

bulletin

Small Arms and Human Security

Rebel Groups and Weapons: Limiting the Damage

Only a small proportion of the global weapons stockpile is in the hands of insurgents, and evidence suggests that their share is declining further.¹ Yet the destruction these weapons leave in their wake is immense: “the number of weapons insurgents need to wreak havoc [...] is not great. Measured by their results, even small rebel arsenals are of disproportionate importance.”²

There are several reasons why weapons held by insurgents are so destructive. First and foremost, in internal wars civilians are often a primary target – not just “collateral damage” – of military operations conducted by state and rebel forces alike. Terrorising and displacing entire populations with a view to destabilising the ruling authority is a strategy that requires nothing more than a few guns and rifles to be applied successfully. The unclear international legal responsibilities of rebel groups make it difficult to hold them accountable for violations of human rights and humanitarian law. There are also difficulties to engage them into a dialogue on this issue.

But the problem with weapons in the hands of insurgents goes beyond the immediate gross human rights abuses committed at the barrel of a gun. Loosely-organised armed groups often lack the capacity to ensure physical control of the weapons. This means that guns can easily slip further into illicit channels and continue wreaking havoc long after the “official” conflict has ceased. Afghanistan is a case in point, when the United States openly channelled an estimated US\$2 billion worth of weapons aid to the *mujahideen* between 1979 and 1989.³ Weapons were shipped to the Pakistani intelligence service, which then passed the guns and rockets on to selected *mujahideen* groups perceived as favourable to Islamabad’s interests. These groups were often based in Peshawar, in

In this issue ...

Rebel Groups and Weapons: Limiting the Damage by the policy team, Centre for Humanitarian Dialogue *pages 1–3*

Tip of the Hat: Brazil’s soccer team *page 3*

Guns and Private Security in South Africa
by Gregory Mthembu-Salter *page 4*

Demilitarisation in Aceh: An Overview
by David Gorman *page 5*

In Their Own Words: Does Anything Need to be Done to Control Transfers to, and Misuse of Weapons by Non-State Actors? If so, what? *page 6*

News in Brief *page 7*

Pakistan’s lawless Northwest Frontier Province. This arms supply destabilised the entire region long after the Soviet withdrawal from Afghanistan and virtually lost Pakistan’s Northwest Frontier Province to government control.

A problem of definition

In addition to armed groups (i.e. insurgents, warlords, or guerrilla movements), other “non-state actors” also play a substantial role in the proliferation and misuse of weapons: private military and security companies, militias, civil defence units, and proxy armed forces to name but a few. Each category poses distinct problems in terms of stemming the proliferation of guns; all take advantage of loopholes in international law to gain access to weapons.

From a human security perspective, it is not so much the *user* as the *misuse* which is relevant, and of course state forces too are to blame in this regard. While states are required to ensure their own forces do not misuse weapons, they must also take action to stop weapons proliferation and misuse by non-state actors, whether legal, political or other steps, and do so at the national, regional or global level.

Rebels and the law

The legal accountability of armed groups is a hotly debated issue. States will be wary of granting any sort of legitimacy to sub-state entities. The geographical control and the authority such groups often exert however warrants a discussion of their obligations under international human rights and humanitarian law. At the least, armed groups are subject to Common Article 3 of the 1949 Geneva Conventions, as well as, where applicable, the provisions contained in Protocol II of 1977. Enforcement of these provisions is problematic, though now the International Criminal Court can prosecute violations of the laws of war in internal conflicts, including by armed groups.

Ironically, while some states resist the adoption of international instruments dealing with armed groups for fear of granting them legitimacy, others are equally opposed to restrictions on arms transfers to armed

Armed groups are those that use military force to achieve their objectives and are not under state control. They usually seek political power and/or autonomy from the state; though their political objectives may often be mixed with criminal activity. This category does not include paramilitary bodies controlled by the state, unless these forces have some real autonomy.⁴

Militias or paramilitaries are forces generally raised from among the civil population, which supplement the regular army in case of emergency. They are generally armed by the state.

Civil defence units are armed by the state and can be distinguished from other armed groups by their attachment to a geographic community (see box below).

