



**Parahyangan Catholic University**  
**Faculty of Social and Political Sciences**  
**Department of International Relations**

*Accredited A*

*SK BAN –PT NO: 451/SK/BAN-PT/Akred/S/XI/2014*

**The Implementation of Kimberley Process**  
**Certification Scheme towards the Export of Blood**  
**Diamond in Sierra Leone**

Thesis

By

Elizabeth Agnes Celma Marissa

2015330045

Bandung

2018



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**Thesis Validation**

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Certification Scheme towards the Export of Blood  
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Hereby stating that this proposal of thesis is made based on original idea and as a result of individual research without copying or plagiarizing from other thesis in order to obtain academic title.

Any quoted journal or opinion which is used in this dissertation have already been cited with standard requirements of research.

This statement is fully made by acknowledging all the responsibilities which will be carried and also willing to take any consequences in accordance with the existing rules when mistakes are made.

Bandung, December 10<sup>th</sup>, 2018

Elizabeth Agnes Celma Marissa

## Abstract

Name : Elizabeth Agnes Celma Marissa  
NPM : 2015330045  
Title : The Implementation of Kimberley Process Certification Scheme towards the Export of Blood Diamond in Sierra Leone

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*Diamond is a significant export commodity in the West African countries, especially Sierra Leone due to its massive amounts of resources and immense influence towards the economy, politic, and social development. However, the emergence of blood diamond or illegal diamond from West African countries starting to deteriorate the diamond market and alter the country's condition with the rising amount of its sale, low production, and imbalance quantity in production and export sale. By the pressure of international community, Kimberley Process Certification Scheme (KPCS) is established with the purpose to eradicate and control the flow of blood diamond. KPCS started to be implemented in Sierra Leone since 2003. KPCS will be mainly discussed in the thesis as the main regulator in Sierra Leone in decreasing the amount of blood diamond or increasing the amount of legal diamond by the export sector between the years of 2003 and 2006. A triangulation of data between the official government, peer-review, and KPCS itself will be used in investigating the development of the export sector in Sierra Leone. International regime and cooperative game theory will also be used to elaborate the process of establishment of the KPCS before 2003. This thesis is elaborating the implementation of KPCS approaches in eliminating blood diamond in Sierra Leone market and furthermore to identify the development of the implemented regulations on influencing the export of blood diamond in the country. Thus, this thesis found that the implementation of KPCS in Sierra Leone is assuredly generating positive outcome on the export sector which demonstrates a growing tendency in the export and production market, increasing number of legal diamond sale, and proportionate statistical sum independent peer review.*

**Keywords:** Blood diamond; Kimberley Process Certification Scheme; regulations implementation; Sierra Leone export market.

## Abstrak

Nama : Elizabeth Agnes Celma Marissa  
NPM : 2015330045  
Judul : Implementasi *Kimberley Process Certification Scheme* terhadap ekspor *blood diamond* di Sierra Leone

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Berlian adalah komoditas ekspor yang signifikan di kawasan negara Afrika Barat, terutama di Sierra Leone karena banyaknya terkandung sumber daya alam dan besar pengaruhnya terhadap kondisi perkembangan ekonomi, politik, dan sosial. Tetapi, tersebarnya dan terangkatnya isu *blood diamond* atau berlian ilegal dari kawasan negara tersebut menyebabkan kondisi industri berlian perlahan-lahan mulai memburuk dan juga ikut mengubah kondisi negara-negara yang terutama mengekspor berlian dengan terjadinya kenaikan angka penjualan *blood diamond*, rendahnya tingkat produksi, dan adanya ketidakseimbangan kuantitas antara produksi dan penjualan di sektor ekspor. Dengan adanya tekanan dari komunitas internasional, *Kimberley Process Certification Scheme (KPCS)* dibentuk yang ditujukan untuk mengontrol dan mengurangi statistika *blood diamond*. *KPCS* mulai diimplementasi di Sierra Leone sejak tahun 2003. *KPCS* akan secara spesifik dibahas sebagai cara utama dalam mengatur industri berlian di Sierra Leone yang bertujuan untuk mengurangi angka *blood diamond* atau menaikkan tingkat ekspor berlian legal dari tahun 2003 sampai 2006. Triangulasi data antara pemerintahan Sierra Leone, *peer-review* dokumen, dan *KPCS* sendiri akan digunakan untuk menganalisa perubahan atau perkembangan kondisi sektor ekspor di Sierra Leone. *International regime* dan *cooperative game theory* juga akan dipakai dalam menganalisa proses pembentukan dari *KPCS* sebelum tahun 2003. Tujuan skripsi ini adalah untuk menjelaskan dan menganalisis implementasi dari aturan-aturan di *KPCS* dalam mengurangi angka *blood diamond* di pasar berlian Sierra Leone dan juga lebih jauh lagi untuk mengidentifikasi pengaruh aturan tersebut dalam sektor ekspornya, terutama secara statistika. Maka dari itu, skripsi ini menyimpulkan bahwa implementasi *KPCS* di Sierra Leone membuahkan hasil yang positif terutama dalam sektor ekspor dengan menunjukkan adanya tendensi angka yang terus naik dalam sektor ekspor dalam jumlah karat, terdapatnya kenaikan statistika dari penjualan berlian yang legal, dan terdapatnya hasil statistika yang proporsional dari dokumen *review* yang dibuat oleh institusi lembaga independen.

