

**The Odd Man Can't Cut the Gordian Knot.
The Role of the European Union in the Kimberley Process**

ABSTRACT

It is the purpose of this thesis to analyse the EU's participation in the struggle against conflict diamonds, as well as in the implementation of the Kimberley Process Certification Scheme (KPCS) – the document which seeks to end the link between the illicit diamond trade and the atrocious civil wars in Africa.

Although in recent years numerous authors published on the illicit trade in rough diamonds and on the Kimberley Process (KP), the role of the EU in the KP remained underexposed. In fact, the topic was never subject to an academic enquiry. This dissertation will be the first study to plough the EU's role in the diamond field.

Therefore, this thesis is based on primary sources. Regarding the KP the most important documents are the relevant UN Resolutions, the reports submitted by the KP participants to the General Assembly, the KP Chair's Reports for 2004, and the reports published by NGOs. The Regulations and Common Positions of the Council served as basis for the chapters on the implementation within the EU. Interviews with EC administrators and the official records of the hearings of the 'Parliamentary Investigations Committee on the Great Lakes Region' provided the background information.

This dissertation is divided into three main Chapters which each tackle a period of the investigated time span. Every period has been bifurcated into two parts. The first covers the worldwide actions to combat conflict diamonds; the second elucidates the EU's contribution. Chapter 1 deals with the period before the first meeting of the KP in May 2000. It focuses on the UNSC Resolutions and their effectiveness and implementation in the EU. The KP, from May 2000 until April 2003, is discussed in

Chapter 2. As this chapter deals with the core questions of this dissertation, it is further divided into two subchapters. The first subdivision tackles the KP negotiations and the role of Europe in these discussions. The KPCS, and its implementation, which both resulted from the whole process, are discussed in the second subdivision. Chapter 3 copes with the period after the negotiations.

The diamond industry was one of the bastions which the Community had not penetrated. According to EC trade law, however, negotiating an agreement on trade in commodities is an exclusive EC competence.

Regarding the KP discussions, the UK, but especially Belgium, had to go through immense torment to accept this. Belgium launched a double battle with the EC in order to preserve its diamond prerogatives. The clash ended rather positively for the Commission. It established its competence in the international diamond trade and was able to close the most important loophole within the EC without touching the internal market. As they were able to maintain their own regimes, also Belgium and the UK got off rather unscathed.

Although the KP became a success (while there remain problems to be solved in the diamond producing countries), it is unlikely that it will serve as example for other natural resources, or become a model EU instrument regarding multilateral conflict prevention.

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