Mercenaries are individuals who fight for financial gain in foreign wars; they are primarily used by armed groups and occasionally by governments.⁵

Private Military Companies (PMCs) are corporate entities providing offensive services designed to have a military impact in a given situation. They are generally contracted by governments.⁶ Examples include Sandline International, Blackwater, and the dissolved Executive Outcomes.

Private Security Companies (PSCs) are corporate entities providing defensive services to protect individuals and property. They are frequently used by multinational companies in the extractive sector, humanitarian agencies, and individuals in various situations of violence or instability.⁷

groups on the grounds of the legitimacy of fighting oppressive regimes. The international community indeed accepts as legitimate the aims of “movements of national liberation”,⁸ albeit without specifying criteria for identifying such groups. As “one man’s terrorist is another man’s freedom fighter”, this margin of appreciation is in itself problematic. Furthermore the question is open whether the legitimacy of the struggle would also legitimise arms transfers and the use of force. Certain states argue that international law already prevents such transfers without the consent of the recipient state government.⁹ In any case it would appear important to identify viable, non-military strategies for supporting legitimate struggles.

To transfer or not to transfer?

Whatever the legal and moral arguments, the reluctance of the international community to tackle this complex issue has defeated most attempts to date. The most noteworthy of those was a 1998 Canadian proposal, calling for states not to

engage in acts that inappropriately arm non-state actors, either directly or indirectly. This principle would hold that small arms and light weapons designed and manufactured to military specifications for use as lethal instruments of war are reserved for the possession and use of the armed forces. Non-state actors should not be armed and equipped as though they were armies themselves.¹⁰

This proposal was criticised on the grounds that a focus on military small arms is unduly restrictive; that it is discriminatory against non-state actors; and that it is insufficiently rooted in international humanitarian and human rights law.¹¹ Canada’s response was that the prohibition of weapons transfers to armed groups fighting oppressive regimes is offset by the existing provision in many international instruments and national legislations on export controls prohibiting arms transfers to states violating human rights.

In 1997, an expert panel on small arms had also concluded that transfers to armed groups are “not necessarily illicit”.¹² But as the 2001 UN Conference on small arms drew nearer it also became clear that strong disagreement among states on how to deal with this issue would forestall its inclusion in the Programme of Action. Indeed, the 1999 Report of the Expert Panel on Small Arms already contained no reference to armed groups, which then nearly led to a collapse of the negotiations of the Programme of Action before it was effectively dropped as a “red line”.

At the regional level, the Canadian proposal was picked up by the European Union, which included a provision specifying that small arms can only be sold to governments in its 1998 Joint Action on Small Arms.¹³ Additionally, Switzerland and Canada have included in their legislation a prohibition of arms exports to non-state entities.

Civil defence units and militias¹⁴

Civil defence units are civilians that are armed by the state, often in times of violent crisis and often with a view to counter the activities of armed groups. Their weapons are generally supplied by governments from the “open market”, and they are further distinguished from armed groups by their attachment to a geographic community. Examples of such tactics include Guatemala, Mozambique, Cambodia, Angola, Sierra Leone or Rwanda, and in recent months Nepal pushed ahead with its own plan to set up village militias.

Although armed by states and nominally subject to control by them, civil defence units and militias raise a different set of issues with regards to small arms proliferation and misuse. Firstly, as an untrained, unaccountable and undisciplined armed force, armed civilians represent a serious challenge for human rights and humanitarian principles.¹⁵ The distinction between civilian and military is undermined. Civil defence units will also often complicate the dynamics of a conflict by pursuing interests of their own, using the primary (national) conflict as a lens through which secondary (local, clan) conflicts will be reinterpreted in order to justify violence.

Civil defence units raise particularly serious challenges in the design of efficient disarmament, demobilisation and reintegration (DD&R) programmes in post-conflict situations. Overlooking them in the implementation of such programmes will leave substantial numbers of weapons in circulation.

Armed groups, weapons availability and misuse: Workshop held on 25 May 2004

On 25 May 2004 the Centre for Humanitarian Dialogue convened a workshop in Bamako on armed groups, weapons availability and misuse. It was attended by representatives from Human Security Network states, as well as intergovernmental organisations and NGOs from the region and internationally. The meeting aimed to identify policy options to move forward on this delicate issue. Participants emphasised the need to consider not only weapons *transfers* to armed groups, but also *misuse* by such non-state actors, and to look into what the international community could do to hold them accountable to standards of human rights and humanitarian law. It was further agreed that local, national and regional initiatives should be given more support.