**Kata Kunci:** *Blood Diamond; Kimberley Process Certification Scheme; implementasi aturan-aturan; sektor ekspor Sierra Leone.*

## Preface

The year of 2018 has become a remarkable year and leaving a beautiful memories to be reminisced for the author. Also in 2018, as one of the requirements in order to obtain Bachelor Degree in the department of International Relations, Parahyangan Catholic University, the author is oblige to produce a thesis as a final assessment for the degree. Proudly present “**The Implementation of Kimberley Process Certification Scheme towards the Export of Blood Diamond in Sierra Leone**” as the thesis title that gratefully has been currently accomplished.

This particular thesis is aiming to learn, observe, and examine the implementation and its result of Kimberley Process Certification Scheme in Sierra Leone towards the export sector. This thesis goes into details regarding KPCS regulations and how it is executed, as well as the final impact in export sector particularly in statistical tendency.

Extensive process had been accomplished, numerous problems were stumbled upon but then again with a strong determination, piece of good fortune from a deity up there, and continual encouragement colleagues, families, and in particular the author’s notable supervisor, **Giandi Kartasmita, M.A.**, this thesis was able to be concluded appropriately and on time. Moreover, realizing that faultlessness is unfeasible, the author is welcome for further assessments and recommendations for this thesis improvement.

Bandung, December 11<sup>th</sup>, 2018

## **Acknowledgement**

Appreciations and acknowledgements for all of the people who had accompanied and supported me since the first part of my journey in the Parahyangan University as well as up until at this time will be profoundly remembered and treasured in my life and memory.

First and foremost is for my wonderful Mother who is also my lighthouse in life that always shows me the way thru my sorrow and happy time. The person that always understands the real side of me and can strengthen me, emotionally and physically.

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Furthermore I would also like to be grateful for Mas Irawan and Mas Gi who are mainly the lectures in Parahyangan University that have guided me through the process of my thesis from selecting theories up to the printing of it. One of the main reason why this thesis is presentable at the present is due to their assists and involvements.

Last of all, I would like to cherish the companionship of my partner, Nathan Harper who is continuously motivating and filling my life with laugh, attention, and warmth.

Thank you for all of the memories that we have made together and I do hope that life will be good to all of us both in the present and in the future.

Bandung, December 11<sup>th</sup>, 2018



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# CHAPTER I

## INTRODUCTION

### 1.1. Research Background

Natural resources are materials supplied by the Earth which is being used by human in order to fulfill its needs. Some said that human depends on it because of the impact that can be brought economically and socially into the life system.<sup>1</sup> Natural resources can also be defined as part of the environment like water, mineral, forest, wildlife, air etc. which are fundamental for the survival of the ecosystem.<sup>2</sup> The form of natural resources can be divided into two types: (1)renewable resources which can be always regenerated if managed sustainably – forests, air, or fish, (2)non-renewable resources which either naturally cannot be regenerated or take a really long time to do so – minerals and oil.<sup>3</sup> Natural resources play a significant role in state's wealth. The contribution of resources in the generating revenue, providing jobs, fulfilling the needs of society etc. are essential for the economic and state's social development.

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<sup>1</sup> UGC, "*Natural Resources*," (2004): P. 17- 18.

<sup>2</sup>Dictionary.com, s.v. "Natural Resources," Accessed February 5, 2018. [www.dictionary.com/browse/natural-resource](http://www.dictionary.com/browse/natural-resource)

<sup>3</sup> EAP Task Force, "The Economic Significance of Natural Resources: Key Points for Reformers in Eastern Europe, Caucasus and Central Asia," OECD, 2011.

There are particular roles of natural resources regarding the development area, which is to be the main source of the finance development.<sup>4</sup>

Particular type of natural resources which is going to be discussed deeply in this thesis is mineral resource. Mineral resources are entire natural resources that lies beneath the earth or a material concentration which formed in the crust of the earth which can be extracted for economic interest.<sup>5</sup> There are several types of mineral such as the one which constructed from heat and pressure from the magma, gemstones, and by evaporation from water and wind. Several kinds of mineral resources that valued by the international trade are diamond, platinum, manganese, and gold.

