

Putting **People** First



**Human Security Perspectives on
Small Arms Availability and Misuse**

A report by the Centre for Humanitarian Dialogue

Credits

Front cover image: Three-year-old Esperanza holds the family pet bird, a lame pigeon, which is named Giovanni after her fifteen-year-old uncle who was paralysed in a gang-related drive-by shooting. Esperanza's uncle often carries a gun, which he hides in his wheelchair. © Donna DeCesare, 1994.

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About the organisation

The Centre for Humanitarian Dialogue is an independent and impartial organisation, based in Geneva, Switzerland, dedicated to dialogue on humanitarian issues, the resolution of violent conflict and the alleviation of its impacts on people. The Centre facilitates high-level, low-key dialogue amongst principal actors to armed conflict as well as other stakeholders such as NGOs and UN agencies.

This work is complemented by research and policy efforts to advance action on contemporary humanitarian challenges such as the nature of non-state armed groups, mediation techniques, war economies, the rule of law and arms availability. In 2001 the Centre established the Human Security and Small Arms Programme which undertakes a variety of projects aimed at furthering understanding about the human cost of weapons availability and misuse, as well as advocating options for action.

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Cate Buchanan

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Ministerial Foreword: A people-centred approach to the availability and misuse of small arms

Since its inception in 1999, the Human Security Network has recognised that small arms are a principal threat to the safety of people and their communities. The proliferation and misuse of small arms undermine efforts to ensure security at every level; whether in regions destabilised by weapons proliferation, in children’s schools, in refugee camps or in cities wracked by criminal violence.

Countries of the Human Security Network have consistently called for the international community “to intensify and coordinate efforts against the excessive and destabilizing accumulation and uncontrolled spread of small arms,” (Chair’s Summary, HSN Ministerial Meeting Bergen 1999). We are determined, as the UN Programme of Action declares “to reduce the human suffering” caused by the proliferation and misuse of a weapon that “sustains conflict, exacerbates violence, contributes to the displacement of civilians, undermines respect for international humanitarian law, impedes the provision of humanitarian assistance to victims of armed conflict and fuels crime and terrorism.”

We call for the full implementation of existing agreements and standards—regional and global—to control weapons availability and limit weapons misuse. Foremost among these are the Firearms Protocol of the United Nations Convention against Transnational Organised Crime; the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects; and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.

These international initiatives are landmark achievements in the struggle to reduce the human costs of small arms violence. To ensure human security in the face of small arms violence, however, we must do more. To that end, the Human Security Network has undertaken, with the assistance of the Centre for Humanitarian Dialogue, consultations on the human dimension of the small arms challenge. We are pleased to present the outcome of these consultations in this publication—“**Putting People First: Human Security Perspectives on Small Arms Availability and Misuse.**”

On the basis of emerging research and personal accounts from doctors, development workers, humanitarian personnel and people affected by the consequences of small arms misuse, elements of a people-centred approach to small arms are identified. Collectively, they sound an urgent call to explore measures ranging from tightening UN arms embargoes to protecting children from gun violence; from public health interventions to the challenges of gender-based violence; from restraint in arms transfers to promoting community-based policing.

The pages that follow constitute a clear message to the small arms community that progress to date is only a good start. More must be done. We hope that this is a message that will be heard where those working on small arms meet—from the First Biennial Meeting of States on the Implementation of the UN Programme of Action in July 2003 to the town halls of communities struggling in the face of gun violence.



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Curbing the easy availability and misuse of small arms remains a central priority for the Human Security Network. In the coming months, Network countries will continue to draw attention to the staggering human costs associated with small arms violence in multilateral contexts, including the 28th International Conference of the Red Cross and Red Crescent in December 2003.

Network countries will continue this established dialogue with UN agencies and NGOs on a people-centred approach to this issue. Particular emphasis will be given to further elaborating the sub-components such as the relevance of human rights and humanitarian law; and options for enhancing community security. Efforts will also be made to broaden the dialogue to include other like-minded partners.

At the core of all this work, the Network will hold the reduction of death and injury as its benchmark for progress. With an estimated 1,300 people being killed every day as a result of gun violence, we must continue to work towards a world where people's rights, safety and lives are not threatened by small arms. Without substantial progress in reducing the availability and misuse of small arms, human security will remain an elusive goal.

Human Security Network

July 2003

Preface

Societies wracked with gun violence are also plagued with serious human rights abuses and challenges. I have seen this first hand in a diversity of nations torn apart by armed violence, from Cambodia to Kosovo to the Great Lakes and indeed, my own country Brazil. In my experience it is clear that the rampant availability of small arms increases the lethality, intensity and duration of violent conflict.

Time and time again the devastating impacts of the misuse of small arms imperils human security. Communities and nations emerging from armed conflict, all too often remain societies saturated with guns, remaining volatile and unable to fully benefit from efforts to promote sustainable development. Even in so-called peaceful societies, small arms misuse accelerates homicide and suicide rates in shocking numbers.

I commend this publication for its innovative and inclusive approach, and for charting ideas for moving forward on this complex issue. A fine contribution has been made to the debates and thinking emerging around this preventable social crisis, with a range of articles underlining the importance of understanding the humanitarian, development and health consequences of small arms misuse. It especially sets out the multiple ways in which small arms availability and misuse impact upon human rights, in particular undermining the core principles of freedom from fear and freedom from want.

Future action to prevent excessive small arms availability and the elimination of the abuse of these weapons will need critical policy and practice in order to put people first. We look forward to working with the Centre for Humanitarian Dialogue, the Human Security Network and other committed states, UN agencies and NGOs in the coming years to find practical solutions to this lethal problem.

Sergio Vieira de Mello

United Nations High Commissioner for Human Rights

July 2003

Introduction

In July 2003, the international community will make its first assessment of global progress in implementing the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, which states negotiated in 2001.¹ The Centre for Humanitarian Dialogue (the Centre) is pleased to contribute *Putting People First* to this process of reflection.

Our interest in this issue is not theoretical. The Centre's core business is to facilitate peace processes in situations of violent conflict. As part of this effort, we have projects focusing on the role of non-state armed groups, promoting the rule of law and advancing humanitarian negotiation methodologies. Our work is consistently undermined, however, by the easy availability and misuse of small arms.² The difficulty of negotiating peace in weapons-saturated communities and nations led the Centre to establish a new programme aimed at generating ideas and the will for action to reduce arms availability and misuse.

An estimated 500,000 people die each year at the barrel of a gun—in war zones, as well as in 'peaceful' cities and in their own homes. Countless more are wounded, physically or emotionally, through the use of these weapons. While generally not the *cause* of strife, the easy availability of these weapons intensifies the severity of violence and the number of victims. Their proliferation also increases the potential for children to be pressed into armed combat or crime. And the prevalence and misuse of guns undermine sustainable development, good governance and human rights. Even after wars end, abundant weapons all too often leave people and communities caught up in a spiral of violence.

This tragic toll urgently challenges the international community to find meaningful solutions. However, the complexity of the problem, as well as political and diplomatic sensitivity around guns, have caused many governments to stand back from this issue for too long.

The governments of the Human Security Network (the Network) are ideal champions for a comprehensive response to the preventable crisis of global gun violence.³ 'Human

"Belief in disarmament does not proceed from idealism, or naiveté. The best strategy for the prevention of armed conflict is to eliminate the means of violence"

Alpha Oumar Konare, President of Mali, 1992–2002

1. Hereafter referred to as the UN Programme of Action. UN Document A/CONF.192/15. Available at: www.disarmament.un.org/cab/poa.html

2. Small arms include: revolvers and self-loading pistols; rifles and carbines; sub-machine guns; assault rifles and light machine guns. Light weapons include: heavy machine guns; hand-held under-barrel and mounted grenade launchers; portable anti-aircraft guns, portable anti-tank guns and recoilless rifles; portable launchers of anti-tank missiles and rocket systems; portable launchers of anti-aircraft missile systems and mortars of calibres of less than 100mm calibre. Ammunition includes: cartridges (rounds) for small arms; shells and missiles for light weapons; mobile containers with missiles or shells for single-action anti-aircraft and anti-tank systems; anti-personnel and anti-tank grenades; landmines; and explosives. See Small Arms Survey (2001), *The Small Arms Survey 2001: Profiling the Problem*, Oxford University Press, Oxford. The terms "guns", "firearms" and "small arms" are used interchangeably in this publication.

3. South Africa is an observer to the Network.

The Network

Austria

Canada

Chile

Greece

Ireland

Jordan

Mali

Netherlands

Norway

Slovenia

Switzerland

Thailand

Observer

South Africa

“Recognising that the international community has a duty to deal with this issue, and acknowledging that the challenge posed by the illicit trade in small arms and light weapons in all its aspects is multi-faceted and involves, inter alia, security, conflict prevention and resolution, crime prevention, humanitarian, health and development dimensions”

Preamble to the **UN Programme of Action**



security’ refers to an emphasis on the rights, security and life of individuals and communities, rather than an exclusive focus on the state. In August 2002, the Centre’s Human Security and Small Arms Programme—in partnership with the Governments of Canada, Mali and Switzerland—initiated a project to encourage and support the Network in consolidating its established commitment to curbing small arms-related suffering.

The Centre facilitated two meetings between non-governmental organisations, United Nations agencies and Network representatives from Geneva, New York and various capitals, as well as many informal consultations.⁴ This process confirmed that for the Network the reduction of armed violence is of vital concern.

Putting People First seeks to record the valuable discussions held over this period. The Centre has paired highlights of these consultations with contributions from individuals working in various ways to reduce human insecurity endured at the barrel of a gun: humanitarian and development workers, doctors working to put gun violence victims back together, Network governments and others motivated by a desire to lessen human suffering. The resulting publication serves to frame the debate over small arms and light weapons with one clear, over-riding objective—to make people safer.

Putting People First emphasises the human toll from armed violence from various standpoints: health, humanitarian, human rights, development and disarmament. No one perspective dominates the other. Indeed, the strength of a human security approach to this problem is that it can include diverse perspectives whilst clearly prioritising the safety and security of people as the benchmark of any control effort.

Putting People First is focused around three themes:

- The toll small arms are taking on people around the world;
- Strategies to reduce the availability of small arms; and
- Key challenges to ending the misuse of these weapons.

This anthology is not definitive or exhaustive; rather, it is one contribution to a wide-ranging debate. The views and ideas raised are worthy of greater investigation, discussion and action.

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4. See Annex 2 for information about these meetings.

Section I: Assessing the human cost of small arms availability

Whilst the exact toll is unknown and probably unknowable, the availability and misuse of small arms and light weapons clearly has an appallingly high human cost around the world. This section highlights some of the impacts and gives voice to practitioners who work to piece together bodies and lives damaged—or destroyed—by gun violence.

The strain on healthcare: ‘You never get used to it—senseless death’
One of the ironies of gun violence is that regardless of the background of the person or country affected, the destructive consequences are the same, and they are profound. Following is the story of two doctors living and working in dramatically different environments—one in poverty-stricken Uganda and the other in the affluent United States. They face the same day-to-day difficulties in dealing with the devastation caused by gunshot wounds.

Dr. Olive Kobusingye is an emergency surgeon at Mulago Hospital in Kampala, a city of 1.2 million people. Because there is no emergency medical service in Uganda, Olive’s patients are usually brought to the hospital by the police. Though road accidents are the most frequent cause of injury, patients with injuries from gun violence are more likely to both need an emergency operation and die from their injuries.

The main treatment room is divided in two, with a total of four beds. It is a rare day when there are no gunshot victims in the ward and Olive explained how lucky that was for the other patients. As she treated a young girl who had been hit by a car with a temporary cardboard splint, Olive explained that the emergency room often contains six beds instead of four. In such close quarters the doctors and nurses must be particularly vigilant about transmission of infection among patients and staff: a gun violence victim losing massive amounts of blood a couple feet away from another injured patient is a massive challenge.

Dr. Mark Engelstad, a facial trauma surgeon working in Minneapolis, Minnesota, a city of about three million people in the north of the United States, explained that guns are extremely efficient at damaging soft tissue and causing massive loss of blood. Because a bullet leaves a tract of damage that usually crosses the entire body, these wounds typically necessitate long and numerous procedures, multiple days in the intensive care unit and enormous allotments of cash that could be channelled elsewhere.

Excess cash is precisely what the Ugandan health system does not have. Back in the hallway with Olive, a relative of one of the patients waiting for treatment complains about the long wait for an x-ray. A nurse told us that an x-ray was impossible because there has been no film available for the machine for over a week. Olive notes that a baseline x-ray or CAT scan before surgery provides a useful guide during surgery and helps with the post-surgery monitoring of the patient, but frequently Olive undertakes surgery without even these standard tools. She adds that at a hospital such as Mulago, having the relatives of patients on hand is often critical for the treatment of those patients.

Because the emergency ward is always chronically short of nursing staff, relatives play an invaluable role as patient monitors. Relatives are also important in helping to raise money if the patient should need special treatment (such as a CAT scan) available only to those who can pay. Most Ugandans live on less than a dollar a day, so the cost of a CAT scan, approximately US\$80, can easily devastate a family.

To put this in perspective, Uganda's health care expenditure is one of the lowest in the region at about US\$8 per person annually, with a doctor/patient ratio of one doctor for every 25,000 persons. About half of the population lives within five kilometres of a health facility, but barriers to accessing health care extend far beyond physical distance.

Olive emphasised that the financial strain put on Mulago by gunshot victims is enormous. When a patient arrives at the hospital urgently requiring blood and emergency surgery, there is serious concern that essential items will run out; gloves, cotton wool, clean linens, tested blood in the blood bank, disinfectant, dressings and x-ray film are the first to go. In acute situations, Olive and her colleagues make life and death decisions

in the resuscitation room. With one respirator for the whole emergency area, the patients who are most likely to survive are treated first. Olive described a frequent compromise that has to be made when she asked, "Are you going to take a child off the respirator to put on the firearm injury patient?"

Mark, the American surgeon, has far more resources at his disposal but reports the same concerns. Even in a city like Minneapolis, where gun violence is relatively low in comparison to other US cities,

"It is like we are mopping the floor with the taps on. It takes five minutes to shower bullets, but it takes three hours and immense resources to repair each person. We need to direct our full energy to trying to prevent this crisis from escalating any further"

Dr. Olive Kobusingye⁵

Mark sees those who failed in suicide attempts or who were victims of firearm accidents or interpersonal violence. He estimates that the majority of his patients, perhaps three out of every five, are young males with self-inflicted injuries. Many more are accidental shootings involving children who were playing with weapons lying around their homes.

An often-neglected cost of firearms proliferation is that of rehabilitating gunshot victims after the initial surgery. This cost can be enormous, diverting financial resources from other areas of health care, such as disease prevention. As Mark notes, the rehabilitation of victims includes efforts to deal with amputated limbs, the loss of sensation from severed nerves, permanent physical disabilities, inhibited internal organ function (such as the loss of the spleen, which necessitates daily antibiotics permanently) and digestion problems arising from the loss of sections of the bowels, amongst other issues.

