

MONITORING THE IMPLEMENTATION
OF SMALL ARMS CONTROLS (MISAC)

Small Arms Control in
Nigeria

1. Nigeria

1.1 Background and Overview

Nigeria occupies a strategic position in Africa, accounting for about half of the population of West Africa. Given its size, population, location and oil wealth, Nigeria is a confluence of criminal flows of SALW from the entire African continent. Estimates of illicit SALW range from 1 million to 3 million.¹ Nigeria's illicit SALW proliferation can be traced back to the failure of the federal government to implement an arms collection programme after the 1967-1970 civil war, and subsequent numerous internecine violent conflicts that have contributed to the militarisation of Nigerian society.

After a second military interregnum which lasted sixteen years, between 1983 and 1999, Nigeria returned to civil rule on May 29, 1999 with the hand-over of power to a retired military officer. The new civilian administration inherited a myriad of socio-political and economic problems. In the North, the adherence to Islamic Sharia Law has caused signs of tensions and religious conflict. The oil-rich Southern states of Nigeria suffered from problems principally related to the unequal resource distribution and problems related to pollution. Tensions also remain in the South from the aftermath of the Biafran war of independence of the 1960s, with lasting hostility towards the federalism of Nigeria. These problems, coupled with high expectations on the part of the civilian population, traumatised by prolonged military rule, account for the widespread flow of illicit SALW in Nigeria. As noted by a former Minister of Police Affairs, "our new found democracy became, to some extent, a source of insecurity and lawlessness, as rights were misconstrued and exercised without restraint. The last one year of this government has therefore witnessed an increase in the wave of crimes in various parts of the country".²

1.2 Small Arms and Light Weapons in Nigeria

SALW proliferation in Nigeria is due not only to its strained economic and social situation, but also to the high rate of trafficking and smuggling of SALW into the country. The high rate of criminality, the development of secret cults, the emergence of private security, and the electoral and political violence demonstrate as well as feed the culture of violence, which is strongly related to SALW. It is worth noting that Nigeria produces SALW. The Defence Industries Corporation of Nigeria (DICON) is the only legal manufacturer in Nigeria. It produces rifles, pistols and ammunition, but these are mainly used by the Nigerian Police, and do not represent a significant source of proliferation.³

Sources of illicit SALW

SALW come into circulation in Nigeria from a number of sources. There is some evidence of an underground craft industry from the evidence of weapons surrendered at an amnesty in Port Harcourt, but little information on the type, quality and scale of craft production is available. Oil company funds are a considerable source of weapons in Nigeria. Weapons bought with oil funds are provided in return for illegal bunkered or stolen oil, or to supporters within the oil industry. The oil industry also creates opportunity for protection from private security actors. Oil producing companies, increasingly finding the state provision of security inadequate, use the services of armed groups. These groups use oil company funds to buy weapons, which overtime, enables them to expand the outreach of their activities across other communities and across state boundaries. Another important

source of weapons is the distribution of arms by political parties for the coercion and intimidation of opponents and the electorate at election times.

Trafficking and smuggling are additional factors substantially fueling the proliferation of SALW in Nigeria. A significant number of weapons enter Nigeria from neighbouring West African states which are either in or have recently come out of a state of war. The majority come from Sierra Leone and Liberia, aided by dealers and members of the Nigerian military who extend their military positions into these neighbouring states to collect weapons and ship them to Nigeria for resale. This is facilitated by the country's long and porous borders with inadequate resources and expertise to effectively patrol and secure them. Nigeria shares a 1,500 kilometres land border with the Republic of Niger and Chad in the North, about 1,000 kilometers with Benin Republic in the West, 1,700 kilometers with Cameroon in the East and has about 700 kilometres of Atlantic coastline. Each of these entry points, along with the airports, have been used to smuggle arms into the country. The three most notorious entry points for illicit SALW are the South-West (Idi-Iroko and Seme in Ogun state), the port city of Warri in Delta state, and the north-eastern border with Niger and Cameroon (Adamawa, Borno and Yobe states). There are no available official aggregated data on the number of weapons smuggled into Nigeria. Nigeria Customs Service data confirm illicit weapons and ammunition are routinely seized and that illicit weapons enter the countries through land, air and sea.

Causes of SALW proliferation

Poverty, criminality and SALW

At the base of SALW proliferation in Nigeria is widespread poverty, despite Nigeria's status as a major oil exporting country. A sharp contradiction exists between the fact that Nigeria is one of the world's largest exporters of crude oil, and the fact that the standard of living of Nigerians is the 36th lowest in the world in terms of human development indicators.⁴ The Niger Delta region is a case in point. The situation in the region is symptomatic of what has been referred to as 'criminal social neglect and ecological degradation'.⁵ The consequence of this is that the region of the country which is responsible for some 70 per cent of the country's income displays a degree of penury and poverty which stands in sharp contradiction to the wealth it produces. This has led to a militarised and militant youth population, which has been known to kidnap oil workers and defy security agencies, using their knowledge of the localities and their access to SALW.

