

The Small Arms Crisis: What Will Work

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Table of Contents

FOREWORD	1
EXECUTIVE SUMMARY	2
THE GLOBAL ISSUE OF SMALL ARMS	6
SUPPRESSING SUPPLY	6
SOURCES	6
UTILIZING THE 2001 CONFERENCE	7
ENHANCING TRANSPARENCY AND INFORMATION EXCHANGE	8
<i>Publish Imports and Exports</i>	8
<i>Targeting Assault Rifles and Grenade Launchers</i>	8
<i>Licensing of Manufacturers</i>	9
<i>Marking and Tracing of Weapons</i>	10
REGIONAL APPROACHES AND TRANSPARENCY	10
<i>OAS Convention</i>	10
<i>ECOWAS Moratorium</i>	10
<i>Building Capacity</i>	11
<i>Strengthening Collective Efforts in the South Caucasus</i>	11
MONITORING AND EARLY WARNING FACTORS	12
<i>Weapons Monitoring and Destruction</i>	12
<i>Utilizing Early Warning Indicators to Prevent Conflict</i>	12
<i>Monitoring Weapons Surplus Transfers</i>	12
<i>Black Market Prices</i>	12
<i>Supply of Ammunition</i>	13
<i>Ammunition as a Link between Supply and Demand Issues</i>	13
ILLICIT TRADE.....	13
<i>Security of Weapons Stocks</i>	13
<i>Building Capacity through Technology</i>	13
INTERNATIONAL STANDARDS.....	14
<i>Code of Conduct</i>	14
<i>EU Code of Conduct</i>	14
<i>Restricting Sales to Non-State Actors</i>	14
INTERNATIONAL NORMS	15
PUBLIC OPINION, POLITICAL ACTION.....	15
<i>Child Soldiers: War as a Way of Life</i>	16
<i>Diamonds, Drugs and the Black Market</i>	16
REDUCING DEMAND	17
DISARMAMENT.....	17
<i>Disarmament and United Nations Peace Operations</i>	17
<i>Addressing Civilian Weapons Possession</i>	17
MICRODISARMAMENT	18
SECURITY-FIRST DEVELOPMENT.....	18
COMMUNITY-BASED INCENTIVES	18
DESTRUCTION OF WEAPONS	19
ADEQUATE LEGAL FRAMEWORK	19
DIRECTIONS FOR THE FUTURE: LEARNING FROM SUCCESSFUL DISARMAMENT	20
<i>Disarmament Requires Local Demand</i>	20
<i>Supporting Homegrown Initiatives to Transform Cultures of Violence</i>	20
<i>Role for the Private Sector</i>	21

CONCLUSIONS AND RECOMMENDATIONS.....	21
ANNEX 1: EXPERTS IN THE FIELD OF SMALL ARMS.....	23

Foreword

The uncontrolled trade in small arms has dramatically increased the availability of assault rifles, machine-guns, and grenade launchers in regions where violence is pervasive. Generally in regions afflicted by poverty and corruption, this accumulation of weapons has transformed group tensions into deadly conflict, children into soldiers, and communities into war zones. These weapons have claimed the lives of millions of innocent civilians in the last decade alone. Even after a conflict has ended, the extensive presence of these weapons greatly complicates the task of restoring peace.

The complex humanitarian and security challenges posed by the proliferation of small arms have aroused international attention, but little action. The manufacture of small arms is a multi-billion-dollar industry in the North, and an ample supply finds a willing market in the South. There is no single solution available, as there was with anti-personnel landmines. Progress towards controlling small arms must be made through a protracted effort and in a variety of ways.

The United Nations Foundation, which has recognized the importance of the problem, has supported us in an examination of this issue. The United Nations asked us “to examine what works and what does not”. Our report looks not only at past practice but at what is most likely to work in future. The inquiry is timely, with the UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects now less than 12 months away.

Expertise drawn from practitioners, academics and NGOs has shaped the recommendations in this report. We are grateful especially for the insight provided by William Godnick of the Program on Security and Development at the Monterey Institute for International Studies; Sami Faltas with the Bonn International Center for Conversion; Gene Lake, Loretta Bondi with the Fund for Peace Foundation; and Preben Marcussen at the Norwegian Initiative on Small Arms Transfers.

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Executive Summary

Some Thoughts on Responding to the Small Arms Problem

There is neither an easy nor a single solution to the small arms problem. While it is tempting to draw on the achievement of banning anti-personnel landmines to move the small arms agenda towards similar success, the latter is a much more complicated problem. Small arms will never be banned. There is much less sympathy in the South for radical measures. And we must never forget the irony that the main suppliers of small arms are precisely those countries (and a few of their allies) to which the UN Charter grants a special responsibility for peace and security.

Does that mean that nothing can be done? No. This report will set out what will most probably work, and what will not. It notes what is most likely to produce results in the short term. It draws on a growing body of research from several think tanks, work in various governments, the UN itself, and discussions with the NGO community.

One lesson that can be learned from the landmine campaign, at least with respect to the suppliers of small arms, is that stigmatization and shame eventually take their toll. For this to happen, not only does it seem we need to see the horrific images on our television screens displaying the damage of small arms, but we need to know more about the awful costs inflicted with small arms on civilians. There needs to be a much greater sense that something urgently needs to be done.

Part of the problem with the small arms issue is that the category of weapons is very large. At the low end there are pistols and rifles. At the high end of the category are machine-guns, grenade launchers, anti-aircraft and anti-tank weapons, and some mortars. It makes sense to focus, at least initially, on those weapons that are the most serious instruments of civilian deaths—assault rifles and grenade launchers above all else, but also light machine-guns. Doing so will minimize confrontation with those hunters and others who argue for the right to bear arms. Taking up the entire category, including rifles and pistols, will at best jeopardize any chances for early success. Some NGOs and governments will have difficulty with this, but progress on the core of the problem will be easier.