The strain on resources is not Olive's biggest concern with respect to gun violence. She is more concerned about the long-term emotional impact of gun injuries on individuals, families and communities. Olive explained that the families of firearm victims express far more grief than the families of other types of tragedies: "with firearms... there is fear. It's very personal... It's like the threat hasn't gone away." Mark echoes that sentiment, noting that the psychological trauma suffered by gunshot victims and their

5. 'Going to the source of the illness', a presentation at *Small arms and the humanitarian community: Developing a strategy for action*, Nairobi, November 2001. Report available at: www.hdcentre.org/Programmes/smallarms/hcsa.htm

families is easily diagnosed but requires long periods of treatment: “I believe this is because of the naked savagery that comes from deliberate homicidal or suicidal intention.” Unlike other forms of trauma, the psychological effects of being shot tend to stay with the victim and their family for many years.

The availability and misuse of guns is a growing concern in Uganda because of the perception that owning a weapon increases security. Olive is also the executive director of the Injury Control Centre of Uganda, which conducts research into injury prevention and implements the results in advocacy efforts and evidence-based policy development. “It would be great if we could take care of patients as we best know with the resources that we need... Having said that, I think that the resources need to be used more strategically, to find out how we could take guns out of society, out of civilian hands.”

Olive walked back to the surgical emergency centre and treated a girl with a bump on her head from falling out of a bunk bed, as well as a vomiting, inebriated man who had hurt his arm. Imagine the chaos if a gunshot victim were added to that small room.

Gun violence strains health care systems, and the often intentional nature of the injury adds permanent scars to the sense of well-being of the survivors, their families and their communities. These scars overwhelm whatever security the arms were supposed to provide in the first place—regardless of whether the person or the community in question is amongst the poorest or richest in the world.

Mark Gardberg, freelance journalist and Cate Buchanan, Manager of the Human Security and Small Arms Programme at the Centre for Humanitarian Dialogue co-wrote this article.⁶

For more information on this issue

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Development interrupted: ‘Why do they sell us arms and at the same time ship us relief grain?’⁷

Over the course of the consultations many individuals, particularly representatives from the government of Mali, drew attention to the nexus between small arms availability and development setbacks. This perspective from Kiflemariam Gebre-Wold highlights the key issues at stake.

6. Kimberly Burns, freelance journalist, interviewed Dr. Olive Kobusingye in February 2003. Cate Buchanan interviewed Dr. Mark Englestad in March 2003.

7. Question from a shoe-shine boy in Addis Ababa to the author in 2001.

Progress towards development is progress towards peace. When people have options for earning a living, asserting their rights, and benefiting from public security, then development efforts can more effectively reduce the potential for armed violence. However, development programmes are often implemented with a high economic and human burden and falter due to the interruption caused by armed violence—whether in the slums of Rio de Janeiro or in rural Sudan.

As an Ethiopian, I focus my efforts on the Horn of Africa.⁸ The countries in this region are wracked by armed conflict, though varying in nature, scope and intensity. These states are fragile; even where peace has begun to take hold there are dangers of regressing to open armed conflict. A broader peace-building process still needs to be defined and gain genuine political support.

Guns are not used exclusively to wage war. In undisciplined hands they are also tools for criminal violence and community insecurity. The fear of gun violence keeps children away from school, nomads from their grazing lands, hawkers from markets and relief workers from refugee camps. When this happens, neither relief nor development activities are possible.

Take, for example, Garissa in the north-east of Kenya. Here physical insecurity ranks alongside drought as the prime cause of human misery. The connection

between the two is insidious, resulting in a double blow—a reduction in entitlements and a lack of access to property. Garissa suffers from the easy availability of arms in a number of ways: highway banditry and hijacking, raiding and stock theft, robbery and looting, intimidation, physical injury and mutilation, rape and murder caused by inter-clan conflicts and banditry. The most obvious impact of these weapons is the people killed. Most are never even reported.

Internal displacement is another consequence of small arms misuse. People—often women and children—are forced from their homes, destroying the very fabric of their societies and undermining the existing mechanisms for coping with poverty. In this case, it is clear that the violence and instability that accompany armed conflict not only make development projects impossible, but they also undermine the survival systems and coping mechanisms already in place. Instability, poverty and state collapse are the consequences.

While development is stifled by the uncontrolled availability of guns, in some cases countries offer development assistance while at the same time provide incentives for new arms sales. The supply of these weapons frequently leads to their misuse and still more fear and death. Development—in the midst of armed violence—is little more than a bandage for the victims of small arms and, as has been documented, when relief assistance is exchanged for arms, actually aggravates the situation.

In order to develop critical awareness and entry-points for intervention, more effort is needed to record the linkages and impacts of small arms availability and misuse on

“If you have to shell out [a] greater part of what you earn through sheer hard work to anyone who comes with a gun, what is the point of working at all?”

Bibhuti Sarma from Nalbari, India⁹

8. Countries in the Horn of Africa include Djibouti, Eritrea, Ethiopia, Kenya, Uganda, Somalia, and Sudan.

9. Interviewed in Banerjee, Dipankar and Robert Muggah (2002), *Small Arms and Human Insecurity: Reviewing participatory research in South Asia*, Regional Centre for Security Studies and Small Arms Survey.

Box 1: Approaching the small arms problem from another perspective

A public health approach offers a people-centred methodology for understanding and acting on gun violence. If arms availability and misuse is viewed as a preventable health crisis, this approach offers a powerful complement to many of the efforts underway.

The discipline of public health emphasises disease prevention and health promotion with an unequivocal objective of saving lives and reducing injury—whether that is threats from poisonous substances, car crashes or gun violence. To reach these goals practitioners prioritise fact-based interventions which respond to the demands of particular contexts.

In the case of armed violence, public health methodologies recognise the multi-faceted nature of violence and rely on multi-disciplinary, collaborative approaches. “Approaching the small arms problem in this manner forces the erosion of some of the barriers that have been artificially constructed by disciplines and by politics to ensure that appropriate solutions are crafted and evaluated.”¹⁰

A public health approach to dealing with threats to well-being involves the following steps:

1. *Monitoring trends* including death and injury, impacts on specific populations and assessing broader impacts;
2. *Analysing the causal chain* including social, economic, cultural and environment, the victim and assailant, facilitators (such as the availability and misuse of weapons);
3. *Developing interventions* which break the chain at its weakest link, including:
 - Educating people regarding the risks and preventative actions,
 - Mobilising community partnerships to develop collaborative strategies,
 - Developing policies and regulations which address the problem,
 - Developing solutions to reduce harm,
 - Enforcing laws and regulations,
 - Providing timely and effective treatment;
4. *Evaluating effectiveness* of interventions in terms of effectiveness, and refining approaches.

development. Efforts to mainstream small arms control into established development programming is underway and needs to be consolidated. In particular, small arms violence reduction awareness and planning should be factored into the multitude of sectors working to promote sustainable development. Programmes targeting food insecurity, security sector reform, public health, water and sanitation should, for example, take into consideration the presence and abuses associated with arms. A final immediate and obvious arms control technique of relevance to the development community is that of weapons collection and destruction. Whether coupled with development incentives or with increased community participation and involvement, taking weapons out of circulation can provide a much-needed window of opportunity for longer-term development and peace initiatives to take hold.

Kiflemariam Gebre-Wold was the Project Director for the Bonn International Centre for Conversion project, “Small Arms and Light Weapons in IGAD countries” (SALIGAD), 2000–2002. He is currently affiliated with AIDA Consultants.

10. Wendy Cukier, “Small arms and light weapons: A public health approach,” *The Brown Journal of World Affairs*, Spring 2002, Vol 1x, Issue 1, p. 261.

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Quaker United Nations Office (QUNO) reports on reducing the demand for arms.

Available at: www.geneva.quuno.info/main/publication

The Small Arms Survey Yearbook for 2003 has as its central theme: "Development Denied."

Available at: www.smallarmssurvey.org

In the line of fire: Aid workers and weapons availability

The Centre for Humanitarian Dialogue and the Small Arms Survey combined forces in 2001 to assess the impact of weapons availability on humanitarian and development operations and personnel.¹¹ The *Security and Risk in Humanitarian Action and Development Study* was motivated by the lack of information about the impact of gun use and abuse on those who seek to assist and protect populations at risk.¹² The multi-year study consists of a questionnaire distributed to aid workers in war zones, in nations in transition from war to peace and in so-called peaceful countries. The 600 responses received from 39 countries represent the largest sample of opinions from this community on small arms to date.¹³

Findings from the first round of implementing the survey indicate that agency staff consistently work in insecure environments and feel personally threatened by firearms.¹⁴ In addition to perceptions of personal risk, many respondents have experienced a variety of security incidents, including armed intimidation, robbery at gun point, armed assault and detention. And many respondents indicated they have had colleagues killed or wounded by small arms.

Regardless of the security context, nearly all personnel reported widespread possession of weapons. In addition to the military, police and private security forces, respondents noted alarming rates of possession among rebel groups and organised criminal syndicates. Many respondents estimated 'moderate' to 'very high' levels of weapons possession among civilian populations.

According to nearly three quarters of respondents, small arms availability leads to frequent delay or suspension of operations. Severely insecure environments—often

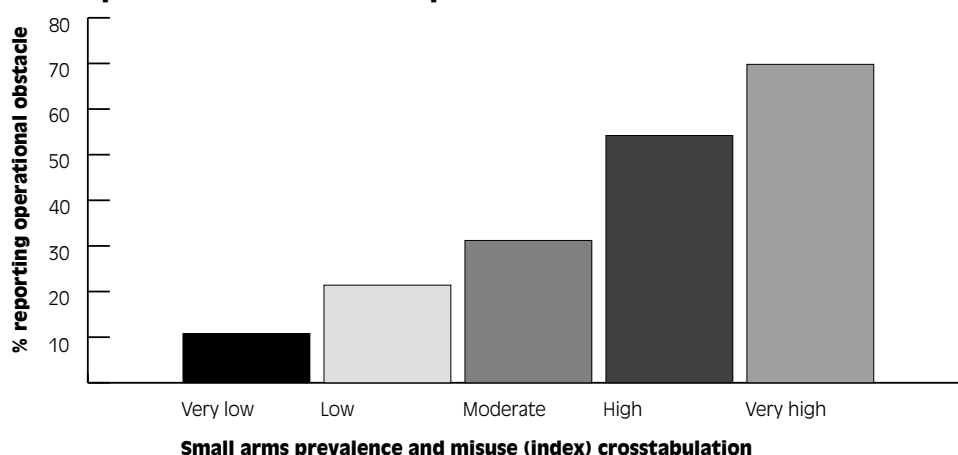
11. For more information go to www.hdcentre.org/Programmes/smallarms/sasurvey.htm

12. As of March 2003, partners included Merlin, Médecins du Monde, Oxfam GB, World Vision, CARE, UNDP and Concern Worldwide.

13. Particular emphasis was given to two regions: Southeast Asia (Cambodia, Philippines, and Thailand) and the Balkans (Kosovo, Macedonia, Albania and Serbia Montenegro).

14. The final report of the 2002 findings is available at: www.hdcentre.org/Programmes/smallarms/sasurvey/lineoffire.htm

Operational obstacles and the prevalence and misuse of small arms



the result of a high prevalence of weapons—restrict access to civilians in need and can lead to evacuations. Targeting of civilians, unintentional death and injury and rampant crime were among the activities most frequently cited. Most weapons-related deaths and injuries among civilians were attributed to handguns, though in zones of conflict, assault rifles were seen to be the major threat.

The majority of respondents indicated that they had not received security training from the organisation they currently worked for. Worse still, responses also suggested that national staff are only half as likely as expatriate staff to receive security training at all. Those that have received security training typically view it as ‘helpful’ in dealing with small arms, and evidence suggests that security training is associated with an increased tendency for individuals to take security precautions.

Early indications from the study paint a bleak picture of the environments in which aid workers operate, and of their ability to work safely. A longer-term objective of the study, therefore, is to highlight practical policy-related recommendations for participating agencies and the wider humanitarian and development community. In the next phase, the project will continue with global implementation with a focus on the Great Lakes region in Africa and the Middle East, as well as country case studies on Afghanistan and Angola.

“With peace and demobilisation [in Guatemala], the same mountain and jungle roads we had travelled in comparative safety became scenes of frequent attacks by gunmen who had no special respect for UNHCR. Our team was so vulnerable that when the local people spread a rumour that the huge object in front of the car (the antenna) was a weapon, we didn’t deny it because we thought it might prevent some attacks”¹⁵

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Triple jeopardy: Women, guns and violence

It was acknowledged through the dialogue process that a thorough analysis of the direct and indirect impacts of gun violence on women is necessary. In this article Vanessa Farr identifies some of the issues surrounding women, guns and violence as a contribution to this under-explored dimension of the human cost of small arms.

In an address to the NGO Committee on Disarmament, Peace and Security, the Under-Secretary-General for Disarmament Affairs observed that “practical disarmament measures, such as weapons for development projects, by bringing together members

of a community and initiating a dialogue to decide on development priorities, do more than collect weapons and build new roads and street lights. They foster community ties that are essential for lasting peace.”¹⁶

Nurturing community ties is indeed essential for disarmament programmes to succeed. But such work cannot be undertaken with the entire community unless measures are put in place to develop a gender-aware approach to human security. We need to acknowledge that a community cannot be secure in the face of rampant gender-based violence. Such violence takes place in different social contexts, and affects women and children of all social classes, but is frequently hidden from public view.

“You asked me what experience I have with small arms . . . [My sons] are fighting . . . each other with bullets and machetes, leaving rivers of blood, finishing each other off . . . And my daughters? [They are] displaced from their land and raped by their brothers. [They are] not able to show their offspring anything more than a land full of hatred and despair”¹⁷

Sofia Jaramillo, medical doctor, Colombia

Sustainable development also requires a commitment to protecting women’s human rights. It must also involve addressing the effects of gendered perspectives on the security of all members of a community through mechanisms to provide equal opportunities and equal access.

A commitment to building gender awareness is essential if we are to fully understand the effects of small arms, wherever they are used. This commitment will ensure that equal attention is paid to the needs of women and men who have been victims of conflict and that policies and programmes will address these needs equally and efficiently.

Even in countries not at war, men own, use and die from small arms in far larger numbers than women. Gender-disaggregated studies of firearm-related violence have shown, however, that guns also play a significant part in the perpetration of violence against women, either in the home or in public spaces nearby.¹⁸ Moreover, given women’s

16. Dhanapala, Jayantha (2002), *Making Peace Last: Disarmament as an Essential Element*. A paper delivered at the NGO Committee on Disarmament, Peace and Security Workshop DP1/NGO Conference, United Nations, New York.

17. IANSA Women’s Caucus (2001), *The Devastating Impact of Small Arms and Light Weapons on the Lives of Women: A Collection of Testimonies*.

18. Wintermute, Garen J., Mona A. Wright and Christiana M. Drake (2003), “Increased Risk of Intimate Partner Homicide Among California Women Who Purchased Handguns.” *Annals of Emergency Medicine* 41.2: 281–283.

multiple roles in the home and community, they frequently provide the nurturing and support for men who have been victims of firearm-related violence.