*“Diamond is the most valuable, not only of precious stones, but of all things in this world.”- Pliny, the Roman Naturalist (first century AD)*

The term of diamond derives from *adamas*, a Greek word for invincible or unconquerable.<sup>6</sup> Diamond is a piece of crystallized stone which valued as a precious gemstone and mostly used as jewelry.<sup>7</sup> The uniqueness of a diamond in the mineral kingdom make it as the only gem which is made of 99.95 percent carbon. Diamond will only be formed in a specific depth,

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<sup>4</sup> The World Bank, *“Where is the Wealth of Nations: Measuring Capital for the 21<sup>st</sup> Century,”* Washington, USA: World Bank, 2006

<sup>5</sup> Barrick Financial, *“Mineral Reserves and Mineral Resources,”* (2011)

<sup>6</sup> David Bressan, "The Origin of Geological Terms: Diamonds," *Forbes*, 2016, Accessed February 06, 2018, <https://www.forbes.com/sites/davidbressan/2016/04/30/the-origin-of-geological-terms-diamonds/#50a9f01d2ae4>.

<sup>7</sup>Dictionary.com, s.v. “diamonds,” Accessed February 6, 2018. <http://www.dictionary.com/browse/diamond>

around 100 miles inside the earth's mantle which have relatively high temperature and level of pressure. Entitled as the hardest material on earth because of its crystal structure, if compared with any earth's resources, the number will be around 58 times harder. Diamond can also be defined as an essential mineral deposit in particularly for diamond-producing countries which build up the economic for millions of people by generating revenue from its diamond industry.<sup>8</sup>

The history of diamond trade was started back in India early in the fourth century when trading diamond was a common thing to do, especially diamond export to the Western Europe as an accessories for the elite class. In 1700s, the discovery of rich resource diamond area in Brazil made the diamond market bloomed and dominated the international trade for mineral industry. The demand of diamond increased and expanded into the United States. Thus, starting an exploration of diamond in the late 1800s to the African continent which led to the discovery of the rich resources of diamond in Kimberley, South Africa that no one know was containing almost 90 percent of rough diamond in the world's production.<sup>9</sup> After the discovery of diamond in the Africa, the diamond trade is expanding its wings and the demand is increasing until this modern era.

The contribution that possessed by diamonds are considerably tremendous for the country's economic growth and stability. The diamond industry today is driven by the increasing demand of the valuable rough

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<sup>8</sup> World Diamond Council and Diamond Facts , *The Diamond Industry Fact Sheet*.

<sup>9</sup>Gemological Institute Of America, "Diamond History and Lore," Accessed February 10, 2018, <https://www.gia.edu/diamond-history-lore>.

diamond which will be forged in the jewelry industry.<sup>10</sup>The majority demands are coming from United States, India, and China which diamond is used to fuel the industry purposes. Diamond industry can be divided into two kind of categories, which are rough diamond and gem diamond. Rough diamond is a natural and unpolished diamond which is used in industrial sector as tools to cut and grind hard object – saws, drills, scalpels, and etc.<sup>11</sup>About 46 percent of rough diamond is sent to the industry sector and about 19 percent of the valued rough diamond is cut and polished in order to make as gemstone.<sup>12</sup>

The second market is the gem diamond, which is a polished and cut diamond often used as jewelry or decorative items. The gem diamond need to be graded by the four Cs – color, cut, clarity and carat – in order to determine the diamond value in the market. The most valuable and expensive diamond in the market is the Pink Star diamond, weight 59,6 carats and sold at US\$71 million. The production of rough diamond is reaching towards US\$134 million carats or around US\$16.5 billion. Dominantly is produced by nine diamond producers which are:(1)Russia, (2)Canada, (3)Botswana, (4)Australia, (5)DRC, (6)South Africa, (7)Angola, (8)Namibia, and (9)Zimbabwe.<sup>13</sup>

Annually, about 130,000,000 of rough diamonds are extracted from various mining area in the world.<sup>14</sup> About 52.8 percent of the world's share

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<sup>10</sup> David Prager, "Why are Diamonds Important?" Interview by Vikas Shah Mbe, (2013).

<sup>11</sup>International School of Madrid, "All about Diamonds," 2003.

<sup>12</sup>Statista, "Global rough diamond production 2017," Accessed February 06, 2018, <https://www.statista.com/statistics/274921/worldwide-production-of-rough-diamonds/>

<sup>13</sup>AWDC and Bain Company, *The Global Diamond Industry 2017*, 2017.

<sup>14</sup> A. Yarnell, "The Many Facets of Man-Made Diamonds", *Chemical and Engineering News*, 82 (2004): 26–31, Accessed February 6, 2018, <http://pubs.acs.org/cen/coverstory/8205/8205diamonds.html>



of diamond production or around US\$9.4 billion is contributed by Africa.

