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## **DUE DILIGENCE PROCESS REGARDING SAMPLE ACQUISITION OF GRS-REF-28627 BY GRS/PMF**

### **INTRODUCTION**

GRS/PMF acquired materials from companies not associated with the Myanmar military. The PMF is transparent in its operations and is willing to provide additional proof of purchase to bona fide researchers (Appendices). For privacy reasons, precise details of the purchase need to remain confidential and classified, however, we provide information related to the acquisitions, including export and import documentation in the following link by password protection. Password can be obtained by contacting [adolf@peretti.ch](mailto:adolf@peretti.ch) and is provided when found justified (Appendix 1, 2, 6, 7, 8, 9, 11, 12 and 16)

### **PAPERTRAIL**

#### **1.) Amber was viewed in Burma in November 2016 in Mogok**

Provenance declaration: The amber specimen GRS-Ref-28627 was mined previous to the November 2016 by Mogok miners and is not related to the ongoing conflict. At no point was there any collaboration with the Burmese military and nor was there any direct or indirect contact established to military controlled operations or businesses. The Provenance declaration of the sample can be found in Appendix 19. All names of private persons have been replaced by initials for privacy reasons on the level of this report.

#### **2.) Legal framework of business partner in Burma (Myanmar). Export by a private company during a Jewelry show in Yangon.**

Explanations: The total collection of amber research material (including GRS-Ref-28627) was assembled in Yangon in January 2019 during a private NGO Jewelry exhibition (Yangon Gems and Jewelry Entrepreneurs Association) and exported by NF (see Appendix 13). NF is a private company with no relation to the Burmese military. It has an official private export license. During the show, a 2-step procedure was followed to gain export permission and the export stamp. (Appendix 11 and 12).

NF is a private exporter independent of the military and is not listed in the list of persons to be banned (United Nations Human Rights Council 42 session, 2019). The Yangon Gems and Jewelry Entrepreneurs Association is a private NGO and is not found in the list of companies that are compiled by UNHRC special report and is not marked as business that needs to be boycotted..

The export of the sample was authorized by MGE. MGE was not the receiver of the payment for this sample, and not the seller of the amber collection mentioned in the bill. MGE is the controlling agent for the transaction in this case only and was present as a mandatory official office for obtaining export permit inside the show. MGE is mentioned to be banned by the United Nations Human Rights Council 42 Session, 2019.



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**3.) Proof of purchase with date: 12.1.2019 Bill by Company NF, MGE is authorizing official Burmese office, not billing company, to MH representing GRS Gemresearch Swisslab AG (Switzerland). Appendix 11**

Explanations: The sample was exported with the help of a private courier MH, a private person with German nationality and personal contact of Dr. A. Peretti, who was hired as an agent to make the physical export for us. He obtained an export permission stamped on the reverse side of the export bill that says on Appendix 12:

*Cut and Rough gemstones mentioned in this cash memo are treated as export permit to take along with Mr. MH through the Airport/seaport,*

signed off by the export officer Mr. Win Naing. Front page of bill/export stamp makes reference that he is acting as agent for GRS Gemresearch Swisslab AG, Baumschulweg 13, 6045 Meggen, Switzerland

**4.) Proof of export permission from Myanmar Appendix 12, date 12.1.2019**

Explanations: Mr. MH was allowed to hand carry the parcel through the Burmese customs at Yangon Airport (Confirmation letter by Mr. MH, Appendix 20). The bill/export permit is a carry and custom passage permit without further permission procedures at the Airport other than point of potential revision and control without additional stamp.

**5.) Proof of import documentation to Switzerland on the 24.1.2019, Appendix 8 and 9 (TAX and VAT receipt)**

Explanations: On arrival in Thailand, the parcel was sorted and triaged for samples that needed to go to Switzerland. The parcel was then transported by Mr. EH (employee of GRS Thailand Co., LTD, Bangkok and of US nationality) to Switzerland. The parcel had a packing list including sample GRS-Ref-28627 and was inspected and stamped off by the red channel of the Swiss customs. Customs and VAT charges are applied. Mr EH carried the samples personally and officially including the sample of GRS-Ref-28627 (Appendix Testimonial 21).

