

# **The Scourge of Small Arms**

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## Preface

In March, May, and June, 1999, the World Peace Foundation and the Fund for Peace convened a set of discussions about the place of small arms and light weapons in global conflict and development, and whether and how to recommend coping with the increased saliency of small arms and light weapons as threats to world peace. More than forty individuals -- United States government officials drawn from the Department of State, the Agency for International Development, the Department of Defense, the Treasury, and the Central Intelligence Agency; officials from the United Nations; representatives of a dozen US and internationally based nongovernmental organizations; and a number of academics and experienced small arms researchers --- participated candidly, openly, and vigorously in these meetings in Washington. (A list of participants, minus the names of several who did not wish to be identified, is attached to this report.) The discussions, and this report, were generously supported by James R. Compton and the Trustees of the World Peace Foundation.

*The Scourge of Small Arms* represents the opinions and conclusions of its authors. But it also reflects the sense of the meetings in March, May, and April, and in a number of important respects draws on the formulations, approaches, definitions, and strategic ideas of the participants. Alix de Mauny and Rachel Gisselquist prepared summaries of the meetings for participant use, and the authors have used those private records extensively.

After assessing progress to date, this report argues that a number of critical foreign policy goals, primarily the pursuit of world peace and limiting the destructive nature of intrastate conflict, can only be achieved by reducing the spread and recirculation of small arms and light weapons throughout the world, especially the developing world. Reducing the availability of those weapons, which are responsible for much more death and destruction in the wars of the late 1990s than larger conventional weapons systems, is a goal of paramount importance for global order in the next millennium. Cognizant of all of the initiatives currently directed at reducing small arms, the participants concluded that there was more still to be done. The report's final recommendation urges the establishment of a continuing US-located forum to advance and monitor progress on small arms reduction, and to further the report's other recommendations.

The bulk of the recommendations that follow are directed primarily at the US government and at US policy making, but a number are also directed at other governments. They are culled from a much more extensive draft list of recommendations that was discussed at the final meeting of the group.

The recommendations are preceded by an abbreviated analysis of the small arms problem, a description of current international official and NGO approaches to the problem, and a description of US policy realities and initiatives.

Pauline H. Baker and Robert I. Rotberg organized and convened the meetings. They gratefully acknowledge the significant assistance of the funders; of Kathi Austin, Michael Klare, and Lora Lumpe, who helped to stimulate and direct the Washington discussions; of Herbert Calhoun, Katherine Joseph, and Nazir Kamal for their contributions to this report; of Hogan & Hartson, which kindly provided the venue; of Rachel Gisselquist for her work in readying this report for publication; and of Maeve McNally, who organized the meetings in Washington.

## **The Scourge of Small Arms**

Small arms and light weapons – assault rifles, machine guns, hand grenades, shoulder-fired rockets, and other weapons that can be carried by an individual soldier – are the instruments of war most commonly employed in the terrible small wars of the post-Cold War era. As ethnic and internal conflicts proliferate, the flood of small arms becomes a relentless tide -- their easy availability in an international environment that tolerates violence leading to waves of human suffering and deaths too numerous to count.

Casualties caused by intrastate conflict, overwhelmingly those of innocent civilians, number about 4 million in the 1990s alone. The United Nations reports that eighty percent of those killed have been women and children.<sup>1</sup> The two-decade-old war between north and south in the Sudan has claimed about 2 million people. The bitter ebb and flow of battle in Angola adds another 1 million to the total. Between 500,000 and 800,000, mostly Tutsi, were killed in the Rwandan genocide (many by machetes backed up by guns). Several hundred thousand have been killed in neighboring Burundi. The Liberian and Sierra Leonean conflicts left another 500,000 dead. About 70,000 have been killed in the Sri Lankan civil war. There have been or are intrastate wars in the Balkans, Russia, Kyrgyzstan, Tajikistan, Afghanistan, northeastern India, Burma, Indonesia, the two Congos, Mozambique, Somalia, Uganda, and on and on.

“More people have been killed by small arms and light weapons in recent wars than by major weapons systems.”<sup>2</sup> Likewise, millions have been wounded, forced to flee from their homes, become internally displaced persons and refugees (22 million worldwide, 8 million in Africa), been reduced to poverty and hunger, or been compelled to become wards of international rescue and relief endeavors. Economic development efforts have been undermined or halted, medical costs increased, and promised improvements to living standards and life styles denied. The proliferation of small arms fuels drug trafficking, terrorism, organized crime, and much more.

Not every massacre has resulted from the easy availability of small arms. Cause and effect is impossible to establish. But in every recent case of large-scale mayhem, intercommunal conflict, ethnic or religious hostility, and racial violence in the developing world, small arms have been used to increase the scale and carnage of the fighting. Absent AK-47s or Uzis, inexpensive and universally accessible, intercommunal combat would have been harder to mount, genocidal instincts more difficult to fuel, and conflicts over perceived differences and competition for resources much less destructive. The impoverishment and immiseration of much of the developing world cannot be ascribed solely either to war or to the ease of acquiring small arms. But the destructive quality of small arms, and their ubiquity, has hardly eased efforts of economic development.

Small arms are the weapons of choice in the brutal local wars of our era. They are portable, easily manufactured and readily procured, capable of being repaired in unsophisticated surroundings, and increasingly affordable. They are manufactured in both the developed and the developing world, sold legitimately to armies and police forces, and then abandoned or declared surplus. Supplies so far exceed likely demand that real prices have fallen steadily during the decade; indeed, as fewer new weapons are produced today, so stocks of old, still lethal, guns are increasing. Ammunition is also relatively inexpensive and readily available.