<sup>15</sup>Africa is known as the home of enormous kinds of mineral resources such as diamond, bauxite, chromite, and cobalt within its 30 million km<sup>2</sup> continent area. Africa also owns the largest quantity of the world reserve of mineral resources approximately 30 percent of the remaining mineral resources that reserve in the earth.<sup>16</sup>

Mineral industry has been a significant part of its countries' economy development and growth because it is one of the main source for the export industry. The export industry is regulated through several trading blocs like COMESA, EAC, ECOWAS, and SADC.<sup>17</sup> Notable producers of diamond in the African continent are: (1)Angola, (2)Botswana, (3)DRC, (4)Zimbabwe, (5)Ivory Coast, (6)Sierra Leone, and (7)South Africa.<sup>18</sup>

Reasonably, a country endowed with abundant resources is capable to lead the world by becoming the most powerful and richest one. Why? Because of the perception in which generating wealth for those countries may be done effortlessly as a result of the resources accessibility which can be traded in the international market and used as means to develop the country, socially and economically. However, it is merely a delusion. "Paradox of plenty", first used by Richard Auty in 1993, but have emerged since 1950s -

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<sup>15</sup> Aljazeera, *Mapping Africa's Natural Resources*, 2018, Accessed February 6, 2018, <https://www.aljazeera.com/indepth/interactive/2016/10/mapping-africa-natural-resources-161020075811145.html>

<sup>16</sup>*Ibid.*

<sup>17</sup> United States Geological Survey, "2014 Mineral Yearbook Africa," *Advance Release*, 2017.

<sup>18</sup> World Diamond Council and Diamond Facts, *The Diamond Producing Countries in Africa Fact Sheet*.

*resource curse*.<sup>19</sup> Referring to the incapability of many rich resource states to use the maximum potential of its resources to build their economic and attend their society welfare compared to non-resource rich country. It is a second nature of rich resource countries to affiliate with low economic development, prone to conflict, and unstable political regime.<sup>20</sup> How this happens might differ from each state although it is argued that the deficiency of government function on distributing and directing the resources among themselves and other economic actors.<sup>21</sup>

The most prominent illustration to demonstrate this concept is frequently to be seen in the developing countries. Developing countries can be classified from their economic and social condition, such as the capital gross national income, economic growth rate, and the sum of gross domestic product – predominantly from Africa, Latin America, and Asia region.<sup>22</sup> A further precise examples of the resource curse can also be observed in the Democratic Republic of Congo, Bolivia, Liberia, Angola, and Venezuela.<sup>23</sup>

The notion of resource curse brought its own way to the African Continent which is with blood diamond. Blood diamond or conflict diamond or illegal diamond is any kind of rough diamond which is extracted and controlled by rebel movement, sold across the country and used to fund the

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<sup>19</sup> Michael L. Ross, *World Politics: The Political Economy of the Resource Curse*, (1999): P. 297-322.

<sup>20</sup> NRGI, *The Resource Curse: The Political and Economic Challenges of Natural Resource Wealth*, 2015.

<sup>21</sup> OECD, *The Economic Significance of Natural Resources: Key Points for Reformers in Eastern Europe, Caucasus and Central Asia*, 2011.

<sup>22</sup> United Nations, *World Economic Situation and Prospects*, 2017

<sup>23</sup> Elena Paltseva and Jesper Roine, “Resource Curse: What Do We Know About It?”, 2011.

rebel actions and weaponry against the legitimate government.<sup>24</sup> Blood diamond is always linked to the African continent conflict because it contains the longest list of cases involving blood diamond, including Angola, the DRC, Zimbabwe, and Sierra Leone.<sup>25</sup> The term was introduced into a common vocabulary by the campaign of NGOs and civil society groups in 1990s.<sup>26</sup> In the global market, blood diamond reportedly represent 15 percent of the world's rough diamond which predominantly comes from African continent.<sup>27</sup> Blood diamond also known as one of the main factor why African Continent is still being one of the poorest continent in the world. In the 1990s, blood diamond was seen as a main factor of economic downturn in the African continent and need to be eradicated.

## **1.2. Research Problem Identification**

### **1.2.1. Description of the Issue**

Located in western Africa, Sierra Leone, a former British colony country gained its independence in the 1961. Home to a 7,700 square miles<sup>28</sup> land covered in diamonds and produced 62 million carats of diamonds which resulted in the highest export values in 2011 reaching 50.58%<sup>29</sup> with

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<sup>24</sup>Encyclopædia Britannica, s.v. "Blood diamond," Accessed January 28, 2018. <https://www.britannica.com/topic/blood-diamond>.

<sup>25</sup> Kimberley Process, *Kimberley Process Certification Scheme Core Document*, 2003.