Protracted military rule, corruption and SALW proliferation

However, a major dynamic in the proliferation of illicit SALW in Nigeria is the legacy of protracted military rule. Until the return to civilian rule in May 1999, the country had been under military rule during 75 per cent of its existence. This led to the entrenchment of a militarised national psyche and a culture of violence. The widespread use of SALW to take over and maintain a grip on power had its own effects on the attitude and perception of Nigerians regarding the role of violence in society in general, and the use of SALW in particular. Following years of protracted transition programmes and worsening civil-military relations, the military lost control of their monopoly over the means of coercion, as various groups within the society increasingly sought military responses to military oppression. This created the impression that political power flowed from the barrel of the gun. Many civilians sought power either by being allies of the military or by acquiring their own weapons.⁶

Military rule was characterised by wide ranging corruption and politicisation. In the case of the military, it is often acknowledged that corruption destroyed professionalism and set the military against itself, as the force became dichotomised into political office holders and the others. The military became thoroughly politicised, at times with ethnic undertones. While abuse of political offices and direct theft of public funds took place among the more senior echelons, their subordinates within the ranks resorted to criminal activities involving firearms. Corrupt security officials are known to have hired and sold weapons that they had seized to robbers and other criminals, and there are allegations of direct participation in robberies. The phenomenon has outlived military rule. In December 2002, President Olusegun Obasanjo acknowledged that most of the ammunition circulating illegally had come from state security agencies such as the military and the police. For example, 3,000 rounds of ammunition were sold in Abuja by the police and in Jos by the military.⁷

The militarization of society through protracted military rule provided the essential dynamic for the particularly violent character of criminality in Nigeria. SALW were also used by the civilian population to settle personal scores.

Insecurity and the privatisation of security

Failure of the state and its security agencies to guarantee security has transformed this issue from a public good provided by the Government to a private necessity that individuals and groups have to provide for themselves through various means. This largely explains the proliferation of private security companies and vigilante groups. In addition, corruption within the legal system has meant that criminals often escape justice. Out of 12,000 arrests made for illegal possession of firearms between 1990 and 1998, only 500 (4.2 per cent) were successfully prosecuted.⁸ A particularly alarming dimension is the involvement of law enforcement agents in the proliferation of SALW, and in criminal activities related to SALW.⁹ Many Nigerians have come to view the state (and particularly the police and judicial system) with suspicion and cynicism.¹⁰ In many instances, the citizens have simply decided to provide physical security for and by themselves, by arming themselves with SALW.

Manifestations of SALW violence

A major outcome of this situation is the development of a culture of violence which has manifested itself in significant ways, as demonstrated by ethnic conflicts, armed secret cults in tertiary institutions, armed robberies, and electoral violence. In addition, the issue of oil related resource distribution is a further cause of tension.

Ethnic conflicts

Since the beginning of the Fourth Republic in May 1999, over 100,000 persons have reportedly been killed in over 50 ethno-religious and religious crises. This violence can be characterised by the increasingly involvement of the use of SALW, both imported and locally manufactured.¹¹ Security agents from conflict areas have also been known to be suppliers of SALW to their related ethnic militias.¹² Finally, the decision by the Government to authorise oil companies to import weapons – the Special Shell Police – also contributed to the flow of arms into the Niger Delta.

Secret cults in tertiary institutions

The proliferation of SALW in Nigeria has also been associated with a phenomenal explosion in the number, spread, and brutality of secret cults (gangsterism) in Nigerian universities and other tertiary institutions.¹³ In addition to the terror which they unleash on campuses,¹⁴ secret cults are also known to maintain ties with gangs of armed robbers and other criminals.

Armed robberies

Within the larger Nigerian society, armed robberies involving the use of SALW represent a major threat to lives and investment, and a glaring manifestation of the criminal dimensions of SALW proliferation. Armed robbery has even been described as 'the country's most glamorous and fastest growing crime'.¹⁵ Lagos, the commercial capital of the country, usually bears the brunt and reflects the stark realities of armed robbery in Nigeria. In 2001, there were 196 reported armed robberies, 287 robbers were killed, 372 were arrested, 16 policemen and 70 civilians were killed, while 165 were wounded. In the same year, 337 guns were seized by the police and 3,354 ammunitions recovered.¹⁶

Vigilante and ethnic groups

While violence has affected all segments of society, the impact on the poor is the most severe.¹⁷ The wealthier segments of society have turned their homes into fortresses and resorted to the services of private security companies. Research indicates that around 20 private security companies operate in the Northern city of Kaduna.¹⁸ From 1997 to 2001, the number of clients increased by 114 per cent and the number of guards they employ by 188 per cent.¹⁹ Among the poorer segments of society however, there has been a proliferation of vigilante groups, similar to community guards, and usually comprising of young men from the respective communities who form patrol units, provide security for the community and mete out justice as they deem fit.

Particularly concerning is the increase in the number of militant ethnically-based groups since the return to civil rule. Militant groups are often wider in scope than community guards, and often receive tacit support and/or encouragement from regional states, such as the O'oduwa Peoples Congress, a Yoruba ethnic militia group in South West Nigeria, the Bakassi Boys in the South Eastern region, and the Egbesu Society, a group of Ijaw youths operating in the Delta, Ondo and Bayelsa states.²⁰ In some parts of Northern Nigeria, various groups (Hisba) have emerged to enforce Islamic Sharia Law. In addition to the flagrant and gross human rights violations which these groups commit, they are not held accountable for their actions.²¹ These groups are often assisted by wealthy kinsmen who illegally import SALW. Where they do not import them, they either manufacture them or obtain them from soldiers returning from peacekeeping assignments.

