

Implementing International Small Arms Controls: Some Lessons from Eurasia, Latin America and West Africa

Michael von Tangen Page,
William Godnick and
Janani Vivekananda
2005



About International Alert

International Alert is an independent peacebuilding organisation working in over twenty countries and territories around the world. We work with people affected by violent conflict as well as at government, EU and UN levels to shape both their policy and practice in building sustainable peace. Our regional work is focused mainly on the African Great Lakes, West Africa, the Caucasus, Colombia, Sri Lanka, Nepal and the Philippines. The issues we work on include business, humanitarian aid and development, gender, security and post-conflict reconstruction.

Small Arms and Light Weapons (SALW) work

International Alert has been working on SALW related issues since 1994 when we identified unregulated small arms proliferation and misuse as one of the world's most pressing security issues. Over the last eleven years we have worked to strengthen the knowledge and expertise of policymakers in understanding and responding to small arms matters.

International Alert has consistently worked on projects aimed at monitoring the implementation of the 2001 UN PoA and promoting its effective implementation. In addition we focus our expertise on the impact of light weapons proliferation, the activities of mercenaries, private military and security companies in zones of violent conflict around the world and security sector reform. We believe that these issues are interlinked and have adopted a holistic and human security approach to security and conflict transformation.

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Acronyms

ATT	Arms Trade Treaty
AU	African Union
BMS	Biennial Meeting of States
CICAD	Inter-American Drug Abuse Control Commission
CIFTA	Inter-American Convention Against the Illicit Manufacturing and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials
COCOM	Coordinating Committee for Multilateral Export Controls
CTC	United Nations Security Council Counter-Terrorism Committee
DDA	United Nations Department for Disarmament Affairs
DDR	disarmament, demobilisation and reintegration
DfID	Department for International Development
EAPC	Euro-Atlantic Partnership Council
ECOSAP	Economic Community of West African States – Small Arms Project
ECOWAS	Economic Community of West African States
EU	European Union
FLACSO	Facultad Latinoamericana de Ciencias Sociales
FOSDA	Foundation for Security and Development in Africa
FTI	Foundation for Tolerance International (Kyrgyzstan)
G8	Group of Eight major economies
IANSA	International Action Network on Small Arms
MALAO	Le Mouvement Contre les Armes Legeres en Afrique de l'Ouest
Manpads	man-portable air defence systems
MERCOSUR	Southern Cone Common Market
MISAC	Monitoring the Implementation of Small Arms Controls
NATO	North Atlantic Treaty Organisation
OAS	Organisation of American States
OSCE	Organisation for Security and Cooperation in Europe
PCASED	Programme for Coordination and Assistance on Security and Development
PfP	Partnership for Peace
PoA	2001 UN Programme of Action Against the Illicit Trade in Small Arms and Light Weapons in All Its Aspects
SADC	Southern African Development Community
SALW	small arms and light weapons
SEESAC	South Eastern Europe Clearinghouse for the Control of SALW
SERPAJ	Peace and Justice Service (Panama)
SSR	security sector reform
UNDP	United Nations Development Programme
UN-LiREC	United Nations Regional Center for Peace, Disarmament and Development in Latin America and the Caribbean
UNREC	United Nations Regional Centre for Peace and Disarmament (Togo)
WA	Wassenaar Arrangement

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Preface

A key issue in improving conflict prevention and management is the challenge of curbing the proliferation and misuse of small arms and light weapons (SALW). The MISAC Project of the Security and Peacebuilding Programme of International Alert is a three-year initiative to aid countries in Latin America, West Africa and Eurasia to better implement international and national SALW control measures. By working with governments, donors and NGOs, its intention is not only to develop a better level of understanding regarding the scope and nature of international and regional SALW controls, but also to directly assist stakeholders in working towards the full implementation of these controls.

Through process orientated research and direct interaction with governments, donors and civil society actors, the MISAC Project has undertaken this work in three phases. The first was a mapping phase, which created a profile of the regional agreements and activities, and identified relevant actors and their capacities. This work is public and has been published as a series of reports. Each individual Country Report was subsequently revised in early 2005 and is available on the International Alert web site (<http://www.international-alert.org>) and on the CD-Rom attached to the present report.

The mapping phase was then followed by regional assessment studies, which detailed institutional capacities and challenges with regard to the implementation of SALW controls. These studies are directed towards supporting state institutions and activities, as well as enhancing the capacity of civil society actors to deal with SALW issues. In the course of this work – comprising of analysis by International Alert and its partners, as well as consultations with key stakeholders – individual state needs are brought to the attention of the international community so that financial and technical support can be provided as applicable. This cross-regional report and the attached CD-Rom comprise the final research output of the MISAC Project.

Finally, the regional assessments were followed by the targeted assistance phase of the project. In this part of the process, International Alert, in cooperation with local and international partners and stakeholders, sought to craft and implement supportive and sustainable policies to strengthen SALW control measures within a small number of previously identified states.

Executive Summary

This report outlines the key comparative learning points that were gained as a result of International Alert's Monitoring the Implementation of Small Arms Controls (MISAC) project. The project examined the process of implementation of regional and international SALW control measures in Eurasia, Latin America and West Africa. The reports and research upon which this report is based are contained in the attached CD Rom. Each country report also contains country specific recommendations and it is hoped that the reader will refer to these reports when they want to explore the issues discussed in a country or regional specific context. This report however is designed to give the reader a global and comparative review of both the key impediments to the implementation of SALW control agreements as well as a comparative understanding of the different requirements faced by officials who are implementing these measures.

The report examines the modalities of the agreements addressed in this research. There is a thumbnail description of each agreement as well as an outline of the key issues that are addressed by each instrument. The texts of these instruments can be accessed on the attached CD Rom. A key issue that this report identifies is that the reporting requirements in different agreements are often very complex and while there is often duplication this is not necessarily very easy for the officials responsible to implement. It therefore suggests that attention should be given to standardising reporting requirements as well as identifying the need to assist states in producing reports. The lack of legally binding agreements especially in Eurasia is also a concern which needs to be addressed.

The report highlights the different regional experiences of implementation. In the case of Eurasia there have been significant improvements in the implementation of agreements. It is interesting to note that this region has benefited from some of the most concerted international support as well as having some of the greatest economic incentives to implement international agreements. However, the interlinked nature of SALW proliferation with other issues such as security sector reform, corruption, drugs, criminality and terrorism needs to be better understood and a holistic approach to SALW work is needed. Further, in the case of Central Asia there is a need for greater research on the nature of SALW proliferation as the concentration up to now in the region has been, understandably, focused on weapons of mass destruction. In the case of Latin America there have also been positive moves in terms of addressing SALW proliferation. The OAS has been active in the region and there has been significant capacity developed both within states and among civil society organisations. The relative wealth of the region has also greatly helped as has the strength of many state institutions. Corruption and criminality continue to be an issue and there is a need for greater regulation of the private security industry especially with regards to use of firearms. Implementation in West Africa has probably been the weakest of the regions covered in the MISAC project. This has been for a number of reasons not least the lack of resources (both financial and people) available. UN regional support through the PCASED organisation was also the least successful regional support project of the three regions examined (compared to SEESAC and UN-LiREC) partially due to a drop in donor confidence in the organisation and partly due to a lack of SALW expertise of some of the people who were recruited into the organisation. ECOWAS and the UN are attempting to address this issue in the new institution of ECOSAP but this remains an issue of concern. However, the trends within West Africa are positive both at a national and regional level and therefore there are good grounds to be optimistic about the future.

The report also contains an analysis of those cross regional issues that became apparent during the course of the research. This includes the importance of building networks between implementers at the national, regional and international level as well as the need to increase public and official ownership of SALW control measures through support of awareness raising and capacity building projects. It is also important to identify methods of making it in the interest of states to implement agreements through positive inducements and to foster greater relationships between civil society groups and implementation agencies. The issues of SALW brokering and stockpile management need to be included in regional SALW agreements. A key entry point towards developing a holistic approach to SALW control identified by the report is in including the issue in SSR projects as well as recognising the often neglected area of the privatisation of security within such a policy.

The key recommendations of the report are that:

1. Donors and regional bodies should support mechanisms through which networks of key implementers can meet with each other in order to facilitate informal communications and bilateral experience sharing in both formal and informal settings.
2. Greater attention should be given to fostering cross-border cooperation and communication between implementing officials of neighbouring countries.
3. A major barrier to the implementation of international SALW controls continues to be a lack of awareness of these initiatives among civil society organisations and implementing officials. Attention should therefore be given to targeted awareness raising and capacity building.
4. SALW control initiatives will be greatly aided if there are clear gains in doing so for those states implementing initiatives. It may be necessary either to support awareness raising of officials and politicians to indicate what such gains are, or else to give attention to the positive economic consequences of successful implementation.
5. It is important to ensure that donor support is coordinated in such a way that cooperation between implementing agencies and civil society groups is encouraged.
6. International SALW control instruments, where relevant, need to be updated to include brokering, especially in those countries that are neither producers nor exporters.
7. Stockpile management is a key tool to help limit the entry of licit weapons into the illicit market and should be supported more robustly.
8. SALW control can be a useful entry point in an SSR project and the issue of improving the capacity of those law enforcement officials implementing SALW control measures should be considered.
9. It is important to take into account private security companies in any SSR strategy and examine the training and professionalisation of employees, as well as encourage best practice in terms of SALW usage and storage.
10. Now that it has entered into force much more international advocacy work needs to be carried out to encourage more governments to ratify the UN Firearms Protocol.

