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HTUR/FW

10 December 2007

**Re: Companies in Burma – Leviev**

Dear M. Chaunu,

We acknowledge your letter dated 18 October 2007 and thank you for it. In your letter, you state that *"All stones of this type, sold within any of our stores worldwide, have been purchased from reputable sources. As a rigorous supporter of the UN mandated Kimberly Process concerning conflict-free diamonds, Leviev also ensures its coloured gemstones are sourced by fundamental standards which adhere to internationally recognized legal and ethical guidelines."*

In light of this statement, I am sure that your company will have noted with interest the EU Common Position on trade with Burma, renewed as of 19 November 2007. Among other things, this Common Position stated that:

*'Article 2a*

1. The sale, supply, transfer or export of relevant equipment and technology destined for enterprises in Burma/Myanmar that are engaged in the following industries, by nationals of Member States, or from the territories of Member States, or using vessels or aircraft under the jurisdiction of Member States shall be prohibited whether or not originating in their territories:

- (a) logging and timber processing;
- (b) mining of gold, tin, iron, copper, tungsten, silver, coal, lead, manganese, nickel and zinc;
- (c) mining and processing of precious and semi-precious stones, including diamonds, rubies, sapphires, jade and emeralds.

2. It shall be prohibited to:

- (a) provide technical assistance or training related to relevant equipment and technology destined for enterprises in Burma/Myanmar that are engaged in the industries referred to in paragraph 1;
- (b) provide financing or financial assistance for any sale, supply, transfer or export of relevant equipment and

technology destined for the enterprises in Burma/ Myanmar listed in Annex I, that are engaged in the industries referred to in paragraph 1, or for the provision of related technical assistance or training.

*Article 2b*

The purchase, import or transport from Burma/Myanmar into the Community, of the following products shall be prohibited:

- (a) round logs, timber and timber products;
- (b) gold, tin, iron, copper, tungsten, silver, coal, lead, manganese, nickel and zinc;
- (c) precious and semi-precious stones, including diamonds, rubies, sapphires, jade and emeralds.

*Article 2c*

The following shall be prohibited:

- (a) the granting of any financial loan or credit to the enterprises in Burma/Myanmar, as listed in Annex I, that are engaged in the industries referred to in Article 2a(1);
- (b) the acquisition or extension of a participation in the enterprises in Burma/Myanmar, as listed in Annex I, that are engaged in the industries referred to in Article 2a(1), including the acquisition in full of such enterprises and the acquisition of shares and securities of a participating nature;
- (c) the creation of any joint venture with the enterprises in Burma/Myanmar, as listed in Annex I, that are engaged in the industries referred to in Article 2a(1) and with any subsidiary or affiliate under their control.'

We appreciate your company's intention to adhere to these guidelines. However, in view of the evidence referred to on our company list (accessible either through <http://www.global-unions.org/burma> or <http://www.ituc-csi.org/spip.php?page=burma>), and pending further correspondence from you on the subject, we are provisionally keeping your company's name on our list.

Yours sincerely,

General Secretary