<sup>26</sup> Alexandra Harrington, "Faceting the Future: The Need for and Proposal of the Adoption of a Kimberley Process-Styled Legitimacy Certification System for the Global Gemstone Market", *Journal of Transnational Law & Contemporary Problems*, (2008): 357

<sup>27</sup> Melissa McNamara, "Facts about Blood Diamonds," *CBS News*, December 11, 2006, Accessed February 5, 2018, <https://www.cbsnews.com/news/facts-about-blood-diamonds/>

<sup>28</sup> "An Overview on Key Minerals," Sierra Leone Ministry of Mineral Resources, 2010.

<sup>29</sup> Statistics Sierra Leone, "Foreign Trade Statistic Bulletin," Figure 1.4, P. 6, 2012.

556,118.67 carats.<sup>30</sup> Thus, creating an undivided relation between diamonds and economic development in the Sierra Leone by creating a high level of dependency on the industry. The diamond is listed as the main mineral industry in the Sierra Leone.<sup>31</sup> Thus, Sierra Leone ranked as the top-ten diamond producer in Africa. Still, Sierra Leone is listed as one of the poorest country in the world by World Development Report and ranked as the 3<sup>rd</sup> poorest from 206 countries.<sup>32</sup>

A research concluded that the revenue from the diamond industry is not equally distributed to all of the populations, moreover, some of the diamonds are controlled and traded illegally to the neighbourhood countries by the rebels to fund most of their activity and weaponry. In the 1991, Sierra Leone was under the most brutal civil war between the Joseph Momoh government and rebel group called the Revolutionary United Front (RUF).

The war waged mainly because of the economic ambition from the RUF which was to control the valuable diamond mining area hence to finance the overall activities of the RUF. Later in the 1994, the RUF was controlling almost of the biggest diamond mining areas in the Sierra Leone<sup>33</sup> approximately around 85.90% of the production.<sup>34</sup> Report by the United Nations estimated around US\$25 – US\$125 million values of blood diamonds are illegally exported by the RUF annually in exchange for weapons in the

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<sup>30</sup> Statistics Sierra Leone, "Foreign Trade Statistic Bulletin," Table 2, P. 10, 2012.

<sup>31</sup> Victoria Federico, *The Curse of Natural Resources and Human Development*, 2007.

<sup>32</sup> Roy Maconachie, "Diamond mining, governance initiatives and post-conflict development in Sierra Leone," *The University of Manchester Brooks World Poverty Institute* (2008).

<sup>33</sup> "Sierra Leone profile – Timeline," *BBC News*, July 13, 2017, Accessed February 06, 2018, <http://www.bbc.com/news/world-africa-14094419>

<sup>34</sup> "Diamonds: A War's Best Friend," *CBS News*, June 14, 2001, Accessed January 16, 2018, <https://www.cbsnews.com/news/diamonds-a-wars-best-friend/>

black market.<sup>35</sup> Sierra Leone's blood diamond contributes around 15 percent of the rough diamond world production in which makes Sierra Leone as the second biggest contributor for blood diamond in the world, behind Angola.<sup>36</sup>

Diamond's role in Sierra Leone undergone an alteration from a blessing into calamity up to a degree where it was harming and destroying Sierra Leone national economy which led to an economic deterioration. The incapability of their own government to cope with blood diamond issue was generating a notion where international assistance based on cooperation might be needed. It is counted as the most plausible way to solve and break the link between the blood diamond and the global supply in the industry.

The creation of an international certification system that shall regulates the diamond in the December 2000 which is called as the Kimberley Process Certification Scheme (KPCS).<sup>37</sup> The KPCS main objective is to prevent and diminish the flow of blood diamond from the global supply chain in order to stop funding the rebel and negatively influences the country's economic. It is involving all of the international actors, such as government, international organization, business council, and the civil society.<sup>38</sup> The implementation of KPCS in the Sierra Leone brought up several reactions from the international world, whether it is generating a positive or negative result and also

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<sup>35</sup> Tim Lister, "Blood Diamonds' arrest exposes grim trade," *CNN*, August 31, 2015, Accessed February 06, 2018, <https://edition.cnn.com/2015/08/31/europe/blood-diamonds/index.html>.

<sup>36</sup> "Conflict Diamond Statistic," *Statistic Brain*, September 4, 2016, Accessed February 06, 2018, <https://www.statisticbrain.com/conflict-diamond-statistics/>

<sup>37</sup> United Nations of General Assembly, *The Role of Diamonds in Fuelling Conflict Resolution*, 2001, A/56/675, Agenda 374.

<sup>38</sup> Ian Smillie, "The Kimberley Process", *The Diamonds and Human Security Project (IMPACT, 2002)*.

concerning the implementation of the regulations in Sierra Leone blood diamond export trade.