This meeting was part of the 'Putting People First' project, which seeks to refine a people-centred agenda for action on small arms. Two further meetings on international legal developments and national arms control are scheduled over the course of 2004–05.

For further information, see the Briefing Paper produced by Dr. David Capie, available at www.hdcentre.org (small arms section).

9/11 and the new world (dis)order

Unsurprisingly the renewed interest in issues of transnational crime and terrorism after 11 September 2001 has led to an increased willingness by many states to discuss the problem of weapons transfers to armed groups.

This growing shift potentially provides advocates for stricter controls with an opportunity to push for tougher implementation of existing "tools", such as arms embargoes, and for the agreement of binding new laws to crack down on the trade in weapons to armed groups, in any case in situations where they are likely to disrespect standards of human rights and humanitarian laws. Tougher measures against unscrupulous arms brokers appear particularly important given the pivotal role such agents play in the provision of weapons to armed groups. And prosecution of warlords responsible for the most heinous crimes against civilians would go a long way to deter armed groups from misusing their weapons.¹⁶

However, this window of opportunity could also be a double-edged sword. Indeed, a blanket de-legitimisation

of armed groups as "terrorists" may, in the absence of an agreed international definition of this term, have dangerous implications. Like it or not, many armed groups emerge as a response to repression. Another concern is that misuse of weapons by armed groups is also linked to the sheer lack of awareness of their obligations under international law. However, the climate of suspicion generated by the so-called "War on Terror" makes it increasingly difficult for humanitarian agencies to engage armed groups in a dialogue on humanitarian norms, and to promote a peaceful resolution of conflicts.

This article was written by the policy team at the Centre for Humanitarian Dialogue.

Notes

¹ Small Arms Survey (2002). *Yearbook 2002. Counting the human cost*. Oxford University Press, Geneva, p. 103

² *Idem*, p. 83

³ Lumpe, Lora (ed.) *Running guns: the global black market in small arms*. Zed Books, London, 2000, p. 61. Some 50 to 70% of weapons transferred were appropriated by Pakistani intelligence services for their own purposes. The chapter abundantly describes how this "arms pipeline" functioned and how it affected both Pakistan and Afghanistan.

⁴ International Council for Human Rights Policy (2000). *Ends and Means: human rights approaches to armed groups* (Summary of findings), September. For more information, visit www.armedgroups.org

⁵ Biting the Bullet. *Private military companies and the proliferation of small arms* (Briefing No. 10), p. 4

⁶ *Ibid*

⁷ *Ibid*. See the article on private security by Gregory Mthembu-Salter in this Bulletin.

⁸ See for example UNGA Resolution 2625 (XXV) of 24 October 1970.

⁹ This was for example Switzerland's position. See Lumpe, Lora (ed.) *Running Guns: the global black market in small arms*. Zed Books, London, 2000, p. 70.

International humanitarian law requires all states to "respect and ensure respect" for the provisions of the Geneva Conventions, which can imply that weapons must not be transferred to any party violating humanitarian law.

¹⁰ Proposal submitted by Canada at the Oslo meeting on small arms, 13–14 July 1998, and reproduced in Lumpe, Lora (ed.) *Running Guns*, p. 73

¹¹ Lumpe, Lora (ed.) *Running Guns*, p. 74

¹² Lumpe, Lora (ed.) *Running Guns*, p. 72

¹³ Art. 3(b) includes "a commitment by exporting countries to supply small arms only to governments (either directly or through duly licensed entities authorised to procure weapons on their behalf) in accordance with appropriate international and regional restrictive arms export criteria [...]". European Union Joint Action of 17 December 1998 (1999/34/CFSP)

¹⁴ See Jensen, Steffen and Finn Steputat (2001). *Demobilizing Armed Civilians*. Centre for Development Research, Denmark (CDR Policy Paper) and ICG Asia Briefing. *Nepal: Dangerous Plans for Village Militias*. International Crisis Group, Kathmandu/Brussels, 17 February 2004.