There has to be massive pressure on supplier countries to disclose details of production and, especially, foreign sales—with identification of specific buyers and dealers. This should be the case for the entire category, but, to start, at least for assault rifles, grenade launchers and light machine-guns. All small arms and light weapons ought to be added to the UN Registry of Conventional Arms, (leaving until later pistols and rifles). There needs to be a “code of conduct” to which countries subscribe and which exporting companies must accept. The UN Security Council should establish “sensitive areas” where the shipment of any small arms and ammunition would be precluded. There is no reason why any non-state actor needs an assault rifle. Indeed, with the exception of pistols and rifles, there is no reason why any non-state actor needs any small arms or light

weapons at all. There is even the technological possibility of requiring an unalterable means of tracing the manufacture of weapons so that their “history” can be followed. This is not for tomorrow, but is a longer-term possibility. Those engaging in illicit trade, selling into war-torn areas and to inappropriate buyers, need to be exposed. Those violating embargoes and economic sanctions generally need similar treatment. The style of the report on Angola for the Security Council earlier this year needs repetition and elaboration.

None of this will work miracles in the short term. There will be cheating and lying. The NGOs will hold that the measures are insufficient. But, over time, there will be an effect. The norms will change. It will be more difficult to evade embargoes or breach codes of conduct.

There is a serious lack of detailed information on sources of weapons, supply routes and actors. Reports should be published on the type and quantity of weapons shipped to peacekeeping areas. Monitoring systems should be implemented to utilize the flow, location and accumulation of small arms as indicators of potential conflict. The recent *Report of the Panel on United Nations Peace Operations* recognizes that governments should be urged to step up intelligence collection and to share the results with each other and the UN. This is especially true when a peacekeeping operation is being deployed or is already in the field.

Another reality is that the small arms issue does not “present” publicly as clearly as mines—or as acutely as the victims of mines. Our recommended focus on assault rifles (the image of the AK-47) can help raise public awareness. A clear link should be drawn to the first-cousin issue of war-affected children. The September 2000 international meeting in Winnipeg, for example, was ideally designed to draw attention to the small arms problem. A 10-year-old with an AK-47 over his shoulder and a “necklace” of bullets makes a compelling image of something dreadfully wrong. Something is evidently wrong. While some critics may feel this connection lacks perfect logic, it is still worth making.

Dealing with illicit trade is, not surprisingly, where there is most consensus. After all, few are prepared to step forward to advocate illicit trade. The fact diamonds and drugs are involved helpfully adds to the mix. Condemnation is that much easier. It is important that the continuing Vienna negotiations provide an important law enforcement mechanism. There is, as is widely known, a clear link between licit and illicit commerce; weapons move from the first to the second (and maybe even back again).

There are other low-key practical measures that can be taken—for example, by providing adequate security to armouries to prevent theft. Incredible as it may seem, there have been instances of weapons “disappearing” after they have been collected. It is also absolutely necessary that relinquished weapons be destroyed immediately, in plain view of the person turning in the weapon, and not resold or even returned to the soldiers or police who had them in the first place. To this end, a secretariat should be created, perhaps in the UNDP, to act as a clearinghouse and to assist agencies in pursuit of small

arms control. Governments renewing their own weapons systems should publicly destroy small arms being replaced, ensure these weapons do not pass into the hands of children caught in some squalid intra-state conflict.

It is very important that the North deal with its end of the problem first. This is not commonly accepted. The fact is that the support in the South for curbing demand is spotty. Attachment to these weapons has been established, not only for legitimate defence needs, but also as a means to force political change and provide authority through coercion.

The Carnegie Commission on Preventing Deadly Conflict had it right. One cannot deal with small arms in isolation. As the Commission concluded, “operational” approaches to preventing deadly conflict are last minute band-aids (which is not to say they are without effect). One has to deal with the structural causes of conflict and ultimately build a “culture of prevention.”

What this means is that, even when a conflict has ended, there is no singular reliable formula for weapons collection and disarmament. Those arms will only be returned if people see a real chance of peace, a substitute for their gun. Inadequate attention has been given by the development community to the necessity of fair and effective functioning of the police, courts, and jails. This broaches the necessity of a “security first” approach to development.

In post-conflict situations, there may be moments of opportunity when the desire for peace is real. International organizations and donors of all kinds must be prepared to move quickly, for example, in implementing “weapons for development” programs. These moments can pass quickly. Perhaps a fund could be established (although this would not be easy) to facilitate early action. The creation of an agency to oversee the implementation of collection and destruction programs could also ensure disarmament promotes larger programs of peace and development. There is also the potential for some private sector involvement, based on past experience. These programs need to be tailored for local needs; there is no single recipe. And it is quite clear that “cash for weapons” does not work.

The reintegration of combatants into society after conflict is of critical importance. This includes especially child soldiers who have been abducted. While mines physically maim children, small arms not only wound bodies, they corrupt minds. These lasting harms demand as much attention as the weaponry itself.

There is some encouraging activity at the regional level. This should receive every support. Included are the SADC Protocol on Firearms Control and the Mali/ECOWAS moratorium. So far the results on the ground have not been impressive. This is in part a consequence of the lack of resources. There is often a need to build capacity in administration, technology, finance and security. The sort of partnership required is illustrated in the SADC/EU arrangements. Recently, a shared interest has been expressed

in the South Caucasus in initiating action to control small arms. This merits international attention and support.

The development of norms is usually a slow process. They are, of course, what ultimately create a “culture of prevention.” The new norms need to go right through the system, from arms sales to the appropriate use of weapons such as assault rifles. The latter belong only in the hands of the military.

There is a major and early opportunity to move this issue forward. This is the wonderfully named UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. It is an opportunity not to be missed.

