B) a partnership, corporation, or other legal entity organized under the laws of the United States; and

(C) a partnership, corporation, or other legal entity that is organized under the laws of a foreign country and is controlled by entities described in subparagraph (B) or United States citizens, or both.

(12) Uruguay Round Agreements

The term “Uruguay Round Agreements” has the meaning given that term in section 3501(7) of this title.

(13) World Trade Organization; WTO

The terms “World Trade Organization” and “WTO” mean the organization established pursuant to the WTO Agreement.

(14) WTO Agreement

The term “WTO Agreement” means the Agreement Establishing the World Trade Organization entered into on April 15, 1994.

(15) WTO member

The term “WTO member” has the meaning given that term in section 3501(10) of this title.

(Pub. L. 107–210, div. B, title XXI, §2113, Aug. 6, 2002, 116 Stat. 1021; Pub. L. 108–429, title II, §2004(a)(19), Dec. 3, 2004, 118 Stat. 2591.)

AMENDMENTS

2004—Pars. (2), (3). Pub. L. 108–429 redesignated second par. (2), relating to Agreement on Subsidies and Countervailing Measures, as (3), substituted “3511(d)(12)” for “3511(d)(13)”, and in par. (2) relating to Agreement on Safeguards, substituted “3511(d)(13)” for “3511(d)(12)”.

CHAPTER 25—CLEAN DIAMOND TRADE

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§ 3901. Findings

Congress finds the following:

(1) Funds derived from the sale of rough diamonds are being used by rebels and state actors to finance military activities, overthrow legitimate governments, subvert international efforts to promote peace and stability, and commit horrifying atrocities against unarmed civilians. During the past decade, more than 6,500,000 people from Sierra Leone, Angola, and the Democratic Republic of the Congo have been driven from their homes by wars waged in large part for control of diamond mining areas. A million of these are refugees eking out a miserable existence in neighboring countries, and tens of thousands have fled to the United States. Approximately 3,700,000 people have died during these wars.

(2) The countries caught in this fighting are home to nearly 70,000,000 people whose societies have been torn apart not only by fighting but also by terrible human rights violations.

(3) Human rights and humanitarian advocates, the diamond trade as represented by the World Diamond Council, and the United States Government have been working to block the trade in conflict diamonds. Their efforts have helped to build a consensus that action is urgently needed to end the trade in conflict diamonds.

(4) The United Nations Security Council has acted at various times under chapter VII of the Charter of the United Nations to address threats to international peace and security posed by conflicts linked to diamonds. Through these actions, it has prohibited all states from exporting weapons to certain countries affected by such conflicts. It has further required all states to prohibit the direct and indirect import of rough diamonds from Sierra Leone unless the diamonds are controlled under specified certificate of origin regimes and to prohibit absolutely the direct and indirect import of rough diamonds from Liberia.

(5) In response, the United States implemented sanctions restricting the importation of rough diamonds from Sierra Leone to those diamonds accompanied by specified certificates of origin and fully prohibiting the importation of rough diamonds from Liberia. The United States is now taking further action against trade in conflict diamonds.

(6) Without effective action to eliminate trade in conflict diamonds, the trade in legitimate diamonds faces the threat of a consumer backlash that could damage the economies of countries not involved in the trade in conflict diamonds and penalize members of the legitimate trade and the people they employ. To