1. Introduction

The last decade has seen a major attempt by the international community to address the issue of the illicit international trade in small arms and light weapons (SALW). Important international measures have been introduced, most notably the Firearms Protocol and the 2001 UN Programme of Action Against the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (PoA). These global agreements are now being supplemented by major new international initiatives moving towards developing an instrument to aid the marking and tracing of both SALW and, potentially, ammunition, in order to address brokering and transfer controls. International civil society and a number of governments have also indicated their support for the creation of an internationally legally binding Arms Trade Treaty (ATT) that would seek to codify current international norms with regard to arms exports.

A number of regional agreements have also emerged, including initiatives by the Andean Community, the African Union (AU), the Central American Integration System (SICA), the Economic Community of West African States (ECOWAS), the European Union (EU), the Southern Cone Common Market (MERCOSUR), the Organisation of American States (OAS), the Organisation for Security and Cooperation in Europe (OSCE), the Southern African Development Community (SADC) and others, which all seek to create further limits designed for the specific regional contexts in which these organisations work. Of these agreements, a number – most notably the Andean Community Decision 552, OAS Convention, Nairobi Declaration and SADC Protocol – are currently legally binding, while ECOWAS is in the process of moving towards the initiation of a draft protocol.

Therefore, in a situation where the international and regional frameworks for SALW control are evolving, it is important to take stock of the current agreements and their implementation. Questions that need to be addressed include where international initiatives have been a success and where they have faced challenges, and then this experience of implementation needs to be fed back into the international process. There has been an observed gap between the international diplomatic process, which can be seen as a success, and the implementation of these agreements on the ground.

Over the last three years, International Alert's Monitoring the Implementation of Small Arms Controls (MISAC) Project has examined in depth the implementation of two international and three regional agreements. This paper is intended to examine the key issues and concerns regarding the experience of implementing these control mechanisms. The three regions that were addressed were Eurasia, Latin America and West Africa. These were selected because of the different nature of the challenges that existed in each region, as well as the need to achieve a balance between weapons producing and gun afflicted nations, in order to examine the two-sided nature of international SALW control, namely demand and supply.

The project involved International Alert staff and consultants reviewing the situation in the regions concerned and assessing the relevant agreements, before selecting a smaller number of countries in which to conduct in-depth research. Following the completion of these country studies, a number of regional consultations were organised. Each consultation was intended to allow key stakeholders (government officials, local and international civil society, international organisations and governments) to input their

perspectives on the efforts to address SALW proliferation. This was followed in 2004 with a meeting organised in London involving stakeholder participation from across the regions. Therefore, this report is the culmination of a process of participant research where a wide range of different stakeholders were consulted. However, its ultimate conclusions are those reached by the MISAC team.

The report will therefore begin by examining the requirements that each agreement expected of the relevant states in the three regions addressed by the project, before going on to examine how they complement each other. The next section will address the challenges and successes of each agreement that International Alert and its partners have noted during and/or as a result of the project, as well as examining the reasons why they occurred. Finally, the report will conclude with a number of recommendations based on the extensive research conducted by the MISAC team over the last three years. The CD-Rom attached to the report also contains English versions of all 29 updated Country Reports, with specific recommendations for each country, as well as summaries and the full texts of the key international and regional SALW control instruments discussed.

2. Modalities of Agreements

This section examines the specific requirements of each of the key international SALW control mechanisms addressed in this report, before going on to compare and contrast the requirements of each of these agreements.

2.1. Global SALW Control Agreements and Mechanisms

2.1.1. UN Firearms Protocol

The UN Firearms Protocol (also known as the Vienna Protocol) was adopted in May 2001 as a supplement to the UN Convention Against Transnational Organised Crime. It incorporates such measures as marking and record keeping to support the identification and tracing of firearms, and criminalises illicit manufacturing of and trafficking in firearms, and defacing of firearm markings. These measures aim at dealing with military-style SALW in the context of international peace and security. The Firearms Protocol is a legally binding document for those states that choose to ratify it. In April 2005 Zambia became the 40th UN member state to have ratified the Protocol resulting in it formally entering into force.

2.1.2. UN Programme of Action

The UN Programme of Action (PoA) was adopted at the UN Conference on Preventing, Combating, and Eradicating the Illicit Trade in Small Arms and Light Weapons in All Its Aspects in July 2001. The adoption of the PoA was the culmination of several years of efforts to put the devastating effects of SALW and the need to address this issue on the international agenda. It has become the main framework for further elaboration and development of international cooperation in SALW control.

The PoA defines some of the norms and principles that guide the work of the international community on SALW issues. It establishes that the consequences of SALW proliferation and misuse are multiple and that long-term and sustainable approaches are necessary to tackle this issue. It underlines the importance of conflict prevention, development, crime control and public health in the fight against SALW proliferation. However, in an effort to reach consensus, many of the important dimensions of such proliferation had to be sacrificed, including some of the key human rights, humanitarian, development and crime prevention dimensions.¹ The key monitoring mechanism is the process of annual reports, which are submitted to the UN Department for Disarmament Affairs (DDA) and are published on the DDA web site and through two Biennial Reporting Conferences, the first of which was in 2003, while the second will be in July 2005.² The PoA will be reviewed in the July of 2006.

2.1.3. UN Security Council Resolution 1373

The events on and after the 11 September 2001 terrorist attacks on the United States of America generated a resolution by the UN Security Council that has highlighted the need to prevent the flow of SALW into the hands of terrorist groups and state sponsors of terrorism. As an expression of its condemnation of the attacks and its determination to prevent similar attacks in future, the UN Security Council also formed the Counter-Terrorism Committee (CTC) in Resolution 1373, acting under Chapter VII of the UN Charter (concerning threats to international peace and security). The CTC is made up of all 15 members of the Security Council. It monitors the implementation of Resolution 1373 by all states and tries to increase the capability of states to fight terrorism. The CTC has already stated that SALW issues are

highly relevant to its mandate. There are two parts of the CTC's priority list that are relevant to SALW control that states need to address: firstly, customs, immigration and border controls to prevent the movement of terrorists and the establishment of safe havens; and secondly, the establishment of controls preventing terrorist access to weapons.³

2.1.4. Wassenaar Arrangement

The Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-use Goods and Technologies (WA) emerged as the replacement for the COCOM (the Coordinating Committee for Multilateral Export Controls), a Cold War export control regime that aimed to prevent acquisition of arms by communist countries. As a result of a series of meetings between 1993 and 1996, the COCOM was terminated and the WA emerged, with both a wider participation of countries and the establishment of new control lists and an information exchange mechanism.

The WA requires participating states to ensure, through their national policies, that transfers of arms and dual-use goods and technologies do not contribute to the development or enhancement of military capabilities that undermine international and regional security and stability, and are not diverted to support such capabilities. The WA information exchange requirements involve semi-annual notifications of arms transfers, covering seven categories derived from the UN Register of Conventional Arms.

In December 2002, echoing the UN PoA and the OSCE Document on Small Arms and Light Weapons, the WA member states adopted the Best Practice Guidelines for Exports of Small Arms and Light Weapons. The Guidelines point at the need to adopt legislation and ensure its implementation in such areas as evaluation of SALW exports; exports licensing; re-export/re-transfer; unlicensed manufacture; requirements to the potential SALW recipients; and SALW marking, record keeping and cooperation.⁴

2.1.5. G8 Action Plan

In 2003, the Group of Eight (G8) major economies in the world agreed on an action plan at the group's summit in Evian, France entitled 'Enhance Transport Security and Control of Man-Portable Air Defence Systems (Manpads) A G8 Action Plan'. This was a plan for export controls to be placed on man-portable air defence systems (Manpads) and specifically for governments to ban transfers of these weapons to 'non-state end-users'. The action plan committed the G8 member states to:

- provide assistance and technical expertise for the collection, secure stockpile management and destruction of Manpads surplus to national security requirements;
- adopt strict national export controls on Manpads and their essential components;
- ensure strong national regulation of production, transfer and brokering;
- ban transfers of Manpads to non-state end-users;
- export Manpads only to foreign governments or to agents authorised by a government;
- exchange information on uncooperative countries and entities;
- examine the feasibility of developing specific technical performance or launch-control features for new Manpads that preclude their unauthorised use; and
- encourage action in the International Civil Aviation Organisation (ICAO) Aviation Security (AVSEC) Working Group on Manpads.⁵

2.2. Eurasia

2.2.1. European Convention

The European Convention on the Control of the Acquisition and Possession of Firearms by Individuals was adopted in June 1978 and entered into force in July 1982. The Convention sets up a system of controlling the movements of firearms (including SALW) from one country to another by way of two methods: notification and double authorisation. Turkey has been a party of the Convention since 1979; among the post-communist states, Romania was the first to sign it in 1995.

2.2.2. EU Code of Conduct

All EU member states subscribe to the EU Code of Conduct on Arms Exports, which was adopted in June 1998. A further 13 non-EU member states chose to associate themselves with the principles of the Code two months after it was agreed. It is a politically, but not legally binding document and therefore does not require implementation (although morally it suggests it) or ratification.

The Code includes eight criteria, through which the members pledge not to export weapons that would exacerbate regional tensions or conflict, or be used in internal repression or human rights violations. The Code also prohibits the export of land mines. Among its shortcomings is failure to address such areas as international arms brokering, licensed production agreements, end-user certification and monitoring.⁶

The non-EU member states that have adopted the Code are excluded from its key implementation tool, since they do not take part in the information exchange procedure, by which denials of export licences are circulated to other member states. This is reserved for EU member states only, due to the commercially sensitive nature of the information gathered. This is the key deficiency of the Code, which needs to be addressed.

2.2.3. EU Joint Action

The EU Joint Action on Small Arms was signed in December 1998; in July 2002, it was replaced with the new Joint Action, which incorporated the regulation regarding ammunition. This document is legally binding for EU member states and is implemented through national laws and procedures. The Joint Action aims, firstly, to combat, and contribute to ending, the destabilising accumulation and spread of small arms; secondly, to contribute to the reduction of existing accumulations of these weapons and their ammunition to levels consistent with countries' legitimate security needs; and thirdly, to help solve the problems caused by such accumulations.