Studies show that guns are particularly dangerous if they are kept at home, whether owned by a woman or a man. Indeed, according to a recent study of mortality among women who purchased handguns in California, owning a gun increases a woman's chances of being killed by her intimate partner by a staggering 50%.¹⁹

In violent societies, with a high prevalence of small arms, gun use is innately intertwined with culturally-condoned expressions of masculinity. This is particularly true for young men who regard guns as a powerful means to establish their place in the social hierarchy. In societies characterised by machismo, young men can come to believe that 'guns make the man,' and think it is possible to 'become a man' through violence towards their female partner. Given that women and children are more likely to be harmed by firearms in countries where guns are widely available, effective gun control should be seen as a vital and urgent part of any strategy to reduce violent crime against women.

But what of women trapped in full-scale combat zones, where there are no laws to protect civilians? The presence of large numbers of weapons plays a key part in the waging of contemporary wars, with unprecedented levels of brutality being directed against women and girls. Frequently, the intention of the new warmongers is to control a region not to liberate but to loot. They abide neither by international humanitarian law nor local ethics, and as a result, they inflict unprecedented damage on civilians.

In order to develop meaningful violence reduction strategies in conflict torn places, we need better evidence of how small arms impact women's lives. For example, what is the impact on women's health? What are the economic costs for families? How does a woman's sense of insecurity affect decisions about work outside the home? Accurate statistics are essential if arms control efforts are to become gender-sensitive and responsive to the particular needs of women caught in the crossfire.

In their assessment of the impact of armed conflict on women, Elisabeth Rehn and Ellen Johnson Sirleaf observed that women had taken concrete steps to move "from a culture of reaction to a culture of prevention" through establishing systems of early warning and response.²¹ Among these is recording and publishing their concerns on the availability of guns, increasing their knowledge and awareness of how women can take an active role in weapons collection and empowering themselves to participate in community and family decision-making processes where issues of safety and security are discussed.

"Studies in Cambodia in the mid-1990s indicated that many women—as many as 75 per cent in one study—were victims of domestic violence, often at the hands of men who had kept the small arms and light weapons they used during the war"²⁰

19. Wintermute, Wright and Drake (2003); see also Cukier, Wendy (2002), "Gendered Perspectives on Small Arms Proliferation and Misuse: Effects and Policies." *BICC Brief* 24: 25–41; Jewkes, Rachel and Naeema Abrahams (2000), "Comments on the Firearms Control Bill Submitted to the Portfolio Committee on Safety and Security." Available at: www.gca.org.za/bill/submission/jewkes.htm.

20. Rehn, Elisabeth and Ellen Johnson Sirleaf (2002), *Progress of the World's Women, Volume 1. Women, war, peace. The Independent's Expert's Assessment on the Impact of armed Conflict on Women and Women's Role in Peace Building*, p. 16.

21. Rehn and Sirleaf (2002), p. 111.

The role of researchers and policy makers in supporting these initiatives is crucial. New conceptual frameworks and methodologies for research on the human security impacts of small arms are only now being produced. Given that the experiences of women in wartime have historically been overlooked, silenced or quickly forgotten, it is imperative, from the outset, that future work include a commitment to revealing the particular suffering and resistance of women and girls.

Dr Vanessa A. Farr is co-editor of an upcoming book about the impacts of arms availability and misuse on women, supported by the United Nations University and the government of Canada.

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People on the move

Nearly one in every hundred people in the world is displaced—some within their home countries, others outside. Many in this diverse but vulnerable population are fleeing armed violence. What factor does weapons availability play in the decision to flee from home? This article outlines some of the issues for consideration.

According to UN Secretary-General Kofi Annan, “the forced displacement of civilian populations is now often a direct objective, rather than a by-product, of war.”²² Current estimates suggest that there are approximately 12 million refugees and 20 to 25 million internally displaced persons. Of the 20 million ‘people of concern’ that the UN High Commission for Refugees (UNHCR) assists, 8.8 million are in Asia, 4.8 million in Europe and 4.2 million in Africa.²³

Displaced people suffer from the easy availability and misuse of weapons before, during and after they have been forced to flee. For example, in 2001, displaced people in the former Yugoslavia were consistently threatened by weapons left over from the war, including firearms and explosives, both of which were used in incidents of harassment. Routine misuse of arms frequently goes unpunished.²⁴ The use and abuse

22. UN Secretary-General Kofi Annan (1998), *Report to the Security Council on Protection for Humanitarian Assistance to Refugees and others in Conflict Situations*, S/1998/883.

23. Figures as of 1 January 2002. Available at: www.unhcr.ch

24. For example, the Global IDP Project notes the ongoing harassment and intimidation of Serb minorities in Croatia. See Global IDP Project (2001), *Croatia: Serb minorities continue to be exposed to harassment and intimidation*. Available at: www.db.idpproject.org/Sites/IdpprojectDb/idpSurvey.nsf

of guns is often the ‘trigger’ for people fleeing their homes and in this regard is a ‘proximate cause’ of displacement. Moreover, while attempting to escape harassment and violence perpetrated with arms, people are often injured and psychologically scarred.

Finding refuge in a camp or resettlement area is often not as secure as it sounds. The growing militarisation of refugee camps—supposed havens of humanitarian protection—threatens people’s safety at every turn. Armed gangs inside the camps hold hostage those fleeing for their lives from bad situations. And aid workers trying to provide assistance are also subjected to intimidation and violence.

Militarisation of refugee camps is characterised by the presence of former soldiers, militias and even weapons dealers. Camps are often targeted by local and foreign armed forces and used as recruiting bases for non-state actors.²⁶ Civilians in the camps sometimes take up arms in order to protect themselves, further entrenching cultures of violence and the demand for weapons.

With camps losing their civilian character, some organisations have chosen to employ private security to regain control. This practice is a source of considerable consternation and debate within the humanitarian community. Others have sought longer-term solutions by initiating effective policing within camps. As an example, in 1999 the UNHCR established programmes within the Burundian refugee camps inside Tanzania to tackle violence perpetrated against women. The agency employed staff specially sensitised to violence and gender issues to address all cases of violence against women. It has also hired an international security liaison officer to train police in the camps.²⁷

In Guinea a similar situation is reported. With a new emphasis on responding to cases of gender-based violence, there has been an increase in reporting such crimes and in the confidence of those who survive such attacks. “These changes don’t come overnight. It’s difficult to measure, but I can see improvement”, says Margaret Sankoh, programme officer for the International Rescue Committee.²⁸

With all too many people finding themselves living for years and sometimes a generation in refugee camps, further approaches to improving security in these communities must be urgently explored.

“I ran into a young Colombian man whose body was pocked with scars. He had been shot nine times and left for dead. His crime? He had been born in a village known to be a paramilitary stronghold, and the guerrillas had considered him an enemy and tried to kill him. It was a miracle he survived”²⁵

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25. Thompson, Larry (2002), *Colombia and Displaced People*, Refugees International. Available at: www.refugeesinternational.org/cgi-bin/ri/other?occ=00500. The Global IDP Project states that “according to the [Colombian] government, in 2000, paramilitaries were responsible for 71 per cent of forced displacement”. Available at: www.db.idpproject.org

26. Muggah, Robert (2002), *Forced Migration Online Research Guide: Small Arms and Forced Displacement*. Available at: www.forcedmigration.org/guides/fm0002/

27. Crisp, Jeff (2001), *Lessons Learned from the Implementation of the Tanzania Security Package*, United Nations High Commissioner for Refugees, Geneva: Evaluation and Policy Analysis Unit.

28. Notes from the field: Refugee women and the challenge of reintegration (2002). Available at: www.refugees.org/news/press_releases/2002/071902.cfm

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Lucky to be alive?

No one knows how many people are disabled annually due to gun violence, but Coupland and Meddings estimate that the number of people injured in conflicts is usually two to three times the number killed.²⁹ This and many other studies indicate an alarming need to investigate the scale and costs of gun-related disability and to understand what is required to assist and rehabilitate survivors. The following article highlights the case of young Palestinian men deliberately and permanently disabled through the misuse of weapons with controversial ammunition. Research carried out by the Institute of Community and Public Health at Birzeit University indicates that about 13% of the injuries sustained by Palestinians during the recent Intifada are likely to result in permanent disability.³⁰

Since the eruption of the al-Aqsa Intifada on 29 September 2000, some 2,300 Palestinians—including 355 minors under the age of 18—have died.³¹ According to the Palestine

Red Crescent Society, over 23,000 more have been injured. The Israeli human rights organisation B'Tselem collected numerous testimonies illustrating the abusive use of small arms by Israeli soldiers and settlers. For example, "You hear shooting, nothing effective. You jump and start shooting... The soldiers take a bit of initiative and shoot at suspicious (things)... This was an incident that was later reported on the army radio as 'shots were fired at the green-



Bahat Kaldouni recuperates from a bullet wound at the Arab Medical Clinic in Amman, Jordan. The 19-year-old farmer was walking home after working in his family's fields in the West Bank, near Nablus, when he was shot in the shoulder by Israelis driving by in a car. © Heidi Zeiger

29. Coupland, Robin and David Meddings (1999), "Mortality associated with the use of weapons in armed conflict, wartime atrocities and civilian mass shootings: Literature review", *British Medical Journal*, Vol. 319, p. 407. In some instances the ratio can increase to 13.

30. Ferriman, Annabel (2002), "Palestinian territories face huge burden of disability", *British Medical Journal*, Vol. 324, p. 320.

31. See www.palestinercs.org/injuries_data_analysis.htm

houses of the Morag settlement. Our forces returned fire to the sources of the shooting.' I don't know about any sources of the shooting, and I was there."³²

Much of the violence comes from Israeli settlers or soldiers, but not all. Roughly 80 Palestinians have been killed by fellow Palestinians since the beginning of this Intifada under suspicion of collaboration.³³ At the same time, over 700 Israelis have been killed, including 224 members of Israeli security forces and 92 minors.³⁴

The violence has a direct effect on the economy of the region, which in turn has compounded an acute shortage of access to health care and rehabilitation services. According to USAID, the percentage of the population living under the poverty rate of US\$2 per person per day in the Palestinian territories has jumped to 46%, with unemployment soaring from 10 to 38%.³⁶ Hospitals are often inaccessible to patients and staff, and institutions have difficulty obtaining medical supplies. Human rights organisations have reported many cases where injured and sick people have died at checkpoints, barred by soldiers from passing through.³⁷

The impact on young men in particular was highlighted in a February 2001 report conducted under the auspices of the University of California.³⁸ Over 100 interviews were carried out with patients, doctors and medical personnel in 14 hospitals and clinics in Jordan and the West Bank to investigate the claim that Israeli security forces were using 'excessive force' to quell the Palestinian uprising. The investigators found that shooting was often directed at unarmed Palestinians and that non-lethal control methods were rarely employed.

Ammunition such as rubber bullets, often regarded as benign, can be devastating if fired at short range. After all, there is only a thin layer of rubber coating a steel ball. "They are the nightmare of the neurosurgeon. Every time the patient moves his head, it's like a marble moving in jelly. There's nothing you can do about it."³⁹ Particularly worrying is the widespread use by Israeli forces of fragmenting bullets fired by M16 assault rifles.

"Mahmoud Al Medhoun, 15, was hit three times—in the leg, back, and abdomen—by soldiers firing from the hatch of a tank. One bullet lodged in his spine, smashing three vertebrae and pinching a nerve. His right leg is paralysed. Doctors have removed part of his colon and repaired his liver; he is unable to eat. 'God willing, I will walk again', declares Mahmoud. But when his father cites the doctors' opinion that the paralysis is probably permanent, the boy rolls himself into a ball, burying his face in the crook of his arm and crying"³⁵

32. Given to B'Tselem by an Israeli soldier, in *Trigger Happy—Unjustified Gunfire and the IDF's Open-Fire Regulations during the al-Aqsa Intifada (Summary)*, Information Sheet, March 2002, www.btselem.org

33. See Palestinian Human Rights Monitoring Group, www.phrmg.org

34. Figures by B'Tselem as of 13 April 2003, www.btselem.org

35. Andoni, Lanis and Tolan, Sandy (2001), "Shoot to maim". *The Village Voice*, February 21.

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37. See for example Physicians for Human Rights-Israel (2002), *A Legacy of Injustice: a critique of Israeli approaches to the right to health of Palestinians in the Occupied Territories*, PHR, Israel.

See also B'Tselem (2002), *Wounded in the field: Impeding medical treatment and firing at ambulances by IDF soldiers in the Occupied Territories*, B'Tselem, Jerusalem.

38. Andoni and Tolan (2001).

39. Dr. Jihad Mashal in Andoni and Tolan (2001).

“Shooting people with high-velocity bullets to wound them is a form of summary punishment being inflicted in the field”

Dr. Robert Kirschner, Physicians for Human Rights⁴¹

This ammunition is precisely of the type likely to lead to permanent disability.⁴⁰ Danish forensic pathologist Dr. Peter Knudsen, a ballistics and humanitarian law expert, argues that all M16 ammunition currently used by military forces should be banned because they are likely to shatter.

He states: “My country replaced a fragmenting 7.62 mm rifle bullet with a non-fragmenting one, due to concerns about its ‘legality’. The technology that can send a man to the moon has not yet been able to design a commercially available non-fragmenting 5.56 mm [M16] bullet. If it is ever made, the ‘military necessity’ for bullet fragmentation will be put to test.”⁴²

Annual production of military-calibre small arms ammunition of all types and calibres amounted to an estimated 16 billion units in 2001.⁴³ In 1995 the Swiss government introduced an initiative to bring M16 ammunition into compliance with the Hague Convention, which bans fragmenting bullets. While small arms proliferation is undoubtedly the principal factor leading to death and injuries, it is time to revisit the issue of ammunition control, given the dramatic human cost of some high velocity and fragmenting ammunition.

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Palestine Red Cross Society. Go to www.palestinercs.or/bullet_injury_types_care.htm

40. Ferriman (2002).

41. Andoni and Tolan (2001).

42. Personal correspondence between the Centre and Dr. Knudsen, April 28, 2003.

43. Small Arms Survey (2002), p. 14.

Box 2: Armed violence leads to millions of indirect deaths in the Congo

Armed conflict has dramatic implications for public health even beyond direct casualties. Principal among these are crude mortality and birth rates, measles-related and HIV-reported deaths. No country in recent times has been more systematically affected by war than the Democratic Republic of Congo (DRC). Following a three-year epidemiological survey of mortality in the DRC, Les Roberts and colleagues claim that, "the death toll from the war ... has exceeded that of the Biafran conflict as the highest death toll ever attributed to war in Africa, or indeed anywhere in the world since World War II."

Decrying the lack of attention to the conflict from aid organisations and policy makers Roberts and colleagues report that between 3.0 and 4.7 million excess deaths occurred between August 1998 and December 2002 in the five eastern provinces of DRC. Between 1999 and 2001, they observed a strong correlation between deaths from violence and death from indirect causes such as infectious diseases. Due to a reduction in the scale of armed violence in the eastern DRC, their most recent survey has recorded a significant decrease in deaths from violence—from rates of 540 per 100,000 per month in 2001 to 350 per 100,000 per month in 2002. Still, crude mortality rates remains astonishingly high. Even with the noticeable decreases, armed violence persists in specific areas. For example, all reported deaths attributed to violence in Kisangani Ville, one of the survey sites, were attributed to firearm injuries.