The Global Issue of Small Arms

The world's deadly excess of small arms and light weapons has grown to become one of the greatest threats to the security of states—and of people. This class of weapon is relatively inexpensive, remains operational for many years, is easily transported, and now fuels armed conflict in over 42 countries. Often wielded by largely untrained combatants (including children) small arms—assault rifles, grenades and mortars and others—have been the weapon of choice in 46 of 49 deadly conflicts since 1990.¹ Estimates of the numbers of assault rifles in the hands of non-state actors range between 100-125 million. Since 1990, conflicts worldwide have resulted in the deaths of more than 4 million people, producing 20 million refugees and 24 million displaced persons.² The vast majority of victims have been women, children, the elderly, and other non-combatants. This global spread of small arms has been facilitated by continued production from countries in the North, which benefit from a market worth an estimated \$5-\$7 billion in annual trade. As well, however, many weapons circulate through the South from one conflict area to another.

Small arms and light weapons have been defined in various ways, but are conventionally understood to include weapons designed to military specifications for use either by an individual or a small crew as lethal instruments of combat. It is generally accepted that “small arms and light weapons” include revolvers, self-loading pistols, rifles, assault rifles, machine-guns, grenade launchers, small-calibre mortars and shoulder fired anti-aircraft and anti-tank missiles. For the purposes of this report, the term “small arms” will encompass this group of weapons.

The commerce in small arms, like any market, is defined in the dynamics of supply and demand. In the analysis that follows, we recommend actions on both sides of this insidious trade. We consider first measures to suppress supply; then we look at ways to reduce demand.

Suppressing Supply

Sources

The universally exercised right to maintain adequate defence forces for the purpose of state security renders a global agreement on the complete ban of small arms impossible; even an agreement on “control” is difficult. The direct approach that was taken to ban anti-personnel landmines will not work here. The challenge facing the world is the sheer volume of weapons, estimated as high as 500 million, flowing through legal, illegal and covert channels.

To secure real progress, certain governments will need to go beyond their stated support for cracking down on the illegal trade in small arms—and examine their own role in the

legal trade. The shocking reality is that 80 to 90 per cent of the supply of small arms originates from the five permanent members of the UN Security Council, and Germany (an aspirant to a permanent seat).

In addition, the post-Cold War era has been marked by what is generally accepted as an extensive small arms surplus.³ States with inventory and production have been reluctant to destroy their over-supply; they export it instead, especially to zones of conflict where demand persists. This is a trade that makes deadly conflict more likely—and more lethal.

Few governments publish statistics on the sale or transfer of small arms, or release information about sales activities of private companies. This must change. In the absence of reliable data from governments, the UN and member states should encourage and subsidize the development and publication of arms-trade information from nongovernmental sources.

Utilizing the 2001 Conference

Too few serious efforts to control the cascade of small arms have yet been undertaken. In 2001, the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects can mark critical progress in generating stronger international action against a global menace to human and state security. Expectations are high among those who are ready to act, and popular opinion will be sympathetic. The opportunities for cooperation between governments and others in the global community are rich with potential.

There is no easy response to the challenge of small arms—no one treaty or singular strategy. But this must not deter UN member states from action. At the Conference, a realistic and minimal objective would be agreement on an effective international Action Program to reduce small arms proliferation and combat illicit trafficking. The scope and success of the Conference will inevitably be affected by the fate of the draft Firearms Protocol, currently under negotiation in Vienna with the Convention against Transnational Organized Crime. If wide definitions are adopted within the Protocol, the 2001 Conference will be well placed to implement and reinforcing that new agreement. If, on the other hand, states move to a narrower Protocol, limited to commercial transactions, the 2001 Conference could discuss an extension of Protocol provisions to cover state-to-state transactions.⁴

Regardless of the outcome of the Vienna negotiations, agreements reached at the 2001 Conference must build upon and complement the achievements of the Protocol. The Conference must also integrate the practical steps that can be taken from lessons learned. This report proposes a range of measures that can be taken to restrict the flows of small arms and mitigating demand.

We suggest focusing first on those weapons that kill most non-combatants. Some will find this does not go far enough. By limiting immediate objectives, however, there is a

significantly improved probability of tangible results. Practical steps towards enhancing transparency and strengthening the rules of the legal trade are possible (above all in assault rifles and grenade launchers, and hopefully in machine-guns). Further progress ought to be possible in establishing arms monitoring regimes in conflict-prone areas; more systematic disclosure of the illicit arms trade; and the creation of a code of conduct which would, among other things, define who should not be allowed to buy small arms. We return to the importance of the 2001 Conference in the pages to follow.

Enhancing Transparency and Information Exchange

Opening the small arms trade to public scrutiny is an essential precondition to reducing its terrible costs. Enhanced transparency yields multiple benefits: First, it can build confidence in zones of tension, by dispelling the secrecy and uncertainty that inspire insecurity and arms races. Second, transparency exposes sudden or excessive arms flows that serve as early warning of impending or renewed conflict. Third, disclosure can stigmatize small arms exports—and shame the exporters.

Publish Imports and Exports

While the illicit arms trade is understandably hard to monitor, even the legal trade is difficult to trace. Currently, efforts to monitor and control small arms are hampered by a lack of the most rudimentary information on production, sales and transfers. Greater transparency in the legitimate manufacture and trade in small arms would be a helpful first step. Governments should be required to publish detailed annual tallies of weapons imports and exports, and regional arms registers covering small arms should be encouraged.

An agreement should be forged at the 2001 Conference establishing common definitions and standards for the national implementation of this obligation. States should commit to national laws and procedures to regulate arms brokering activities that may take place within their jurisdiction. Monitoring and enforcement of their implementation would identify breaches, and such breaches should be criminalized. These modest measures would usefully reveal destabilizing trade patterns, while stigmatizing and deterring violations of agreed national and international standards.

In addition, the UN Register of Conventional Arms should gradually be extended to cover all types of small arms and light weapons, with the exception of pistols and rifles which will be too controversial.