The most notorious of the gangs are the two headed by faction leaders Asari Dokubo and Ateke Tom. Asari's NDPVF and Tom's NDV are primarily comprised of young Ijaw men from Port Harcourt and nearby villages. In addition to these two groups, there are, according to the state government, more than 100 smaller armed groups, locally known as "cults." Many of these "cult" groups, with names such as the Icelanders, Greenlanders, KKK, Germans, Dey Gbam, Mafia Lords, and Vultures, were originally formed in the early 1990's as university fraternities, but later largely evolved into criminal gangs.²² In late 2003, in an

effort to increase their access to weapons and other resources, many of the “cult” groups formed alliances with either Asari’s or Tom’s armed group as the two leaders fought for control of oil bunkering routes. Although the smaller groups retained their names and leadership structures, Asari and Tom assumed command and control responsibilities over the militant actions of these smaller groups.²³

Asari was a member of the Movement for the Survival of Ethni Ijaw Nationality - MOSEIN, from MOSEIN, he became the vice President of the Ijaw Youth Council- IYC and later the President. At the end of his tenure as President he then formed the Niger Delta Peoples Volunteer Force NDPVF fashioned after Isaac Boro’s Niger Delta Volunteer Force NDVF. Asari was never a member of the Isaac Boro. He, however, fashioned his militant group after that of Boro. There was no trace of Olubebe in the entire scenario.²⁴

The nature of many of these groups is often unclear and *ad hoc*. The Alimajiri boys, for example, are largely touts, unemployed youths and beggars from the cities of Northern Nigeria. They are not a formal group nor do they have any organised pattern of operation. They are, however, used by the APC in emergency situations, mobilised from the mosque with war cries and religious manipulations to serve as violent vigilantes. Though mainly armed with clubs, machetes, bows and arrows, they also have guns. They go back to the streets after each crisis and lead their regular lives. The APC have them as willing allies and supplies them with weapons.²⁵

Electoral and political violence

Another legacy of military rule is the lack of an institutionalised peaceful and orderly system of power transfer in Nigeria. Its political history is riddled with assassinations, military coups, and a lack of faith in the impartiality and transparency of the electoral system due to widespread corruption. It has been observed that ‘there have been regular ‘assassinations’ since the [2003] political campaign got under way(...). Oil also plays a causal role in political corruption, with access to oil resources and to the Federal allocations seen as electoral rewards.

Political gangsterism appears to be taking root in Nigeria’.²⁶ Armed gangs comprising mainly of unemployed youths are in some cases hired by politicians for both offensive and defensive purposes, either to intimidate their opponents and/or to protect themselves against attacks by those opponents.²⁷ The general elections of 1999 saw armed gangs recruited by various parties employing violence against each other. It is widely accepted that the electoral victory went to the best party with the best armed ‘supporters’. After political violence in the Rivers state in September 2004, there was some movement to remove sponsors of cult violence. However, despite the state government’s claim to dissolve the ‘cult infested government’, it later issued a statement denying that the cabinet was dissolved due to the presence of cult members within the cabinet. Suspected organisers and patrons of armed groups infiltrate every echelon of the Nigerian political system. Presently, the Nigerian Minister of Transport, Dr. Ayibe Sekibo, stands suspected of being the key funder and beneficiary of the Ateke group. Numerous members of the ruling Peoples Democratic Party have been linked to acts of violence or to armed groups. All deny such links, however, public perception is mistrustful.²⁸

1.2 Elements of the Nigerian SALW Control System

In Nigeria, the national legislation related to SALW dates from 1959 and has therefore become obsolete, despite considerable participation and involvement in the major international and regional initiatives. The National Committee, the main structure responsible for devising the national strategy on SALW control implementation, remains weak and lacks substantial institutional and structural capacities.

Legislative basis

The Firearms Act (1959) is the main legal instrument governing the production, use, import, and export of SALW in Nigeria. Section 23 of the Firearms Act states that:

subject to the provisions of sections 24 to 26 of this Act, (...) no person shall manufacture, assemble, or repair any firearms or ammunition except at a public armoury or at arsenals established for the purposes of the armed forces with the consent of the President, acting in his discretion.

It also prohibits dealing in firearms except by registered dealers²⁹ as well as the import and export of firearms and ammunition into Nigeria by sea or by air.³⁰ In addition, the Act imposes a minimum sentence of ten years for the importation, exportation, manufacture and repair of firearms.³¹ An amendment to the 1959 Act was adopted in 1966, which increased the punishment for firearms-related offences. Hitherto, the punishment was N400 fine or 12 months imprisonment, or both.