### **1.2.2. Research Scopes**

Considering the wide-ranging issue which could be comprehended. Thence, limitation will be applied in this thesis. The linkage between the implementation of Kimberley Process Certification Scheme to Sierra Leone export on diamond is going to be the main focus on this thesis. The cooperation between the two parties in order to bring down the blood diamond trade is going to be the highlight issue. The crucial period of time in this affair was in between 2003 and 2006 because it was the early stage of the implementation progress and the key aspect to the decision whether Kimberley Process really help to reduce the export trade of blood diamond in Sierra Leone or not. The thesis enfolding this specific issue for four years due to the publication of the first KPCS review.

### **1.2.3. Formulation of the Problem**

The background and identification issue have provided and described the main problem in this thesis. Thus, the researcher will formulate the issue inside a thesis question which is **how the implementation of the Kimberley Process Certification Scheme influences the export of blood diamond in Sierra Leone between 2003 – 2006?**

### **1.3. The Aim and Contribution of the Research**

#### **1.3.1. The Aim of the Research**

The aim of this thesis is to provide a comprehend analysis regarding the implementation of the Kimberley Process Certification Scheme in order to reduce the export of blood diamond or increase the legal diamond in Sierra Leone between 2003 and 2006 which will be reflected from the development or changes after the implemented regulations from KPCS and the changes of the diamond export number from data triangulation from multiple sources.

#### **1.3.2. The Contribution of the research**

This thesis is contributing in the aspects of:

1. Providing more knowledge for the readers
2. Compiling some information to help other researchers which is in the same field area and to provide some references
3. Contributing on the field of international relations research area in the especially in the diamond trade in Africa Continent.

### **1.4. Literature Review**

Within this particular subdivision in the thesis, some relevant journals and researches will be provided either to support or illustrate the incongruity of the Kimberley Process Certification Scheme in attaining its objectives in Sierra Leone. These lists of scholar document will be listed in such group of category which will be focusing on the incompatibility and limitation of KPCS from several features that perceived as a deficiency to attain its purposes in ceasing or reducing the amount of blood diamond export in Sierra

Leone. At the beginning, some journals which had been authored by Andre H. Winetroub<sup>39</sup> and Audrie Howard<sup>40</sup> undoubtedly had expressed their skepticism towards the exertion of Kimberley Process Certification Scheme towards the diamond market due to its incapacity to halt the blood diamond rush into the market. Foremost causes which are really concerning can be uttered into several points such as inadequate definition of blood diamond which could constrict the effort of Kimberley Process to reach its aim, ineffective voting mechanism such as consensus which could be time-consuming, unbinding or feeble regulation which based on voluntary act and public goods, the privation of generating a unvarying law as a common ground rule, and the absence of valid and actual penalty regulation for any state that break the KPCS regulations.

Dissimilar outlooks but still from a similar grouping after the prior section are published by Holly Cullen<sup>41</sup> and Emory International Law Review.<sup>42</sup> These scholar documents are discussing the matter of Kimberley Process which reflects a state-dominated scheme which trigger criticism from the society. The shortage existence and function of working group and other non-state actors is building an untrustworthy representation of KPCS in spite

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<sup>39</sup> Andre Winetroub, "Diamond Scheme is Forever Lost", *Kimberley Process' Deteriorating Tripartite Structure and its Consequences for the Scheme's Survival*, *Indiana Journal of Global Legal Studies* Vol. 20 (2013).

<sup>40</sup> Audrie Howards, "Blood Diamonds: The Successes and Failure of the KPCS in Angola, Sierra Leone and Zimbabwe," *Washington University Global Studies Law Journal* 15, No. 1 (2015): 137.

<sup>41</sup> Holly Cullen, "Is there a Future for the KPCS for Conflict Diamonds?", *Macquarie Law Journal* (2013).

<sup>42</sup> Eli G. Burton, "Reverse the Curse: Creating a Framework to Mitigate the Resource Curse and Promote Human Rights in Mineral Extraction Industries in Africa," *28 Emory INT'L L. Rev* Vol. 425, No. 430 (2014).



of its reputation as a tripartite structure. Publics are starting to question the relevance of KPCS in the diamond industry and its value as prototype in the international system as one of the most effective international supervisory. The self-regulating and controlling especially in the weak regime government is also being debated. A frail government which manipulated by rebel movement undoubtedly could not secure its own reserve or even be self-regulated.

The very last journal is deriving from the conception of Paul Orogun<sup>43</sup> who has voiced his concern regarding the inadequate obligation of the participant in the KPCS in order to prove the diamond that they produce is by no means a blood diamond. A certification of being conflict-free is thought as inefficient especially without a sufficient monitoring and independent agency which still allowing the opportunities of corruption and illegal trading of blood diamond in the market. Transparency also considered as one of the major matter in the KPCS such as statistic and figure of the export trade of diamonds.