¹⁵ The UN Commission on Human Rights attempted to respond to this challenge by proposing minimal legal requirements for the establishment of civil defense forces. See Resolution 1994/67 on Civil Defence Forces.

¹⁶ For more recommendations see the briefing paper prepared by David Capie for the Centre for Humanitarian Dialogue's 25 May 2004 meeting on small arms. Capie, David (2004) *Armed Groups, Weapons Availability and Misuse: an overview of the issues and options for action*. Centre for Humanitarian Dialogue, Geneva, available at: www.hdcentre.org

Tip of the Hat



The Centre would like to extend a "Tip of the Hat" to Brazil's soccer team for helping take weapons out of circulation in Haiti! World famous soccer star Ronaldo will be part of the team that will travel to Haiti's Port-au-Prince in August where free tickets are promised for anyone handing in a weapon. Passionate soccer fans are to be found in Haiti's slums, street gangs and amongst various armed group. "It will be my lifetime chance to see Ronaldo, I'll exchange my M-14 for a ticket," a gang member said on hearing the news. In addition, Brazilian troops deployed this month handed out 1,000 free footballs with the commander General Augusto Pereira commenting that "there's no doubt this initiative will be a great support to the mission's effort to collect illegal weapons." (Reuters and Sawginfo)

Guns and Private Security in South Africa

The increasing privatisation of security is a global phenomenon. The problems of lack of accountability arising from this process have been graphically demonstrated in Iraq, where it is not clear whether the many private security companies operating there are adequately trained for the tasks they have been assigned, nor to whom they are answerable for their conduct. South African private security companies (PSC) providers are heavily involved in Iraq and indeed in many other global conflict zones, particularly in Africa. In Kaduna city, Nigeria, for example, the number of clients of a sample of five PSCs tripled from 1997 to 2001, while the number of guards hired has multiplied by five.¹ While no such firms existed in Cameroon in 1980, more than 180 could be counted in 2002 employing about 15,000 staff.²

Yet private security is not an export the South African government is keen to encourage, for fear of unwittingly permitting mercenary operations. Increased domestic regulation of private security companies is on the agenda, and with good reason: the country has the largest and most heavily armed private security industry in Africa. Private security has grown at a phenomenal rate since 1994, generated by public perceptions of insecurity. In 2003 there were 4,271 registered companies, down from 5,185 in 2001.³ This decline, however, was attributable mainly to industry consolidation, and the number of security officers actually rose during this period to 248,025 in 2003 – almost 150% higher than the number of uniformed police officers.⁴ Still, with 262,062 firearms, the South African Police Service (SAPS) has much more firepower.⁵ Security companies had 58,981 registered firearms between them in 2003.⁶ South African civilians, meanwhile, own a staggering 3.5 million licensed guns – one for every 13 people in the country. This high rate of gun ownership is a legacy of the country's violent past and a manifestation of its violent present. There is a widespread perception that firearms provide protection.

The 2000 Firearms Control Act (FCA) empowers the SAPS Central Firearms Register (CFR) to issue firearms licences to security companies for business purposes, which must be renewed every two years. The FCA states that only security personnel can use company-owned firearms, which is unpopular within the industry, where it had been common practice for employees to use their own firearms on duty.⁷ The Security Industry Regulatory Authority (SIRA) argues that this rule enables better control of weapons proliferation in the industry, and protects employees when weapons are damaged or stolen.

Weapons' training for personnel is often poor, with competency certificates allegedly issued by some disreputable training centres after just one hour's training.⁸

The Private Security Regulations Act of 2001 requires that training centres register with SIRA, which withdrew accreditation from eight centres due to irregularities during the first half of 2003.⁹

The parliamentary committee on safety and security wants SIRA's capacity boosted and has also indicated that its mandate might require expansion.¹⁰ According to one committee member, the key policy issues are continuing to demilitarise society, ensuring police supremacy over private security companies, and strengthening the local industry vis-à-vis foreign-owned companies.

Despite the apartheid-era counter insurgency origins of some security companies, the ANC does not regard the industry as a political or military threat.