Targeting Assault Rifles and Grenade Launchers

The 2001 Conference will enjoy a much higher chance of success if it concentrates energies on the weapons that do the most damage to civilians, where international action promises the best results. The small arms campaign should focus first on the AK-47, FN

FAL and AR-15/M-16 assault rifles, the RPG –7 grenade launcher, and then the RPK machine-gun.

AK-47, FN FAL and AR-15/M-16

Assault rifles are the most serious causes of civilian deaths in conflict, and in the first instance should be kept more resolutely out of the hands of non-state actors. The AK-47 has become the staple weapon in armed conflict around the world. There are tens of thousands of Belgian Fabrique National FALs now infesting Africa. The AR-15/M-16 can be found all around the world, with more than eight million in circulation. Specific attention should be drawn to the transfer and production of these assault rifles. They are the favoured weapon in intra-state conflicts.

RPG-7

The Rocket-Propelled Grenade-7 (RPG-7) launcher is one of the most popular offensive weapons used in Africa today. Its portability and easy handling make it a weapon of choice for untrained troops. Accuracy is not a major concern. Grenades like mines are area munitions, and are not selective in whom they kill or maim. The RPG-7 is used by undisciplined and untrained fighters with abandon because they kill without risking close approach. For all these reasons, it should be tightly controlled.

RPK

The RPK (originally the Soviet Ruchnoi Pulement Kalashnikova) is a light machine-gun and with a heavy barrel and large magazine, and a range of 800 metres. In organized armies it is usually issued at a ratio of one for every 10 infantry soldiers, because of its weight and high rate of ammunition use. There are, however, thousands of RPKs now circulating with lethal effect in the Democratic Republic of the Congo.

Licensing of Manufacturers

The 2001 Conference should aim for an agreement that obliges all states to adopt legislative and other measures to control the manufacture of all types of small arms and ammunition through licences, with an exception for pistols and rifles. Licences should be required for the manufacture of small arms, and be subject to regular review and renewal. All manufacturers should be obliged to make detailed information on production available to the relevant national authorities. Manufacturers must also ensure reliable record-keeping and secure storage of manufactured goods. As the legal trade becomes more transparent, it will become more obvious how illicit caches are originating and where they are flowing. Law enforcement agencies can then collaborate more productively to identify black market suppliers and begin to suppress this covert trade.

Marking and Tracing of Weapons

International efforts to prevent the diversion of arms to illicit markets can be strengthened by improving capacity to back-trace illicit small arms to their source. To make arms flows more traceable, three elements are required: systems to ensure clear and reliable marking of all arms; adequate record-keeping for arms production, possession and transfers; and international arrangements to enable timely and reliable tracing of lines of supply across borders by relevant authorities.⁵ Marking will help law enforcement or intelligence officers track the supply routes of weapons that are originally acquired legally, and later enter the black market. A specific agreement on the issue of marking and tracing of weapons ought to be achieved at the 2001 Conference.

Regional Approaches and Transparency

OAS Convention

Regional groupings are working at greater transparency. In November 1997, members of the Organization of American States signed a Convention Against the Illicit Manufacture, Traffic, Sale and Transfer of Firearms, Ammunition, Explosives, and Other Materials, which provided for the creation of a “register of manufacturers, traders, importers and exporters” of these products. No states have yet, however, made any information available⁶ to indicate the effectiveness of the OAS Convention. The OAS convention only entered into force in July 1998, and some would argue it is too early to expect any useful data. Still, two years have passed.

Of all the practical measures being developed under the OAS Convention, the importance of creating a harmonized system of marking weapons at the point of manufacture and import is consistently stressed by security officials.⁷ This imposes greater accountability on manufacturers, exporters, importers and dealers alike, and will enable customs officials to identify illegal shipments more readily. Free ports such as Kingston, Jamaica, have benefited from easily identifiable and standardized markings combined with harmonized licenses.⁸ This agreement has also influenced Jamaica to strengthen the capacity of its customs to fight local illicit trafficking and gun violence. The OAS Convention is significant because it is the only legally binding instrument on small arms trafficking in existence.

ECOWAS Moratorium

The Moratorium on the Importation, Exportation and Manufacture of Light Weapons in the ECOWAS Region, on the other hand, is not legally binding. It seeks to make arms flows transparent at the regional level, but has been undermined by limited resources and challenged by the complexity of its task. Progress has been made towards establishing a database and regional arms register, but they are not yet operational. An evaluation of the experience of the first year since the implementation of the Moratorium indicates that eight requests for arms imports were made.⁹ Requests ranged from arms dealers seeking

to import without penalty, to citizens asking to import hunting rifles. These eight cases obviously do not indicate the general picture of arms transactions in the region. Continued conflict, and several plausible reports that some ECOWAS member states are engaging in weapons importation, have hindered success. Much depends on the political will of all members of the organization, and on the continuing leadership of Mali.

Building Capacity

Success in regional organizations generally has been hampered by an absence of political commitment and resources. So far, the OAS Convention and ECOWAS have set the stage, but their practical impact on the ground has been minimal. As with all such agreements, a challenge exists in the implementation. Regional organizations in the South often lack resources. These organizations must be supported and strengthened by interested states –particularly those of the North—to build capacity in areas of security, financing, administration and technology

The value of that kind of cooperation is demonstrated in the partnership between the European Union and the Southern African Regional Action Programme on Light Arms and Illicit Trafficking. This partnership arose from an agreement in 1998 when EU members agreed on the EU's contribution to combating the destabilizing accumulation and spread of small arms and light weapons. It commits EU countries to provide assistance through a range of preventive measures (combating illicit trafficking, supporting education programs to transform cultures of violence) and reactive measures (such as collecting and destroying surplus arms and demobilizing and reintegrating former combatants). This EU Joint Action agreement provides a precedent. Along with Canada's Action Plan, it gives direction for a global commitment at the 2001 Conference to provide practical support for other national and regional initiatives that move beyond the political and into the practical realm.