The destructiveness and indiscriminate use of these cheap weapons adds a modern potency, and makes killing an adversary or a bystander that much more dangerous. This decade's rapid-fire assault weapons, automatic pistols, submachine guns, and so on kill, maim, and wound much more quickly and with much more force than the guns of the past. Some automatic rifles, like the Brazilian MD2, fire 700 rounds a minute. All of these new weapons are easy to use, durable, and comparatively light. Given the low cost and widespread availability of these weapons, non-state actors can acquire more potent arms capabilities than the state, as in Sierra Leone.

Any group in the developing world that wants to settle a score with an opposing group can now do so with modern, highly-capable light weapons. That is what is new in the wake of the breakup of the Soviet empire, the weakening of European post-imperial ties to former colonies, and the dismantling of global power blocs and power brokers. There are few legal or practical methods of curbing the availability of small arms in the developing world. Gun control laws, if any, are unenforceable. Arms trafficking is well-organized and profitable. Arms legally transferred from the West to the developing world are numerous and easily diverted from appropriate to illicit recipients.

Exact numbers of arms in circulation are not known, and are difficult even to estimate reliably. But where there may have been 40 million military-style small arms in the developing world in 1990, at the end of the decade there may be as many as 100 million (a conservative figure) to 500 million (a not implausible but not well accepted figure).<sup>3</sup> "Military-style" denotes weapons used Rambo-like, in the twenty or thirty intrastate insurgencies that, in any one year, shatter the peace of the contemporary world.

The global trade in these weapons (and ammunition) may be worth \$7 billion a year, starting with their manufacture in seventy countries, nineteen of which are developing nations.<sup>4</sup> Diffusion is easy: through government-to-government transfers and sales, from private suppliers to governments or private merchants abroad, from governments covertly to insurgents, by transfer from governments to ethnic militias or death squads, through theft from official arsenals, and by black market trafficking. The complete dimensions of this multifaceted trade are not known. Just as exact numbers of weapons manufactured, shipped, and employed are not yet known, so even the precise contours of legal transfers from governments to governments are thus far poorly documented. An illegal trade also flourishes, but how many arms move, how, and to whom, are closely guarded secrets.

Among the seventy manufacturers of small arms around the world, Belgium, Brazil, Britain, Bulgaria, China, Czechoslovakia, Egypt, France, Germany, Israel, South Korea, Russia, Singapore, South Africa, and the United States are the leaders. But even some poor and weak states, like Zimbabwe, produce and sell small arms. Detailed information about who makes what, and how much, is sparse. Indeed, licensed and unauthorized makers and sellers of arms are even harder to catalogue than the already evasive major producers. Additionally, local forces can produce their own crude guns. Of exporting countries, only the United States issues annual statistics on arms exports (in reports to Congress). Even those countries, like Belgium, that are officially anxious to reduce the spread of small arms, protect their own manufacturing industries by refusing to release information on numbers and destinations. That is a common pattern. Even, as in the United States, where official exports are known and documented, it is often

difficult to know for sure to whom weaponry is ultimately transferred.

The overall dimensions of small arms production in the late 1990s is therefore known only generally. None of the standard sources on the international arms trade include information on small arms. Likewise, although a data base exists of 7000 companies throughout the world which manufacture and supply small arms and light weapons, not all weapons transfers, and few illicit ones, are recorded.<sup>5</sup> As a result, there exists little systematic data (outside of whatever Interpol may have developed) on the black market arms trade. Except anecdotally, how this illicit trade moves and is financed is known only generally, but without precise figures for aggregated value, size, routes, users, and financing.

Accurate manufacturing numbers and statistics on the licit and illicit export of small arms from suppliers to users (especially into zones of conflict) would provide a strong evidentiary foundation and permit further research. But another aspect of the small arms and light weapons issue that commands attention is the vast hoard of old and new weapons left over from earlier wars and discontinued production lines. During the Cold War, both superpowers and their principal allies produced millions of small arms, many of which remain fully operational. These surplus weapons are everywhere, and easily procurable. A small arm's life-cycle ends only with its destruction; but the demobilization and disarming of combatants and the destruction of their arms, plus buybacks and other incentive schemes to purchase guns from citizens (and then destroy them) have thus far had a limited impact on the quantity of small arms and light weapons in circulation.

"The challenges posed by the diffusion of small arms and light weapons are far more complex than those posed by the sale of major weapons systems."<sup>6</sup> Large weapon systems stay in the hands of regular forces, are fewer, more expensive, difficult to maintain, and hardly handy for insurgents. Light weapons do the job without fixed emplacements and are readily adaptable to the hit-and-run methods of small-scale, high-casualty campaigns.

This report could say much more about the destructive capabilities of small arms in the predominant forms of intrastate violence that punctuate the final years of the twentieth century. But there is an abundant literature that catalogues the linkages between small arms and humanitarian destruction. Without hyperbole, that literature makes a solid humanitarian case for reducing the global proliferation of small arms.<sup>7</sup> If the killing fields of the globe are to be limited, then it is essential to find ways to reduce supplies of the lethal light weapons of choice, and particularly to prevent the transfer of those small but murderous methods of destruction to groups bent on ethnic cleansing, religious extermination, and caste warfare. Equally pressing is the need to collect and destroy arms from areas recovering from conflict and to prevent their recirculation to new areas of combat.