The main small arms issue for the South African security industry is the leakage of its firearms into criminal hands. Rarely are companies alleged to have leased or sold criminal syndicates their firearms. With SAPS strong firearms' tracing capacity, the risks associated with such collusion would be considerable, outweighing the benefits for established industry players, who own most of the industry's firearms. However, firearms storage, particularly in small companies, is often poor, and theft from company premises does occur. Obtaining replacement firearms has become expensive and arduous for companies, providing them a powerful incentive to keep their firearms secure. The main losers are companies involved in moving assets since their officers nearly always carry firearms they are attacked more frequently than other security officers with guns generally stolen during previous successful attacks.¹¹

The number of weapons stolen from security companies is far lower than the number of civilian firearms stolen each year. An estimated 22,000 civilian firearms are lost or stolen in South Africa annually. Recent research on firearms proliferation in Southern Africa, commissioned by Gun Free South Africa, found that nowhere else in the region was civilian firearm ownership so high, nor private security so prevalent. In all of Southern Africa apart from South Africa, private security companies are banned from using firearms, and it is much harder for civilians to obtain a legal weapon than in South Africa.¹²

Nonetheless, as in South Africa, despite state concerns about this development, private security provision and proliferation is on the increase throughout the region. Legislators are struggling to keep up with developments, and the South African experience provides useful pointers about how they could be responding. The South African experience also shows that good firearms legislation is one thing, but effective implementation is quite another. With state capacity shrinking throughout most of Africa, implementation is likely to prove to be the biggest challenge of all.

For footnotes see p. 8.

Gregory Mthembu-Salter is a Cape Town-based freelance writer and researcher, specialising in Southern, Central and East African political economy.

Demilitarisation in Aceh: An Overview

Representatives from the Government of Indonesia and the Free Aceh Movement (GAM) signed an historic Cessation of Hostilities Agreement (COHA) on 9 December 2002. The two sides have battled in Aceh, Indonesia since the late 1970s, and many hoped that the COHA would lead to the end of the conflict. In the COHA, the parties agreed to a ceasefire, to demilitarise Aceh, to hold elections in Aceh, and to review Indonesia's autonomy law. The Centre for Humanitarian Dialogue, which brokered the talks, was responsible for working with the two parties to implement the agreement. Although the COHA was considered initially effective in bringing peace to Aceh, unfortunately it was not sustained and demilitarisation was never achieved. Demilitarisation of armed groups is a key requirement for human security, and poses daunting challenges. This article outlines the obstacles faced in Aceh, where regrettably the war continues.

The COHA outlined a step-by-step process to demilitarise Aceh over a period of seven months. The parties agreed to establish a Joint Security Committee (JSC), a tripartite body including military commanders from both the Government and the GAM and, on behalf of the Centre, active military personnel seconded to the Centre from the Governments of Thailand, the Philippines and Norway. It was their job to monitor the implementation of the agreement. At the same time, a political process was to run parallel to the security arrangements, including an all-inclusive dialogue leading to free and fair elections in Aceh and a democratic autonomous government in 2004.

The first stage in implementation of the security arrangements was a three-month confidence-building phase, during which both parties were to pull their forces back into defensive positions and cease all offensive actions. The two parties agreed to establish peace zones where forces were not permitted to engage in activities contrary to the spirit of the COHA, could not publicly show their weapons, and were required to inform each other of any troop movements.

There was a dramatic reduction in violence as the parties ceased offensive movements and established five peace zones. In the months immediately following 9 December 2002, there was a steep decline in the number of armed clashes between GOI forces and the GAM, and a concurrent reduction in fatalities. For example, as opposed to a previous average of 230 deaths per month prior to the signing of the COHA, less than 25 were killed in total during the three months following the signing. The initial post-December 9 period also saw a marked improvement in the livelihoods of the Acehnese people. Although extortion and corruption continued to be a problem, some of the worst excesses of the conflict witnessed in

previous years, such as the burning of homes, businesses and schools, ended. Shops stayed open late at night, fields for farming became accessible for the first time in years, families went to the beach, and IDPs returned to their homes.

Following the initial confidence-building period, the COHA provided for a second stage of implementation involving a more extensive demilitarisation process. The GAM was required to place its weapons in designated sites known only to itself and to members of the Centre's international weapons verification team (WVT).