2.2.4. Stability Pact

The Stability Pact for South Eastern Europe was adopted in June 1999, with the aim of providing a comprehensive long-term conflict prevention strategy for the countries of this region. One of its components is the Regional Implementation Plan for combating the proliferation of SALW, which envisages initiatives in such areas as preventing and combating illicit trafficking; disarmament, demobilisation and reintegration (DDR); security sector weapons management; transparency and accountability; public awareness; legislative and administrative capacity; and collection, storage and disposal programmes.

2.2.5. OSCE Document on Small Arms and Light Weapons

The OSCE Document on SALW was officially agreed on in November 2000. The responsibilities of states under this agreement include combating illicit trafficking; controlling the spread and accumulation of SALW; confidence-, security- and transparency building; recognising the role of the OSCE in addressing the security situation in a country; and addressing the issue of SALW in a post-conflict environment.

2.2.6. OSCE Principles on Conventional Arms Transfers

The OSCE Principles on Conventional Arms Transfers, adopted in November 1993, require states to take into account the following factors in arms transfers: respect for human rights; the internal and regional situation of the recipient state; the nature and cost of the arms; the requirements of the recipient state; the legitimate security needs of the recipient; and peacekeeping requirements. Member states should avoid transfers that will be used for violating human rights and threaten the national security of states.

2.2.7. OSCE Document on Stockpiles of Conventional Ammunition

The OSCE Document on Stockpiles of Conventional Ammunition is a politically binding instrument, adopted in November 2003. It provides practical procedures and mechanisms for the destruction of surplus stockpiles of ammunition. Its final goal is to enable participating states to strengthen their national capacities so that they can deal with specific problems on their own. The procedures and mechanisms include security measures, based on the principles of voluntariness, transparency, complementarity and sustainability.

2.2.8. Euro-Atlantic Partnership Council

The agreement to establish the Euro-Atlantic Partnership Council (EAPC) was signed in May 1997. It consists of 46 members, including the 19 NATO member states and the 27 partner countries. The EAPC has replaced the North Atlantic Co-operation Council and is the principal forum for consultation and cooperation between NATO and its partners in the Partnership for Peace (see section 2.2.9, below). The EAPC Work Programme, adopted in July 1999, makes special reference to combating the problems of SALW proliferation and misuse. However, in contrast to the other international initiatives, NATO aims to develop tailored assistance to target countries.⁷ So far, members have participated in peacekeeping operations in the Balkans and have assisted the DDR process in that region.

2.2.9. Partnership for Peace

The Partnership for Peace (PfP) was established in 1994 and currently involves 30 partner countries.⁸ It complements the EAPC in promoting transparency and building confidence between the old Eastern and Western bloc countries by instituting practical cooperation activities. These activities directly relate to national defence planning and military budgeting, regulation of national armed forces, and the development of capacity for joint action in the area of peacekeeping or disaster response operations. In addition, a PfP trust fund supports the safe destruction of stockpiled anti-personnel landmines and other munitions.

2.3. Latin America

2.3.1. Organisation of American States

The Western hemisphere was the first region to develop a legally binding treaty against the illegal trafficking of firearms. This occurred within the framework of the Organisation of American States, with the adoption of the Inter-American Convention Against the Illicit Manufacturing and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials (CIFTA) in 1997. It was also the first region to develop a system of procedures for implementing a treaty of this nature, with the adoption of the Model Regulations for the Control of the International Movement of Firearms, Their Parts and Components and Ammunition in 1998, under the coordination of the Inter-American Drug Abuse Control Commission (CICAD). During the UN General Assembly meeting held in Bridgetown, Barbados in June 2002, the subject of arms trafficking was tied to approval of CIFTA.

In 2002, the General Assembly of the OAS also proposed a solution for the proliferation and illicit trafficking of small arms that not only acknowledged and promoted aspects of CIFTA and the Model Regulations, but also issued a call to action to all OAS member states to:⁹

- Provide information by no later than July 15 of each year, with a report on the implementation of national, regional and global aspects of the United Nations Programme of Action;
- Designate a point of contact to serve as linkage with the Secretary General of the OAS and the UN Programme of Action;
- Develop a study of brokers and shippers in arms trafficking;
- Request that the Permanent Council of the OAS organise a seminar on identification, collection, stockpile management and destruction of small arms and light weapons (SALW);
- Encourage those Member States that are in a position to do so to destroy SALW confiscated as a result of a ban on illicit trafficking, as well as those under their control in excess of any legitimate need. Also motivate them to take the necessary measures to safeguard their stockpiles and weapons in their custody which are necessary for defence purposes; and
- Encourage Member States who have not yet done so to consider signing or ratifying the United Nations Firearms Protocol.

In fact, the Security Commission and CICAD launched a study in October 2002 on small arms brokering in the hemisphere and are in the process of organising a seminar on stockpile management. However, CIFTA and the Model Regulations of CICAD continue to be the most relevant mechanisms for the control of small arms proliferation.

2.3.2. CIFTA

CIFTA is the only existing legally binding regional agreement dealing with firearms proliferation in relation to law enforcement and crime control. With the exception of the Dominican Republic, all the member states of the OAS have signed the agreement and, of these, 19 have ratified it: Argentina (2001), the Bahamas (1998), Belize (1997), Bolivia (1999), Brazil (1999), Chile (2003), Colombia (2003), Costa Rica (2000), Ecuador (1999), El Salvador (1999), Granada (2001), Guatemala (2003), Mexico (1998), Nicaragua (1999),

Panama (1999), Paraguay (2000), Peru (1999), Uruguay (2001) and Venezuela (2002). Notably absent from this list are Canada and the United States.

CIFTA Articles XX and XXI establish a Consultative Committee to document the Convention's ratification and implementation, and to promote the following actions:

- information exchange, especially regarding national legislation and administrative proceedings;
- cooperation among national authorities;
- training, technical assistance and the sharing of experience; and
- measures to facilitate the enforcement of CIFTA.

2.3.3. Official CIFTA questionnaire

One of the tools used by the CIFTA Consultative Committee has been a questionnaire distributed to all OAS member states to document their national situation in view of the Convention. By May 2002, 17 of the 34 states had responded to the questionnaire: Argentina, the Bahamas, Belize, Bolivia, Brazil, Canada, Chile, Colombia, Ecuador, El Salvador, Guatemala, Guyana, Mexico, Panama, Peru, Trinidad and Tobago, and Venezuela. Twelve of the 17 respondents had ratified CIFTA, while five have not yet done so. On the one hand, it is a positive step that countries that have not yet ratified CIFTA should become involved in the process and thereby work for its implementation. On the other hand, it is of concern that four parties to the Convention – Costa Rica, Grenada, Paraguay and Uruguay – have not yet officially responded to the questionnaire.

However, there are several explanations for the lack of response to the questionnaire until now. In the case of Uruguay, it is likely that it is waiting for the final text of a new law passed in July 2002. In Costa Rica, government officials believed they had already complied with all the information exchanges through CICAD and that this illustrates certain difficulties with parallel structures within the same organisation.¹⁰ This problem was raised at the CIFTA Consultative Committee, where the recommendation was made to allow the two-fold use of reports drawn up for CICAD to respond to the CIFTA questionnaire without further effort.

An official analysis of responses to the 17 questionnaire questions indicates progress at the national level, with the promulgation of regulations regarding confiscation and the adoption of laws on arms security during export, import and transit.

Only nine OAS member states have identified national points of contact for the promotion of cooperation and information exchange, while only seven have identified national contact points for mutual legal assistance, as required by Articles XIV and XVII, respectively, of the Convention. In some cases, the information provided consists only of the name of the government agency concerned, without contact information. Despite the scant official responses to the questionnaire, it has become a useful tool for OAS member states to identify areas in need of further strengthening during the implementation process.

2.4. West Africa

2.4.1. The AU and the Bamako Declaration

The Bamako Declaration evolved out of the need for a common African approach at the UN Small Arms Conference of 2001. Following a Ministerial Conference in Bamako, Mali from 30 November to 1 December 2000, it was recommended that the following actions should be undertaken at the national level:

- the creation of national coordination agencies for small arms;
- the enhancement of the capacity of national law enforcement and security agencies and officials, including training and upgrading of equipment and resources;
- the destruction of surplus and confiscated weapons;
- the development and implementation of public awareness programmes; and
- the conclusion of bilateral arrangements for small arms control in common frontier zones.

At the sub-regional level, African states sought to achieve the codification, harmonisation and standardisation of national norms, and the enhancement of sub-regional and continental cooperation among police, customs and border control services.¹¹ In addition to the Bamako Declaration, the Organisation of African Unity/African Union (OAU/AU)¹² created the Peace and Security Council of the AU on 9 July 2002. The Council was created as a standing decision-making organ for the prevention, management and resolution of conflicts and as a collective security and early warning arrangement to facilitate timely and efficient response to conflict and crisis situations in Africa. The Protocol Relating to the Establishment of the Peace and Security Council of the AU reiterates the growing concern about the impact of illicit proliferation, circulation and trafficking of SALW on Africa's peace and security, as well as on its economic and social development. It therefore emphasises the need for a well-resolved and coordinated framework of cooperation to tackle this problem. However, for the Peace and Security Council to be formally established, a minimum of 27 ratifications are required. So far, only 15 countries have endorsed it, of which three are West African (Ghana, Mali and Sierra Leone).