If reducing the availability of small arms and light weapons in order to reduce the destructiveness of intrastate conflicts in the developing world is a goal, and if reducing supplies of small arms could conceivably limit the number of new civil wars, another approach is to reduce the demand for guns and other light weapons by improving growth and employment prospects, uplifting the regions where so much mayhem now occurs, and moderating competition for scarce resources between hostile groups. Increased economic assistance from the developed world to the underdeveloped, and more trade

opportunities, should, following this approach, reduce the demand for small arms and light weapons.<sup>8</sup> Thus this report, as much as it focuses on the understanding and limiting supplies, recognizes the importance of and does not neglect the relevance of alleviating the conditions that exacerbate the violent settlement of disputes.

## **The Internationalist Response**

An awareness of the global small arms problem, and concerted efforts to analyze it and to develop approaches to curtail its spread and destructiveness, are products of the post-Cold War era. That period has seen a great increase in the transfer and marketing of small arms, and an unleashing on several continents of vicious intrastate hostility between ethnic, religious, linguistic, and racial competitors. The United Nations and other international bodies have attempted to respond to this new threat to world peace. In September 1999, at the United Nations, Secretary General Kofi Annan said that "the world must seize every opportunity to reverse the global proliferation of small arms and light weapons."<sup>9</sup> In subsequent speeches in the Security Council, Secretary of State Madeleine Albright, Foreign Secretary Robin Cook, and Dutch Foreign Minister Jozias van Aartsen echoed the secretary-general's resolve, as well as the rhetoric and initiatives of many non-governmental organizations. Within the United States there have been a variety of approaches and initiatives at both the governmental and non-governmental level. We discuss these endeavors and activities in turn.

For most of the Cold War era, small arms were considered insignificant when compared to the major weapons systems found in the arsenals of the major powers and their allies, and of little impact on potential conflict in Europe and other arenas of East-West confrontation. As superpower competition shifted to the developing world, moreover, both Washington and Moscow provided huge quantities of small arms and light weapons to friendly governments and insurgent armies. Insofar as conventional arms were the subject of arms control negotiations at all, light weapons were viewed as a "lesser included case," not worthy of special attention, or excluded altogether.

This attitude toward the small arms question began to change, however, as the Cold War drew to a conclusion. As the United Nations and its member states became embroiled in more and more intense peacekeeping operations, it became increasingly apparent that small arms made a critical difference in ethnic conflicts and contributed to the collapse of states. In Somalia, for instance, the entire UN peacekeeping operation fell apart when lightly-armed militia units overpowered a US task force in Mogadishu. Similarly, in West Africa, ECOMOG, the peacekeeping force of ECOWAS (Economic Community of West African States), was repeatedly paralyzed by militia-type forces in Liberia and Sierra Leone. The potent impact of small arms and light weapons was also demonstrated in Bosnia, Kosovo, East Timor, and Rwanda, where large-scale ethnic cleansing was conducted at the barrel of a gun.

As a result of these and other such experiences, the international community began to pay greater attention to the problems caused by the uncontrolled proliferation of small arms and light weapons. This new interest was first expressed by then UN Secretary-General Boutros Boutros-Ghali in a January 1995 report to the Security Council. "I wish to concentrate on what might be called 'micro-disarmament,'" he told the Security Council. By this, he explained, "I mean practical disarmament in the context

of the conflicts the United Nations is actually dealing with and of the weapons, most of them light weapons, that are actually killing people in the hundreds of thousands." Progress made since 1990 in controlling the spread of major weapons systems, he argued, must now be followed "by parallel progress in conventional arms, particularly with respect to light weapons."<sup>10</sup>

Boutros-Ghali's campaign to raise the profile of the small arms issue was then taken up by Kofi Annan, the current Secretary-General. "With regard to conventional weapons," he told the Conference on Disarmament in January 1998, "there is a growing awareness among member states of the urgent need to adopt measures to reduce the transfer of small arms and light weapons. It is now incumbent on all of us to translate this shared awareness into decisive action."

The United Nations has itself taken up this challenge, organizing two studies of the small arms trade and supporting efforts to negotiate a new international convention that would criminalize the illicit arms traffic. In September 1999, moreover, the UN Security Council held a Ministerial meeting devoted to small arms, at which Secretary of State Albright and others advocated stronger international efforts in this field.

A number of regional organizations have also undertaken new initiatives in this area. The Organization of American States, for instance, has crafted the Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials, which recently went into force, and has been signed by seven nations. Similarly, the European Union (EU) has adopted a "Programme of Action on Small Arms," intended to boost European efforts to curb arms flows to areas of conflict. The sixteen states of ECOWAS have adopted a three-year moratorium on the import, export, and manufacture of small arms and light weapons.

International efforts to curb the trade in small arms are often compared to the successful international drive to ban the manufacture and use of anti-personnel landmines. Most analysts recognize, however, that the small arms problem is much larger and more complex than the landmine issue. In contrast to landmines, which most governments--the United States excluded--have eschewed as legitimate instruments of war, small arms and light weapons are considered a standard item of equipment for military and police personnel, and so are protected by the self-defense provisions of the UN Charter. In many countries, moreover, it is legal for civilians to buy and possess handguns and rifles. It is difficult, therefore, to conceive of a single, catch-all treaty that can tackle all aspects of the problem; instead, advocates of control have sought to establish a *mosaic* of measures that together address the key aspects of the problem.