What is most extraordinary about the crisis is the lack of interest from the international community. Though the recently signed Pretoria ceasefire holds some promise, the situation remains precarious. If this war has finally subsided in its fourth year, Roberts et al write that, "policy makers would do well to examine what made it so deadly and what factors brought on its demise."

This summary was written by **Robert Muggah**, Senior Researcher at the Small Arms Survey⁴⁴

44. It is derived from an original publication by Roberts, Les, Pascal Ngoy, Colleen Mone, Charles Lubula, Luc Mwezse, Mariana Yantop and Michael Despines (2003), *Mortality in the Democratic Republic of Congo: Results from a Nationwide Survey*. International Rescue Committee, New York.

Section II: Managing and reducing the availability of small arms

Lax regulation of firearms and light weaponry permits all too easy access, which in turn permits misuse. Most lethal consumer items are subject to national and global rules about production, transfer and use. How is it that firearms have been so poorly regulated for so long?

The following articles highlight what can be done at national, regional and global levels to promote best practices and harmonised laws. Compelling cases are put forward for greater regulation of civilian possession of firearms; establishing a global legal framework for arms transfers; strengthening existing tools to curb weapons availability (e.g., arms embargoes and moratoriums on imports); and removing weapons from circulation.

Restricting the entry of new weapons into societies is an important component of reducing availability. But supply side measures alone cannot resolve the problem. Ultimately, if a market for guns exists, supply will be found. The social conditions that lead to a demand for weapons must be addressed if availability is to be controlled. These conditions include widespread poverty, lack of opportunities for young people, police brutality, public insecurity and dysfunctional criminal justice systems.

The measures explored below focus on both supply and demand. Taken together, these initiatives would lead to safer people and safer communities.



The regulation of civilian possession and use of firearms

In recent years there has been increased focus on deaths from small arms in the context of violent conflict; however, an equal number of deaths resulted from guns in the hands of civilians in ‘peaceful’ countries. A dead child is a dead child, whether a child soldier in Uganda, a crime victim in Soweto or a student in Columbine, USA. And the threat of gun violence to children in some countries considered to be at peace is as great as it is in conflict zones. Meanwhile, women worldwide are as much at risk from weapons wielded by their intimate partners as they are at risk from armed combatants or criminals, and national gun regulation has been identified as an important measure in efforts to counter violence against women.

Most illegal arms begin as legal arms, and without adequate attention to regulating civilians’ possession and use of these weapons, international efforts to address the illegal gun trade will fail.

© Lawrence Lawry, Getty Images

In pursuing the overarching objective of reducing death, injury and fear associated with gun violence worldwide, we must resist artificial dichotomies—for example, between ‘firearms’ and ‘small arms’, between ‘licit’ and ‘illicit’ weapons and between ‘conflict’ and ‘crime’.⁴⁵ A combination of strategies to address the easy availability and end the misuse of these weapons is essential.

Despite strong political resistance from some countries to address civilian possession of firearms, existing international and regional agreements provide a foundation on which to build. A 1997 resolution of the UN Crime Prevention and Criminal Justice Commission recommended that countries

should ensure that regulations are in place regarding licensing, safe storage and tracking of firearms and that they should offer periodic amnesties to remove unwanted firearms from circulation.⁴⁷ Effective national regulation of the possession of small arms has been affirmed by the United Nations, including UN Security Council Resolution 1209 in 1998 and the Report of the Disarmament Commission, which the General Assembly adopted in 1999.⁴⁸ The UN Commission on Human Rights has also noted the link between domestic regulation of firearms and the protection and promotion of human rights.⁴⁹

In 1996 the Special Rapporteur on Violence Against Women wrote, “a State can be held complicit where it fails systematically to provide protection from private actors who deprive any person of his/her human rights”.⁵⁰ In a working paper to the Commission on Human Rights, Barbara Frey further maintained that, “it could be argued that due diligence to prevent the abuse of fundamental human rights, including the right to life, requires that a State enact reasonable regulations to limit the availability and misuse of small arms by individuals within its jurisdiction.”⁵¹

A review of existing national legislation shows a great deal of common ground in principles governing regulation of civilian possession of firearms. Most countries, in fact, have regulations that conform to the standards proposed in 1997 by the United Nations Commission on Crime Prevention and Criminal Justice. In addition, most countries prohibit civilian possession of military assault weapons, and many have restrictive controls on handguns.

“Conservative estimates put to at least 305 million the number of privately owned firearms in the world today. This number does not include private weapons in countries such as China, India, Afghanistan, France, Switzerland, Yemen and most African states, but nonetheless clearly shows that the majority of the world’s firearms—at least 59 per cent—are in private hands. The real proportion is likely to be much higher”⁴⁶

45. Cukier, Wendy (1998), Firearms/Small arms; Finding Common Ground, *Canadian Foreign Policy*, 6(1)

46. Small Arms Survey (2002), p. 79.

47. The United Nations Commission on Crime Prevention and Criminal Justice (1997). *International Study on Firearm Regulation*, UN, Vienna.

48. Cukier, Wendy and Antoine Chapdelaine (2001), *Global Trade in Small Arms: Public Health Effects and Interventions*, International Physicians for the Prevention of Nuclear War (IPPNW) and SAFER-Net.

49. Frey, Barbara (2002), *The question of the trade, carrying and use of small arms and light weapons in the context of human rights and humanitarian norms*. Working Paper submitted by in accordance with Sub-Commission decisions 2001/120 ECOSOC-Other Human Rights Issues. United Nations, May 30.

50. E/CN.4/1996/53, para. 32.

51. Frey (2002), p. 14.

Governments and non-governmental organisations need to pay more attention in international fora to the regulation of civilian weapons possession. There is more empirical evidence to support the effectiveness of national firearms controls than exists for many other measures ascribed higher priority by the international community.

“The Conference could, however, not agree on the need to establish and maintain controls over private ownership of small arms, and the need for preventing sales of small arms and light weapons to non-state actors. These issues remain of great concern to South Africa and we continue to believe that these issues should be addressed nationally, regionally and on a global level”

Statement of South Africa, UN First Committee, 56th Session, October 11, 2001

The central dimensions of an effective national firearms control policy would:

- ban civilian possession of military assault weapons;⁵²
- regulate the sale of firearms;
- license firearm owners and register firearms;
- establish regulations governing storage and use of firearms;
- hold amnesties to encourage the surrender of illegal, unwanted and unused firearms; and
- mark all firearms at manufacture and at import/export.

Much is known about the risks of widespread civilian possession of guns and light weapons and about the measures national authorities must implement to minimise those risks. What is needed now is for those states most committed to regulating civilian possession to press ahead and forge the global political will needed to make people in all countries safer.

Wendy Cukier is a professor at Ryerson University in Toronto. She coordinates the Small Arms Firearms Education and Research Network (SAFER-Net) and is also the founder of the Coalition for Gun Control, an alliance of 350 NGOs in Canada.

For more information on this issue

Centre for Disease Control, USA. Go to: www.cdc.gov/ncipc/factsheets/fafacts.htm

Coalition to Stop Gun Violence, USA. Go to: www.gunfree.org/

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Building a bulwark against atrocity

April 2004 will mark the tenth anniversary of the Rwandan genocide—the 100 days in 1994 when hundreds of thousands of women, children and men were slaughtered

52. Military assault rifles, for example, may be specifically differentiated: light machine guns, submachine guns, fully automatic, or selective-fire rifles with characteristics, which may include, but are not limited to, large-capacity magazines, folding stocks and bayonet mounts, and are intended for combat purposes rather than hunting.

in the streets, homes and churches of Rwanda. Numerous researchers, investigative journalists, NGOs and the UN have detailed how the killers were supplied with small arms and light weapons before, after and during the massacres. These weapons were supplied through illicit routes and by government authorised transfers.⁵³ One of the myths of the Rwandan genocide is that machetes, not guns, were the main instruments of the killings. However, witnesses and experts have consistently pointed out that the presence and use of small arms created the security environment in which acts of mass murder with machetes and other farm implements were possible.

Although the international community has taken some remedial steps—such as the imposition of Security Council-authorized arms embargoes—in practice little has been done to stop the flow of weapons to abusers. To date, there exists no coordinated international mechanism to prevent the sale of weapons to those who would use them in gross violation of the most fundamental norms of human protection.

Rwandans are not the only ones who have suffered from the uncontrolled trade in weapons. People in East Timor, Colombia, Sudan, Democratic Republic of the Congo, Israel and Palestine—among others—live daily with the violence and fear that result from this failure. In some communities, weapons flow directly into the hands of abusive state forces, armed opposition groups or to private security forces. In others, arms from past conflicts continue to circulate among the civilian population, contributing to a vicious cycle of violence and insecurity, generating yet more demand for weapons and claiming yet more lives.

One way of preventing this tragic pattern from occurring in the future is to establish a minimum set of standards and procedures to control the trade in arms.⁵⁴ Although national and regional systems of control are vitally important for stopping the flow of weapons to abusers, the global scope of the arms trade means that they are not enough. Irresponsible weapons transfers turned down by one supplier are all too easily picked up by another. The UN Charter and international humanitarian and human rights law already create obligations on states regarding the transfer of weapons. But because the application of these restrictions to the trade in weapons is somewhat ambiguous, it is necessary to codify them in an explicit agreement that makes clear the international responsibilities of weapons exporters.

For this reason, a group of NGOs and international lawyers are proposing to establish a Framework Convention on International Arms Transfers (the Arms Trade Treaty).⁵⁵ The Arms Trade Treaty is a model for a legally binding international agreement that would establish a set of basic rules and procedures to regulate the international transfer

53. For more information on the arming of the Rwandan forces, see among others Amnesty International (1995), *Rwanda: Arming the Perpetrators of the Genocide*, Amnesty International, London; Human Rights Watch (1994), *Arming Rwanda: The Arms Trade and Human Rights Abuses in the Rwandan War*, Human Rights Watch, New York; and Human Rights Watch (1995), *Rearming with Impunity: International Support for the Perpetrators of the Rwandan Genocide*, Human Rights Watch, New York.

54. The only legally binding international standards on weapons apart from UN arms embargoes are to be found in the so-called 'Vienna Protocol', *Protocol on the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition*. It is a supplement to the United Nations Convention against Transnational Organized Crime, adopted in June 2001 by the General Assembly in resolution 55/255. It attempts to harmonise marking, licensing and record-keeping systems to aid law enforcement and customs officials distinguish between legal and illegal weapons shipments. It does not apply to state-to-state transfers.

55. Amnesty International, the American Friends Service Committee, the Arias Foundation for Peace and Human Progress, British American Security Information Council, the Federation of American Scientists, the Friends Committee on National Legislation, Oxfam, Project Ploughshares and Saferworld.



of conventional arms. It is based on the simple principle that arms exporters have a responsibility to ensure that they do not provide weapons that would be used in serious violations of international law. To date, this effort has been endorsed by 18 Nobel Peace Prize winners.

The treaty would affirm states' existing responsibilities under international law, clarify them and provide a mechanism for their consistent and effective application to the trade in weapons. Specifically, it would set out common minimum standards for international arms transfers and a workable operative mechanism for the application of these standards. Under this instrument a transfer would not be authorised if there is a risk it may be used in serious violation of human rights and international humanitarian law or to commit war crimes, crimes against humanity or genocide.

At the UN Small Arms Conference in July 2001, the international community recognised the necessity of member states to “assess applications for export authorisations according to strict national regulations and procedures that cover all small arms and light weapons and are consistent with the existing responsibilities of States under relevant international law.”⁵⁶

A humanitarian catastrophe like what occurred in Rwanda could happen again tomorrow, for the international community has not made sufficient effort to control the small arms trade. Most basically, it has not ensured that arms transfers sanctioned by governments are in accordance with international law. Until this trade is controlled within the bounds of universally applicable minimum standards, abusive transfers will continue.

The unique contribution of the Human Security Network and those states supporting human security principles, is their ability to focus the international debate on the rights, safety and dignity of people and communities. A key role for the Network must be to prevent the supply of arms, by any means, to those who use them in serious violation of these principles.

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56. Section 11, Paragraph 11, UN Programme of Action.

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Strengthening UN arms embargoes: A view from West Africa

There is a powerful case to be made for the imposition and stringent enforcement of UN arms embargoes on a number of countries, particularly in West Africa. Nearly all of the 16 countries of the sub-region have experienced one form or another of violent conflict including coup d'états, ethnic, religious and political strife, secessionist/separatist rebellions and civil wars. This has been paralleled by an upsurge in violent criminality ranging from armed robbery to drug-related offences.

Coming from West Africa, and living the realities of this sub-region, I am aware of the resistance, perseverance and hope of the people in the face of ongoing violence and atrocity which affects countless lives.

This has meant millions of internally displaced people and refugees, hundreds of thousands of deaths, immeasurable amounts in destruction of economic and social infrastructure, and damage to cultural harmony.

Recent examples of this violence can be found in Liberia, where a civil war started in 1989 and is still raging as an internationally-condemned regime continues to ruin a once promising country; in Sierra Leone and Guinea-Bissau, which are emerging from bloody civil wars marked by targeted violence against civilians; in Senegal, battling a separatist rebellion; in Ghana, which occasionally experiences violent outbreaks in the north; in Nigeria, a hotbed of seemingly endless ethnic, religious and political violence; in Togo, which still suffers under a military dictatorship that has been holding an iron grip over the country for nearly four decades; and finally in Cote d'Ivoire, the latest in this saga, with the eruption of an armed rebellion in September 2002.

There are two countries and an armed group under arms embargo in West Africa. In 1992 the Security Council astutely imposed an embargo on Liberia.⁵⁷ Sierra Leone was put under embargo in 1997, and in 1998 its notorious rebel group, the Revolutionary United Front, was embargoed.⁵⁹

"Arms embargoes were the most frequently imposed but also the most visibly impotent of UN sanctions during the 1990s"⁵⁷

57. Lopez, George A., David Cortright and Julia Wagler, *Learning from the Sanctions Decade*, Fourth Freedom Forum. Available at: www.fourthfreedom.org/php/t-si-index.php?hinc=isa.hinc

58. UNSCR 788, November 1992.

59. UNSCR 1132, October 1997 and UNSCR 1171, June 1998.

“[States are called on] To take appropriate measures, including all legal or administrative means, against any activity that violates a United Nations Security Council arms embargo in accordance with the Charter of the United Nations”

UN Programme of Action, Section II, para 15

These embargoes coincided with efforts led by Mali to reduce weapons availability in the region. Despite this initiative and the move towards peace in Sierra Leone, even the most optimistic observer would have to conclude that they are having little effect. It is not just the embargoes on West African entities that are weak; rather, UN embargoes on states around the globe have failed to stem the flow of weapons. According to one observer, “The Security Council

has imposed arms embargoes approximately 15 times since 1965. Violations against these embargoes are well documented and the Security Council has recently begun to try to improve methods of supervision.”⁶⁰

According to their critics, international sanctions in general are ineffective, difficult or impossible to implement, and ultimately hurt the people they were meant to protect. Another perspective suggests that arms embargoes—if implemented fully—can be an effective tool for enhancing and recovering the safety of people. Particularly in the case of Liberia, Human Rights Watch has called on the Security Council to maintain the arms embargo against the government and rebel factions in light of the numerous abuses of human rights committed by both parties, and their wider regional effects.⁶¹

A goal for the international community must be the strengthening of the embargo system. Preliminary research shows that 54 countries have been linked to shipments of small arms in violation of international arms embargoes effective in 2001.⁶² All states must be required to develop mechanisms to monitor the implementation and enforcement of the embargoes.