2.4.2. ECOWAS Moratorium

The Economic Community of West Africa (ECOWAS) Moratorium on the Importation, Exportation and Manufacture of Small Arms and Light Weapons in West Africa was signed in Abuja, Nigeria on 31 October 1998, for an initial period of three years. In 2001, it was extended for an additional period of three years and renewed again for a further three years in the summer of 2004. There are now attempts to negotiate for a new convention that will be legally binding to replace the Moratorium when its current period lapses.

Until 1996, efforts at controlling arms flows in West Africa were minimal. By 1996, however, the search for a viable and sustainable peace in the Malian internecine conflict between the Tuaregs and Arabs in the north and the Malian government necessitated a regional approach, which eventually resulted in the adoption of a small arms moratorium.¹³ Building on the success of the Malian peace process, President Alpha Konare of Mali proposed a regional freeze on the import, export and manufacture of SALW in West Africa. Though the proposal was welcomed by some ECOWAS member states, others displayed

relative indifference to and/or ignorance of the Moratorium in advance of its adoption. However, it received active support from the multilateral organisations, and formed the basis for a number of meetings, consultations and conferences.¹⁴

West Africa's moratorium regime is composed of three main related instruments:

1. The Moratorium Declaration;
2. The Plan of Action for the implementation of the Programme for Coordination and Assistance on Security and Development (PCASED), a UN Development Programme (UNDP) programme that provides technical and operational support to the practical development of the Moratorium, and was adopted by ECOWAS foreign ministers in March 1999; and
3. The Code of Conduct, adopted on 10 December 1999. Its main components include:
 - the establishment of National Commissions in each member state (Article 4);
 - the setting up of structures within ECOWAS to support the Moratorium and to monitor the compliance of member states (Article 5);
 - the preparation of reports by member states 'on the ordering or procurement of weapons, components and ammunitions covered by the Moratorium' (Article 6);
 - the development of a regional arms register and database (Article 6);
 - the harmonisation of legislation (Article 7);
 - the training of security personnel (Article 7); and
 - the declaration of weapons and ammunition used for peacekeeping operations (Article 8).

A review of major indicators, as set out by the Moratorium itself, indicates that the performance of the Moratorium presents a mixed and modest picture. Its impact on the level of proliferation has been more evolutionary than revolutionary. It needs to be stressed that although the Moratorium was declared in 1998, the necessary mechanisms and instruments for its implementation took a couple of years to articulate and operationalise. In addition, there is a clear lack of wider knowledge on this unique process. Most of the information relating to the Moratorium has been the result of NGO activities. It would therefore be premature to issue definite and firm conclusions at this stage, particularly considering that it is the first of its kind in the world. It has by no means been a complete failure, despite some shortcomings, and it has emerged as a useful template upon which a West African SALW control regime could eventually be predicated. Furthermore, following a civil society and governmental consultation organised by Oxfam and the Government of Mali in Bamako in March 2005, the Moratorium is being reviewed with the idea of transforming it into a legally binding protocol.

2.5. Understanding the Requirements in a Comparative Manner

The sub-sections above outline a significant number of regional and international arms control measures that are all relevant to an extent to SALW control. Clearly, there is a wide and often confusing range of measures with different and often overlapping commitments and it is important to state that this very confusion is a key impediment to the successful implementation of these agreements. As will be discussed later, there is a need to streamline and coordinate reporting methods and mechanisms across a myriad of different obligations. However, at the moment, this confusion often means that implementing officials are unclear as to what their state is obliged to do or not do and often there is a need for donors and governments to work together to increase the awareness of such officials, and civil society watchdogs and gate keepers. However, the bulk of this study has concentrated on examining those agreements that are largely or wholly directed at SALW and it is the nature of these commitments that this report will concentrate on.

Table 1 examines the nature of the key regional agreements that were covered in this study. As is clear, each regional agreement chooses to cover a remarkably wide range of common issues. Therefore, it should be possible to work towards encouraging the development of common criteria across a range of different initiatives and also towards establishing a system where reporting on the implementation can work according to a relatively generic template. This would greatly assist those organisations involved in capacity building.

As Table 1 illustrates, there has been a range of commitments, extending from legally binding through to voluntary regimes. This is one of the more controversial differences and will be addressed at the end of the paper, but it is interesting to note that there is a trend towards most major arms producing regions favouring politically binding or voluntary agreements, while those countries where demand issues are more important favour legally binding frameworks. This is also reflected by the fact that relatively few major arms producing countries have ratified the Firearms Protocol.

Table 1. Major regional SALW control agreements covered in this report

Agreement:	EU Code of Conduct	OSCE/SALW Document	ECOWAS Moratorium	Inter-American Convention	OAS CICAD Model Regs.
Issue:					
Obligation	Political	Political	Political	Legal	Voluntary
Export/Import	Yes	No	Yes	Yes	Yes
National Commissions	No	Contact points	Yes	Contact points	Contact points
Stockpile management	No	Yes	No	Not directly	No
Production	No	No	Yes	No	No
Brokering	Yes	Yes	No	Vague	Transit
Information exchange	Yes	Yes	No	Yes	Yes
Marking	No	Yes	No	Yes	Yes

3. Experiences of Implementation

The key requirements of the various international agreements have been outlined above. This section will first evaluate the experience of the regions examined in implementing the key relevant SALW control measures, before concluding with a general discussion on lessons that can be learned through comparing the different agreements.

3.1. Eurasia

The Eurasia region is very geographically diverse, covering much of the Northern hemisphere. It probably has the widest range of regional and international agreements that are relevant to SALW control in the world, as well as some of the most detailed commitments. However, an important factor that needs to be taken into account with most of the agreements – whether originating from the EU, OSCE or UN – is that the vast majority of them are politically, but not legally binding instruments. While this still places an important onus on the states to implement these agreements, there is no way to ensure their adherence. On the other hand, this has meant that potentially controversial agreements are more readily achievable and an international base line of SALW norms has been introduced. The only legally binding measure in the region is the UN Firearms Protocol.

In Central and Eastern Europe, the key regional agreements are all coordinated through the EU. While these are the most detailed of all such agreements, their implementation has only been extensive in the countries that are about to join the EU, or have a realistic prospect of doing so in the next decade. Alongside the EU, the other key regional mechanisms are covered by the OSCE. The three OSCE mechanisms are important because they cover the entire Eurasia region. It is important to recognise that implementation of both regional and international agreements seems to be directly linked to the positive inducements that are perceived to exist in the form of membership of the EU and NATO. Indeed, it should also be recognised that surplus weapons stocks and SALW production can potentially be seen as important revenue generators for states and communities that are relatively poor. Therefore, it needs to be understood that the economic hardship produced by the introduction of greater SALW and other weapons control mechanisms can often be seen as an exchange for greater economic development and security guarantees in the future. As such, it is important that adherence to such control mechanisms should be borne in mind when accession is addressed by current EU and NATO member states.

3.1.1. Central and Eastern Europe

The countries of Central and Eastern Europe have shown the greatest willingness to observe international arms export requirements. It is interesting to speculate that this may well be because they are more likely to join or are already joining the EU. Another argument has also been put forward that these countries are much closer culturally to the West. However, the economic arguments are probably the most important in explaining their actions. Further, the countries of South Eastern Europe, having been in a conflict zone, have greater motivation to deal with the significant numbers of surplus weapons in the region. The success of the South Eastern Europe Clearinghouse for the Control of SALW (SEESAC) in destroying surplus arms across the region is evidence of this. Further, the expertise provided by this programme has been important in assisting states to honour their international commitments.

3.1.2. The Black Sea region

The Black Sea region is undoubtedly an area that requires greater attention from the international community. The situation in Moldova remains tense and there are still extensive stocks of small arms in private possession, especially in the east of the country. Similarly, the Ukraine remains a country whose conduct in terms of the export of arms remains open to question. Here the political will to enforce international arms control measures can be further strengthened by the international community. Turkey, Bulgaria and Romania are by far the most successful countries in the region in terms of implementing SALW agreements and commitments, reflecting, as stated above in the discussion of Central and Eastern European, the probable importance of economic development in terms of implementing SALW controls. It should be observed, though, that these countries are also the most economically developed in the region and also therefore the countries with the least to lose in controlling arms exports. The decision by Bulgaria, in the Black Sea region, to introduce the UN Firearms Protocol is probably best explained in this manner. Bulgaria used to have one of the worst records in terms of exporting arms to conflict-affected countries in the region. Therefore, in order to promote its candidacy to join NATO and the EU, it had to show the greatest willingness to introduce control mechanisms. As with the Central and Eastern European region, the Black Sea region has been affected by the conflict in the former Yugoslavia, and the UNDP and the Stability Pact have been extremely important in promoting SALW control in this region, especially through SEESAC.

3.1.3. Central Asia

The MISAC Project conducted the first major study of the small arms situation in Central Asia since the overthrow of the Taliban regime in Afghanistan. This study examined the situation in Kyrgyzstan, Kazakhstan and Tajikistan. The key finding of the report is that while there is not a problem with small arms violence at present, it is unclear to what extent small arms are in private or unregulated possession. The region as a whole has a number of potential threats to its stability, which continue to raise concern. The greatest worry is that of resource shortages, combined with poverty, and ethnic and religious tensions. Tajikistan experienced a civil war during the 1990s, but otherwise the tensions in the region have so far remained largely non-violent. The 2005 popular revolution in Kyrgyzstan, which led to the resignation of long-time president Askar Akayev, was peaceful; however, it is too early to tell what the impact of these events will be in terms of adherence to international agreements. There is also the potential of instability still emanating from Afghanistan, as well as the threat that drug smuggling could further destabilise the region. It is therefore important to work with civil society groups and the security sector in building a local capacity to monitor the levels of gun crime and the use of small arms as a conflict early warning indicator. This requires the building of the research capacity of local civil society groups, as well as improving communication between civil society and the security sector.