This mosaic consists of five basic types of control mechanisms:

- (1) expressions of a new international **norm** of arms trade restraint;
- (2) supplier controls on and greater disclosure of the **licit** trade in arms;
- (3) measures for suppressing the **illicit** trade in arms;
- (4) **recipient** controls on arms trafficking; and
- (5) measures for **extracting** weapons from areas recovering from conflict.

The articulation of a **new international norm**, under which states are expected tightly to control their arms exports in the interest of world peace and stability, is evident in various UN documents and resolutions. Notable is the report of the Panel of Governmental Experts on Small Arms, released in August 1997. "The excessive and destabilizing accumulation and transfer of small arms and light weapons is closely



related to the increased incidence of internal conflicts and high levels of crime and violence," the report notes. "It is, therefore, an issue of *legitimate concern* for the international community" (emphasis added). The report goes on to recommend various steps that should be taken by member states and regional organizations to constrain the trade in small arms and light weapons.<sup>11</sup>

The general thrust and specific recommendations of the Small Arms Panel were subsequently embraced by the full UN General Assembly (GA) in December 1997. In Resolution 52/38J, adopted by a vote of 158 to 0 (with 6 abstentions) on December 9, 1997, the GA "endorse[d]" the recommendations of the Panel of Governmental Experts and called upon all member states "to implement the relevant recommendations to the extent possible and where necessary in cooperation with appropriate international and regional organizations." The GA (in Resolution 51/45F of December 10, 1996) has also called on member states to tighten national controls on arms exports so as to prevent illicit exports.

The UN Security Council (SC) has also condemned the uncontrolled proliferation of small arms, especially within the African context. In Resolution 1209 of November 19, 1998, the SC "expresse[d]" its grave concern at the destabilizing effect of illicit arms flows, in particular of small arms, to and in Africa and at their excessive accumulation and circulation." Furthermore, at its Ministerial meeting on small arms in September 1999, the Security Council issued a Presidential Statement calling on member states to adopt "effective national regulations and controls on small arms transfers and to take vigorous action to curb the illicit trade in such weapons."<sup>12</sup>

The establishment of a new international norm on small arms proliferation has also been bolstered by statements issued by regional organizations and prominent NGOs. In 1996, for instance, the EU adopted its Programme for Preventing and Combating Illicit Trafficking in Conventional Arms. It states that "the availability and accumulation of massive quantities of conventional arms and especially their illicit trafficking...are disturbing and dangerous phenomena," and therefore must be combatted. The International Committee of the Red Cross, Amnesty International, and other prominent NGOs have also condemned the uncontrolled trade in small arms and light weapons.

In accord with this developing norm, various groups of states have sought to impose new **supplier controls** on the licit and illicit trade in small arms. Restrictions on licit sales are generally intended to prevent or discourage arms transfers to governments that are considered illegitimate or untrustworthy for any number of reasons, including a poor record on human rights, persistent involvement in local conflicts, or an inability to guaranty that arms in its possession will not fall into the hands of black marketeers or other illicit users. Measures aimed at suppressing the illicit trade typically entail provisions for the criminalization of illicit arms trafficking and the establishment of oversight mechanisms designed to detect and apprehend violators.

Regarding **licit** sales, the most ambitious effort of this sort has been undertaken by the EU, through its Code of Conduct on Arms Exports, adopted on May 25, 1998. Under the Code, EU member states are required to halt any arms transfers that would contribute to internal repression in states that have been cited for persistent human rights violations, or that would provoke or prolong conflict in areas of tension. The Code also establishes procedures for consultation between member states over questionable

transactions. A majority in the US House of Representatives in 1998 approved the adoption of a similar code of conduct by the United States -- the McKinney-Kerry bill -- but such a measure has yet to win Senate or White House approval.

Although reluctant to adopt a Code of Conduct, the United States has endorsed two other measures that could be used to restrict licit sales of small arms and light weapons.

- (1) The Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies, adopted in December 1995 by thirty-five leading industrial powers, requires participating states to prevent arms sales that would increase the risk of conflict in areas of instability; it also provides for consultation among these states over questionable transactions.
- (2) The Euro-Atlantic Partnership Council (composed of the NATO countries plus those nations enrolled in the NATO-backed Partnership for Peace -- forty-four countries in all) has agreed to develop procedures for safeguarding surplus Cold War weapons (especially those stockpiled in the former Warsaw Pact countries) and better controlling their sale to external parties.

The Wassenaar arrangements, like the UN Register of Conventional Weapons (a voluntary annual tally of each state's arms imports and exports), have so far had limited utility in curbing the spread of small arms. Not all key producers cooperate and comply; small arms are not explicitly included. Wassenaar, notes two knowledgeable critics, has no "teeth" to control arms exports. It only serves as a forum for exchanging information about weapons sales. If Wassenaar is to have any effect, it must, at a minimum, identify a set of specific technologies and particular weapons [small arms] that must not be proliferated."<sup>13</sup>

International efforts are also under way to suppress the **illicit** trade in small arms and light weapons. Most noteworthy in this regard was the adoption, on November 23, 1997, of the OAS Convention on Illicit Arms Trafficking. This Convention, which entered into force in 1998, requires OAS member states to adopt national legislation establishing criminal offenses regarding the illicit production and transfer of firearms. It further requires the marking of guns so as to enable investigators to identify and prosecute those responsible for their diversion into illicit channels. (The US has signed this treaty, but it has not yet been ratified by the Senate.)