However, it is the 1984 Robbery and Firearms Decree³² which considerably expanded gun-related offences and sanctions. Under this decree, illegal possession of firearms attracts a fine of N20,000 or a minimum of ten years imprisonment, or both.³³ The Act also specifies that armed robberies are punishable by death (hanging or firing squad),³⁴ and that offenders charged with attempted robbery involving the use of firearms face life imprisonment/sentence.³⁵ Given the widespread proliferation of illicit SALW, civil society groups and the police have argued for a review of the law, which would not give an option of fine to anyone found guilty of illegal possession of firearms.³⁶

Enforcement and penalties

Although the provisions of the law are comprehensive in that they clearly spell out what amounts to legal and illegal possession and the definition of SALW, the penalties for breaching the law have, particularly in relation to fines, become obsolete. The enforcement of the law has been constrained by corruption and inadequacy of institutional capacity on the part of the law enforcement agents. Consequently, even though the law can be considered adequate in terms of the production, import and export of SALW, the penalty is often insufficient to ensure deterrence and enforcement in the event of a breach. The Chairman of the National Committee concedes that penalties for SALW-related offences are not strong enough, especially as the accused can easily obtain bail.³⁷ In addition, the National Committee acknowledges the fact that the current legislation is obsolete and is not adequate for the current situation.³⁸

The laws and regulations governing SALW were proposed for revision after the agreement of the UNPoA. In a memo dated 21 September 2001, the Nigerian President requested the

drafting of a bill setting out more stringent penalties for contravention of firearms laws. He proposed a ten year gaol term, without an option of fine, for illegal possession of firearms and further proposed a cash reward for information that leads to the arrest and prosecution of anyone in illegal possession of firearms.³⁹ However, no draft firearms law has yet been presented to the National Assembly.

Implementation of SALW controls – the Nigerian National Committee

The Federal Government of Nigeria inaugurated the National Committee on the ECOWAS Moratorium in 2001.

Structure and mandate

The Committee, as of August 2003, is composed of representatives of the Ministries of Defence, Internal Affairs and Integration and Cooperation in Africa (MICA), DICON, the National Orientation agency, the Immigration Service, and various security and customs agencies such as the police, the State Security Services and the National Drug Law Enforcement Agency. However, despite having a wide representation, the National Committee does not satisfy the PCASED guidelines on the composition of National Commissions. Neither the Ministry of Justice nor the Ministry of Foreign Affairs are represented on it. Four civil society organisations are represented on the Commission: the Africa Leadership Forum, the Quench Crisis Initiative, the Nigerian Council of Women Societies and the Shehu Shagari Institute for Peace and Good Government.

The Committee's mandate is to:

- control the import and manufacture of all SALW,
- register and control the movement and use of legitimate arms stock,
- detect and destroy all illicit and surplus weapons, and
- permit exemptions to the Moratorium only in accordance with strict criteria.

The Committee has devised a 'Framework for the Implementation of the ECOWAS Moratorium' (annexe 2) which contains several priority areas, based on PCASED's Plan of Action.⁴⁰ Establishing a culture of peace, enhancing border controls, training, collecting and destroying surplus and illegal weapons are some of the priorities set out by the National Committee. Based on its mandate, the National Committee articulated its first workplan in 2003, which represents a viable basis on which an assessment of the National Committee's operations since inception can be based.⁴¹ However, the National Committee is restricted in its remit as it does not have an operational budget.

Promotion of a culture of peace

The central activity geared towards achieving this objective include awareness-raising campaigns involving a variety of organisations such as women's organisations, religious bodies, community groups and business associations. This aspect of the National Committee's programme comprises confidence-building measures which would de-emphasise violence and underscore the peaceful alternatives of resolving issues. It hosted in November 2002 a PCASED-sponsored national workshop on 'Modern Methods and Techniques of Illicit Small Arms Control through the Promotion of a Culture of Peace.' It was broadly agreed that a necessary condition for the reduction of the circulation of illicit SALW is the national determination to tackle the various socio-economic and political

issues responsible for widespread social discord and upsurge in crime. Furthermore, it was agreed that the educational curriculum should be revised to incorporate a 'peace module' teaching the benefits of a culture of peace to society at all levels. The introduction of a viable social security mechanism was also highlighted as a potential way of reducing armed criminality. The workshop called for a firearms registry, cross-border collaboration among security officials, and adequate equipment and training for border security officials.

During the April 2003 elections, PCASED supported the National Commission to place sensitisation advertisements on gun-free elections in local newspapers.⁴² However, the present capacity of the National Committee is insufficient to carry out the required awareness-raising activities in Nigeria on SALW issues. The National Committee's staff and budget is grossly inadequate to cope with the need to draft a 'peace curriculum' for all levels of the education cadre, and to set up, train, and equip advocacy outposts in the 36 states of Nigeria.

Illicit and surplus arms collection and destruction

In July 2001, the Federal Government of Nigeria carried out its first and so far only destruction of arms and ammunition seized by security agencies, which comprised of 428 rifles, 494 imported pistols, 287 locally made pistols and 48 *dane* guns (basic hunting gun). It has been unable to conduct further arms destruction programmes due to lack of funds and equipment. In addition, the 2001 arms destruction exercise involved the burial at sea of arms, a destruction method which the government is reluctant to repeat for environmental reasons⁴³ and which civil society and other stakeholders criticise for its lack of transparency. From January 2002 to June 2003, 1,902 assorted firearms and 13,271 rounds of ammunition have been collected and are now awaiting destruction.⁴⁴

However, the National Committee no longer has direct responsibility for the destruction of arms, as this requires technical and specialised expertise.⁴⁵ Ideally, a National Commission (rather than a committee) should have overall and singular responsibility for the control of illicit SALW in Nigeria, including the destruction of seized arms. In the short-term however, there is a need to enhance the capacity of the committee responsible for the collection and destruction of illicit and surplus SALW.