Strengthening Collective Efforts in the South Caucasus

In many of the war-torn countries of the South Caucasus, the state is unable to supply its citizens with even an elementary degree of security from violence and injustice. The wide availability and flow of small arms exacerbate this incapacity. The states of Georgia, Azerbaijan and Armenia are currently reviewing how to implement regional controls to prevent and suppress small arms proliferation in the region. In April 2000, the EastWest Institute and Saferworld organized a roundtable to identify the extent of small arms proliferation, the effectiveness of existing responses, how to strengthen regional co-operation, and how to build capacity through international assistance. It is clear that international aid to the South Caucasus is necessary to redress the shortage of funds and a lack of expertise in core areas. This shared desire for a regional approach merits international attention, and practical support.

Monitoring and Early Warning Factors

Weapons Monitoring and Destruction

One of the most tragic realities has been the inability of the United Nations to monitor the location, collection, and destruction of arms in several post-conflict peace operations. In Mozambique, UN personnel witnessed weapons being collected, only then to watch the uncontrolled redistribution of these same weapons. Eventually these weapons contributed to bloodshed and disorder elsewhere in southern Africa. A weak mandate, and inadequate capacity, accounted for this inability to monitor weapons after they had been collected. It is imperative that peace mandates, and resources, provide for effective weapons monitoring and destruction.

Utilizing Early Warning Indicators to Prevent Conflict

One of the real experts in this area, Edward J. Laurance, Director of the Program on Security and Development at the Monterey Institute of International Studies, points out that tracking small arms flow and accumulation can give early warning of conflict. During any peace operation, closer monitoring of insecure arsenals, black markets, border crossings, frequencies of violent attacks and civilian weapons possession, can all yield advance warning of renewed conflict.

Monitoring Weapons Surplus Transfers

As noted earlier, states have been too reluctant to destroy weapons when replacements are acquired, and instead export their “surplus”. A closer monitoring of these surpluses and their disposition would warn of the dangerous arrival of arms into a region or country at risk of conflict. Any expense of monitoring, or of ensuring the destruction of surplus arms, will be repaid manyfold by the savings achieved when deadly conflict is averted or reduced.

Black Market Prices

Black market prices of weapons, monitored by local and international NGOs, can give telling indication of the accessibility and size of stocks. In mid-2000, for example, an AK-47 could be bought for a few dollars in Southern Africa, but it cost more than \$1,000 in Israel and the West Bank. In Albania, the price of AK-47s fluctuated from very high at one point to very low (\$20) when the market was saturated, and climbed again as dealers began to consolidate stocks and withhold supply.¹⁰

The creation of a specific unit dedicated to arms issues, both at the UN’s Department of Peacekeeping Operations in New York and in each peace operation headquarters in the field, would advance transparency. A reporting system, focusing on the information that

gives early warning of conflict, would constitute an effective, and life-saving, improvement.

Supply of Ammunition

Laurance also highlights the importance of ammunition supplies as a potential early warning indicator¹¹. Ammunition for the most part must be produced in mass quantities with precision tools and is therefore normally acquired from arms producing states outside the conflict region (M-16 ammunition, for example, is not produced anywhere in South or East Asia). Controlling ammunition flows can curb the use of small arms. Monitors at airports and other entry points can help detect bulk imports of ammunition, notwithstanding the real difficulties of inspecting shiploads of steel containers. In the right circumstances, choking supplies of ammunition can effectively reduce the destruction done by small arms.

Ammunition as a Link between Supply and Demand Issues

Ammunition represents a key linkage between small arms demand and supply. At the 2001 Conference, measures to control the manufacture, transfer and accumulation of ammunition and explosives should be integrated into the control regimes developed for small arms themselves. Simply put, controlling and monitoring ammunition transfers can make using weapons more difficult. Reducing the supply of ammunition can reduce the demand for weapons.

Illicit Trade

Security of Weapons Stocks

Loss, theft or corrupt sale of small arms and light weapons from legitimate stocks is a major source of illicit arms. Improving the management and security of stocks of such weapons should therefore be one of the main objectives of the 2001 Conference. Governments need to address the security of official weapons storage, monitoring and record keeping, and a range of stockpile management practices. A practical agreement should be made to facilitate access to technical assistance and information on good practices.

Building Capacity through Technology

Ultimately, any regime to control global trafficking in small arms and light weapons will only be as strong as the weakest link in the system. As long as illicit dealers enjoy safe havens in which they can freely operate, it will prove difficult if not impossible to enforce tougher international trade standards. It is therefore essential that the stronger participants

in the system assist the weaker partners to establish effective and reliable mechanisms for policing the illicit market.

As part of such efforts, Jeffery Boutwell and Michael Klare, two other experts in the field, have proposed that a technology should be developed and deployed internationally that would: help track small arms flows, identify illicit supply sources, and improve law enforcement and customs prosecution of illegal suppliers and traders. Developing computer databases and communications systems that can facilitate international cooperation would increase the transparency of weapons flows.¹² The 2001 Conference could aim to agree on international information exchange arrangements to increase intelligence co-operation among governments and others.

International Standards

Code of Conduct

If sufficient political will is to be created to support this agenda of supply suppression, a code of conduct for arms transfers will be necessary. Commitment to a code of conduct would help strengthen responsible state behaviour. Such a code should bar the sale or transfer of small arms to any state that is ruled by a military dictatorship, that fails to respect the human rights of its citizens, that violates UN arms embargoes or that cannot ensure the security of the weapons already in its possession. Obviously there will be disagreement about which state fails the test. But the principle can be asserted, and practical measures taken to begin enforcing it.

EU Code of Conduct

In May 1998, EU foreign ministers agreed to an EU Code of Conduct for Arms Exports. Many believe, however, that it failed to meet its objective of setting truly “high common standards.” On all four contentious issues, the weaker option was chosen: weak human rights criteria; no multilateral consultations before undercutting; no public annual reports on arms exports or on the Code’s implementation; and no legally binding status for the rules. Furthermore, the Code does not provide for public transparency or parliamentary scrutiny; mechanisms to regulate brokering; control of licensed production; or a common system of end-use controls.¹³ Codes of conduct should be stronger than that adopted by the EU Code—but it makes a start.