The adoption of the OAS Convention has also spurred efforts to devise a global measure of the same dimensions. On July 28, 1998, the Commission on Crime Prevention and Criminal Justice (CCPCJ) of the UN Economic and Social Council (ECOSOC) approved a Resolution on Measures to Regulate Firearms for the Purpose of Combating Illicit Trafficking in Firearms. This measure calls on U.N. member states to adopt "an international instrument to combat the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, within the context of a United Nations convention against transnational organized crime. Negotiations to frame such an instrument are now under way, and supporters of this measure (including the US) hope to adopt it by the end of 2001.

Efforts have also been undertaken in some areas to devise **recipient** controls at the regional level on the trade in small arms. To date, the most promising effort in this

regard has been the adoption by ECOWAS members of a Moratorium on the Import, Export and Manufacture of Small Arms and Light Weapons. Adopted by an ECOWAS summit of heads of state on October 31, 1998, this measure requires member states to observe a three-year freeze on the import, export, and manufacture of small arms and light weapons. It also entails the creation of the Program for Coordination and Assistance for Security and Development in West Africa (PCASED) to help facilitate implementation of the moratorium. In September 1999, the UN Regional Center for Peace and Disarmament in Africa convened a meeting of twenty African countries to enhance transparency by creating a Light Weapons Arms Register and Database for the continent. The states of the Southern African Development Community (SADC) are considering a similar moratorium. More recently, in July 1999, the Organization of African States (OAU) mandated the convening of a regional conference to consider recommendations for a similar measure that would cover the entire continent.

Finally, efforts are underway to establish mechanisms for **destroying or extracting surplus arms** from areas recovering from war or conflict. Such measures generally entail the offer of incentives--cash, farm implements, literacy and/or job training, and so on--to ex-combatants who agree to turn over their personal weapons to UN peacekeepers or other designated agencies. Such endeavors, sometimes called "buy-back" programs, have been supported by the UN, the EU, and the World Bank. In December 1998, for instance, the EU adopted a program of Joint Action on Small Arms. It calls on member states to engage in coordinated action aimed at combating the destabilizing accumulation and spread of small arms" and "contributing to the reduction of existing accumulations of these weapons to levels consistent with countries' legitimate security needs." The program commits the EU to assist other states--especially those recovering from war--to collect and destroy excess weapons. The World Bank has also established a "Post-Conflict Unit" to develop strategies for the demobilization of ex-combatants in war-torn societies and their reintegration into civil society.

These various initiatives do not, as yet, add up to a robust, comprehensive, and effective system of international restraints. Many are simple statements of intent, limited to a particular region, or lack effective implementational measures. The EU Code of Conduct, for instance, applies only to EU member states, while the only recipient measure, the ECOWAS moratorium, applies solely to West Africa and lacks any implementing capacity. Other measures (for example, the international crime control treaty) are still being negotiated, or remain to be ratified. Much more work is needed to construct a truly universal and effective set of controls.

Devising such controls, and ensuring their global adoption and implementation, will require considerable imagination and commitment from all sections of the international community. Canada, Belgium, and the Scandinavian countries have already taken the lead in this effort. But without the cooperation of a majority of the world's large small arms exporters, especially the United States, imposing effective controls on the transfer of small arms will have limited success.

## **Non-Governmental Organizations and Civil Society**

The growing worldwide availability of military-type firearms at all levels of society has resulted in a significant increase in gun violence in many countries. These include both advanced industrialized nations, like the United States, and developing states, like Brazil, Colombia, and South Africa. This unprecedented violence has led, in many places, to the development of broad-based citizen movements against gun violence. Such movements include, for example, Gun Free South Africa and Viva Rio (in Rio de Janeiro).

For the most part, these movements have focused on local conditions, seeking to enact legislation designed to ban the private ownership of firearms or to narrow the bases for their acquisition. Many such groups have also sponsored "buy-back" programs so as to reduce the number of guns in circulation by providing cash or other incentives (food, toys, and so on) to people who voluntarily turn over their guns for destruction. One such effort is underway in El Salvador, where local businesses have contributed funds for buy-back programs intended to collect weapons left over from the fighting of the 1980s. Another is in Brazil, the world's fourth largest producer of handguns, where a weapons confiscation and purchase program in Rio de Janeiro was deemed a great success in mid-1999.<sup>14</sup>

At the same time, non-governmental organizations in the human rights and humanitarian aid fields have begun to focus more attention on problems caused by the international proliferation of small arms and light weapons. This focus reflects the fact that minority groups and other targeted communities (women, immigrants, indigenous peoples, trade unionists, and so on) are often attacked by paramilitary groups armed with small arms, and that humanitarian aid workers in areas of tension and conflict have themselves been exposed to increased levels of gun violence. As a result, groups such as Oxfam, Human Rights Watch, Amnesty International, and the International Committee of the Red Cross have initiated efforts to curb the proliferation of small arms.

As these efforts have proceeded, many groups have come to see value in developing regional and international links to similar groups in other countries. This linking effort reflects an understanding that the gun trade is an international system, and that efforts to control firearms trafficking in one area will not be successful if guns can easily be acquired in neighboring regions and countries. Inspired in part by the success of the anti-landmines campaign, local groups began to meet on a national and international basis in 1997 to discuss possible collaboration in this field. These endeavors culminated, in August 1998, in a meeting of representatives of several dozen local, national, and international NGOs in Orillia, Canada. Participants from a variety of NGOs agreed on the need for international collaboration in this area and decided to establish the International Action Network on Small Arms (IANSA).