Simultaneously, the Indonesian military were to relocate their forces and reformulate their mandate from that of a strike force to a defensive force. The paramilitary police units, known as BRIMOB, were to reformulate their mandate to normal police activities over a five-month period. This phase suffered from many challenges common to demilitarisation processes.

First, there was no reliable data on troop and rebel locations, nor on the amount and type of weaponry held by the GAM. It was agreed that the Indonesian military would approximate the number of weapons held by GAM for placement, and, if GAM agreed, then that number would be placed in secure storage. On top of these measures, it was agreed that any civilian carrying a weapon openly after the deadline could be arrested. The location of weapon placements was done confidentially with only the knowledge of the WVT. The weapons were to be stored in such a way that any movement of the weapons would immediately be noticed. Moreover, the Indonesian military had the right to demand no-notice inspections by the WVT. Although this system was not foolproof, it was considered effective as long as the general principles were followed.

Representatives from the three parties needed to build trust and work as a team to effectively implement the Agreement. Relations did develop among individuals at the local level, and the first three months of progress built confidence between members of all parties. Unfortunately trust was slow at the leadership level of the warring parties. As hope and expectations of the international community and civil society grew, pressure to proceed quickly increased.

The challenges presented in the Aceh demilitarisation process are little different from those in other demilitarisation processes. Political expediency, practical impediments, mistrust, and party-specific issues all have a bearing, and there appears to be no easy formula to overcome these factors. However, early and effective disarmament strategies are essential for helping to end protracted armed conflict and for preventing a resumption of violence. And so, learning from past efforts, and working to improve upon these efforts, is vital for successful peace processes.

A longer version of this article is available at <http://www.hdcentre.org/?aid=64>

David Gorman from the Centre for Humanitarian Dialogue contributed to this article.

■ In Their Own Words

Does Anything Need to be Done to Control Transfers to, and Misuse of Weapons by Non-State Actors (e.g. Armed Groups and Insurgents)? If so, what?

Government of Canada

In Canada's view, small arms and light weapons in the hands of non-state actors present a serious threat to human security. Even when the quantity of weapons possessed by these actors is relatively low, grave consequences can ensue. Small Arms Survey points out in its 2003 report that, among the insurgents of West Africa in the 1990s, "...the scale of armaments appears to have been much smaller than the scale of the evils perpetrated on their victims." Many existing instruments and processes are already working to address the problem, such as arms embargoes, disarmament, demobilisation and reintegration programmes, as well as legal developments that extend human rights and humanitarian law obligations to non-state armed groups. In the European Union's Joint Action on Small Arms, adopted in 1998, the EU committed to supply arms only to governments. Other initiatives, including the recent consultations on brokering at the United Nations, also have the potential to build consensus on how best to curb illicit brokering which in turn could better control the transfer of weapons to non-state actors. Yet it is regrettable that the issue of transfers of weapons to non-state actors was left out of the Programme of Action (POA) in 2001. We hope that the international community will explicitly voice its concerns regarding this key, albeit complex, issue through a strengthened POA in 2006.



Paramilitary fighters patrol in Antioquia Province in Colombia, September 2003 Reuters/Albeiro Lopera

David B. Kopel Independence Institute USA

A prohibition on arms transfers to so-called "non-state actors" means a prohibition on arms transfers to people who are legitimately fighting for their freedom against tyrannical governments. In the 20th century, genocide by government was by far the leading cause of violent death. History shows that genocidal regimes almost always disarm their victims beforehand. Because sovereignty inheres in the people and because the only legitimate governments are those "deriving their just powers from the consent of the governed," dictatorships are merely imposter governments. Because the people, not the dictatorship, constitute the legitimate "state," the international community should restrict arms transfers to dictatorships – which, because they are illegitimate, are the real "non-state actors." To deter genocide, arms transfers to at-risk populations should be encouraged.

Nilo De La Cruz Revolutionary Workers Party-Philippines

Any revolutionary organization or armed groups can easily acquire their armaments if they have the necessary resources. The main problem regarding this is everything is now highly commercialized, even with regards to weapons. However, corruption within the military makes the acquisition of arms and munitions accessible. Additionally, while we recognize and adhere generally to international humanitarian laws, at most it has a little influence in the use of weapons of nongovernmental forces. Basically, the use of weapons is based on the groups orientations political or otherwise. Public opinion is more effective in influencing the use of such weapons especially if the group is highly politicized.