Thus, as a final point in this literature review it is concluded that every and each of the journal above has representing and elaborating that KPCS as an international certification scheme is not going to be effective especially in halting the export of blood diamond in Sierra Leone. The notion comes up from the idea that KPCS possesses an ambiguity and deficiency aspect in attaining its goal.

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<sup>43</sup> Paul Orogun, "World Affairs." *"Blood Diamonds" and Africa's Armed Conflicts in the Post—Cold War Era* Vol. Winter, Issue 166 No. 3 (2004): 151-61.

## **1.5. Theoretical Framework**

In order to review and analyze the topic in this thesis, critical framework is needed because it is a crucial aspect. Theoretical framework can be a set of theory, concept, opinion of particular scholars, or other kind of knowledge which is used and compiled in a comprehensive and complete structure. The critical framework should be in an international relation area which is relevant to the topic.

### **1.5.1. International Regimes based on Neoliberal**

International regime is defined as “Principles, norms, rules, and decision-making procedures” that shall determine the state way of think and act in particular area of issue in the international relations domain. This theory is consisting of three main approaches, which are: (1)power-based, (2)interest-based, and (3)knowledge-based or can be also be called as realism, neoliberals and cognitivist. These three approaches are divided based on the criteria of their own view on the international institution and on the actor’s behavior based on their true nature and motivation.<sup>44</sup>

In this particular thesis, the neoliberals or interest-based is going to be fully emphasized as the definer. Neoliberals is focusing on the robust role of the international regimes to bring out the realization of having common interest in every state to create cooperation between each other. The definition which is going to be used as a foundation to understand and analyze this thesis is defined by Stephen Krasner in the Conference Convened of International

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<sup>44</sup> Stephen D. Krasner, *International regimes*. (Ithaca, NY: Cornell University Press, 1985).

Organization on International Regimes in 1982,"Regimes are implicit or explicit principles, norms, rules, and decision-making procedures around which actor's expectations converge in a given area of international relations."<sup>45</sup>

Regime cannot be called as organization, vice versa. Thus, regime is merely a collection of a set of principles, norms, rules, and procedures which acknowledge by states and only performing its role in specific issue. In this theory, state is called as the important actor and a rational egoist one – motivated on absolute gain. State is not a dominant actor, because there is a recognition in other actors, such as international organizations, NGOs, civil societies, and individuals.<sup>46</sup>

Regime as a concept are supposed to circumscribe the actor's national behavior and decision which in fact are shaping the international interactions between them in a particular issue in international relations. In this regime concept, the actor's choice and interaction is not an autonomous decision-making but will be based on the joint-pattern of behavior. The decisions of the actors are commonly based on their interests and purposes.<sup>47</sup> Basically, the regime will provide the basis and guideline for the decision-making pattern however, the nature of the actor is still appreciated as an autonomous entity which said to be 'develop their own strategies, make their own decisions'.<sup>48</sup> The politic aspect of the international system is heavily

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<sup>45</sup> Andreas Hasenclever, Peter Mayer, and Volker Rittberger, *Theories of international regimes*, (Cambridge University, 2006).

<sup>46</sup> *Ibid.*

<sup>47</sup> Stephen D. Krasner, *International regimes*. (Ithaca, NY: Cornell University Press, 1985).

<sup>48</sup> Kenneth Waltz, *Theory of International Politics*, (L Addison-Wesley, 1979), p. 96

influenced by the state's role and interaction, particularly in the cooperation method. Facilitating cooperation and providing reciprocal agreement are the main role of regime.<sup>49</sup>

### **1.5.2. Cooperative Game Theory**

Game theory was publicly published as a book in 1944 by John von Neumann and his colleague, Oskar Morgenstern. The book is called as the Theory of Games and Economic Behavior which was released after the previous paper of John von Neumann regarding mixed-strategy on zero-sum games. Neumann and Morgenstern were focusing on cooperative games which can be performed by several players. The study of Neumann or Game Theory was principally stand on numerical models of analytical or rational choices, especially in the field of science. The theory is supposed to ponder the method or strategy of decision making which the players' outcome may alter both attainment. There are three primary elements that should be enclosed in the game, which are; (1) set of players, (2) multiple strategies to play, and (3) payoff of the game – symbolization of the player's intention in the game. Game theory has developed into one of the most influential methodical means in the field of social science and politic.<sup>50</sup>

Game theory can encompass an extensive approach in attempting to explicate the most advantageous consequence in a game or in a variety of

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<sup>49</sup> Andreas Hasenclever, Peter Mayer, and Volker Rittberger, *Interest, Power, Knowledge: The Study of International Regimes*, (Blackwell, 1996).