National research project on SALW

The National Commission lacks the information infrastructure on SALW flows and the capacity to serve as a SALW documentation unit. However, the research activities on the themes identified by the National Committee have yet to witness implementation, due in particular to the lack of financial capacities and technical expertise of the National Committee's staff. As presently conceptualised, the Arms registry is envisaged to be a databank for legally registered arms, surplus stock (outdated and out of use), and local manufacturing capacity.⁴⁶ A series of on-going consultations have begun between the National Committee and the Canadian Mission in Nigeria focusing on financial and technical assistance in the arms registry and sensitisation programmes.⁴⁷

Border security

The flow of illicit weapons into their respective countries, in particular from conflict areas,⁴⁸ is of growing concern to most West African states, including Nigeria, especially in the

context of increased regional economic cooperation within ECOWAS.⁴⁹ Several border control training workshops have taken place, and Nigeria is receiving technical and financial assistance to curb trafficking.⁵⁰ There are also on-going plans to organise a tripartite meeting between Nigeria, Niger and Benin, in Kebbi, where the three countries share a common border.

Implementation challenges

The fundamental challenge facing the National Committee is its seeming lack of autonomy and funds, which severely hampers its implementation capacities. The following needs have been identified by the National Committee:

- equipment for destruction of illicit/recovered arms,
- equipment for arms register and databank,
- resources to execute arms for development projects,
- training of Secretariat staff on arms registration, and
- institutional support to border operatives to enhance surveillance and detection of SALW trafficking at the border post.⁵¹

The National Commission displays considerable lack of institutional capacity relative to both the level of illicit SALW proliferation and its planned activities. The plan to transform the National *Committee* into a National *Commission* through legislation has not witnessed any tangible action, due to the lack of political will and the lengthy process of adopting new legislation. The significance of this transformation is that while a Committee is relatively *ad hoc*, and an instrument of administrative exigency, a Commission is set-up by a law which ensures it is allocated a budget by the National Assembly, providing it with institutional and financial autonomy.

Presently, the Department of Collective Defence and Security of the MICA serves as the Secretariat of the National Committee, which comprises of five staff members. Therefore, the National Committee's planned activity of setting up observation bureaux in the 36 states of Nigeria remains stillborn and the National Committee has been unable to pursue its plan to establish an 'Inventory and Registration of Local Arms Producers'. The National Committee's financial constraints are such that it is presently unable to pay transportation and sitting costs of its members. It is estimated that a minimum of N50 million would be needed to implement its work plan annually.⁵² In terms of funding, the National Committee is seeking alternative sources, in particular at the local level. It has, for example, submitted to the Nigerian National Petroleum Corporation a proposal on a youth project in the Niger Delta area.

However, positive SALW control initiatives include the establishment of the Presidential Committee on the Destruction of Illegal Firearms and the National Disarmament Committee. The Presidential Committee on the Destruction of Illegal Firearms has publicly destroyed (through open air burning) arms and ammunition recovered from various groups and locations in four successful exercises nationwide. By the end of 2004, a total of 3,058 firearms and 3,790 rounds of small arms and ammunitions were destroyed by the committee. On 22nd March 2005, 695 assorted arms and rounds of ammunition were destroyed in Abuja.

The major challenges of illicit SALW control in Nigeria reside in addressing the conditions leading to the demand for illicit SALW, and in enhancing the National Committee's capacity to collect, document, destroy, and campaign against SALW proliferation. Adequate financing, staffing, and training of both National Committee and security officials are of particular relevance to this matter.

1.3 Civil Society Role and Participation

During Nigeria's protracted military rule civil society involvement in security issues generally, and SALW proliferation in particular was uncommon. The civil society agenda was largely focused on the disengagement of the military from politics, while firearms issues were largely perceived as matters of 'national security'. However, civil society action on SALW in Nigeria has increased and strengthened significantly over the past few years, with increasing cooperation with the Government. Government and civil society partnerships are gradually strengthening from its embryonic stages.⁵³ As of August 2003, the National Committee on the ECOWAS Moratorium includes representation from four civil society organisations. Collaboration, however, can still be criticised for its lack of transparency. The process by which the four NGOs became members of the National Committee is not always known to other NGOs. The criteria for their nomination and the length of their mandate remain unclear. Some of the civil society members of the National Committee do not possess any identifiable track-record in SALW issues, thus presenting a legitimacy problem. This leads to many rivalries among Nigerian civil society organisations, which hampers effective cooperation and coordination of activities.

One very positive development in the reinforcement of civil society action on small arms and their coordination with the Nigerian Government was the creation of the Nigeria Action Network on Small Arms (NANSA) which was launched on 17th November 2004. The national network consists of 47 NGOs and works in close coordination with the Nigerian National Commission on small arms. NANSA was part of a 12-man presidential committee that supervised the destruction of illegal arms retrieved from the warring factions in the Niger Delta. Although in its nascent stages, NANSA has made a significant impact on coordinating the efforts of individual NGOs and bringing them together to work in sympathy rather than independently of the others. The network has also produced a two year action plan on SALW intended to assist and task the Government to strengthen their goal of eradication or minimise gun culture in these environments. In addition, NANSA will be coordinating Nigeria's events for the Week of Action on Small Arms in June 2005, arranging meetings at the national assembly and all the state legislatures, as well as among NGOs, the police and state security forces. They also plan to produce a documentary that will be broadcast on TV and radio during the Week of Action.