A key area of concern in the Central Asian sub-region is the issue of stockpile management. The lack of transparency in Central Asia means that it is difficult to assess with any certainty how many small arms there are in the region. This is an issue of special concern, as it is unclear to what extent and in what numbers small arms were left behind when the Soviet Union disintegrated. Therefore, in order to assess whether there are any

leakages or need for arms destruction programmes, it is vital that inventories be taken by the armed forces and police sectors in each of the countries examined.

There has been a general recognition in the region that there is a need for improved research on the nature of the SALW problem there, as well linkages between SALW and the international narcotics trade. There is also a need to understand the key threats to security in the region and the impact that SALW have on these conflicts. While there is general agreement between states and NGOs that the region has a number of potential threats to its security, the extent of the dangers represented by SALW remains largely unknown. The scope of the threats to peace and security includes terrorism, drug smuggling, contested borders and, most importantly, competition over key resources, including water. However, thus far there does not seem to be a major problem with small arms-related violence, although it is clear that this problem has the potential to develop in the next few years and therefore needs to be monitored. In terms of implementation, there is a lack of communication between NGOs and the state on 'security' issues, including SALW control, that is worrying, as this means that there is very little independent monitoring of state activities by civil society groups. It is also questionable as to how much knowledge many implementing officials have of the commitments that their state has made and of the extent to which there is any great political will to implement such commitments.

3.2. Latin America

Though diverse, Latin America is a very cohesive region with a large community of Spanish-speaking nations and one large Portuguese-speaking country – Brazil – that has engaged with the rest of the continent at the hemispheric and MERCOSUR (Southern Cone Common Market) levels. There are several producers in the region. Brazil and Argentina are considered to have significant arms industries, while other countries such as Mexico, Chile and Peru are considered to have small industries. Colombia and Haiti are the only countries experiencing active armed conflicts, though the social and political situations in Bolivia, Jamaica and Venezuela are fragile and have escalated into armed confrontations at times. The rest of the hemisphere is to one degree or another affected by post-conflict insecurity or high levels of criminal and/or youth violence involving small arms.

The Western hemisphere was the first region to create a legally binding instrument dealing with small arms through the Organisation of American States and its 1997 Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Explosives, and Other Related Materials. At the same time, a technical office of the OAS developed a set of voluntary Model Regulations to assist in the implementation of CIFTA. Once a year, the CIFTA Consultative Committee meets in Washington, DC to review implementation of the Convention. At present, 27 of the 33 OAS member states have ratified CIFTA; several of those that have not ratified have begun some form of implementation.¹⁵

Latin American governments were presented with some challenges when the UN adopted the 2001 Programme of Action. While there is some overlap between CIFTA and the PoA, especially in terms of combating the illicit trade in SALW, the former is legally binding, while the latter is only a political consensus document. Regional instruments such as CIFTA are mentioned, and their implementation is encouraged by the PoA, so in a sense,

implementation of CIFTA also reinforces implementation of the PoA.¹⁶ However, the technical, legal and bureaucratic requirements (e.g. National Commissions) of CIFTA, the Model Regulations, the PoA and the Firearms Protocol, in addition to sub-regional mechanisms in MERCOSUR, Central America and more recently the Andean Community, have made meeting all these requirements systematically difficult, especially for poorer countries.¹⁷

Despite the challenges of fulfilling and implementing all these agreements and mechanisms, the OAS and DDA have developed coordinating mechanisms through the UN Regional Centre in Lima (UN-LiREC), which has developed training programmes for NGOs, police and customs officials on small arms issues, while also creating a database for governments to use as support for SALW control implementation.

It can also be said that with the exception of EU/NATO/OSCE states, Latin America has the greatest and widest variety of institutional resources at its disposal to deal with SALW control. While the MISAC Project in Latin America did analyse the participation of international and sub-regional institutions in implementing SALW controls, it also assumed that of equal if not greater importance were the national and local contexts where implementation takes place, including the capacity and engagement of government institutions and civil society organisations. The remainder of the discussion around SALW control implementation will look at issues brought to light in the course of the research assessments and consultations held in Central America and MERCOSUR.¹⁸

3.2.1. Central America

From Belize to Panama, the Central American countries experience varying although generally high degrees of small arms violence and related insecurity associated with post-conflict trauma, organised crime/drug trafficking, youth gangs and the excessive availability of recirculated and new legal and illegal sources of SALW. However, in general, the SALW problem is primarily dealt with as an issue within the frameworks of organised crime and public security. The only country in the region that produces small arms is Guatemala, through its Ministry of Defence company that assembles Galil assault rifles and produces 5.56 mm ammunition, though authorities say that this is just for military and police consumption.

Every country in the region, with the exception of Honduras, has ratified CIFTA. Additionally, Costa Rica, El Salvador, Guatemala and Nicaragua made official statements regarding their implementation of the UN PoA at the Biennial Meeting of States (BMS) in New York in July 2003. The Central American Integration System's Security Commission has also made efforts to strengthen small arms control in the region through the pre-existing Framework Treaty on Democratic Security in Central America and a specific Central American small arms project that promotes the creation of national inter-agency SALW commissions, which can meet the requirements for all of the relevant international mechanisms, as well as respond to their own national legislations, policies and contexts.

The presence of UNDP-funded initiatives in El Salvador (violence reduction) and Honduras (security sector reform (SSR) and small arms control) has strengthened national efforts. The UNDP regional project for Central America has the potential to spark such efforts in the other countries. It should also be noted that each country – with the exception of Belize

has active participation from NGOs. Efforts are now under way with the support of the UNDP in Guatemala and Costa Rica.

Most government actors and a significant majority of civil society organisations in Central America focus their analysis of small arms control on the application of the relevant national legislation by the corresponding authorities, usually police, military, customs and judicial authorities. In some cases, such as Costa Rica and El Salvador, clauses from CIFTA were used to reform legislation, under the argument that these governments had already committed to such actions when they ratified that convention. In the case of El Salvador, the congressional commission reforming the arms and explosives law in 2002 was able to prohibit triangulation or re-export of small arms precisely because of an article within CIFTA. Previously, there was little political interest in including a strong article dealing with small arms exports, since El Salvador does not have a small arms industry. During the MISAC Project, the national arms laws were either reformed or brought into public debate in almost every Central American country.

Over the course of the last decade, significant attention has been paid and assistance provided for disarmament and small arms control in El Salvador, Guatemala, Nicaragua and, to a lesser extent, Honduras. For this reason, after the sub-regional research assessment of Central America, the MISAC Project chose to engage with government and civil society actors in two countries that have received less attention, but nevertheless serve as important transit points for weapons heading to the Colombian conflict and have significant levels of criminal and social armed violence within their own societies: Costa Rica and Panama. These two countries share a common border and have both undergone processes of demilitarisation, eliminating all military forces.

The Costa Rican government has played a leadership role in disarmament and small arms control in the region, based on its example of demilitarisation and extended through its activism during the Central American peace negotiations. The Government of Costa Rica, through its sustained engagement with the Arias Foundation on a variety of issues related to international, regional and national security, has provided a healthy example of how government and civil society can work together on SALW control implementation. Panama has several particularities in relation to the problem of SALW control and proliferation, including sharing a border with Colombia near zones with high levels of armed confrontation, plus a free trade zone and offshore banking facilities that provide loopholes for arms traffickers. At the same time, weapons collection programmes carried out by the City of Panama and the poor suburb of San Miguelito demonstrate the role that local governments can play in small arms control implementation, despite not having a constitutional/legal mandate in this area.

It is interesting to note that the MISAC consultation between the governments and NGOs from Costa Rica and Panama in March 2003 highlighted the following needs by the two countries in order to better implement SALW control, among others:

- to obtain more up-to-date technologies to detect trafficking between Costa Rica and Panama;
- to harmonise the collection and presentation of SALW statistics in both countries;

- to receive technical assistance to classify crimes, offences and punishments more coherently;
- to receive international expert advice on small arms destruction;
- to increase institutional capacity and financial resources for the Central American Security Commission if it is truly going to lead on SALW control at the sub-regional level;
- to work in co-operation with specialists from the public and private sectors in developing public awareness campaigns on SALW issues, risks and responsibilities;
- to achieve greater coordination between OAS and UN mechanisms for SALW control; and
- to establish multidisciplinary, inter-institutional national commissions to lead on this issue at all levels, as mandated by the UN, OAS and Central American Security Commission.

Many of these issues are probably reflected in other countries in the region and can be seen as important matters that need to be addressed when identifying SALW control measures. The bi-national seminar that took place in 2003 is now taking place again in June 2005 as a trilateral initiative involving Nicaragua as well. Despite continued internal political problems related to the destruction of surface-to-air missiles, Nicaragua has made major efforts to correct errors that led to a high-level OAS investigation of one particular deal. Now Nicaragua has taken a leading role in promoting a Central American approach to SALW and adopted a new national law that addresses the issue of arms brokering using ATT principles.

3.2.2. MERCOSUR

The regional context of armed violence in MERCOSUR countries (Argentina, Bolivia, Brazil, Chile, Paraguay, Uruguay)¹⁹ includes the following general characteristics:

- an emphasis on urban violence and criminality;
- increasing privatisation of security agencies and a lack of effective control over their operations;
- an increase in armed violence related to drug trafficking;
- problems with corruption in security and justice institutions; and
- legislative loopholes and lack of operational mechanisms to enforce compliance.

MERCOSUR contains the two most important small arms producers in the Western hemisphere after the United States, i.e. Brazil and Argentina, and for this reason, any efforts to implement greater SALW control must recognise these interests.

All MERCOSUR countries have now ratified CIFTA, and Brazil is currently the secretary pro tempore of the Convention's Consultative Committee. At the BMS, all MERCOSUR governments, with the exception of Bolivia, reported on their implementation of small arms controls.