Sophie Read-Hamilton Gender-based Violence Programme, International Rescue Committee, Liberia

As someone who works directly with survivors of sexual violence fueled by various ill-disciplined armed groups ready access to weapons, I see the devastation that the lack of control of these weapons have bought thousands of women and girls in Liberia and many other places in West Africa. Tight enforcement of arms embargoes, strategic thinking about disarmament processes across regions and women's genuine involvement in peace processes are just some of the ingredients needed to tackle this issue. Much of this is achievable but requires political will. Working everyday with women facing extraordinary brutality and trauma, it seems the political process dealing with small arms is detached from the reality for ordinary people and too slow to act when weapons are all too freely available to insurgents and poorly trained government forces.

U.S. army sets up arms bazaar in Iraq

In the year since Saddam Hussein was overthrown, American-led troops have used a wide range of force to combat insurgents opposed to the military occupation. In May the army tried a new approach to silence Iraqi guns: Buy them. In their first program of its kind in Baghdad, American troops engaged in a weapons buy-back program. It began on Saturday and was so popular that it was extended for another two days. By Tuesday night hundreds of Iraqis had been paid USD 761,357 for 56,536 items, from bullets to assault rifles to mortars and rocket-propelled grenade launchers, according to the military. [...] Some Iraqi men said that with the money they had made they could go out and buy more weapons from the black market. "We sell them the old ones and buy new ones on the black market", said Ali Mohsin. "I sold one AK-47 that I did not need, but what I am really good at is firing a rocket-propelled grenade launcher."

Source: New York Times, 20 May 2004

Thousands march in Mexico City against crime

Hundreds of thousands of protesters marched through the streets of Mexico City on Sunday 27 June to protest Mexico's failure to control violent crime in one of the world's most crime-wracked countries. The protest attracted vast numbers of middle- and upper-class citizens who ordinarily stay in the walled homes. Wearing white clothes and carrying signs that read "Enough!" business leaders, professors, lawyers and others turned out to pressure officials to increase efforts to curb crime. On average 760 murders and nearly 1,300 rapes are reported each year in the city. In addition, some 3,000 cases of kidnappings were reported in Mexico last year. One of Mexico's top law enforcement officials said lax U.S. gun-control laws that allow arms to be sold "as if they were candy" were contributing to Mexico's violence.

Source: Washington Post, Bloomberg and BBC News, 27 June 2004

Unexpected side-effects of gun amnesty in the Solomon Islands

Man-eating crocodiles are benefiting from the clampdown on guns in the Solomon Islands. According to police officers serving in the troubled archipelago, at least four people have been killed by the marauding reptiles on the Guadalcanal coastline near their base in the past six months. Inspector Graeme Cairns, head of the New Zealand police contingent supporting the Regional Assistance Mission to Solomon Islands (RAMSI), said there was anecdotal evidence of crocodile numbers increasing because, with more than 3,000 guns having been handed in, islanders no longer had the means to shoot them. New Zealand police working in the Solomons said that the disarmament programme that began 10 months ago had been incredibly successful – except for the crocodile problem.

Source: New Zealand Herald, 9 June 2004

Paralysed gun violence victim wants to buy gun factory

A paralysed teenager from Willits, California is attempting to buy the bankrupt gun company who manufactured the .38 calibre handgun that misfired 10 years ago, leaving him a quadriplegic. Brandon Maxfield, 17, wants to melt down the 50,000 unassembled guns to get them off the streets. He launched an internet campaign to raise funds, but failed to raise enough money to outbid the plant's manager, in an auction on 17 June in a Florida bankruptcy court. However, there is still a chance the judge will reject the bid. If so, the process will start over and Maxfield will have another chance to raise the money. For more information, see www.brandonsarms.org

Groundbreaking protocol on small arms adopted in Nairobi

On 21 April 2004 the eleven states parties to the Nairobi Declaration (Burundi, Democratic Republic of Congo, Djibouti, Ethiopia, Eritrea, Kenya, Rwanda, Seychelles, Sudan, Tanzania and Uganda) adopted the Nairobi Protocol "for the prevention, control and reduction of small arms and light weapons in the Great Lakes Region and the Horn of Africa". This legally-binding document contains some groundbreaking provisions, including a paragraph on civilian possession of weapons, and a definition of brokers and brokering that could serve as a basis for an international instrument on this issue.