Individual NGOs are increasingly integrating SALW proliferation into their agenda, focusing largely on advocacy. In 2002, the African Leadership Forum (ALF) hosted a Roundtable on Mobilisation for the Fight Against Illicit SALW in Otta, Ogun State. The African Strategic and Peace Research Group (AFSTRAG) maintains a Small Arms research unit and participated in the 2001 UN Small Arms Conference in New York. AFSTRAG organised events to mark the 2003 Week of Action.⁵⁴ The Nigerian section of the International Physicians for the Prevention of Nuclear War (IPPNW) organised a seminar on 'The Impact of Small Arms

Injuries on Health: Kano Case Study' in June 2003. Both AFSTRAG and IPPNW are members of International Action Network on Small Arms (IANSA), while AFSTRAG and ALF are both members of the National Committee.

However, there is still a strong need to enhance civil society participation in fighting SALW proliferation, particularly addressing the challenge of resources in implementing advocacy campaigns, training their staff and enabling participation in regional and global SALW initiatives.

1.4 Nigerian SALW Perspectives and Realities

Ethno-religious conflicts, armed robbery, secret cults in universities and electoral and political violence are all manifestations of illicit SALW proliferation. These dimensions are the products of widespread poverty and social deprivation, despite the presence of economic resources, and are fuelled by protracted and corrupt military rule.

Firearms in possession and use in Nigeria range from pistols and shotguns to semi-automatic rifles, machine guns, and rocket launchers. A key cause of their widespread proliferation is the distribution of weapons by sponsors including members of the state government, political parties or individuals involved in oil bunkering. Many of these weapons are also recycled from other conflicts in the region and imported into Nigeria via land or sea routes. Other weapons are stolen or purchased from the security forces.

The (ECOWAS) Moratorium of 1998, committed states in the sub-region not to import, export or manufacture small arms or light weapons. Nigeria is a signatory to the moratorium. In 2001, President Obasanjo established a National Committee on the implementation of the moratorium. The federal Government has also set up various presidential committees to investigate the causes and extent of arms proliferation in the country.⁵⁵ However, these efforts have failed to make any significant impact on the proliferation of weapons in the country.

The National Committee displays a considerable lack of institutional capacity. For the National Committee to actualise its mandate and fulfill its original role, concrete steps need to be taken. First, it must be transformed from the status of a Committee into a Commission in order to enhance its financial and institutional autonomy. Second, there is a need for a viable programme of collaboration with civil society on SALW. In this regard, the creation of a civil society-based action network on SALW remains imperative. Third, there is inadequate appreciation of the depth and sophistication of local fabrication of SALW. There is a need to redress the problem and, in particular, to find a way of monitoring and controlling these producers, specifically the blacksmiths and locksmiths responsible for local production of firearms.

1.5 Recommendations

- Civil society action should be directed lobbying the Government – both the Presidency and the National Assembly – to legislate the National Committee into a National Commission. The existence of a commission would enable a programmatic approach whose impact could be felt and measured on the ground;

- The role and activities of civil society organisations need to be strengthened. Awareness-raising of the ECOWAS Moratorium, the UNPoA, and the UN Firearms Protocol is a crucial dimension of civil society's role in the control of SALW. However, this role is currently limited due to the lack of capacities. Civil society activities should be enhanced through the provision of necessary resources, such as equipment, finance and training, especially in advocacy strategies. The creation of NANSA has been a very positive step towards harmonising civil society action but it must play a dual role of improving the coordination of civil society organisations plus coordinating civil society work with that of the Government.
- Confidence-building measures targeting local arms producers should be developed in order to increase their participation in SALW control measures and to re-orientate their skills. Such a programme could potentially be implemented in several stages. The first stage would be to facilitate and conduct a baseline survey of local production capacity in Nigeria, which could be executed on a regional/state basis. The second stage would involve developing confidence-building mechanisms to encourage local producers to emerge from their production hideouts. The third stage would involve local arms producers in a scheme to refocus their production towards peaceful tools for agriculture and power generation. The proposed programme would assume the existence of a political will to liberalise the enforcement of production regulation in Nigeria.
- The National Committee should further explore possibilities of establishing creative ways of local funding, particularly from the organised private sector. In this regard, resource mobilisation training workshops are recommended for both the National Committee and civil society groups.
- The National Committee should ensure development and implementation of Arms for Development programmes, especially in areas of profuse proliferation and armed criminality, such as the Niger Delta and Lagos.
- Financial and material resources as well as enhanced technical expertise should be directed at the police, National Committee staff and other security agencies in order to enhance arms destruction programmes, develop an arms register as well as strengthen border control and enforcement measures.
- Currently penalties for breaching firearms legislation is obsolete and enforcement is very weak.⁵⁶ The provisions of the law outlining fines and punishments must be revised to make penalties relevant and a suitable deterrent. In addition, the capacity of law enforcement agents needs to be strengthened and most importantly, measures must be put in place to reduce institutional corruption which pervades the law enforcement agency.
- SALW control measures are worthless unless the root cause of civil disorder is addressed. Some steps towards tackling the cleavages between major factions have been attempted, however the trend of sporadic violent attacks continues. Lasting disarmament is inexorably linked to sustainable economic stability for former combatants and unemployed youths, who are otherwise recruited by gangs/cults, perpetuating the cycles of violence. As such, further measures are necessary to encourage gangs/cults to buy into law abidance and peace.