MERCOSUR's own Joint Firearms Registration Mechanism, created in 1998, has not coalesced into a functional system for a variety of bureaucratic and political reasons. However, a more ad hoc forum known as the Firearms Working Group met three times during the period of the MISAC Project and has made some progress in agreeing to ways

of coordinating regionally the implementation of CIFTA, the harmonisation of national legislations and the tracing of weapons and explosives.

Within MERCOSUR, Brazil, and increasingly Argentina, are the only countries where SALW control is truly on the national public agenda. Recent social and political violence in Bolivia has highlighted issues of armed violence there and stigmatisation as a key triangulation point in the illicit arms trade has brought the issue to the attention of the Government of Paraguay. In Chile, the problem is subsumed into the context of public security, while in Uruguay, firearms suicide is proportionally more widespread than homicide.

As in Central America, though in even greater proportion and magnitude, debate and action in the MERCOSUR countries revolve around reform and application of national arms legislation. During the period of the MISAC Project, legislative overhauls of norms governing small arms took place in Brazil, Paraguay and Uruguay, while vigorous debates occurred within the Argentine Senate.

What appears to have had the most effect on the implementation of strong small arms controls in the region, such as the recent passage of a national law in Brazil that prohibits citizens from owning firearms and carrying them publicly, has been the political leadership for disarmament provided by the last two Brazilian presidents and highly capable and active civil society actors such as Viva Rio in Rio de Janeiro and Sou da Paz in Sao Paulo. The primary mechanism used for winning over the political leadership and national public opinion has been the use of evidence-based advocacy in the media. Demonstrating the effects on society of arms proliferation, possession and misuse and informing public opinion in this regard were the only ways to get politicians to accept taking positions that threatened the arms industry and certain institutions within government. In the second half of 2004 and the first half of 2005, the Government of Brazil, with the co-operation of civil society nationwide, has been successful in collecting and destroying more than 300,000 SALW in a buy-back scheme.

Within MERCOSUR, Rio de Janeiro in Brazil and the province of Mendoza in Argentina demonstrate once again the role of local governments in implementing small arms controls. In the case of the latter, the experience gained, the local credibility earned and the contacts made with regional and international actors through the implementation of a voluntary weapons collection and destruction scheme resulted in the appointment of the first civilian director of the provincial arms register, the provision of assistance by the UN and Canadian government for weapons destruction and arsenal management and a positive example that is now being replicated in varying forms in many other Argentine provinces.

3.3. West Africa

The majority of countries in West Africa are presently not experiencing outright conflict; however, no part of the sub-region is free from the problems of small arms. Though the Mano River region states²⁰ are the most visible areas of conflict or post-conflict, other states in the region are experiencing the devastating effects of the proliferation of small arms. Nigeria has suffered from ethno-religious clashes; while Ghana, a reputed island of peace, has also experienced violent conflicts in the north of the country in which small arms have been reportedly used. Senegal enjoys a relatively peaceful situation; however,

the eastern region of the country and the southern region of Casamance are areas of low-intensity conflict. A common defining character of SALW proliferation in West Africa is the increasing difficulty states experience in providing public security for their citizens. Non-state actors, in particular armed groups, private security companies and mercenaries, are playing an increasingly prominent role in the proliferation of SALW throughout the sub-region. Equally, the lack of sub-regional action with regard to trafficking from ECOWAS border countries is another aggravating factor.

ECOWAS was originally established as an instrument for economic integration, but now also provides a mandate for peace and security. One of the core duties of the ECOWAS Office for the Deputy Executive Secretary for Political Affairs, Defence and Security (DES/PADS) is to implement the ECOWAS Moratorium, the implementation of which is seen to be conditioned by the political and socio-economic realities within the sub-region.

The Moratorium is an essential and pioneering instrument in the battle against the proliferation and misuse of small arms in the sub-region. It was signed in 1998 for an initial period of three years and was extended in 2001 for an additional three years. Being a politically binding agreement, it has received criticism from civil society groups for being drafted in weak legal language, leaving room for ambiguous interpretations.

At the time of the adoption of the Moratorium, the UNDP, seeking to provide support for the practical implementation of the agreement, set up the Programme for Coordination and Assistance on Security and Development (PCASED). When PCASED was established, it was assigned nine priority areas, although that focus has been revised to include seven areas, including: the establishment of National Commissions; the provision of technical assistance and mobilisation of resources for these Commissions; the training of security forces; the establishment of a small arms register and database; support for arms collection and destruction; and support for awareness campaigns. PCASED's focus began to centre on building the capacity of National Commissions to perform effectively as the implementing agencies of the Moratorium. Towards the end of 2004, PCASED was replaced by a new successor organisation known as ECOSAP – the Economic Community of West African States Small Arms Project – which would concentrate on providing technical advice on the implementation of small arms controls, while a new Small Arms Unit was created within the ECOWAS Secretariat based in Abuja, in order to deal with the political aspects of the agreement (granting of exemptions, etc). This was largely as a result of the feeling among both civil society groups and donors that PCASED had been a disappointment. The shift of the project away from the UN system towards ECOWAS was seen as a vital part of grounding the project within the realities of the region and building greater ownership and awareness of the Moratorium within ECOWAS.

ECOSAP will be working with the Small Arms Unit, and the decision was made that while the project would continue to be supported by the UNDP, the positions would be paid according to the ECOWAS salary structure, as opposed to the UNDP salary structure. Furthermore, while there would be a team leader within ECOSAP, there would be no director. This was all seen as necessary in order to emphasise the importance of ECOWAS within the new implementation structure. Resource mobilisation, though, remains an issue, as the funds for this project are not fully guaranteed at the moment.

Although the African Union has started to engage more actively in small arms issues, its Peace and Security Council has still not been made operational, as the required number of states have not ratified its protocol.

The adoption of the UN PoA in 2001 did not present any fundamental challenges for the compatibility of the PoA and the Moratorium, as the criteria were essentially the same. Furthermore, the Bamako Declaration (an action plan against the illegal proliferation of small arms in Africa), the PoA and the Moratorium all provide for national coordination agencies, destruction of surplus small arms and public awareness programmes. In practical terms, the different agreements are highly compatible and the difference is merely semantic. To date, ten of the 15 West African states have made official statements on the implementation of the PoA.²¹

In an attempt to coordinate the implementation of small arms agreements in West Africa, the DDA established a mechanism through the UN Regional Centre for Peace and Disarmament (UNREC) in Togo. The mandate of UNREC is to provide African states, in cooperation with the AU, with disarmament programmes and research on small arms in order to facilitate the implementation of relevant disarmament initiatives.

The UN Firearms Protocol is the only legally binding agreement in West Africa. However, to date, only seven of the 15 West African countries are signatories to it, and only four states have ratified the agreement.²² Although the Protocol is legally binding, it has been questioned in the sub-region as, compared to the other agreements, it has a very narrow definition of firearms and excludes explosives and their devices, as well as state-to-state transfers.

Civil society in West Africa has played an active role in addressing the challenges of small arms proliferation and has actively supported government action, provided input in regional policy making on small arm controls and initiated advocacy initiatives. However, the inclusion of civil society in National Commissions still needs to be put into practice in most countries. Civil society groups shadowed the official evaluation of the Moratorium and carried out their own review of it. The civil society evaluation recognised the significance of the Moratorium, but concluded that the existing loopholes and inadequacies hamper effective arms control in West Africa.

In 2005, Oxfam, in collaboration with the Government of Mali and ECOSAP, produced a draft text of a convention for the ECOWAS region. This text is intended to replace the Moratorium when it is next due to be renewed in 2007. When the text was discussed in detail by the participants, a clear wish to move towards a convention was displayed by the civil society and governmental representatives who attended the meeting. While the specifics of the final draft are yet to be clarified, the initial text was an attempt to widen ECOWAS small arms policy to ensure that a broader range of issues, such as brokering, would be included.

3.3.1. Ghana, Senegal and Nigeria

Despite growing crime rates and low-level conflict in some of the regions in Ghana, Senegal and Nigeria, these three countries benefit from a relatively peaceful situation in comparison to many of their neighbours. Although substantial challenges remain in terms of resources, the three countries demonstrate relatively strong political will to implement existing

agreements. Particularly in Ghana and Senegal, the government and civil society collaborated closely on small arms issues; and in Ghana and Nigeria, civil society is represented in the National Commissions. The existing conflict nexus in the Mano River Union has had destabilising effects on Ghana and Senegal and has increased the illegal trafficking of small arms. The difficulties the countries are facing in enforcement of border controls have led them to engage actively in international initiatives to control the small arms proliferation.

At the national level, the Moratorium appears to be the main instrument for the implementation of small arms control, serving as a reference document and institutional framework for addressing the illicit circulation of small arms. The three countries have also participated in the evaluation process of the Moratorium and in its additional protocol requirements.

Small arms control mechanisms are relatively well developed in the three countries, although the lack of resources is severely hampering an effective implementation. In addition, the different levels of commitment from the governments to address the small arms issue are reflected in the varying degrees of autonomy provided by the National Commissions. In Ghana and Nigeria, the absence of formally and legally established National Commissions hinders their autonomy, which in turns affects the development and implementation of small arms control policies. The lack of financial independence of these structures remains a challenge for the National Commissions' mandate. Further, the National Commissions of the three countries are not endowed with the necessary resources to effectively implement policy measures and activities in an autonomous manner. Although they remain key structures for the control of SALW, the levels of staffing, expertise and financial resources are often inadequate to their role and tasks. This has, for example, hampered the setting up of documentation units and computerised SALW registries, which would represent a major step in the implementation and subsequent enforcement of SALW controls.