The basic plan of IANSA was first unveiled at a meeting of representatives of over 100 NGOs from around the world in Brussels on October 14, 1998. (This meeting was scheduled to coincide with the international conference on "Sustainable Disarmament for Sustainable Development" convened by the Belgian government, itself a major milestone in the evolution of international interest in the small arms problem.) The participants in the Brussels meeting endorsed the plans for IANSA, and approved machinery for moving them forward. IANSA was formally launched in The Hague on May 12, 1999, at the start of the centennial celebrations of the Hague Appeal for Peace. A

small IANSA secretariat is being established in London, and plans have been developed for IANSA's first year of activity.

IANSA seeks both to reduce the **demand** for small arms and to curb the worldwide **supply** of such weapons. To reduce demand, IANSA member groups will campaign against the root causes of violence (inequity, injustice, discrimination) and support judicial and police reforms; to curb supply, they will push for the establishment of strict gun ownership laws at the local and national level and new supplier restraints (such as arms export codes of conduct) at the international level.

## **The United States and Small Arms**

### ***Exports and Realities***

Small arms and light weapons leave the United States through a wide variety of channels. The government itself exports arms through the Pentagon's Foreign Military Sales (FMS) program and also provides surplus military hardware to friendly states through the Excess Defense Articles (EDA) program. Arms are exported directly by US manufacturers and middlemen: these transfers, known as Direct Commercial Sales (DCS), require a license from the US Department of State.<sup>15</sup> In addition, the US government provides arms to friendly insurgent groups abroad through covert channels, while black-market dealers sell and export by illicit means.

Direct Commercial Sales are quantifiable; at least the kinds and value of the licenses granted by the Department of State for export of guns, ammunition, and ammunition manufacturing equipment are disclosed in an annual report of these items - - but not actual deliveries. The quantities of surplus US military arms transferred through the EDA program since 1995 -- about 300,000 -- is also known, as well as the destinations of these weapons. The decision to export, rather than destroy, these rifles, machine guns, pistols, and grenade launchers is a critical one. In previous decades, more than 2.5 million US military weapons, including shoulder-carried missiles, were transferred to "friendly" countries -- some of which became less friendly, and some of which subsequently sold or distributed American weapons to inappropriate end users.

Although the Department of State has occasionally refused to license commercial exports to unusually suspect countries or to suspect importers within countries, official and commercial exports have also been approved to nations with questionable human rights records. Covert arms transfers evade licensing inspection and notification, potentially contribute to destabilization and to the violent settlement of disputes, and are not included in the otherwise admirable country-by-country arms exports data that are provided in accord with the provisions of the Arms Export Control Act (all commercial sales over \$50 million and all major defense equipment valued at more than \$14 million) and Section 655 of the Foreign Assistance Act (1996). The latter requires reporting of all transfers of arms by category and recipient. Public and Congressional oversight is greatly facilitated by the listings under Section 655, but its reporting is all after-the-fact. The United States also imposes comprehensive retransfer and end-use requirements on all transfers. But end-use monitoring overseas is difficult, episodic, and easy for ultimate recipients to evade. Widespread diversion of US-supplied small arms and light weapons thus undoubtedly occurs.

US controls are also avoided and evaded when manufacturing licensees overseas,

in, say, South Korea, the Philippines, Singapore, or Taiwan, export small arms without the necessary US government approvals. Equally common is the production by licensees of indigenized versions of standard US weapons, and their sale without further consultation with the US.

### ***US Government Initiatives and Approaches***

Unwilling to be positioned again as uncooperative and obstructionist, as it was during the successful campaign to outlaw the production and continued use of anti-personnel land mines, official Washington has behaved proactively with regard to the scourge of small arms. Secretary of State Albright has been among those directing the government to respond effectively and intelligently to the growing global movement to reduce the supply and accessibility of small arms.

Without much posturing, Washington has approached the problem of what to do about threats from global small arms proliferation in a systematic and nuanced way. The government realizes that demand for small arms, especially in the developing world, arises from ethnic and other intercommunal conflict, economic and social deprivation, weak or non-existent democratic institutions, and lack of respect for fundamental human rights. The United States officially seeks to strengthen the capacity of countries in the developing world to manage conflict without violence. At the same time, Washington understands that the unregulated and illegitimate sale of large quantities of light weapons to end-users whose identities are not known, and who are supplied by corrupt, criminal empires, is one of the key threats to economic and political development in many of the poorer regions of the world.

Existing legislation (the Leahy amendments) prevents the US government from exporting weapons to states which abuse human rights. Doing so is a building block toward a code of conduct on arms transfers. Such a code, more restrictive than the existing EU Code of Conduct, is pending in Congress. It would prohibit arms transfers and sales to regimes where democracy and human rights are honored in the breach.

With the backing of Secretary of State Albright, the US Government has affirmed that it

- wants the international community to disclose in a timely manner all arms shipments into zones of conflict, especially in Africa;
- supports voluntary moratoria on small arms sales that could fuel incipient conflicts;
- seeks to build capacity in Africa to strengthen arms trafficking sanctions enforcement;
- desires the creation of a database on sanctions violations and violators;
- seeks the enactment of national legislation to criminalize small arms sanctions violations;
- wants to restrict the export of shoulder-fired missiles;
- seeks a global convention against illicit small arms trafficking that is similar to the OAS Convention on illicit arms (see below);
- wants enactment of the Firearms Protocol to the proposed Transnational Organized Crime Convention.

The Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials was signed by the US and twenty-eight other OAS members in 1997. It requires each OAS

state to establish a national firearms control system and a register of manufacturers, traders, importers, and exporters. It calls for border and port controls and for the standardization of national laws among the member states. The Senate has not yet assented to this Convention, but it does provide a model for global and regional emulation.