In the case of rogue states and violators of human rights, international arms embargoes and sanctions represent a very public form of condemnation. Where responsible states declare embargoes or moratoria themselves, they must be supported with the promise *and* delivery of resources that will instead be applied to development assistance. Over time and with the robust cooperation of the member states of the UN, supported by a vigilant civil society, embargoes can serve their intended purpose of limiting the access by rogue regimes to the tools of violence while promoting peace and development.

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For more information on this issue

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60. Frey, Barbara (2002), Para 21.

61. Human Rights Watch (2003), *Liberia: Maintain U.N. Embargo*. Human Rights Watch press release.

62. Small Arms Survey (2002), p. 134.

Box 3: Targeting arms brokering

The governments of the Netherlands and Norway have joined together in an initiative to control the activities of arms brokers. Arms brokering is largely unregulated by states, which allows unscrupulous individuals and companies to divert arms from the legal to the illicit trade and to ship weapons to conflict zones and to embargoed parties. Currently, only about 15 countries have domestic regulations covering brokers and/or brokering activities. Because this legislation varies in scope and comprehensiveness, it is easy for brokers to take advantage of legal loopholes and inconsistencies in existing regulations.

In the UN Programme of Action, states committed to take action to ensure that small arms brokering activities are adequately controlled. That document called on states, “*To develop adequate national legislation or administrative procedures regulating the activities of those who engage in small arms and light weapons brokering. This legislation or procedures should include measures such as registration of brokers, licensing or authorisation of brokering transactions as well as the appropriate penalties for all illicit brokering activities performed within the State’s jurisdiction and control.*”⁶³

Regulations and administrative procedures to control brokers need to address complex issues. To facilitate the development of co-ordinated international action on this issue, the Netherlands and Norway are working together to identify good practices and develop elements of model regulations as a resource for states developing their own regulations/legislation. There is also the proposal for a Convention on brokering, suggested by the Fund for Peace that can provide a basis for a comprehensive legally-binding instrument.

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The West African arms moratorium: Challenges and opportunities

In October 1998, Mali led governments in West Africa to declare a Moratorium on the Importation, Exportation and Manufacture of Light Weapons in ECOWAS Member States.⁶⁴ The ultimate objective of this political commitment is the consolidation of peace, security and stability in a region torn apart by violent conflict.

The declaration aims to:

- freeze imports, exports and production of small arms;
- enhance transparency and arms control initiatives;
- improve cooperation between states and with civil society organisations;
- transform unaccountable security sectors; and
- establish effective and accountable stockpile management, including arms collection and destruction programmes.

63. UN Programme of Action, *Section 11 para 14*. See also Section 11 para. 39, which calls on states, “*To develop common understandings of the basic issues and the scope of the problems related to illicit brokering in small arms and light weapons with a view to preventing, combating and eradicating the activities of those engaged in such brokering.*”

64. Hereafter referred to as, the Moratorium. Member states of the Economic Community of West African States (ECOWAS) are Benin, Burkina Faso, Cape Verde, Cote d’Ivoire, Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone and Togo.

The UN Development Programme's Regional Programme of Co-ordination and Assistance for Security and Development (PCASED) is responsible for facilitating the implementation of the Moratorium. The Moratorium also includes a Code of Conduct, which asserts a number of obligations designed to encourage a greater civilian component and awareness in security sectors (police, military, custom agents). It calls upon states to establish national commissions to implement the Moratorium.

One of the greatest successes of the Moratorium has been the growing awareness throughout West Africa among policy makers and civil society organisations about the serious threat that the availability and misuse of small arms pose to human security. However, weapons trading continues and, indeed, has increased in many parts of the region, especially in the Mano River countries (Sierra Leone, Liberia and Guinea), and presently in Cote d'Ivoire. Several states use the excuse of internal security imperatives for not fully implementing and respecting the groundbreaking Moratorium. Ironically, security is precisely what is denied to millions of people by states' failure to implement the agreement.

The biggest challenge is incorporating Moratorium principles into national practices and laws. Doing so is hampered by a general lack of political support and limited technical capacity and resources. Only eight countries in the sub-region (Mali, Niger, Gambia, Guinea Senegal, Nigeria, Sierra Leone and Togo) have established national commissions, though few are completely operational. Capacity-building in and amongst states, and technical support for states in areas such as border and customs controls appear pivotal. Monitoring and enforcement are significant challenges in resource-strapped countries. In addition, the Moratorium's effectiveness would be enhanced by increased dialogue with the main arms supplying states.

Civil society organisations are increasingly mobilising on small arms issues and are powerful advocates for change. The West African Action Network on Small Arms (WAANSA) provides an invaluable reality check for governments who neglect their responsibilities.⁶⁵ In addition to the growth of this network, a number of other positive developments have occurred. Most importantly and despite its many challenges, the Moratorium was renewed in July 2001, providing a powerful symbolic and political message to people in the region and indeed in the rest of the world. Secondly, the ECOWAS Secretariat has established a 'Small Arms Unit' to more effectively focus on strengthening the Moratorium. As the current Chair of the Human Security Network, Mali can provide an international spotlight on the Moratorium. A strategic opportunity is presented to the Network to rally behind the Moratorium and look in their own regions to see if a similar model could be adopted.

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Trouble in paradise: Weapons collection in the Solomon Islands
Taking weapons out of circulation permanently through weapons collection and destruction is important. Otherwise, weapons slip back into circulation at the hands of corrupt police and military officials and civilians acting outside the law. Human security is imperilled without international standards on the destruction of surplus and confiscated weapons. The safe storage of weapons at all phases of the collection-destruction spectrum is paramount.

65. The temporary Secretariat of WAANSA is based in Ghana c/o Afi Yakubu FOSDA@africanus.net or afiyakub@yahoo.com

There are two distinct types of collection and destruction programmes:

- *Peacetime scenarios aimed at reducing stocks of weapons available for criminal use predominantly; and*
- *In the aftermath of war, where the aim is to reduce weapons stocks in order to facilitate peace building and demilitarise societies embedded in cultures of violence.*

This article tells a story of the challenges of collecting a relatively small amount of weapons in a post-conflict setting, where trust is low and institutions of state are weak.

From 1998–2000, weak governance and population pressures combined with the spread of weapons fuelled violent conflict in the Solomon Islands, a Pacific Island state, particularly on the islands of Malaita and Guadalcanal. The proliferation and misuse of home-made guns and some high-powered weapons stolen from the police armoury led to widespread material destruction and the loss of several hundred lives. Today, the culture of violence facilitated by this availability of arms remains the chief obstacle to the restoration of law and order in the country.

In April 1998, armed groups of Guadalcanal youths, angry about perceived government inaction in addressing their people's grievances, forced the displacement of approximately 20,000 Malaitans. The crisis reached its height when the Malaita Eagle Force (MEF), an ethnic militia that included large segments of the security forces, raided the police armouries in June 2000. This action turned an already tense situation into one of declared armed conflict with one side, the MEF, in possession of the majority of high-powered weapons.

"Ten years ago, I never heard a gun in my country. Now we have many guns and much violence"⁶⁶

The Isatabu Freedom Movement (IFM), armed with home-made weapons crafted from leftover weapons and munitions from the Second World War, found themselves both outnumbered and outgunned. Additional weapons have also trickled into the country, including through supplies linked to the conflict in Bougainville, Papua New Guinea. The total number of weapons is estimated at approximately 3,000, mostly of military style.

Following more than two years of wanton violence and widespread material destruction, the Townsville Peace Agreement (TPA) was signed in October 2000. The implementation, however limited, of the peace agreement has contributed to a marked improvement in law and order. With the expiration of the TPA in October 2002, a fragile peace remains as many key elements of the ambitious agreement require renewed attention, including weapons collection, devolution of powers to the provinces and support for displaced persons.

The conflict resulted in loss of life and property, completely rolling back the gains achieved by the reform programme. In particular, the work of the civil service, the law and order situation and the delivery of education, health and other basic services have been severely disrupted. Hundreds were killed in the fighting, many more were tortured and an estimated 30,000 people were displaced from their homes.

66. Fr. Jack Aitorea, Melanesian Brothers, Solomon Islands, oral contribution to the workshop "Curbing the Demand for Small Arms: Focus on Southeast Asia", Phnom Penh, Cambodia, 26–31 May 2002. Available at www.hdcentre.org/Programmes/smallarms/cambodia.htm

“[States are encouraged] To develop and implement, where possible, effective disarmament, demobilisation and reintegration programmes, including the effective collection, control, storage and destruction of small arms and light weapons, particularly in post-conflict situations, unless another form of disposition or use has been duly authorised and such weapons have been marked and the alternate form of disposition or use has been recorded, and to include, where applicable, specific provisions for these programmes in peace agreements”

UN Programme of Action, Section II, para 21

Prior to the conflict, the Solomon Islands had been making significant gains in health, education and public infrastructure. In 1998 the estimated Gross Domestic Product (GDP), including subsistence production, was about US\$71 million.⁶⁷ With economic activity ceasing in many sectors, the economy of the Solomon Islands has virtually collapsed. By 2000, the GDP was estimated to have slipped to US\$57 million and has further declined during the past two years. The growth rate fell from a modest 2% in 1998 to a projected 20% in 2002.

Indiscriminate violence, ethnic tension and criminal activity are still rampant in the provinces, hampering efforts to restore peace, promote reconciliation and undertake economic and social recovery. Poor national governance, widespread mistrust and the perception of high inequality between people in the capital and the provinces have intensified calls for devolution and, in some provinces, secession.

During the amnesty period of November 2000 to May 2002, 1,857 weapons were surrendered to the Peace Monitoring Council and International Peace Monitoring Team. Since then, 208 weapons have been surrendered making a total of 2,065 weapons surrendered since its inception. These figures do not include weapons surrendered to the Royal Solomon Islands Police and Melanesian Brotherhood, whose numbers are still unknown. Not all the high-powered former police weapons have been recovered, and many are still in the hands of militant factions.

The response of the UN Development Programme (UNDP) to the crisis has concentrated largely in the areas of reintegration and rehabilitation, conflict prevention and democratic institution-building. UNDP's Demobilisation and Reintegration of Special Constables Project involves the discharge, voluntary disarmament and resettlement of some 900 former combatants to their communities of origin. UNDP is also actively supporting the new National Peace Council's Weapons Free Village Campaign. The two-year project will encourage 1,200 villages in 18 wards to build public moral pressure in support of weapons-free status for all communities.

The recent shooting of Sir Fred Soaki, a well-known former Solomon Islands Police Commissioner, while serving on a UNDP demobilisation team in Malaita, has reminded the country of the fragile state of the peace process today.⁶⁸ Without a sustainable peace that safeguards all aspects of human security, further setbacks can be expected to the Solomon Islands' efforts to restore normalcy and undertake the long, hard road of development.

67. Based on 1985 prices.

68. See www.abc.net.au/ra/newstories/RANewsStories_781526.htm

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A world fit for us? Protecting children from small arms violence
Relief and development workers experience first hand the multiple ways in which children's rights and destinies are eroded at the barrel of a gun. Listening to children is the best way to learn about the impacts of small arms. "I learned how to shoot and how to live on the run," said a Somali boy about life with a rebel group. "The gun was a good deal." "I traded a chicken for it," said another." When the price of a gun is less than textbooks, it is easier to join an armed group to survive than to go to school.

The UN Programme of Action pays minimal attention to children and young people as both victims and users of small arms and light weapons. Yet the impacts are insidious, with easy access to small arms blurring the lines between normal quarrels, crime, and warfare—at a time when young people are shaping their life values.

Many young people want to help lessen the human cost of the small arms trade. At the first International Conference on War-affected Children, held in Canada in 2000, the second priority of young people attending was to "Stop selling guns to those who attack children, whether they be govern-

ment or non-state armed forces." And in *A World Fit for Us*, young people at the 2002 UN Special Session for Children included a call for the "elimination of the arms trade."

A focus on children and young people turns the spotlight to prevention. Effective strategies, from a youth perspective, include a balance between controlling supply and reducing factors that lead young people to resort to taking up weapons. Livelihoods and education for young people are essential to provide alternatives to joining armed groups for survival. Weapon-free zones can further promote the security and safety of children and be a rallying cry for community action. Young people can be strong allies in building community support for initiatives to control small arms availability.

"[States are urged] To address the special needs of children affected by armed conflict, in particular the reunification with their family, their reintegration into civil society, and their appropriate rehabilitation"

UN Programme of Action, Section II, para 22

“Where’s your mama? . . . She’s dead. And your daddy? He dead too. Everybody dead. How old are you? . . . Old enough to kill a man”

Double Trouble, nine years old, in Liberia in 1996⁶⁹

Trouble is brewing when 16 year olds can easily acquire and shoot a gun, while having no other voice in shaping their circumstances. National laws, consistent with robust global norms, need to outlaw the provision of arms to anyone below a minimum age and legislate respect for the

rights of children, as universally accepted in the Convention on the Rights of the Child. Curbing children’s access and exposure to gun violence should be part of every National Action Plan on Children.

On an international level there should be zero tolerance for supplying weapons to armed groups, state or non-state, which target children and/or use them as soldiers. An estimated 300,000 children are growing up as soldiers and millions more are affected by the use of small arms in local and regional conflicts. The Human Security Network has provided leadership on the plight of war-affected children by prioritising this issue from its inception.

The most recent Security Council resolution on Children and Armed Conflict, Resolution 1460, urges member states “to take effective action to control the illicit trade of small arms to parties to armed conflict that do not respect fully the relevant provisions of applicable international law relating to the rights and protection of children in armed conflict.” The Security Council is beginning to put teeth into these statements; a request for an implementation report by October 2003 specifically asks for detailed attention to the “illicit trafficking of small arms in conflict zones.”

Reports on children and armed conflict have consistently called for improved monitoring and follow-up action. The Watchlist on Children and Armed Conflict is dedicated to reporting on the situation of children in specific conflicts and making recommendations for action. The availability and misuse of small arms is one of the indicators included in the Watchlist, but it is difficult to get accurate information due to a lack of data, made worse by a lack of transparent reporting on arms exports and imports.

A focus on children puts top priority on the disarmament and reintegration of youth immediately after a conflict or before it officially ends. Youth-focused, community-based programmes need more attention and resources in a longer time frame than programmes for adults, to establish enduring community involvement, education and family support. It is only when we have begun to advance a comprehensive action plan for ending the victimisation of children through the misuse of small arms that we can confidently say we have a world fit for us all.