The full text of the Nairobi Protocol can be found on www.saferfrica.org/DocumentsCentre/NAIROBI-Protocol.asp

Second-hand firearms are no longer welcome in South African gun shops

Several dealers have stopped buying second-hand weapons, since supply exceeds the demand as more South Africans are trying to get rid of their guns, rather than renewing their licences, as required from July 1 under the strict new Firearms Control Act. "We are now advising sellers of second-hand firearms to hand in their unwanted guns to the police to have them destroyed," said Solomon Shange of Kings Arms and Ammunition in Pietermaritzburg. Sources at local police stations confirmed that about 90% of all new applications have been turned down because they were too vague.

Besides a proficiency certificate, issued by an accredited trainer to prove the gun-owner's knowledge of the act and his/her weapon, the applicant, who must be at least 21 years old, must also pass a competency test before s/he can apply for a licence. Potential gun-owners who drink too much, have beaten up family members or friends, or pointed a firearm at someone, will not make the grade, as neighbours, employers and the courts will be consulted before a licence is renewed.

Source: News24.com, 21 June 2004

Notes for private security article

¹ Ebo, Adedeji (2003), *Small Arms and Criminality in Nigeria: Focus on Kaduna State*. Background paper, Small Arms Survey, Geneva, cited in Small Arms Survey Yearbook 2004, p. 196

² Atanga, Mofur (2003), *Small arms and criminality in Cameroon*. Background paper, Small Arms Survey, Geneva, cited in Small Arms Survey Yearbook 2004, p. 196

³ Private Security Industry Regulatory Authority presentation to the parliamentary portfolio committee on safety and security, 10 September 2003

⁴ Ibid.

⁵ Derived from SAPS statistics, as of October 2002

⁶ Central Firearms Registrar presentation to the parliamentary portfolio committee on safety and security, 17 September 2003

⁷ Government of South Africa (2000), *The Firearms Control Act*, Government Gazette, Pretoria.

⁸ Phone interview with Mike Mitten, NASTEK training agency, Durban, 25 July 2003

⁹ Private Security Industry Regulatory Authority presentation to the parliamentary portfolio committee on safety and security, 10 September 2003

¹⁰ Parliamentary Monitoring Group (2003), *Briefing by Private Security Industry Regulator Authority on Activities of Private Security Industries, September 10th 2003*, PMG, September.

¹¹ Survey of stories about private security companies, 2000–2003, Independent Online News (<http://www.iol.co.za>)

¹² Chandre Gould (ed) (forthcoming) *Hide and Seek: Firearms proliferation in Southern Africa*, Gun Free South Africa, Johannesburg.

Centre for Humanitarian Dialogue
114 rue de Lausanne
Geneva, 1202, Switzerland

Phone: +41.22.908.1130
Fax: +41.22.908.1140
E-mail: info@hdcentre.org
Web: www.hdcentre.org

All rights reserved. The copyright of this publication is owned by the Centre for Humanitarian Dialogue.

“hd” Centre for
Humanitarian
Dialogue

Join our mailing list

- I want to continue to receive a complimentary hard copy of the *Human Security and Small Arms Bulletin*
Preferred distribution mode E-mail Hard copy
- I want to receive multiple copies of the *Bulletin* (indicate below in which language and the quantity)
- English French Spanish Arabic ___ Number of copies

Name and title _____

Organisation _____

Position _____

Address _____

Post/zip code _____

Country _____

Telephone _____

Fax _____

Website _____

E-mail _____

Please copy and complete this form and mail it to Mireille Widmer, Centre for Humanitarian Dialogue, 114 rue de Lausanne, Geneva, 1202, Switzerland, e-mail it to widmer@hdcentre.org or fax it to +41.22.908.1140

bulletin
Small Arms and Human Security

Editor

Cate Buchanan (cateb@hdcentre.org)

Design and production

Richard Jones (rmjones@onetel.net.uk)
Exile: Design & Editorial Services