The United States officially supports the continuing work of the various UN panels on small arms and the UN Disarmament Commission's activity in this area; the Brussels Call for Action (adopted at the October 1998 conference on Sustainable Disarmament and Sustainable Development); the EU Code of Conduct on Arms Transfers and the EU Program for Preventing and Combating Illicit Trafficking in Conventional Arms; and the West African (ECOWAS) moratorium on the import, export, and manufacture of small arms.

Since 1997, the United States has required American arms brokers to register with the Department of State, and to give prior notification of shipments of defense articles and services. Those who violate US export laws from bases of operation abroad can now be prosecuted in this country. (The Customs Service periodically seizes illegal exports of small arms and other materiel of war.) Washington also wants other producing countries to do the same with regard to their own nationals.

In 1997, the United States began publishing an annual report of all US international arms transfers, including small arms. Washington again would like other manufacturing countries to follow suit. The United States also reports its weapons transfers to the UN Register of Conventional Arms (but small arms are not as yet part of that registry). The US favors the establishment of regional and sub-regional registers, especially for small arms.

US policy respecting small arms and light weapons is being informed by the activities of inter-agency task forces and joint working groups. The guiding principle of these efforts appears to be that limiting the flow of small arms into zones of actual and potential conflict is a goal, even a dominating goal, but not at the expense of the legitimate transfer and sale of such weapons to responsible governments and other groups. The government, unlike many active NGOs, asserts that the outright prohibition of small arms and light weapons transfers is inappropriate and unworkable.

## **Recommendations**

### ***Research and Data***

Good policy options are based on excellent research and access to detailed data sets. In the small arms and light weapons arena, there is a paucity of hard numbers. A great deal about the universe of small arms is known -- but all too imperfectly. We do not know annual worldwide production figures or national ones. We have no precise figures on export volumes from producing countries, and the types, values, and destinations of those exports. Likewise, import statistics are not known. The size of surplus stocks, and which countries hold them, are equally mysterious. Particularly hidden is the illegal trade in weapons. The leadership of international organizations and national governments will be essential if these many statistical weaknesses are to be overcome. Global agreements and global cooperation will be needed to achieve all manner of data-collection objectives. Official United Nations, United States, and European Union efforts

and attention should be devoted to:

1. Gathering data on weapons production by country, type, quantity, and destination.
2. Developing a mechanism or mechanisms to track the supply and distribution of small arms systematically by origin, destination, transshipment points, conflict, and source of financing.
3. Coordinating and extending existing national databases of licit sales and licit transfers from supplying countries to recipients.
4. Creating those national databases where none currently exist.
5. Creating an inventory of surplus weapons stockpiles.
6. Developing a database of black-market traffickers and brokers in the small arms field.
7. Establishing a method of inventorying the use of small arms by type of conflict.

### ***Transparency and Marking***

The United States leads the way in reporting (to Congress) all official small arms transfers to other countries and entities on an annual basis. It lists quantities, types, values, and recipients. More could be done with regard to the origination, processing, and timeliness of these data. End-user monitoring needs to be refined. But most other Western countries lack even such basic mandated reporting frameworks, as do all other small arms exporting countries. It is important that larger suppliers lead the way in providing more accessible and accurate information regarding all aspects of their arms production and export regimes. Stricter reporting of relevant categories of arms to the UN Register of Conventional Arms would be useful, too. Also desirable is systematic reporting on national stockpiles of small arms and ammunition. In this manner, the greatest threats of future proliferation could be known. To do so, the resistance of many countries would have to be overcome, especially in the case of countries that could fear the exposure of possible war-making plans.

Most countries require that arms manufacturers inscribe their products with some identifying mark, but each producing country and each manufacturer does this differently. What is needed is a worldwide system that would permit weapons to be marked uniquely and then tracked efficiently. Equally important and useful, but difficult to imagine, is retrospective marking of existing weapon supplies.

We recommend that the United States:

1. Energetically encourage European nations to emulate the official American method of reporting small arms sales and transfers (Section 655).
2. Work with the EU to organize a multinational method of reporting small arms sales and transfers.
3. Strengthen the US/EU ability to monitor arms diversions and end-user abuses.
4. Support the small arms activities of the Euro-Atlantic Partnership Council (EAPC).
5. Attempt to extend the reach of the discussions of the Wassenaar signatories to encompass limiting national exports and reducing arms production capacities.
6. Attempt to alter the modalities of the Wassenaar group to emphasize consultation prior to sales rather than after the fact.
7. Work to enlarge the membership of the Wassenaar group to include all arms-producing states.
8. Work with the EU and other states to develop and introduce effective standardized



marking and tracking systems for all arms exports. (In this regard, the prospective Firearms Protocol should incorporate the highest available marking and tracking standards.)

9. Work with the EU and other states to develop and introduce standardized end-use documentation in order to facilitate interdiction of illegal arms transfers.
10. Create a publicly accessible data base of arms manufacturers, both American and foreign.
11. Urge better reporting by all countries of all categories to the UN Register of Conventional Arms.
12. Promote global information-sharing on small arms and ammunition stockpiles.
13. Seek to expand the scope of the UN Register on Conventional Arms to include small arms.