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For more information on this issue

Coalition to Stop the Use of Child Soldiers. Go to: www.child-soldiers.org

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Box 4: A viewpoint from Slovenia

Slovenia has added its voice to warnings of the broader international community that the accessibility of small arms constitutes a serious security threat. It has also attempted to abide by principles relating to improved regulation of the small arms trade as formulated by the European Union (EU) and the Organisation for Security and Cooperation in Europe (OSCE).⁷⁰

Few meetings or conferences on small arms make a connection between human security and small arms. Slovenia has consistently tried to raise this important dimension. In 2000, as part of the Stability Pact for South Eastern Europe, Slovenia organised a workshop that underlined the need for a co-ordinated approach by the Stability Pact to address this problem, and called for new incentives and ideas that would include effective assistance programmes.⁷¹ In 2003, Slovenia has sought to consolidate this leadership by organising with the UN and the OSCE a meeting in advance of the First Biennial meeting.⁷²

The government of Slovenia discovered that the numerous existing small arms projects in South Eastern Europe are insufficiently coordinated, and that work is often duplicated. To address this issue it has launched an initiative to establish a Regional Contact Point, responsible for the coordination of existing projects. Increased coordination or the amalgamation of existing projects can deliver more powerful results. This position can draw more attention to human security concerns—for example, the need for rehabilitation of victims of small arms injuries.

Another Slovenian initiative is the Together Regional Centre for the Psychosocial Well-Being of Children. It was established in 2002, and its main purpose is to protect and improve the psychosocial well-being of children affected by war and social crises in South Eastern Europe. Dr Anica Mikuš Kos, the Programme Director of the Centre and a leading expert in the field, reflected on the scale of the problem in this region by noting that “a survey on violence in elementary and secondary schools conducted in 1998 in one of the countries that emerged in the territory of the former Yugoslavia showed that as much as seven per cent of all students in secondary schools carried weapons to school, including knives, brass knuckles, pistols and other types of small arms. The older the students, the more frequently they carry weapons to school.”

Contributed by the **Government of Slovenia**

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70. The EU Code of Conduct on Arms Exports (1998) and the OSCE Document on Small Arms and Light Weapons (2000).

71. Workshop on small arms and light weapons—Possible Contribution to the Stability Pact for South Eastern Europe, Ljubljana, January 27, 2000.

72. The UN Conference on Illicit Trade in Small Arms and Light Weapons in All Its Aspects in South Eastern Europe, Brdo pri Kranju, March 11–12, 2003.

Section III: Ending the misuse of small arms

The small arms issue has been dominated by efforts to reduce new supplies of arms and, more recently, to address the social conditions that result in demand for weapons. Little attention has been given, thus far, to ending the misuse of these weapons.

The starting point of any discussion on misuse must be that firearms will not be banned. In the right hands, and in response to the right circumstances, the possession and use of guns can be legitimate. As the previous discussion of civilian possession of weapons suggested, the question of who should possess guns is controversial. But there is little doubt that certain agents of the state—for example, members of the police force in most countries—will remain armed. As the discussion of the lawful use of force below will demonstrate, the circumstances in which lethal force may be used are much less controversial—at least in theory.

The shift in focus from weapons availability entails a shift in emphasis from weapons to people. The question here is not about reducing the number of guns, but rather about making sure that the people who carry them use them only in compliance with appropriate national and international standards. The following articles highlight elements of research, policy and practice about the necessity of ending the misuse of small arms if we are to see a significant reduction in the human toll from gun violence.

The use of force by police: Addressing the misuse of small arms

To date the small arms debate has generally been characterised by its complexity and focus on arms control approaches. Little has been said concerning the use of hundreds



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of thousands of small arms and light weapons in the hands of the police in countries all over the world.

Policing is generally regarded as the business of preventing and detecting crime and keeping public order. It is distinct from the protection of national borders more commonly associated with the role of border guards, immigration officers and the army. While clear in theory, the distinction is anything but clear in practice.

Even a cursory look at the state of policing suggests that it can and does have a negative impact on human security in countless countries regardless of wealth, population size or crime rates.

There are many law enforcement and security agencies that carry out policing activities and most of them are armed. Policing comes in multiple guises, ranging from heavily armed paramilitary units and security services, civilian police forces, border guards, and customs services, to private security firms and communities policing themselves.

Police are users and often abusers of guns. In acknowledging this, I recognise the vital role that police play in the protection of life, liberty and the maintenance of public safety, and this critique attempts to support this approach to policing. One hundred and sixty years after the birth of modern policing in London, it is clear to me that the grim truth is that sometimes societies need to be controlled, sometimes we need to be protected from each other and sometimes force must be used. People are an essential part of the equation regarding the use of force: people as victims, people as aggressors, people as scared onlookers and, people as police officers acting as a hub for human security or working to undermine it. It is a sad fact that abuses of the use of force by those who police us amount to the most frequent of all human rights abuses.

International humanitarian and human rights law seeks to codify under what conditions force can be used. A distinction is clearly drawn between ‘legitimate’ and ‘arbitrary’ use of force. The distinction between these two is clearly set out in a landmark, yet largely ignored, agreement—the *Basic Principles on the Use of Force and Firearms by Law Enforcement Officials* (the Basic Principles).⁷⁴

The Basic Principles combine features of the laws of war with a human rights approach grounded in judicial principles in four complementary concepts that define the legitimate use of force. These concepts are best summarised in the word PLAN:

- **Proportionate**—having a fair balance in the response to a threat posed or force used;
- **Lawful**—the use of force must have a lawful purpose such as self defence, arresting a person for a specific criminal offence recognised as punishable by existing law, or the need to protect public order;

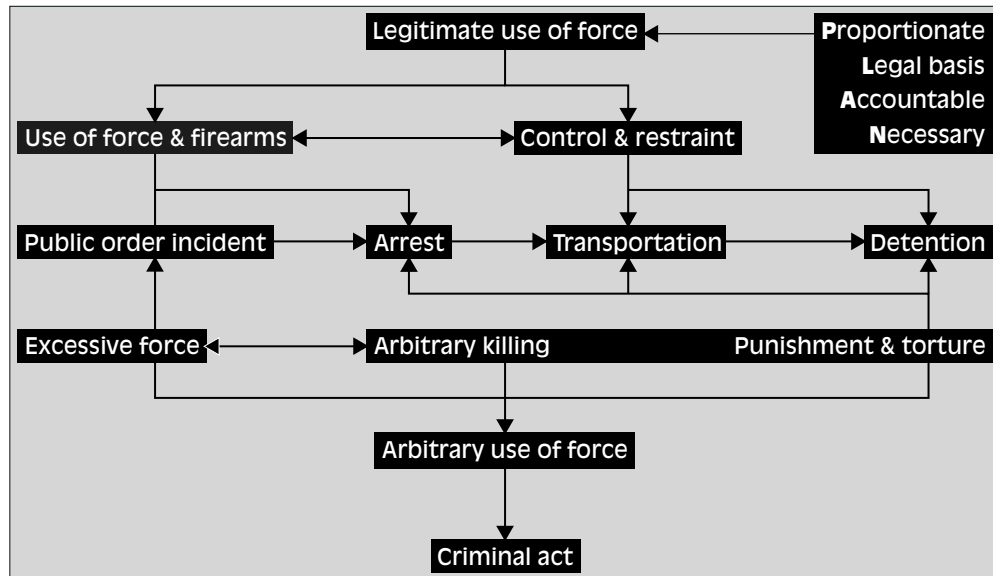
“In the United States, ‘there were thousands of allegations of police abuse during 2002, including unjustified shootings, beatings, choking and rough treatment, yet overwhelmingly barriers to accountability remained, enabling officers responsible for human rights violations to escape punishment’”⁷³

73. Human Rights Watch World Report (2003), p. 507. More than 12,000 complaints were submitted to the us Justice Department in the year ending September 30, 2001. Fifty-six officers were convicted or plead guilty to crimes.

74. Agreed by the 1990 United Nations Congress on the Prevention of Crime and Treatment of Prisoners, Cuba. Available at: http://194.194.138.190/html/menu3/b/h_comp43.htm

- **Accountable**—to be subject to the law and accountable to it. Police are not above the law and must be held accountable if they act arbitrarily in the same way as any other citizen; and
- **Necessary**—to consider if something less could be done. This includes limiting injury and breaches of duty of care. This particular concept requires that force be differentiated so that an appropriate use of force is available to the police.

This diagram highlights the key points in policing activities where human rights violations are frequent and shows the potential for force to be used arbitrarily if PLAN is not applied.



Given the frequency of human rights violations, one could conclude that violence comes easy, while the legitimate use of force does not. It requires training, not just in a classroom, but in the real world after extensive training at firing ranges. To put it more bluntly: a member of a paramilitary police organisation once said to me, “Why do you make us do this? Life was simple before. We just pulled the trigger.”

The Basic Principles are split between general and special principles on the use of force and the use of lethal force. Lethal force can only be used in response to a direct threat to life. The challenge is to ensure that security forces provided with weapons understand, in great detail, the specific circumstances in which the use of lethal force may be appropriate.

Training which enables officers to assess threats and make split second decisions is the most necessary component of firearms training but the most commonly ignored. My recent experience with the UN mission in Timor-Leste (East Timor) underscored the lack of familiarity with the Basic Principles.⁷⁵ The new Timor-Leste Police Service has been equipped with nearly 3,000 Austrian Glock 9mm handguns. Because of the need to fill the requirement of getting officers on the ground as soon as possible the training

75. Amnesty International (2003), *Briefing to Security Council Members on policing and security in Timor-Leste*. AI Index: ASA 57/001/2003

consisted of basic gun handling and target practice. Human rights training was limited to the classroom and did not include simulations illustrating the practical application of the Basic Principles and of PLAN.

The result, 2,500 newly armed officers who know how to handle a gun (relatively) safely, how to pull the trigger and how to hit what they aim at. But they are not clear on when it is legitimate to shoot. What could be worse? Unfortunately it is not a difficult task to find many more examples far worse than this.

Twelve years on from the creation of the Basic Principles, the picture on national level implementation is unclear and urgently in need of clarification. Some police services are fully aware of the principles and have taken steps to implement them. However, many of the world's police services have yet to implement the Basic Principles. Many of those, I suspect, have never even heard of them. The standards have been developed and they are sound. Sadly we still have a long way to go to ensure that police services of the world use force legitimately.

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Community policing in violent neighbourhoods

Viva Rio has pioneered human security practices related to community policing. This practice arose from an urgent need to transform the extremely high levels of violence in Rio de Janeiro neighbourhoods that has existed for about 20 years, largely due to brutal policing and gang warfare. A new type of armed group emerged amongst drug dealers informally organised in factions fighting for territorial control of the favelas (poor neighbourhoods). As a consequence, the Rio police have become one of the world's most experienced non-military forces in urban armed conflicts and the number of gun-related deaths in Rio in the last decade surpasses those found in war zones.

A project was designed to protect the people caught in the crossfire of this war. Inspiration came from the Peace to the City programme coordinated by the World Council of Churches, involving seven cities, including Rio de Janeiro and Boston.⁷⁶ The initiative

⁷⁶ Viva Rio representatives acknowledge the input from the Boston Police programme "Cease Fire" which was a partnership with the Bostonian Pentecostal Network, Ten Points Coalition.

“They (street gangs) attack us (police) because they want to demoralise the state, to show that they are powerful. A few months ago they killed a policeman who was on his own in a cabin [of a car]—as if they were doing it for fun”⁷⁷

was designed jointly by Viva Rio and the Public Security Secretary of the State of Rio de Janeiro and was launched in July 2000. The site chosen for the first experiment was a complex of favelas located in the heart of Rio. It is a medium-sized community (approximately 15,000 inhabitants), fairly isolated within a middle class environment. A riot by enraged favela dwellers in May 2000, after the alleged exe-

cutation of five teenagers by members of the local police, contributed to the host of factors in selecting this site.

A new division was created within the Rio Military Police for this project, which roughly translates as “Grouping for the Policing of Special Areas” (GPAE). Their activities are limited to this well-defined and fairly isolated community. One hundred men were recruited for the first phase, so that the police outnumber the dealers’ ‘soldiers’. The ratio of police to inhabitants in the favela amounts to roughly 1:150, which is three times higher than the usual rate for the State of Rio. GPAE officers were recruited from among the regular ranks and trained for three months in community friendly approaches. Extensive consultations were conducted with community leaders to identify priorities in improving the social and economic conditions in the community, and various parallel community development programmes were set up to address problems of water supply and urbanisation, as well as programmes for children and young people. In addition, an elite combat unit was also formed to complement GPAE’s work using a ‘good cop/bad cop’ scenario.

In September 2000, the combat unit entered the favela. It did so openly, moving in after repeated announcements in daylight and heavily armed, to pacify the area so that GPAE could enter. The ‘community police’ then proposed and widely publicised a simple set of rules for its action: a prohibition of the use of arms in the community; an end to children’s involvement in drug dealing; and no more police violence and corruption.

The police then became associated with two valued goods: an end to violence and the creation of social opportunities. Furthermore, to support these notions and to give them practical support, a Community Council was created, with the voluntary participation of various groups in the community.

The impact of this project has been remarkable. In the first two years, homicides were reduced to zero and gun battles ceased. GPAE honoured its promise concerning police behaviour, and 70 officers out of the initial 100 were punished for misconduct and removed from the programme. The consistent punishment of police misconduct, together with formal recognition of the Community Council, greatly enhanced the programme’s credibility.

The programme has been very successful in reducing the levels of violence in its initial stage, now it faces the challenge of sustaining this success. GPAE remains a novelty within the security forces institutional culture, and changes in public politics in Rio

77. Sergeant Paixao interviewed by Alex Bellos (2003), Where children rule with guns, *The Observer*, January 19. Available at: www.observer.co.uk/international/story/0,6903,877986,00.html

could affect its distinctive nature. It has also been tainted by reports of corruption. To survive, it must further develop its anti-corruption scheme, expand in other neighbourhoods, and establish itself beyond the lifespan of politicians.

But most importantly, this process has opened a new chapter in police practices in Brazil. Current policing is reactive, with officers simply responding to criminal acts. We need a proactive approach, where officers go into the streets with a specific agenda to help solve the problems that lead to disorder and violence. Favelas working with GPAE could ultimately receive better policing than many middle class neighbourhoods in Rio, and, for once, favelas would become an object of envy in this beautiful city—an example for all.

Rubem César Fernandes is the director of Viva Rio in Brazil.

For more information on this issue

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Viva Rio. Go to: www.vivario.org.br

Toward a human rights agenda on small arms

The international community has begun to confront the serious challenges posed by small arms, but it generally gives short shrift to the human rights dimension. A focus on human rights offers much needed insights into the scourge of small arms and how the problem must be tackled.