<sup>50</sup> Jenny Duffy, "Game Theory and Nash Equilibrium," (Honours Seminar, Lakehead University)

alternative which is either by cooperating or defecting other player. There are several types of game that can be distinguished from the theory but then again, particularly in this thesis, the discussion will mainly be emphasizing on certain aspects which are starting from; (1) cooperative game which means that the player need to cooperate in order to make the final choice, (2) non-zero sum game which guaranteeing that each player will have a number of return but some might be higher or lower than the rest but not nil,<sup>51</sup> and (3) perfect information of game which all players are required to share their full-information. The categories of the game that going to be exercised is the normal or strategic form of game which signified by matrix with its points such as the players, strategies, and objective or payoff.<sup>52</sup> The principle that going to be performed is the nash equilibrium by John Nash. Nash equilibrium utmost significant conception is a best response concept – both are benefited from the final decision. Each player must make the decision of the strategy by taking in mind or considerate other player decision.<sup>53</sup>

Aimed at better perception of the game strategy hereby the thesis will explain it with specific game which is called as the Terrorist Hunt game. Terrorist Hunt game is a strategy that performed by two players in certain condition which concentrating on the cooperative strategy. The game illustrates by two agencies, FBI and CIA that in need to investigate and detain a suspect of terrorism. There are two objectives that can be chosen which is

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<sup>51</sup> Lecture by Bernhard Nebel, “An introduction to game theory part I: strategic games,” Freiburg University.

<sup>52</sup> Lecture of Game Theory, Yale University, March 23, 2012.

<sup>53</sup> Nolan McCarty and Adam Meirowitz, *Political Game Theory*, (Princeton NJ)

either to capture the Kingpin or the Operative. Whoever, both of the agencies have to assist and cooperate in order to be able to detain either the Kingpin or Operative which is better than capturing none. Cooperation could be done by bestowing resources and sharing all information regarding the suspect in order to be able to acquire perfect information. The FBI and CIA in this particular theory are portraying the leading countries of the establishment of the KPCS which need to cooperate in order to attain their objective. This theory will explain the establishment of the KPCS which consequently lead to the advancement of the international certification scheme.

Thus, this specified game comprises several attributes that oblige to be followed which are assurance to cooperate strategy, no conflict of interest, be capable to perform interaction before choosing a strategy, and have full access of each other data.<sup>54</sup>

## **1.6. Research Method and Data's Collection Technique**

### **1.6.1. Research Method**

This particular thesis will be using qualitative method which focuses in the data analysis by collecting data, interpreting, verifying and validating the data using particular concept, and presenting the outcome in a statement. The collected data needs to be expanded by the ability of the researcher to interpret it in order to make a statement out of it.<sup>55</sup> The type of the research which is

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<sup>54</sup> *Ibid.*

<sup>55</sup> John W. Creswell and J. David Creswell, *Research design qualitative, quantitative, and mixed methods approaches*, (Los Angeles: SAGE, 2018).

going to be used is a descriptive research that will focus on elaborating the data and information in order to answer the research question.<sup>56</sup>

### 1.6.2. Data's Collection Technique

Document studies analysis will be the main method which will be used in collecting information and data technique. Particular information will be gathered from documents that provided by the government, international organization, or even individual party that the credibility and reliability is proven and guaranteed to be trusted. The document will focus on a similar issue of particular journals, government publications and documents or report from Sierra Leone, text books, publication from Kimberley Process, and news – whether e-news or printed newspapers.<sup>57</sup>

Triangulation of data<sup>58</sup> from published documents between the Government of Sierra Leone, Kimberley Process Certification Scheme, International Monetary Fund, and Partnership Africa Canada will also be utilized with the intention to comprehend the export trend of Sierra Leone in 2003 – 2006. This method is chosen because of easy to access factor, high availability level, and also due to a limitation from the researcher point of view regarding the time and budget provided in this thesis.

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<sup>56</sup> Helen L. Dullock, "Research Design: Descriptive Research", *Journal of Pediatric Oncology Nursing* Vol 10, No 4 (October 1, 1993): pp. 154-157

<sup>57</sup> Joy Frechtling, "An Overview of Quantitative and Qualitative Data Collection Methods," (National Science Foundation, 2002), P. 57-59.

<sup>58</sup> Nancy Carter, "The Use of Triangulation in Qualitative Research", *Oncology Nursing* 41 (2014): pp. 545-547

### 1.7. Thesis Structure

The content of this thesis is divided into five different chapter which will be elaborated in:

**Chapter I** which is about the introduction of the paper consists of the issue background, identification of the issue, purpose and aim of the research, critical framework, and the method which will be used to review this thesis.

**Chapter II** discussing the blood diamond of Sierra Leone, particularly in the export aspect of trade which contribute to the national's economic before the implementation of Kimberley Process.

**Chapter III** explaining the Kimberley Process as an international regime, cooperation aspect between international actors regarding the blood diamond trade. Also to elaborate the implementation and the influence that Kimberley Process possess towards the regulation of export trade and the value in Sierra Leone.

**Chapter IV** containing the conclusion remarks of the thesis.