Endnotes

1. In a speech to UN Conference on Small Arms and Light weapons in July 2001, the former Minister of Defence, Gen T.Y Danjuma (rtd), stated that there are 1 million illicit SALW in Nigeria. The Nigerian Press and popular discourse put the figure much higher. See, for example, See Vanguard (Newspaper), 12 July, 2000, Lagos. p.8.
2. Jemibewon, cited in Chukwuma, Innocent, 2000, 'Vigilantes and Policing in Nigeria' in Law Enforcement Review, Lagos, July-September, pp.15-19.
3. Norwegian Initiative for Small Arms Transfers – Small Arms database. See <http://www.nisat.org> (consulted on 26 January 2004).
4. Nigeria: Common Country Assessment, United Nations, 2001.
5. Musa, Abdel-Fatau, 1999, 'The Sorrows of War: Small Arms, Conflict and Poverty in West Africa' Democracy and Development, Vol 2 No.3, September-December, London: Center for Democracy and Development. See page 12.
6. In 1992, a civilian Great Ogboru allegedly imported enough arms and ammunition to carry out a military coup while in 2000, a lecturer at Obafemi Awolowo University, Ile-Ife was caught with firearms as part of his role in the communal Ife-Modakeke clashes.
7. Presidential (monthly) chat with the Press, presented on Nigerian Television Authority (NTA) 2 December, 2001. As cited in Obasi, Nnamdi, 2002, Small Arms Proliferation and Disarmament in West Africa, Abuja: Apophyl Productions, p.78.
8. Agekameh, D, 'Guns, Guns Everywhere', TELL Magazine, 6 August 2001 (Lagos), p.33.
9. In 1987, a notorious armed robber, Lawrence Anini, confessed that his gang was armed by Deputy Superintendent of Police (DSP) Iyamu, who was the head of the State Anti-Robbery Squad. In another reported case (1999), ten (10) soldiers of the 82 Division, Nigerian Army, Enugu were sentenced to death by the Akwa Ibom State Robbery and Firearms Tribunal for armed robbery and stealing. In another incident, three mobile police constables who robbed and killed five Katsina-bound traders at Obehira Junction, Okene, in February 2001, were sentenced to death by hanging. See John Adama, 2001, 'Three MOPOLS to die for Okene Robbery', New Nigerian, 3 April, Kaduna p.1.
10. Alemika, E.E.O. 1993, 'The Nigerian Police Force: A Preliminary Assessment of Functional Performance' International Journal Of Sociology Of Law, Vol. 7 Pp.61 – 83.
11. Centre for Law Enforcement Education (CLEEN)/World Organization Against Torture (OMCT), 2002, Hope Betrayed?: A Report On Impunity and State-Sponsored Violence In Nigeria, Lagos:CLEEN/OMCT.
12. For example, in 1992, a customs official gave out 16 G-3 rifles to youths as his own contribution to the Niger Delta cause - Akparanta, Ben, 1999, 'Illegal Guns And Violent Crime In Nigeria' Law Enforcement Review, Vol.7 July – September 1999.
13. Some of the most notorious of these cults/gangs include Eiyee, Buccaneer, Vikings, Mafia, K.K, Black Nationalists, Black Axe, Black Beret, Daughters of Jezebel, among others.
14. In June 2002, fifteen students of the University of Nigeria, Nsuka, were killed in violent clashes involving rival cult groups. In September 2001, three students died in a shootout between rival gangs at the University of Jos, where seventeen different cult groups are reported to exist. Within the first quarter of 2002, ten students of the Rivers State Polytechnic were killed in gun battles between different rival cult groups. - Adekeye, Fola, 2002, 'Killers On Campus' Newswatch, Lagos, July 29, pp. 20-33.
15. Adisa, Jinmi, (1994), Urban Violence In Lagos IFRA, Institute Of African Studies, University Of Ibadan. Vol.2 Ibadan: Nigeria.
16. Figures obtained from the Lagos State Police Command.
17. See Adisa, op cit..
18. Small Arms Survey research findings.
19. Ebo, Adedeji, 'Small Arms and Criminality in Nigeria: Focus on Kaduna State (Rural and Urban)', Study conducted for Small Arms Survey, Geneva, October, 2002, p.20.
20. The term 'Bakassi Boys' refers to the main vigilante groups operating in the south-eastern cities of Nigeria since 1998. In the three main cities where they currently operate, the Bakassi Boys are now officially called the Abia Vigilante Services, Anambra Vigilante Services, and Imo Vigilante Services, but commonly referred to as the Bakassi Boys.
21. Centre for Law Enforcement Education/Human Rights Watch, 2002, The Bakassi Boys: The Legitimaization of Murder and Torture, Lagos:CLEEN/HRW.
22. 'The Emergence of Armed Groups in Rivers State', Human Rights Watch, January 2005. Available at <http://hrw.org/backgrounder/africa/nigeria0205/2.htm>.
23. Ibid.
24. Email communication with Country Director of NANSAs, 2/ 4/05
25. Ibid.
26. Quoted in West Africa magazine, 2003, 'Political Killings in Nigeria: the Government Must Act', 17-23 March, London, p.4. Examples of this violence include the assassination of the incumbent Minister of Justice and Attorney General who was killed on 21 December, 2001 and that of perhaps the most influential politician in the south-south zone on March 5 2003. In the period preceding the 2003 elections, Nigeria was bedevilled by

widespread acquisition of small arms by various politicians and political groups, as a means of guaranteeing their political fortunes in the 2003 elections.