Restricting Sales to Non-State Actors

One step would be to build on the growing international interest in reaching agreement to restrict transfers of military types of small arms and light weapons to non-state actors. Canada has been a proponent of such an accord, and the EU’s Joint Action on Small Arms provides for negotiation of “a commitment by exporting countries to supply small arms only to governments.”¹⁴

There are concerns among some states and civil society groups that, on its own, this proposal could be unbalanced.¹⁵ A more coherent approach would be for governments to adopt and adhere to strict criteria on the transfer of arms, thereby requiring all end-users—governmental or not—to meet the same high standards of behaviour. But there is a very strong argument that, beyond pistols and rifles, no non-state actor can make a good claim to need the weapons comprised in the usual definition of small arms and light weapons. It is also true that if strict criteria for transfers were enforced by governments, then an additional agreement to restrict supplies of weapons to non-state actors would be all the more legitimate and secure, in conjunction with programs for democratic development and reform of the security sector. Meantime, however, it is equally true that cutting transfers of arms to non-states would enhance the security of civilians generally.

International Norms

The ultimate aim is to reduce human suffering and the threat to human freedoms that these arms represent. The immediate objective is to address that part of the problem that would bear the most benefit. Real and effective action will tend to solidify and strengthen international norms against uncontrolled and dangerous trade in small arms. Similarly, norm-building reinforces actions that meet the dual tests of legitimacy and effectiveness. While it may take time to clarify and win support for these norms, like-minded countries are certain to support reforming action, even as others oppose it. The critical normative rule, as these events progress, is that “the right to arms” has limits. It does not extend, even for states, to the acquisition of arms for the purpose of engaging in genocide, or the oppression of peaceful political opposition, or the punishment of dissent. The right to acquire arms for self-defence carries an obligation to maintain such weapons under effective government control at all times, and to preclude their diversion to illicit purposes.

The creation of new and authoritative norms is neither as abstract nor as remote as sometimes assumed. It is entirely practical to expect, for example, that an international consensus can quickly cohere around the control of small arms as a public health imperative—and thus as an obligation under national and international law. Already, the International Committee of the Red Cross is exploring how traditional normative concepts of “superfluous injury or unnecessary suffering” might be invoked so as to impose prohibitions against the transfer and use of small arms¹⁶.

Public Opinion, Political Action

Mobilized publics have changed history, and they can powerfully alter the future. The global campaign against landmines succeeded in an active coalition of informed and spirited NGOs, determined foreign ministers, and key intergovernmental organizations—all arousing the interest of increasingly attentive mass media. The shameful trade in small arms, with its awful effects in misery and injustice, can just as dramatically outrage public opinion around the world, and incite political action.

More than 250 NGOs, a group of committed governments, scholars, and some elements of the media are even now directing public and political attention to the scandal of small arms proliferation. Much more can and should be achieved, to inform publics globally of small arms issues—and of the remedial actions at hand. As a start, governments with NGOs and others can collaborate more vigorously to focus minds and move hearts on two crucial issues: war-affected children, and the pernicious black markets in gems and drugs that finance much of the small arms trade.

Child Soldiers: War as a Way of Life

It is chilling to learn that over 60 percent of children in Rwanda do not care if they ever grow up. The continuing conflict there has taken its toll, even among the “survivors.” Around the world 300,000 children have been recruited into armies. In wars of the past decade, almost two million children have been killed, more than one million orphaned, and more than four million disabled according to UN estimates. In Sierra Leone, the Revolutionary United Front forced captured children to take part in the torture and execution of their own relatives, after which they were led to neighboring villages to repeat the slaughter. Elsewhere before battle, young soldiers have been given amphetamines, tranquilizers and other drugs to “increase their courage” and dull their sensitivity to pain.¹⁷ The duration of many intra-state wars, especially in sub-Saharan Africa, has created a generation of children who have grown up surrounded by war and now perceive this as a normal way of life. A child of eight will all too commonly know how to operate an AK-47, but will not know how to read. In such environments, children are extremely vulnerable to recruitment into armed groups; considering their age, conscription is coercive by definition. The enduring harms to these children—and their prospects for happy, peaceful and productive adulthood—are fearful to contemplate.

Diamonds, Drugs and the Black Market

Profits from trade in narcotics and gems fuelled outbreaks of violence in 47 civil wars between 1960 and 1999. Sierra Leone, Angola and the Democratic Republic of Congo have all suffered from conflicts involving the diamond industry. In Sierra Leone every year, diamonds worth tens of millions of dollars have bought weapons and ammunition to support control of the industry. The UN ban on diamonds from this region is a major step toward regulation of this industry. But efforts to quell the black market trade need to be intensified. The kind of publicity given to the Angola report has already had a noticeable beneficial effect in the Antwerp Diamond Exchange, and on producers. Regrettably, the same cannot be said for the behaviour of all the governments involved.

Disarmament

Successful disarmament programs can only occur once local security is assured. In a post-conflict situation, disarmament is often not viewed as delivering an obvious gain in personal security. There is usually little trust conferred on state officials, people who may well have been “on the other side” during the conflict. As long as security is not credibly assured, weapons will remain hidden away for an emergency. In these circumstances, many people will keep small arms if only as an essential of personal, family or community security. Weapons will not be relinquished easily unless there is a general belief that they are not required for personal safety. Indeed, seeking to disarm communities whose security cannot be realistically assured has proven to be profitless—if not downright dangerous.