The sample becomes part of the inventory of GRS Gemresearch Swisslab AG, in Meggen.

**6.) Proof of direct payment of GRS to the seller for purchase bill of the Amber of position 3, see Appendix 6 and 7, date: 16.1.2019**

Explanation: Payment for the sample was then made by bank transfer to the seller and exporter in Burma to their account in Burma (Myanmar) (Appendix 7). This is proof that GRS was not dealing with MGE but directly with NF company through the payment record.



**7.) Proof of legal presence of sample GRS-Ref-28627 in Switzerland identified by weight in Switzerland by GRS Gemresearch Swisslab AG, Appendix 2, date: 29.1.2020**

Explanation: GRS registered the parcel including GRS-Ref-28627 for official international re-exportation and re-importation permit by the Swiss customs (Carne-ATA). The parcel of 49 stones, including GRS-Ref-28627 was then sent on an international testing tournament including USA, Hong Kong and Thailand (Appendix 5 and 6). In Thailand the collection was investigated during a seminar organized by GRS by an international team in December 2019 (<https://www.pmf.org/research/project-one-z69gm>) during its research tournee.

In December 2019, GRS-Ref-28627 left Thailand and was returned to Switzerland by a courier Mr. WB (director of GRS Gemresearch Swisslab AG). At the border, the material was audited by the Swiss government and checked for completeness and re-importation was stamped off. At this point, the Carne-ATA was reported to the Swiss Government as expired with prove of re-importation and ended up officially back in Switzerland at the collection of GRS (Appendix 4).

**8.) Proof of legal entry of GRS-Ref-28627 into PMF collection, Appendix 1, date: 4<sup>th</sup> August 2020**

GRS-Ref-28627 was returned to the collection of GRS and was sold according to a MOU between GRS and PMF (Appendix 10) to the permanent collection of PMF (Appendix 1).

The procedure of acquisition corresponds with the recommendation that is described elsewhere.

*Lit. Peretti A. (2021): An alternative perspective for acquisitions of amber from Myanmar including recommendations of the United Nations Human Rights Council. Journal of International Humanitarian Action. In print.*



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## **PROOF OF SAMPLE SAFETY AT PMF PRIVATE MUSEUM**

The PMF museum was founded to host important samples and harbor those samples away from commercial transactions: PMF was founded on 28. April 2020 (by-laws, Appendix 10).

1.) Because of the importance of making specimens available to science, including GRS-Ref-28627, PMF museum was founded in accordance with the strict by-laws that makes the specimen available to science forever. The Swiss Department of Internal Affairs directly took control of PMF (Appendix 16 right side).

2.) GRS-Ref-28627 is in the official records of the inventory by PMF and was purchased from its official account. The inventory must be reported to the Swiss government as it is purchased through the official account of PMF, and the accounts are audited by the Swiss government. The Swiss government does not allow foundations to sell specimens from the inventory as we are Tax-free registered. An additional clause in the by-laws makes sure the sample goes to an equivalent replacement of PMF in case of default as an extra security level (see official translation of our by-laws into English, Appendix 10b, Article 14).

3.) PMF is a non-profit organization with an official permission to engage in humanitarian activities internationally and particularly to help miners (see appendix 10b, article 2, German and English translated). It purchases its samples in the context of humanitarian missions in the regions, including Burma.

4.) PMF is directly supervised by the Swiss Government Department of Internal Affairs as published in the commercial books of Switzerland (Appendix 16, right side) due to an assessment by Swiss Government that PMF is of international importance to be supervised directly on the state level and not the county of Lucerne level.

5.) Through an MOU of GRS and PMF, GRS-Ref-28627 is accessible through a viewing room at the Head-quarter of GRS in Meggen (see Appendix 15).

### Abbreviations:

PMF= Peretti Museum Foundation, Switzerland

GRS= GRS Gemresearch Swisslab AG, Switzerland