The adoption of the UN PoA has provided an opportunity for the countries to participate in an international small arms control mechanism and has given an added impetus to advocacy and action by civil society and the national governments. This has also led to an increased political will to address the illicit flows of small arms. However, Senegal is the only state out of the three to have submitted a report on the implementation of the PoA, which only mentions the destruction of 8,000 small arms in March 2003. Senegal is also the only country of the three to have established a National Point of Contact, as outlined in the PoA. During the 2003 BMS, Senegal, represented by experts from the National Commission, reinforced its commitments to legislation and brokering and launched an appeal to include the fight against small arms in poverty reduction strategies in developing countries. Nigeria and Senegal have signed the UN Firearms Protocol, but have yet to ratify it. However, the UN processes remain largely in the ownership of government representatives, which becomes problematic, as greater public awareness has been identified as fundamental for their successful implementation.

The degree of cooperation between civil society organisations working on small arms issues and national governments varies. Representation on the various National Commissions is not always the best indicator when assessing collaboration between the Commissions and civil society organisations. The question of collaboration between civil

society and government has been particularly challenging in Nigeria, where the organisations represented on the National Committee were not considered to have much legitimacy with regard to SALW work and expertise. However, there are positive indicators that coordination between government and civil society is increasing and improving. This amelioration comes largely following the creation of the Nigerian Action Network on Small Arms (NANSA) in 2004, which works closely with the National Committee. The case of Senegal demonstrates that, although civil society organisations might not be directly represented on the National Commission, they are encouraged by and actively collaborate with it.

The economic and social situation and growth of criminal activities in these three countries contribute to increased feelings of insecurity. These factors fuel the demand for SALW, which are often readily available. This is due not only to conflicts in neighbouring countries, but also to past conflicts in these countries, and the subsequent failure to successfully carry out disarmament programmes. The challenges faced by the National Commissions are strongly linked to these issues, and SALW control policies incorporating responses to these problems need to be developed in Ghana, Nigeria and Senegal.

4. Towards Effective Implementation

The MISAC Project was intended to monitor the implementation of international and regional SALW measures. The key hope at the inception of the project was that there would be some specific recommendations for each country studied. Country-specific recommendations of this kind are included in the Country Studies on the CD-Rom attached to this report. However, there were a number of generic or global recommendations that emerged out of the comparative nature of this project, specifically where there were common problems or else a tactic emerged that had worked in one region and was worth introducing in another.

4.1. Building Networks

A key issue that has been highlighted in all the cross-regional meetings organised as part of the MISAC Project has been the need to develop peer-to-peer networks of implementers, both within countries and more specifically across national boundaries, as well as between regions. The importance of occasional face-to-face meetings is a key aspect of trust building and while there are often official networking opportunities through Interpol, the UN or regional institutions, these opportunities often occur at the senior management level rather than at the implementer level. Similarly, (although with more exceptions than at the official level) at the IANSA level, the participants are also often from senior management, so the opportunity for peers at the implementation level to interact is limited. While in high-level meetings this is unavoidable, it is important that alternative processes that include implementation level participation take place. Feedback from officials following the MISAC Central America consultation established that this was one of the most important roles that the meeting had played. It encouraged greater cross-border co-operation between Panama and Costa Rica, as well as facilitating invaluable peer experience exchange.

Furthermore, there is also the need to build links between those who are enforcing/implementing legislation and government policy and civil society groups who play both a public information role and a watch-dog role. At the consultation in Central Asia, we found to our surprise that this was one of the first times that individuals from the security sector (police, border guards, military, customs and intelligence services) and civil society groups had sat down together in a non-confrontational manner in order to discuss a common security issue. For effective implementation, civil society and government dialogue needs to be encouraged – ideally through regular and inclusive consultation and civil society participation in National Commissions.

Finally, one of the most useful aspects of the MISAC Project was the opportunity granted for partners from different regions to meet each other. While often international NGOs such as International Alert, as well as others, including SaferAfrica, SaferWorld, the Bonn International Centre for Conversion (BICC), the Groupe de Recherche et d'Information sur la Paix et la Sécurité (GRIP) and, most importantly, the Small Arms Survey, have worked in many different parts of the world and have run seminars based on learning from one region in a different region, there has been relatively little opportunity for people addressing SALW issues from different regions to meet each other. While IANSA has to an extent played this role among civil society organisations, the opportunity for this at the official or implementation level has been restricted largely to UN-organised meetings, which again tend to draw participation from senior officials rather than implementers. For instance, during the MISAC cross regional workshop it emerged that there are many important lessons from the

Brazilian experience of domestic SALW control that the West African participants felt were of direct relevance and use in the context of their region, particularly in urban environments.

4.2. Awareness Raising and Capacity Building

A strong issue that emerged from the research conducted, especially in West Africa and in Central Asia, was the lack of knowledge of even the existence of regional and international commitments among both the general public, but, more importantly, those officials on the ground who are expected to implement these commitments. This is a key barrier to implementation that is in some ways more important than simple political will. The reasons for this ignorance can be the fact that implementation of the agreements may be seen as a low priority by governments, but also more generally resource mobilisation issues. In West Africa, PCASED was expected to provide technical advice on the issue of SALW controls and National Commissions, but unfortunately, due to lack of resources (both financial and manpower), this organisation was unable to fulfil its mandate. The newly created ECOSAP is going to be important in filling this gap, but donors need to ensure that the appropriate expertise is recruited into this organisation (alongside the newly established Small Arms Unit of the ECOWAS Secretariat). It is important to recognise that SEESAC has been a significant success in South Eastern Europe in part due to the emphasis on the need for technical knowledge among the staff. This should be replicated in other similar organisations.

There is a need for donors and states to promote greater awareness of international agreements among lower-level implementers. This needs to include capacity building training of implementers and the incorporation of small arms training into SSR processes, where relevant. Similarly, governments should seek to include implementers in national delegations during international meetings. This will not only raise the awareness of the individual implementer and his or her colleagues, but will also give the career diplomats negotiating the agreements a greater understanding of how such agreements can be better structured in order to assist implementation.

It is also important to foster greater peer-to-peer information exchanges – at the civil society level and the official level. At a basic level, this could involve sending law enforcement officers to other countries that have faced similar problems, but could also involve taking professionals from one country to another to conduct training in specialist techniques (e.g. stockpile management, weapons destruction, weapons forensics, etc). It is also important to note that donors should make every effort possible to ensure that the appropriate officers or officials are involved in such training. Civil society groups can also benefit from similar awareness raising and capacity building, either alongside government officials or in separate but similar programmes. Examples of capacity building with significant peer-to-peer elements for civil society groups include research methods training and advocacy training.

4.3. Use of Positive Inducements

One of the greatest successes observed in the MISAC study in terms of the progressive improvement in the implementation of agreements was in Central and Eastern Europe. It is worth observing that while the states there did have technical and resource advantages, a key reason behind this success that needs to be acknowledged was that they were

strongly motivated to succeed. The power of the positive attraction of membership of the EU and NATO was a significant inducement for ensuring that, along with many other issues, countries in the region chose to become exemplary in their adherence to SALW controls, especially with regard to the introduction of export criteria and transfer controls. This is perhaps best illustrated by the fact that Bulgaria, which previously had been seen negatively, became the first European country to ratify the Firearms Protocol. It is interesting to note that of those European countries which have ratified the Protocol the vast bulk are countries which have either recently joined the EU (Cyprus, Estonia, Lithuania, Slovakia and Slovenia) or are countries who are currently in negotiations about joining the EU (Bulgaria, Croatia, Romania and Turkey).²³ It is therefore important that the EU member states continue to insist that stringent export controls and other SALW control measures become included in EU accession criteria.

Globally, this represents perhaps a greater challenge, as the use of inducements can be seen as directly challenging another state's national security. However, it is important to recognise that the success in terms of implementing SALW controls in SALW producing countries does imply at least the potential for significant economic damage, often in economies that are not necessarily able to take such damage lightly. For instance, in many parts of the former Soviet Union, closed cities in geographically isolated areas were often chosen to be the locations of weapons factories. These remote cities often have no other major industry and therefore donor attention might include the provision of financial assistance to aid conversion. In West Africa, donors should also consider the provision of inducements such as retraining for producers of craft weapons. While there seems to be less of a reason to include inducements in weapon afflicted societies, inducements have been seen as important in helping encourage DDR processes and weapons collection projects. Weapons for development projects should be included, where relevant, in DDR strategies, recognising that as there are often significant human security fears at the start of a DDR process, many weapons will not be handed in initially, so community disarmament needs to be recognised in post-conflict donor strategy. Therefore inducements must be tailored to the needs and circumstances of a country and ideally play a role in improving the rule of law.

In Latin America, Brazil used a combination of carrots and sticks to deal with the illegal re-export of legally exported Brazilian SALW to Paraguay, partly because of the strong bilateral and MERCOSUR relationships. However, within the region in general, inducements such as those motivating good behaviour by countries wishing to join NATO or the EU do not exist.

4.4. Liaison with Civil Society

It is often the case that greater expertise on the issue of SALW can exist within civil society groups. Furthermore, these groups can also play an important monitoring role, as well as raise awareness and campaign on these issues. For this reason, there is often reluctance among officials to involve civil society groups, yet there are also significant gains to be achieved if it is possible to include them. In the cases of Ghana and Senegal, there have been positive relations between civil society groups and the government. This, however, has not been the case so much in other West African states. In some Latin American

countries, such as Guatemala and Brazil, IANSA member organisations are official members of national SALW commissions. Donors, when considering SALW strategy in a country, should continue to see support for civil society in its research and awareness raising role as vital. Furthermore, the fostering of successful civil society–security sector co-operation should be encouraged when supporting initiatives such as weapons collection projects. The security sector may either deliberately or through ignorance not understand the important role that civil society groups can play, for instance, in working with groups who are hostile to or suspicious of the police. Therefore, it is important that such co-operation be positively encouraged.