Disarmament and United Nations Peace Operations

Daunting factors affect prospects for “disarmament” in this area. These often include the ready availability of weapons across regions, hard-to-patrol borders, weak or non-existent disarmament mandates, lack of funding, and the freedom of insurgents/militants to operate with impunity in an atmosphere of violence. The recent *Report of the Panel on United Nations Peace Operations* identifies the cold realities of current conflict situations, and makes recommendations that should assist in achieving the so-far unrealized objectives of disarmament. It is important that the Secretary-General determine whether the proposed forces and the mandate of a mission are in fact commensurate with the political and military conditions on the ground before agreeing to deploy any peace operation.

Addressing Civilian Weapons Possession

In the past, peacekeeping mandates have not often addressed the issue of weapons possession by civilians. This is a serious defect, impeding civilian disarmament as a necessary post-conflict priority. The issue was not addressed in El Salvador, for example, and led to persisting social violence. It is essential that disarmament mandates are both comprehensive and flexible enough to allow for changes on the ground. An abundance of evidence¹⁸ makes plain that complete, clear and integrated mandates for civilian disarmament, security enhancement, and weapons destruction are necessary elements of post-conflict peacebuilding.

Microdisarmament

The term “microdisarmament” refers not only to the weapons type (small or light) but also to the level at which disarmament occurs—in this case at the individual and community level. It includes such activities as disarming combatants and civilians, through voluntary or incentive-based weapons exchanges in post-conflict environments. Microdisarmament extends beyond traditional military disarmament by integrating approaches to security, public health, education, crime prevention and community peacebuilding. Incentives have normally been targeted at the level of the individual. But attention is now turning to weapons collection programs linked to development initiatives that benefit entire communities, like the recent program in Albania.¹⁹

Tackling Small Arms and Light Weapons, A Practical Guide for Collection and Destruction, by the Bonn International Centre for Conversion (BICC) and the Program on Security and Development (SAND), offers an impressive synthesis of best practices observed in the last five years in the area of weapons collection and disposal.²⁰

Security-First Development

Combating the fundamental causes of violence—poverty, police and judiciary corruption, joblessness, oppression and cultural insecurity—demands tailor-made approaches to each region and country. The most promising solutions address regional and national security in ways that enhance the security of societies, communities and individuals. Without security, conditions will not exist for development programs to be successful. There is a broad consensus of experts, Sami Faltas of the BICC and Sverre Lodgaard of the Norwegian Initiative on Small Arms Transfers among them, that development aid might be best invested in improvements to police and judicial administration. Fair and reliable police protection, and accessible justice, can relieve the insecurity that otherwise drives people to attempt their own armed self-defence. Failing these reforms of internal governance, many will resist disarmament as a stratagem that only favours a feared and perhaps still hostile opposition.

Community-Based Incentives

Community-based programs must be carefully fitted to local needs and context. In Gramsh, Albania, community benefits included improvements to infrastructure and local policing. But incentives that succeed in one area will not necessarily be useful in another. When a South African organization visited the Mozambican Tools for Arms program to assess its applicability to their own country, it found that in South Africa people were not receptive to the sewing machines, farm implements and tools that had worked well in Mozambique.

In El Salvador and Panama, weapons exchanges included in-kind vouchers for consumer goods, while in Mozambique farm implements or other tools attracted arms in exchange. A lack of economic opportunity may increase the reliance on weapons as income

generators, as in Mozambique. But a straight payment of cash for weapons presents its own problems. In Albania, it was ruled out on grounds that large case infusions would trigger price inflation—raising the demand for guns as their value rose. Instead, community benefits included improvements to infrastructure or local policing. In structuring incentives, the most successful approach has been a mix of personal and community benefits. This mix of incentives should address individual motives for keeping weapons, along with community approaches to demand reduction.

Destruction of Weapons

Even among peace operations with disarmament mandates, plans have lacked a weapons destruction component. In Mozambique, three regional warehouses full of small arms collected through ONUMOZ went unaccounted for because the UN mission was given no money for their immediate destruction. A cut or even bent barrel would have done the job. So the arms collected in Mozambique have leaked back into circulation within the country, eventually finding their way to Malawi and South Africa. Weapons used in the Liberian conflict have fallen into the hands of rebels in Sierra Leone. In Namibia, combatants from both sides were able to develop significant arms caches out of the reach of the disarmament component of UNTAG (the United Nations Transition Assistance Group). These weapons have been implicated in a marked increase of armed criminal violence in Botswana, Zambia and South Africa.²¹ Failure to destroy surrendered weapons not only invites illicit trading and further mayhem; it undermines local confidence in the peacebuilding process, and so diminishes interest in voluntary disarmament. The Security Council should include destruction of weapons as a mandatory component of disarmament.

Adequate Legal Framework

Regulatory transparency and legal accountability are important factors in an individual's perceptions of overall security. In addition, adequate accountability and transparency are required in the regulation of weapons possession and collection, and in the legal framework that governs the possession of weapons and their misuse. Recent experience in El Salvador underlines the problems that have occurred because of a weak and inadequate criminal code. In El Salvador, threatening to use or even fire a weapon has been reduced to a misdemeanour, and civilians are permitted the possession of high-powered and semi-automatic weaponry. The result is a society now more armed than ever, with legal imports of weapons. Legal rearmament has overwhelmed the gains made by the Goods for Guns program.

Adequate national weapons legislation should be integrated into every UN effort in support of domestic legal frameworks for sustainable disarmament.

Directions for the Future: Learning from Successful Disarmament

Disarmament Requires Local Demand

The incentives, places for exchange, type of destruction and duration of microdisarmament programs will all vary. Across all the cases, however, one essential element remains constant: Successful disarmament requires strong local support and participation. The weapons collection in Mali in 1996 has been heralded as a positive model for other countries emerging from conflict²². The Mali experience is instructive because the peace process was genuinely a homegrown initiative, traditional UN involvement was limited, the “security first” approach was applied, and there were positive spillover effects into the surrounding region.

