

## Media release

### De Beers is Pleased with the Decision of the Court

**Gaborone, Botswana - 29 July 2008** – On Friday 25 July 2008, African Diamonds plc brought an urgent application against De Beers and their joint venture company Boteti Exploration (Pty) Ltd (Boteti) to prevent the lodging of an application for a retention license in respect of the AK06 project with the Botswana Ministry of Minerals, Energy and Water Resources.

In the High Court today, Acting Judge Gabriel Rwelengera ruled that African Diamonds' application was dismissed with costs. In the course of his judgment, Acting Judge Rwelengera found that;

- Boteti is bound by the terms of its Diamond Marketing Agreement and that these cannot be changed without De Beers' consent;
- Further that Clause 11.2 of a Memorandum of Understanding between the shareholders of Boteti specifically contemplated a situation under which a retention licence could be applied for; and
- that De Beers arguments in the matter were "convincing".

De Beers is pleased with the court ruling. As previously stated, developing a mine while knowing that it is likely there will not be sufficient power available would result in an unsustainable and non-viable project. This would impact negatively on Boteti shareholders, employees and other stakeholders. To secure the project by means of a retention license is the right way to maximize the benefits of AK6 for the Boteti shareholders, other stakeholders and the citizens of Botswana. De Beers is enthusiastic about AK6 and remains fully committed to seeing it come into production.

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**About De Beers**

De Beers, established in 1888, is the world's leading diamond company with unrivalled expertise in the exploration, mining and marketing of diamonds. De Beers, and its joint venture partners, operate in 25 countries across five continents employing around 20,000 people. From its mining operations across Botswana, Namibia, South Africa, Tanzania and Canada, De Beers produces and markets approximately 40 percent of the world's supply of rough diamonds. As part of the company's operating philosophy, the people of De Beers are committed to *Living up to Diamonds* by making a lasting contribution to the communities in which they live and work. De Beers encourages sustainable working to ensure long-term positive development for Africa, and returns approximately US\$4.7 billion to the continent every year. For further information about De Beers visit [www.debeersgroup.com](http://www.debeersgroup.com)