4.5. Brokering

The brokering of arms transfers is an important issue, as it is a legitimate business that is simultaneously a key route by which licit SALW transfers enter the illegal market. This means that it is a key issue that clearly lends itself towards international regulation and is one that is vital to ensure that the illicit trade in SALW is curbed. This is an issue that is not addressed by the ECOWAS Moratorium and only alluded to in the case of the OAS, but is covered in Europe (as well as two other major regional arms control regimes that were not covered in this study: the Nairobi Declaration and the SADC Firearms Protocol). Brokering is important because increasingly, as international regulation in some parts of the world controls it, the more questionable brokers will start to move to countries where they are able to work with greater flexibility. It is therefore important that, in the case of the European Union, serious consideration is given to whether this should become the subject of a legally binding control measure rather than politically binding agreements such as the 2003 Council Common Position. Furthermore, in the case of the OAS and ECOWAS, this issue should be addressed as and when the relevant protocols and conventions are revised – and ideally this should also be addressed in any revision of the PoA. This is an important measure in dealing with the supply side aspects of the implementation of SALW control measures. Recent legal reforms in Nicaragua and Paraguay, two places where illegal triangulation has taken place in non-producing states, demonstrate the importance of addressing brokering, as well as the ability of the international community to influence positive changes in behaviour in small states with relatively weak institutional capacity.

4.6. Stockpile Management

A key issue of concern in every region discussed has been that of stockpile management – that is, the good management of government (and, where relevant, private) weapons stockpiles. While the OSCE has made the greatest strides in developing sound mechanisms for stockpile and armoury management, this is still a neglected area.²⁴ It is an issue that needs to be addressed by all governments that are serious about stemming the flow of licit weapons into the illicit market. In Central Asia, this was raised by several sources who wished to remain anonymous as an issue of special concern – not least as the armed forces had inherited significantly more ammunition from the Soviet military than they could ever fully use. Further, there is evidence that lax stockpile management has contributed to the international trade in SALW, therefore, as a matter of priority, there should be a programme for the destruction of surplus SALW, especially during the process

of DDR, and emphasis on stockpile management using the good practice already available through the OSCE would be a very positive step in any SSR projects. Further, good-practice regimes where possible should include the use of armouries for storing legal weapons when they are not in use. In Latin America, there is some evidence that weapons that are owned by the security forces are used for both criminal activities and domestic violence – therefore it is important that safe storage be implemented.

4.7. SSR and the Privatisation of Security

An important interlinked issue to that of efficient SALW control measure implementation is that of SSR. It is vital that the above key lessons as they are relevant to SSR be taken fully into account as part and parcel of any donor SSR strategies. As with many other conflict issues, the effective implementation of SALW control is inextricably linked to good governance, civilian control of the security sector, professionalisation of the security sector, accountability and transparency.²⁵ Ultimately, the efficiency of any international control instrument or national legislation will be dependant on the individual implementer on the ground. Inevitably the inter-agency nature of SALW control means that it is an ideal issue through which to address SSR issues. Therefore, where donors are already addressing SSR issues, consideration should be given for to inclusion of SALW National Commissions in any SSR project – indeed, a National Commission could even be seen as an ideal entry point for a reform process.

A key issue that emerged in all the regions studied was that of the privatisation of security. In many states, especially post conflict, there are sizeable armed groups that exist legally inside the country, namely private security companies. These companies are important to include in any SSR analysis and mapping process. Specific issues of concern regarding SALW control and private security companies are the nature of weapons storage and registration; whether guards own their own weapons and take them home with them; background checks on employees; licensing and accountability, especially if they use their weapons; as well as the importance of using appropriate weapons (i.e. not assault rifles). This sector is often overlooked and needs to be addressed when conducting a holistic SSR strategy.

5. Conclusion

This study has covered 29 countries in three important regions of the world and as such has been able to review a wide range of different initiatives and contexts. While many of these instruments and mechanisms are useful reference points for the international community to use in holding governments accountable for their implementation and are also useful in identifying poor behaviour, they also represent the codification of emerging international norms related to SALW production, transfer and use. Therefore, the implementation of these norms cannot be expected to be immediate and across the board. Democracy, stages of conflict, political cycles, national legislative processes and a host of other factors affect their potential implementation. However, engaging with others internationally or within the regions where progress is being made can open peoples' and their institutions' minds to future possibilities and ideas that could be adapted to local realities. While there are technical tools for dealing with SALW trafficking and misuse, such as computerisation and forensic technologies, there is still the need to build personal and institutional relationships across borders to prevent illicit weapons flows.

Each government places different degrees of importance on different initiatives at the UN, regional and sub-regional levels. Governments with little financial and limited human resources have a difficult time in making sure that all levels of implementers are versed in each treaty or agreement. For this reason, it is important that national laws and policies reflect the international norms that have been agreed to. The motivation of joining NATO or the EU has been a positive factor in getting governments to modernise SALW legislation and practice in South Eastern Europe. However, in Latin America and Africa, there is no similar motivation. Many governments that do not produce or officially export SALW have often neglected dealing with exportation or brokering in their national legislation and this has made them easy targets for illegal transport and triangulation.

SALW control is the first arms control matter that is truly multidimensional in that it cuts across many different spheres of action and influence. On the issue of security alone, SALW are dealt with in international, regional, national, human, public and private security frameworks. This requires a broader mix of actors from different civil society and gender perspectives in order to respond appropriately and comprehensively. However, while many governments are willing to engage with both collaborative and critical elements of civil society, most are still hesitant, either out of self-interest or lack of practice in constructive engagement with NGOs and other actors.

Finally, the true value of SALW control initiatives to date has not yet been seen in terms of major reductions in proliferation and armed violence. Rather, it has been an opportunity to use the very tangible problem of weapons and violence as a way of bringing together diverse sets of actors to deal with broader issues of security sector transformation and good governance. It is important to note that while the presence of small arms is not a direct cause of conflict, they are a very important variable in accounting for the scale, nature and violence level of a given conflict. As such, they are a very important development and post-conflict reconstruction issue and are vital to understanding the nature of human security in any given region or country.

6. Key Global MISAC Recommendations

1. Donors and regional bodies should support mechanisms through which networks of key implementers can meet with each other in order to facilitate informal communications and bilateral experience sharing in both formal and informal settings.
2. Greater attention should be given to fostering cross-border cooperation and communication between implementing officials of neighbouring countries.
3. A major barrier to the implementation of international SALW controls continues to be a lack of awareness of these initiatives among civil society organisations and implementing officials. Attention should therefore be given to targeted awareness raising and capacity building.
4. SALW control initiatives will be greatly aided if there are clear gains in doing so for those states implementing initiatives. It may be necessary either to support awareness raising of officials and politicians to indicate what such gains are, or else to give attention to the positive economic consequences of successful implementation.
5. It is important to ensure that donor support is coordinated in such a way that cooperation between implementing agencies and civil society groups is encouraged.
6. International SALW control instruments, where relevant, need to be updated to include brokering, especially in those countries that are neither producers nor exporters.
7. Stockpile management is a key tool to help limit the entry of licit weapons into the illicit market and should be supported more robustly.
8. SALW control can be a useful entry point in an SSR project and the issue of improving the capacity of those law enforcement officials implementing SALW control measures should be considered.
9. It is important to take into account private security companies in any SSR strategy and examine the training and professionalisation of employees, as well as encourage best practice in terms of SALW usage and storage.
10. Now that it has entered into force much more international advocacy work needs to be carried out to encourage more governments to ratify the UN Firearms Protocol.

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Endnotes

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12. The OAU became the AU on 10 July 2002.
13. Following the signing of a peace agreement in April 1992, sporadic clashes and banditry persisted. Upon the invitation of President Alpha Konare in December 1993, a UN fact-finding mission concluded that the scourge of small arms proliferation in Mali was significant and required a regional approach, since most of the weapons were coming from neighbouring states. UN agencies and NGOs provided funds to establish infrastructure in the north, and to demobilise and reintegrate combatants. A total of 27,000 SALW were collected from the rebels, and were burnt at the 'Flame of Peace' ceremony in Timbuktu on 27 March 1996. See Musah, A., 'Small Arms and Conflict Transformation in West Africa', in A. Musah and N. Thompson (eds.), *Over a Barrel: Light Weapons and Human Rights in the Commonwealth*, New Delhi and London: CHRI, pp. 11–18.
14. The UNDP and UN Institute for Disarmament Research (UNIDIR) hosted a sub-regional conference (UN Conference on Conflict Prevention, Disarmament and Development) in Bamako, Mali, in November 1996. In April 1998, the Norwegian Institute for International Affairs convened the Oslo Platform for a Moratorium.
15. All governments that participated in the MISAC Latin American consultations had ratified CIFTA.
16. For specific information on the implementation of the UN PoA by Latin American countries, consult the BMS report produced by the Biting the Bullet Coalition and IANSA, July 2003.
17. The only Latin American countries to ratify the UN Firearms Protocol to date are: Costa Rica, El Salvador, Guatemala, Jamaica, Mexico, Panama and Peru.
18. It should be noted that MISAC has also engaged in a research assessment of the Andean Community, but this work was not yet complete at the time of the Panama and MERCOSUR workshops.
19. It should be noted that Peru has initiated the process of becoming an associate MERCOSUR member, like Bolivia and Chile.
20. The Mano River Union consists of Sierra Leone, Liberia and Guinea
21. Benin (2003); Burkina Faso (2002, 2003, 2005); Gabon (2005); Gambia (2003); Guinea (2004); Mali (2003, 2005); Niger (2003, 2005); Sao Tome and Principe (2003); Senegal (2003); Togo (2005). Available at <http://www.disarmament2.un.org>
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