In areas of violent conflict, such as Sudan and Colombia, abusive armed forces—be they governments or rebel groups, paramilitaries or mercenaries—routinely use small arms to prey on civilians in violation of the fundamental protections of international humanitarian and human rights law. The cost is tens of thousands of lives every year. These arms are often obtained via international suppliers, through legal transfers, the flourishing grey market or purely illicit transactions. In Burma and elsewhere, abusive forces frequently use children as fighters, giving them arms and orders to use them to commit atrocities. In many post-conflict settings, including Kosovo, the widespread availability of small arms has gravely threatened security, eroded confidence in the rule of law and undermined peace-building efforts. In addition, as witnessed in Afghanistan, if measures are not in place to disarm former combatants, provide security and ensure accountability for past abuses, well-armed warlord forces will continue to impose a reign of terror on civilians.⁷⁸

78. For more information, see for example, Human Rights Watch (2002), *My Gun was as Tall as Me: Child Soldiers in Burma*, Human Rights Watch, New York; Human Rights Watch (2002), *All of our hopes are crushed: Violence and repression in Western Afghanistan*, Human Rights Watch Report. Vol. 14, No. 7 (c).

In countries not affected by war but where small arms are readily available, a similar breakdown in the rule of law can lead to the emergence of vigilante groups who carry out armed attacks with impunity, as has been the pattern in Nigeria. There, youth gangs increasingly use small arms, not only traditional weapons, to vie for power while police look on or join in. In numerous cases, government forces misuse their weapons—for example, police in Azerbaijan recently fired on unarmed protesters in contravention of existing standards under the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials. Other times, politicians incite armed violence by ethnic militias or enlist armed thugs to carry out politically-motivated attacks, a tactic that was employed in Kenya.⁷⁹

Governments are legally obliged to respect and ensure respect for international humanitarian and human rights law. Yet governments frequently perpetrate small arms proliferation and misuse or systematically fail in their duty to prevent abuses by private individuals and to hold them accountable. Many of these issues were not even on the table during the 2001 UN Conference; others were excluded from the final document because of the opposition of a minority of governments. The Programme of Action barely touches on the legal trade and does not address how the weapons are misused. The UN Programme of Action in fact, does not even mention ‘human rights’ or ‘misuse’.

There have been some positive developments to get governments to assume responsibility for the small arms problem, but they are rarely matched by concerted implementation. For example, many arms-exporting governments, particularly in Europe, have pledged not to supply small arms to human rights abusers and areas of violent conflict, and some are working to enlist further adherents to these basic criteria.⁸⁰ In West Africa, where small arms have fuelled a spiral of violent conflict, governments renounced the import of such weapons under the 1998 ECOWAS moratorium. These promises of restraint and responsibility are routinely broken, however, and irresponsible weapons flows continue.

Likewise, the UN now exposes the names of arms traffickers who breach mandatory arms embargoes and the government officials with whom they collude. It does so in an ad hoc manner, however, monitoring and reporting on sanctions-busting only in selected countries and for a limited time. The one attempt to bring a UN-exposed arms broker to trial for illegal arms deals failed for lack of jurisdiction.

People-centred small arms projects such as comprehensive demilitarisation, demobilisation and reintegration programmes, community-based policing initiatives, and efforts to reduce demand for weapons in volatile regions are underway in many countries. But the issue of weapons misuse, and how to tackle it, generally has been neglected in government deliberations. A newly named UN human rights expert has been mandated to remedy this shortcoming. In particular, she is slated to study how to prevent abuses committed with small arms.

79. See for example, Human Rights Watch (2003), *Testing Democracy: Political violence in Nigeria*, Human Rights Watch Report, Vol. 15, No. 9 (A); Human Rights Watch (2002), *Playing with Fire: Weapons proliferation, political violence, and human rights in Kenya*, Human Rights Watch, New York.

80. See, for example, Organisation on Security and Cooperation in Europe (OSCE), *Criteria on Conventional Arms Transfers*, adopted November 1993; European Union *Code of Conduct on Arms Exports*, adopted June 1998 (subsequently endorsed by EU associated countries and others); OSCE *Document on Small Arms and Light Weapons*, adopted November 2000; Wassenaar Arrangement *Best Practice Guidelines for Exports of Small Arms and Light Weapons*, adopted December 2002; *Chairman's Summary from the Lancaster House Conference on Implementing the UN Programme of Action: Strengthening Export Controls*, January 2003, and; OSCE *Revised Draft Best Practice Guide on Export Control of Small Arms and Light Weapons*, dated January 2003, scheduled to be issued in final form in July 2003.

Box 5: UN Commission on Human Rights approves Special Rapporteur on Small Arms

At its 2003 meeting in Geneva, the United Nations Commission on Human Rights approved without a vote a decision to appoint Ms. Barbara Frey as Special Rapporteur with the task of preparing a comprehensive study on the prevention of human rights violations committed with small arms and light weapons. Ms. Frey will submit three annual reports to the UN Sub-Commission on the Promotion and Protection of Human Rights; the first will be available at the Sub-Commission's August 2003 meeting.

The appointment follows the Sub-Commission's review of Frey's working paper on the issue (E/CN.4/Sub.2/2002/39). Based on the initial working paper, the Sub-Commission adopted Resolution 2002/25 encouraging States to adopt laws and policies regarding the manufacture, transfer and use of small arms that comply with principles of human rights and humanitarian law. The Sub-Commission also requested those who document human rights practices to seek out information and to report on human rights abuses committed with small arms and light weapons.

A human-rights analysis of the small arms problem goes a long way toward suggesting its solutions. Global policy on small arms should meet three key tests: it should tackle both transfers and misuse, keep a focus on government responsibility rather than shifting the blame solely to private actors, and be directed to protect people from small arms misuse.

Key steps to cease the flow of arms to abusers include government action to:

- Stop authorising 'legal' arms supplies to abusive recipients. Adopt binding instruments on arms transfers that contain strong human rights and humanitarian criteria, such as the proposed international Arms Trade Treaty,
- Close legal loopholes and strengthen lax controls that allow grey market trade in weapons to thrive,
- Greatly enhance transparency on weapons transfers, including by publishing detailed annual reports.

Similarly, governments must take strong measures to halt and prevent the misuse of weapons, including by taking action to:

- Live up to existing government responsibilities to comply with international humanitarian and human rights law,
- Ensure that government police and armed forces strictly uphold international standards, for example by providing appropriate training and holding violators accountable.

In August 2002 the UN Sub-Commission on Human Rights said that "the protection of human rights must be central to the development of further principles and norms regarding the transfer and misuse of small arms and that human rights are not being given adequate consideration in other contexts."⁸¹ It is past time for governments to take that message to heart by examining the small arms problem through a human rights lens and getting to work to solve it.

Iain Levine is Programme Director for Human Rights Watch.

81. United Nations Sub-Commission on the Promotion and Protection of Human Rights, "The prevention of human rights violations caused by the availability and misuse of small arms and light weapons," Resolution 2002/25, E/CN.4/SUB.2/RES/2002/25, August 14, 2002.

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Section IV: Conclusions and recommendations

The year-long dialogue between governments, NGOs and UN agencies reflected in this publication explored some difficult questions in preparation for the first stock-take of the 2001 UN Programme of Action on small arms. Among them, the most basic: How will we know if the Programme of Action has made a difference? What is the benchmark of success?

The consultations revealed a real commitment to implementing the UN Programme of Action—and other agreements and processes concerned with limiting firearms trade and misuse—as fully as possible given the range of economic and social challenges facing states, the UN and NGOs. Within the incremental nature of disarmament and violence reduction efforts, it was evident that many actors are constructively preparing for what needs to be done next.

We hope that this dialogue process and publication contribute to the process of developing a people-centred agenda for action on small arms. A focus on the human costs of gun violence does not invite easy or short-term policy solutions. However, applying a human security lens to the issue is not only an important reminder of what is at stake, but it also makes clear what the measure for successful interventions is: safer people, more secure communities.

To date, the small arms agenda has been understood in terms of restricting supply and/or reducing demand. Governments largely focused on the former, particularly on the illicit trade; and civil society organisations generally advanced the latter. However, these two dimensions are in fact part of a wider notion of arms availability, one that has *three* critical components.



Supply

Supply-side measures have often been equated with traditional arms control and disarmament approaches. These approaches have, to date, focussed more on weapons and less on people, yet we know that fewer weapons do not always result in safer people. Exploring how UN or other arms embargoes might promote human security is one example of how the arms control and disarmament approach can be made more people-focussed. Efforts to develop a normative framework governing arms transfers provide another example. The Arms Trade Treaty places people centrally into the disarmament discourse, seeking to limit transfers when arms might be used in the commission of grave violations of humanitarian or human rights law.

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Box 6: Looking forward: Mali's priorities as Chair of the Network

Beginning in May 2003, the government of Mali is the chair of the Human Security Network for a year. During this time, Mali will focus on three issues: small arms, human rights education, and gender and peacekeeping operations.

Alongside the work of representing the Network in various processes, Mali will be extending an invitation to all West African countries to take part in Network activities held in Bamako. This open invitation will be supplemented by a regional seminar on the implementation of the Optional Protocol to the Convention on the Rights of the Child on Involvement of Children in Armed Conflicts.

In December 2003, in collaboration with the Centre for Humanitarian Dialogue and the governments of Canada, Norway, Slovenia, South Africa and Switzerland, Mali will co-sponsor a workshop on small arms availability and humanitarian impacts at the International Conference of the Red Cross and Red Crescent.

Demand

Working to lessen demand for arms suits the desire of many governments—particularly those in the Human Security Network—to work actively at the intersection between ‘freedom from fear’ and ‘freedom from want’. There is broad acceptance that certain socio-economic conditions increase the likelihood of armed violence and, therefore, increase demand for weapons. Responding to these root causes, however, can be a challenge, as core elements of this agenda—poverty alleviation, youth employment and social alienation amongst other issues—are elusive development objectives. At the moment then, the demand side of the equation has tended to comprise a wide range of worthy yet diffuse objectives. The lack of specificity has allowed the demand agenda to be endorsed at the broadest levels by governments without resulting in much concrete activity.

The challenge on the demand side is to tighten the agenda into a series of clear and discrete policy objectives, even while recognising the interdependence among them. This challenge is perhaps best met by emphasising the nexus between security and development. Particular support might be given to the provision of community security—that is, creating the conditions of law and order and access to justice that reduce feelings of insecurity and, therefore, demand for weapons.

Misuse

The preceding two elements cannot be successful without ensuring that weapons are used appropriately, in accordance with existing international humanitarian and human rights law. While this conclusion would seem self-evident, it remains the case that little attention has been given in intergovernmental discussions to humanitarian and human rights law. The phrase ‘human rights’ does not even appear in the UN Programme of Action. Moreover, the Basic Principles on the Use of Force and Firearms are rarely, if ever, cited as part of the agenda to address the challenges posed by small arms.

While the majority of the world’s small arms are held by private individuals rather than government security forces, it is the latter that need to be the principal focus of efforts to address misuse. The increasingly accepted notion of security sector reform is directly relevant to the issue of misuse of weapons by government forces. From a violence and demand reduction perspective, security sector reform can span a range of

activities: from implementing the Basic Principles on the Use of Force and Firearms to initiating community policing programmes, as exemplified by the work of Viva Rio amongst the poorest of the poor in Brazil.

“... safety and security don't just happen: they are the result of collective consensus and public investment” Nelson Mandela⁸²

Security sector reform efforts to date have tended to focus on militaries, including gaining civilian oversight of armies and human rights training for them. However, a focus on strengthening the rule of law and providing access to justice is likely to be more relevant for limiting the proliferation and misuse of firearms. Particular attention should be given to carefully targeted support for reform of police, judiciary and prisons.

As part of this agenda, states also need to carefully curtail and regulate civilian access to small arms. Clear political will to do so exists in the majority of states, as evidenced during the 2001 UN Conference; however, some powerful states are resistant to this notion. The regional diversity of the Human Security Network provides opportunities for the Network to lead a dialogue across political groupings in order to help consolidate this political will in coming years.

Partnership and leadership

There are many clear differences between the diplomatic and political processes around landmines and small arms. However, the close and effective governmental-NGO partnership that developed in response to the landmine crisis must be replicated for small arms if the international community is going to succeed in making people safer from the scourge of gun violence.

Such partnership applies equally *within* governments, as well. The range of government officials engaged internationally in small arms must be broadened; diplomats with portfolio for small arms should represent not only a disarmament perspective, but also those of human rights, humanitarianism, development and public health. Similarly, to have real effect in creating and implementing needed policy changes, representatives of home and interior ministries, who generally hold responsibility for policing, must be involved in intergovernmental processes.

A core group of like-minded governments was critical to turning good ideas on landmines into international norms and actions. A similar process is needed on small arms. The Human Security Network can play a key leadership role in setting out a bold, people-centred agenda for small arms action and encouraging other countries to become supporters.

People-centred policies

In sum, a human security approach suggests that the impact on people is the rationale for our work and the measure of our success. Elements of an agenda for putting people first in the battle against small arms availability and misuse are emerging:

82. Mandela, Nelson (2003), Foreword, *World report on violence and health: summary*, World Health Organisation. Available at: www5.who.int/violence_injury_prevention

Box 7: Action-oriented research

The Programme of Action encourages states, civil society and international organisations “to develop and support action-oriented research aimed at facilitating greater awareness and better understanding of the nature and scope of the problems...”

Recommendations for future research that would support people-centred control measures include:⁸²

- Enhanced understanding of all aspects of small arms misuse,
- Polling of public perceptions and attitudes regarding small arms and violence,
- Evaluation of the impacts of weapons collection programmes,
- Examination of the linkages between development and small arms availability and misuse,
- Deeper understanding of how men and women are impacted differently by small arms use and abuse, and
- Inquiry into the prospects for ending arms transfers to non-state actors, such as armed groups.

- **Reform security sector institutions** that deny people safety—for example, brutal policing traditions or unfair or inept legal systems;
- **Implement existing norms**, such as the Basic Principles on the Use of Force and Firearms and the UN Code of Conduct for Law Enforcement Officials; gain wider accession to the world’s only global treaty to curb firearms trafficking, the Firearms Protocol of the Transnational Crime Convention;
- **Demonstrate a strict respect for international law**, including human rights and humanitarian law;
- **Focus on gender in all its aspects** in relation to small arms proliferation and misuse;
- **Include a developmental perspective** that responds to the challenges small arms pose to both lives and livelihoods and **incorporate community safety criteria into development assistance**, with emphasis on capacity-building;
- **Develop public health approaches** to provide valuable insights and methodologies for violence reduction interventions;
- **Curtail civilian possession of firearms**;
- **Choke the supply of weapons transfers to abusive and inappropriate end-users**—be they recognised state forces, paramilitaries or armed insurgent groups;
- **Establish a global annual target for arms reductions**—work towards agreeing at the 2006 Review Conference an achievable global weapons collection and destruction programme; and
- **Provide assistance to the victims and survivors** of gun violence who have been disabled and traumatised.

82. Section III, Paragraph 18, UN Programme of Action.

Annex 1

A snapshot of instruments and agreements Human Security Network states are a party to, and arms related information

It is important to note that many small arms initiatives occur at a regional level and the Human Security Network is a uniquely cross regional gathering of states. Therefore, these tables are most usefully read as an overview of the situation of a particular state not necessarily as a comparison between the Network states.