There is a more cautionary lesson in the experience of the Bonn International Centre for Conversion. The BICC has set up a help desk for requests and non-financial support for microdisarmament initiatives. It was designed to offer assistance to grassroots and local groups, but instead has found that requests for assistance are coming from international organizations and governments.²³ This further reinforces the perception that the drive to control small arms is so far an initiative mostly of the North, rather than something seen as a high priority in the South.

International action for the prevention of conflict is unlikely to be sustainable if it does not include significant indigenous support. Local community-building avenues—including media, NGOs, academics, trade unions and women’s organizations—must be recognized and included in the planning of microdisarmament. With respect to funding, the UN has established two separate trust funds to support weapons collection—one administered by the UNDP and the other by the Department for Disarmament Affairs. More work needs to be done to make these mechanisms fully effective. Member states and the relevant UN agencies should build on administrative reform already under way to ensure that these funds become more responsive to the financial needs of national or locally based programs.²⁴

Supporting Homegrown Initiatives to Transform Cultures of Violence

Family and community violence is now better understood as part of a “culture of violence” that identifies gun possession with masculinity and power. Violent responses to personal and social situations become the norm. It is imperative that local, national and regional public education and awareness campaigns are aimed at delegitimizing the possession of weapons. This can occur with the microdisarmament programs. Without this, disarmament programs will not be sustained. The role of women in microdisarmament programs should be expanded, and women must be included at decision-making levels.

Violence is also encouraged by the belief that acts against civilians can be carried out with impunity. It is important, therefore, to develop international norms and institutions,

to hold the perpetrators of violence legally accountable domestically and internationally, and to strengthen local justice systems that can protect individual rights.

Aid programs should reinforce the capacity of civil society organizations by providing support for education and training, along with increased funding of local peacebuilding initiatives contributing a culture of prevention.

Role for the Private Sector

As the power and influence of the business sector has grown, so has its potential to contribute to sustainable development and the prevention of conflict. Private sector action reflects both self-interest and altruism. Self-interest looks to the destructive and risky effects that firearms and violence exact on business and the general economy. In both Panama and El Salvador, for instance, the private sector paid for almost half the total program costs of microdisarmament. In significant contrast, however, practitioners who work in this field in Asia and Africa generally find that private sector sponsorship of disarmament programs is not even considered an option for the communities with which they are engaged.²⁵

The UN is often in a position to co-ordinate between the state and private sectors in conflict prevention and resolution. The UN could foster networks that join the state, nongovernmental and private sectors at both country and regional levels, to share analyses and plan strategic objectives. Equitable distribution of resources, human rights protection, anti-corruption measures, and reform of the security sector can all benefit from cooperation with the private sector.²⁶

Conclusions and Recommendations

The control of small arms is largely a matter of political will and long-term commitment by all states. Searching for a single campaign or quick answer to resolve the many problems of arms control is futile. Rather, attention must focus on initiating an array of measures. It is critical that people in the North accept responsibility for their half of the small arms equation—the supply side—before the people of the South are challenged to control the demand for these weapons and limit their abuse. Building the capacity of existing regional organizations will advance and strengthen programs where the political will already exists. Development of norms will be slow, but this is not an excuse for governments of the North to stall in establishing a code of conduct, or to delay putting in place measures to control supply and enhance transparency. In the early stages, action should be concentrated on controlling the weapons that do the most harms—assault rifles, grenade launchers, and machine-guns.

Blame, and shame, can productively be cast on those who supply the weaponry and ammunition involved in so much of the savagery in civil and ethnic conflict. NGOs can play a vital role as whistle-blowers. The insight and outreach of NGOs can serve to

highlight issues that demand action, comparing best practices in controlling small arms around the world, and making practical proposals for policy reform. In the field, NGO staffers are proving their worth (and their courage) in the conduct of disarmament and peacebuilding. IANSA (the International Action Network on Small Arms) is coordinating international NGO activity in information sharing, mobilizing people, and developing shared strategies for public education. Given the experience of the landmines process, NGO involvement at the 2001 Conference would help both to inform and to inspire practical action. (As a result, and not surprisingly, there has emerged in some governments a certain resistance to their participation.)

It must be said that the success of international initiatives to tackle the global small arms problem will depend often on the efforts of weak states to implement whatever measures are agreed. The weaker the state, the less able it will be to control illicit trafficking across its borders or to secure the safety of its own citizens. These states need the help and encouragement of others in the international community. Nor is it ever safe—or sensible—to ignore the reciprocal beneficial effects of security and development. It will be impossible to convince the people of poor and conflict-prone countries to take up the burden of controlling small arms if there is no sign of security, or any real prospect of development. And in every case, sustainable development demands good governance: not least, institutions of law enforcement and protection of human rights that are fair, effective and accessible.

To that end, UN peace operations need comprehensive and adequately financed mandates for post-conflict peacebuilding. Disarmament needs to be seen, and conducted, as part of an integrated strategy of security-sector and judicial reform, economic advance and democratic development. Often, peacekeeping operations have lacked necessary troop strength, funds, mandates and a “ripe” situation on the ground. State security and trust in law enforcement must be renewed (obviously dependent on the existence of a democratic process), sources of weapons severed, and a clear message sent from both civil society generally as well as government that weapons in the hands of non-state actors are unacceptable.

The global commerce in small arms and light weapons stands as one of the great unnecessary evils of our age. It will submit to no glib slogan or easy treaty. It will defeat the attempt of any solitary organization or state to control or subdue it. But there are, to begin with, partial remedies at hand—available and practical. Remedies to suppress supply, by exposing and policing the worst of the trade. Remedies to reduce demand, by more effective and lasting conflict prevention, peacebuilding, and disarmament.

These remedies require the collaborative action of states with others in the global community. And there is before us the urgent opportunity to begin that collaboration: the 2001 UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. Failure to seize that opportunity will, quite literally and certainly, kill an incalculable number of innocent people. To act where we can, against an evil that is not necessary, is surely the least we can expect of ourselves.

Annex 1: Experts in the Field of Small Arms

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