- ²⁷ The police in Ondo state confirmed that a politician was stockpiling arms. In a search of his residence, the police recovered 13 single barrel guns, 6 empty shells, and 206 cartridges. Information cited in Chigbo, *op. cit.*. In one of Nigeria's 36 states (Cross River state), the police recovered 54 guns in the first half of 2002. Of these, 16 were recovered from politicians, and another 8 from politically-motivated murders. About 40 people have been killed in election related violence in the area during the same period. In Edo state, a gubernatorial aspirant was arrested with arms. Information cited in Chigbo, Maureen, 2002, 'Danger: Politicians Stockpile Arms to Fight Their Ways Into Political Offices in 2003', in *Newswatch*, Lagos, August 12, pp. 20-27.
- ²⁸ *Armed and Aimless: Armed Groups, Guns, and Human Security in the ECOWAS Region*. Geneva: Small Arms Survey, Nicolas Florquin and Eric G. Berman, Eds, May 2005.
- ²⁹ 1959 Firearms Act, Section 10: 'No person shall by way of trade or business buy or sell or transfer or expose for sale or transfer or have in his possession for sale or transfer any firearms unless registered as a firearms dealer'.
- ³⁰ Section 18 of the Nigerian Firearms Act of 1959.
- ³¹ Section 28 of the Nigerian Firearms Act of 1959.
- ³² Special Provision Decree No. 5 of 1984.
- ³³ Special Provision Decree, *op.cit.*, Section 3(1).
- ³⁴ Section 1(2) of the Nigerian Firearms Act of 1959.
- ³⁵ Section 2(2) of the Nigerian Firearms Act of 1959.
- ³⁶ Deputy Commissioner of Police Nana-Kumo, 'Issues of the Moment', Nigerian Television Authority (NTA) recorded on 2 October, 2003, at 11am.
- ³⁷ Interview with Commissioner of Police Lawrence Alobi, at Force Headquarters, Abuja, 8 August, 2003.
- ³⁸ See *Thisday* newspaper, 8 July, 2003, p.5, 'Panel Seek Amendment of Firearms Act'.
- ³⁹ As reported in *Vanguard* (newspaper), Lagos, 12 October, 2001. p3.
- ⁴⁰ See Ebo, A. with Mazal, L., *op.cit.*, Annexe 4, p.51.
- ⁴¹ See Annex 2 for Nigeria NatCom Workplan 2003.
- ⁴² See *Guardian*, *Punch*, *Thisday* of Saturday 12 April and Sunday 13 April, 2003. Same on 17-18 April 2003.
- ⁴³ Interview with Commissioner of Police Lawrence Alobi (Chair of NatCom), at Force Headquarters, Abuja, 8 August, 2003.
- ⁴⁴ Letter by NatCom Chairman (ref CQ:2400/B' DEPT/FHQ/ABJ/VOL.T/1) to the Permanent Mission of Nigeria to

the United Nations, New York, dated 3 July, 2003.

- ⁴⁵ Interview with Desk Officers at the NatCom, 7 August, 2003.
- ⁴⁶ Interview with Commissioner of Police Lawrence Alobi (Chair of NatCom), at Force Headquarters, Abuja, 8 August, 2003.
- ⁴⁷ Interview with Gerald Okafor, NatCom Secretariat, 8 August, 2003.
- ⁴⁸ See for example, *Thisday* Newspaper, 10 August, 2003, p. 4, 'Arms From Liberia Worries Me, says Turaki'. Saminu Turaki is Governor of Nigeria's north western state of Jigawa.
- ⁴⁹ Ebo, A. with Mazal, L., *op.cit.*.
- ⁵⁰ Currently, the NatCom is receiving technical and financial assistance from the US Bureau of Alcohol Tobacco and Firearms (ATF) and the US Customs Service. Under the Enhanced Border Security Against Illicit Small Arms and other Contrabands project, training workshops have been held in Katsina (September 2002) and Lagos (March 2003). Two more trainings are planned for Benin/Port Harcourt and Maiduguri/Yola.
- ⁵¹ With regard to border control, the Natcom has contacted and is in negotiations with the French and Japanese missions in Nigeria.
- ⁵² Statement of the Director of the Department of Collective Defense and Security who oversees the Natcom Secretariat.
- ⁵³ The four NGOs on the NatCom are Africa Leadership Forum, Quench Crisis Initiative, Nigerian Council of Women Societies (NCWS), Shehu Shagari Institute for Peace and Good Government.
- ⁵⁴ Two Roundtables were held. The first was on 'Small Arms Proliferation and Violent Crime in the Niger Delta Area' (10 June, 2003 in Benin City, Edo State). The second on 'Small Arms, Communal Conflicts and Crime' was held at Arewa House, Kaduna on 12 June, 2003. A seminar was also held at the Faculty of Arts and Social Sciences, Nigerian Defence Academy on 18 June, 2003, at which a paper titled 'The Political Economy of Illicit Small Arms Proliferation in Nigeria: Issues for a Human Security Agenda' was presented.
- ⁵⁵ *Mopping Up Illegal Weapons*, *Vanguard*, July 7, 2004
- ⁵⁶ Conversation with Country Director of NANSAs, Bamako, 18 March 2005