All information has been gathered from publicly available sources and may not be entirely reflective of legislative changes in process, or regulations under negotiation within a state.

A snapshot of instruments and agreements			
Body	Instrument	Objectives	Member States
United Nations	UN Code of Conduct for Law Enforcement Officials December 1979	Sets up criteria that should guide the behaviour of law enforcement officials	Adopted by General Assembly resolution 34/169 of 17 December 1979
	UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials September 1990 For information, see: www.unhcr.ch/html/menu3/b/h_comp43.htm	Aims to provide standards for the use of force by law enforcement officials.	Consensus decision adopted in 1990 by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders
	UN Protocol Against the Illicit Manufacturing of and Trafficking in Firearms, their Parts, and Components and Ammunition Agreed to the UN Convention Against Transnational Organised Crime, March 2001	Attempts to enhance transparency and cooperation in the legal trade of firearms. Sets out procedures for import, export and transfers of firearms including systems of governmental authorisation and of tracing and marking.	Signed by Austria (Nov. 2001), Canada (March 2002), Greece (Oct. 2002), Mali (July 2001), Norway (May 2002), Slovenia (Nov. 2001), South Africa (Oct. 2002), European Community (Jan. 2002)
European Union (EU)	EU Programme for Preventing and Combating Illicit Trafficking in Conventional Arms June 1997	<ul style="list-style-type: none"> • Programme of action for the EU to deal with the illicit trade of all conventional weapons, including small arms. • Initiative that is part of the effort to implement the EU Programme. The text makes a list of measures the SADC countries could take to deal with the small arms problem and identifies areas where EU's assistance could be useful 	Austria, Ireland, Greece, Netherlands. (Note: Switzerland and Norway are not a part of the EU)
	The Southern African Development Community (SADC) and the EU endorsed the Southern Africa Regional Action Programme on Light Arms and Illicit Arms Trafficking November 1998	Sets up criteria and operational provisions that should guide the granting of conventional arms export licences For more information, see http://www.basicint.org/WT/armsexp/codes.htm	
	Code of Conduct on Arms Exports June 1998, non legally binding instrument Joint Action on Small Arms December 1998	Identifies measures aimed at dealing with the accumulation of small arms (especially assistance to affected countries)	

EU and Canada	Joint Statements December 1998 and September 1999 on the issue of small arms	In 1998, the EU and Canada declared that they shared a common approach to combat the spread and destabilising accumulation of small arms. Canada “subscribed to the principles and criteria developed in this Code of Conduct” In the 1999 statement, the EU and Canada establish a joint Working Group on small arms.	
Organisation of American States (OAS)	Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and other Related Materials November 1997, legally binding instrument	Outlines measures to improve the control and monitoring of legal manufacture and transfers of firearms (e.g. marking, record-keeping, strict licence systems) and to improve exchange of information among member states regarding the illicit trade of firearms.	Signed by Canada and legislative process underway to include in domestic law Signed by Chile and a process is underway to ratify
	The Model Regulations for the Control of the International Movement of Firearms, their Parts, Components, and Ammunition June 1998, non legally binding instrument adopted in 1998 by the Inter-American Drug Abuse Control Commission of the OAS For information, see www.cfc-ccaf.gc.ca/en/international/drugcontrol.asp	Set of harmonised practical measures and procedures aimed at controlling the “export, import and in-transit movements.” Measures designed to assist with the implementation of the OAS convention.	
MERCOSUR (Mercado Comun del Sur)	Joint Mechanism July 1998	Mechanism for the sharing of information on people (individuals and organisations) involved in the trade of firearms and related materials.	Extended to MERCOSUR associate countries that include Chile
Economic Community of West African States (ECOWAS)	Moratorium on Importation, Exportation, and Manufacture of Light Weapons	It is composed of three instruments: <ul style="list-style-type: none"> • Moratorium Declaration: formal agreement to restrict imports, exports and manufacture of arms (October 1998) • Plan of Action for the Implementation of the Programme for Coordination and Assistance for Security Development (PCASED) is operated by the UN Development Programme and aims to facilitate the implementation of the Moratorium (March 1999) • The Code of Conduct for the Implementation of the Moratorium on the Importation, Exportation and Manufacture of Light Weapons (December 1999) that further refines details related to the implementation of the Moratorium. 	Mali
African Union (AU) formerly the Organisation of African Unity (OAU)	Bamako Declaration on an African Common Position on the Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons December 2000	Common African position on small arms prepared for the 2001 UN Conference that calls for concrete action at national and regional levels.	Mali and South Africa

Association of Southeast Asian Nations (ASEAN)	ASEAN Declaration on Transnational Crime December 1997	Establishes a framework for regional cooperation on the issue of transnational crime (including small arms).	Thailand
	ASEAN Plan of Action to Combat Transnational Crime June 1999 For information, see www.aseansec.org	Outlines a “cohesive regional strategy to prevent, control and neutralise transnational crime.”	
Wassenaar Arrangement	Wassenaar Arrangement July 1996 For information, see www.wassenaar.org	Mechanism for information exchange and export control to promote “transparency and greater responsibility in transfers of conventional arms and dual-use goods and technologies.”	Austria, Canada, Greece, Ireland, the Netherlands, Norway, Switzerland The other members are Argentina, Australia, Belgium, Bulgaria, Czech Republic, Denmark, Finland, France, Germany, Hungary, Italy, Japan, Luxembourg, New Zealand, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Slovakia, Spain, Sweden, Turkey, Ukraine, United Kingdom and United States
	Best Practice Guidelines for Exports of Small Arms and Light Weapons December 2002 For information, see www.wassenaar.org/docs/best_practice_salw.htm	Outlines criteria for the export of small arms.	
	Statement of Understanding on Arms Brokering December 2002	States “agreed to continue elaborating and refining the criteria for effective legislation on arms brokering, and to continue discussion of enforcement measures, for the purpose of developing a Wassenaar policy on arms brokering.”	
Organisation for Security and Cooperation in Europe (OSCE)	Document on Small Arms and Light Weapons November 2000 For information, see www.osce.org	A political commitment that outlines provisions to combat the illicit trade in small arms and includes measures to control export, import and transit; identifies criteria to guide exports; and calls for regulations on brokering. Also includes provisions on management, collection and destruction of small arms surplus.	Austria, Canada, Norway, Ireland, Netherlands, Greece, Slovenia, Switzerland
International Criminal Police Organisation (Interpol) For information, see www.interpol.int	Interpol Weapons and Explosives Tracking System (IWETS)	A database on illegal firearms trafficking such as manufacture, stolen and recovered weapons.	All Network countries are members of Interpol
	“The Manufacture, Use and Control of Firearms” Interpol General Assembly, Resolution No. AGN/66/RES/6, 21 October 1997 For information, see www.interpol.int/public/ICPO/GeneralAssembly/Agn66/Resolutions/AGN66RES6.asp	Outlines recommendations for states to take action against “international criminal activities involving the use of illegally acquired firearms” (adoption of effective registering, marking and tracing systems, enhancing of information exchange and cooperation). It also “encourages member countries to adopt legislation and regulations relating to the use of firearms by civilians”.	
Note: The definition of small arms and light weapons varies between instruments. In particular, ammunition is not always considered.			

Transparency efforts			
Country	Produces an annual report on its arms exports	Reports SALW customs data to the UN COMTRADE Database	Has submitted a report for the UN Biennial Meeting 2003*
Austria	Yes	Partial	Yes
Canada	Yes	Yes	Yes
Chile	No	Yes	No
Greece	No	Partial	Yes
Ireland	Yes	Partial	Yes
Jordan	No	No	Yes
Netherlands	Yes	Yes	Yes
Norway	Yes	Yes	Yes
Slovenia	No	No	Yes
South Africa	Yes	Yes	Yes
Switzerland	Yes	Yes	Yes
Thailand	No	Partial	No
Mali	No	No	Yes

* As of mid-June, 2003. **Source:** Haug, Langvandslien, Lumpe and Marsh (2002), pp. 30–31, COMTRADE (PC-TAS).

Network countries and small arms production	
Country	Producer of small arms and ammunition
Austria	Medium
Canada	Small
Chile	Small
Greece	Small
Ireland	No
Jordan	No (some craft production reported)
Netherlands	Small
Norway	Small
Slovenia	Small
South Africa	Medium
Switzerland	Medium
Thailand	Small
Mali	No

Note: The categories 'small' and 'medium' correspond to those identified by the Small Arms Survey 2001 in its ranking of the world's small arms and ammunition producers. **Source:** Small Arms Survey (2001), p. 16; Small Arms Survey (2002), pp. 20–40 and NISAT database. Available at: www.nisat.org

Arms and ammunition exports	
Country	Value of identified SALW exports in 2000 (US\$m)
Austria	71.423
Canada	46.152
Chile	1.518
Greece	4.370
Ireland	0.018
Jordan	None identified
Netherlands	2.525
Norway	8.483
Slovenia	None identified
South Africa	15.696
Switzerland	43.970
Thailand	0.083
Mali	None identified

Note: Not all nations supply information to COMTRADE, hence gaps in available information. **Source:** COMTRADE (PC-TAS).

Legislation regulating arms brokering		
Country	Legislation regulating arms brokering	Comments
Austria	Yes	National legislation on the import, export and transit of war material amended to include brokering of war materials.
Canada	Yes	Legislation that indirectly addresses brokers' activities: <ul style="list-style-type: none"> • Prohibition of brokering of arms to countries under UN embargo (by anyone in Canada or any Canadian) • In the Export and Import Permits Act, prohibition against brokering automatic weapons and other prohibited devices (only for activities in Canada).
Chile	No	
Greece	Yes	Legislation that indirectly addresses brokers' activities.
Ireland	In process	No specific legislation yet but review process is underway to examine controls on small arms brokering.
Jordan	Yes	Legislation that indirectly addresses brokers' activities: <ul style="list-style-type: none"> • Law on Firearms and Ammunition No. 34 (1959) • By-law on Trading and Firearms and Ammunition no. 58 (1975) (regulating import and export in Jordan but not brokering per se) • In addition, brokering in automatic firearms with malicious intent is severely penalised.
Netherlands	Yes	The Dutch Royal Decision of 1994 addresses issues related to some brokering activity. A licence is required for persons financially involved in trade of military goods, and only applies to brokers based in the Netherlands.
Norway	Yes	Legislation that indirectly addresses brokers' activities.
Slovenia	Yes	Legislation that indirectly addresses brokers' activities: <ul style="list-style-type: none"> • Decree on permission and clearance for transfers and production of military arms and equipment • the Law on Arms • the Penal Code of the Republic of Slovenia.
South Africa	Yes	Regulation of Foreign Military Assistance Act (1998) requires authorisation from government for any military assistance operation, including the procurement of equipment. This law also applies to brokering activities undertaken abroad by South African citizens.
Switzerland	Yes	Federal law on war materials (1996) directly addresses brokers' activities. Brokers need authorisation to procure war materials for recipients abroad. It applies only to brokers operating from Swiss territory.
Thailand	No	In the process of development.
Mali	No	
Source: Wood and Peleman (1999), pp. 106–115, NISAT database, and communication with government representatives by the Centre (April–May 2003).		

Network countries and firearms-related death			
Country	Deaths by firearm per 100,000	Number of deaths by firearm	Year
Austria	>0.53	43	1995
Canada	4.6	1402	1998
Chile	–	–	–
Greece	>1.9	>194	1995
Ireland	1.47	55	1997
Jordan	–	–	–
Netherlands	0.7	–	1994
Norway	3.0	129	1998
Slovenia	3.07	–	1994
South Africa	>49.8	>21,706	2000
Switzerland	>6.28	>448	1999
Thailand	–	–	–
Mali	–	–	–

Source: SAFER-net <<http://www.research.ryerson.ca/SAFER-Net/>>

Network states and UN Programme of Action Focal Points	
Country	Focal point and department
Austria	Mr. Andrea Iki-Boehm, Ministry of Foreign Affairs Department of Disarmament, Arms Control, Non-proliferation
Canada	National Point of Contact, Small Arms Coordinator Peace-building and Human Security Division (AGP) Department of Foreign Affairs and International Trade
Chile	Mr. Julio Fiol, First Secretary Jefe del Departamento de Desarme y de Seguridad internacional
Greece	Mr. Ioannis Andreades, Counsellor of Embassy Ministry of Foreign Affairs, Department of International Organisations
Ireland	Mr. Eddie Branningan Department of Foreign Affairs Disarmament and Non-Proliferation Section
Jordan	Military Intelligence Department, General Headquarters of Armed Forces
Netherlands	Ms. Mary-Honor Kloeg, Ministry of Foreign Affairs Security Policy Department, Arms Control and Arms Export Policy Division
Norway	Ministry of Foreign Affairs, Section for Disarmament Arms Control and Global Security
Slovenia	Mr. Igor Jukic, Second Secretary Ministry of Foreign Affairs, Department for Multilateral Affairs
South Africa	Mr. Rob Wensley, Directorate for Disarmament and Non-Proliferation Department of Foreign Affairs
Switzerland	Ms. Heidi Grau, Federal Department of Foreign Affairs Political Division for Human Security, Peace Policy and Human Security
Thailand	Peace, Security and Disarmament Division Department of International Organisations, Ministry of Foreign Affairs
Mali	Mr. Mahamadou Nimaga Ministère des Affaires Etrangères et des Maliens de l'Extérieur

Available at: <http://disarmament.un.org/cab/docs/trcngeexperts/list.pdf>

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Abel, Pete (2000), "Manufacturing Trends: Globalising the Source", in Lumpe, ed. *Running Guns: The Global Black Market in Small Arms*, Zed, London, pp. 81–105.

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Annex 2

Information about the consultation process

Two formal meetings were held as part of the dialogue process, '*Human security and small arms: Consolidating an agenda for action*'. The meetings occurred in Geneva on November 8, 2002, and in New York on March 27, 2003.

Organisations that participated in the meetings include:

Arias Foundation, Costa Rica
Bonn International Centre for Conversion, Germany
Centre for Democratic Empowerment, Liberia/Cote d'Ivoire
Harvard Program on Humanitarian Policy and Conflict Research, USA
Human Rights Watch, USA
International Action Network on Small Arms
International Development Research Centre, Canada
International Committee of the Red Cross, Geneva
Oxfam GB, United Kingdom
Oxfam International, New York
Project Ploughshares, Canada
Quaker United Nations Office, Geneva
United Nations Development Programme
United Nations Development Fund for Women
United Nations Regional Centre for Peace and Disarmament, Togo
Regional Human Security Centre, Jordan
Safer-NET, Canada
Small Arms Survey, Geneva
Viva Rio, Brazil
World Council of Churches, Geneva
World Health Organisation
World Vision International, New York

Including the governments of Austria, Canada, Chile, Greece, Ireland, Jordan, Mali, the Netherlands, Norway, Slovenia, South Africa (Observer), Switzerland, Thailand.

Summaries from the meetings are available at:
www.hdcentre.org/Programmes/smallarms/hsn.htm