### ***The US and the Efforts of International Organizations***

Various efforts are underway at the United Nations and in regional organizations to regulate and curb the flood of small arms from north to south. The United States has played a mostly constructive role in these efforts, but could do more. We recommend that:

1. The United States try to add specific language about small arms reporting to the proposed UN Convention on Transnational Crime. In addition, this Convention ought to include language specifying that illicit trafficking includes the transfer of weapons in violation of international embargoes.
2. The United States should encourage NATO and the Partnership for Peace countries to inventory surplus and obsolete weapons stockpiles, and provide funds and technical assistance for the destruction of such weapons under EAPC auspices.
3. The US should work with the OAS and ECOWAS to develop methods of enforcing the protocols and moratoria that now exist, but which remain largely pious expressions of intent rather than binding treaties.
4. The US should ratify the OAS convention.
5. The US should encourage additional regional and sub-regional groupings to enact official moratoria that renounce and ban the introduction of small arms into their geographical arenas.

### ***The Illicit Small Arms Trade***

Many of the world's civil wars and other intrastate conflicts are fueled by the ease of obtaining and the affordability of large quantities of automatic rifles and machine guns (and other light weapons and ammunition). A proportion of this trade emanates from official sources that have been diverted. Another proportion depends on the illicit movement of small arms and light weapons from shady suppliers to equally shady insurgents or would-be rebels. Some of this trafficking can still be called gun-running. Some of it moves prosaically along ordinary shipping routes. The UN has established two panels to identify illicit arms dealers and to monitor the arms trade, particularly in Africa.

To begin to curb the illicit trade, we recommend:

1. The drafting and signing of a strong UN convention against small arms trafficking without appropriate end-user certificates. Enforcing such a convention would be the

next task.

2. Under such a convention, it could prove feasible to introduce enhanced airport and seaport interdictions of small arms trafficking.
3. The US should increase the capacity of developing nations to monitor and act against arms traffickers by air or by land.
4. Encouraging the World Bank to cooperate in this endeavor.
5. Identifying and tracking known traffickers. Barring their international travel.
6. The US should develop methods of using existing US laws to prosecute non-US based arms traffickers.
7. Sharing the information on the small arms trade that has been gathered by the US Bureau of Alcohol, Tobacco, and Firearms (ATF) and Interpol.

### ***Other Methods of Reducing Small Arms Numbers***

Since sheer quantity, and the ready availability of so many sophisticated and unsophisticated light weapons, makes settling scores through the use of violence attractive and affordable, reducing the developing world's stocks of guns is as high a priority as limiting production and interdicting trafficking. Durable, older weapons manufactured as long ago as World War II contribute to the problem. Out of date Kalashnikovs remain lethal in indiscriminate hands. It is therefore imperative to find a method to gain control over surplus weapons and to destroy them. It is important, on national and legal levels, to restrict gun ownership to responsible users, to confiscate them from criminals, and to prosecute those who transgress local laws. More inventive work needs to be done on modifying existing and new arms to reduce their lethality and efficacy for warfare, e.g. limiting the rounds that repeating rifles can fire. The recent enactment of strict, draconian legislation strictly limiting (and registering) small arms ownership in South Africa and Brazil, two countries where crime rates and murders by gunshot are the highest in the world, should be applauded and widely emulated.

The UN suggests that the "excessive accumulation of small arms and light weapons can best be averted by...the speedy removal of quantities of surplus weapons through their collection and/or destruction" and by scaling down over time the numbers of weapons "to a level that corresponds to a country's legitimate self-defense and security interests, as defined by itself."<sup>16</sup> A UNDP trust fund has been established to facilitate post-conflict weapons collection and disposal; pilot projects in Albania and Mali are exchanging weapons for roads and other infrastructural improvements. The OAS Convention contains language that could promote weapons buy-backs and destruction.

We recommend that:

1. International organizations and governments develop improved mechanisms of improved universal accountability of small arms through international legislation and registration, parallel with the UN's *Guidelines on Conventional Arms Control/Limitation and Disarmament (1999)*.
2. Other nations should adopt legislation modeled on the new, restrictive, and growth-limiting South African regulations.
3. Theft from government military and police arsenals adds to the quantity of weaponry available to insurgents and criminals. Improving security (and guarding against corruption) at armories is essential.
4. Demobilization of ex-combatants must include confiscation and destruction

of small arms.

5. Buying back arms from general publics probably only has symbolic value. However, if done on a large enough scale, and if the small arms are publicly destroyed, doing so may assist the overall goal of supply reduction.

### ***Program for Small Arms***

There is a need both in Washington and globally to monitor and assist efforts at gathering data, writing legislation and conventions, making small arms transfers more transparent, and eliminating illicit shipments of small arms. To that end, we recommend that the World Peace Foundation and the Fund for Peace establish a continuing Program to sponsor research and data gathering; to share information between government officials, international officials, and NGOs; to assess progress toward the goals given above, and to attempt to implement this report's and other future recommendations. Whereas IANSA and other NGOs and groups of governments have overriding advocacy concerns, this proposed Program would link advocates, funders, and UN and US officials concerned with policy making and policy implementation. Its US base would also distinguish it from institutions and initiatives based overseas.

## Notes

<sup>1</sup> *Boston Globe*, 30 July 1999.

<sup>2</sup> Jeffrey Boutwell and Michael Klare, *Light Weapons and Civil Violence: Policy Options for the International Community Project on World Security* (New York, 1999), 7. See also Swadesh Rana, *Small Arms and Intra-State Conflicts* (New York, 1995), 6.

<sup>3</sup> Michael Renner, *Small Arms, Big Impact: The Next Challenge of Disarmament* (Washington, D. C., 1997). The 500 million figure is supported by a UN Inter-Press Service report (9 Aug. 1999). Of the 500 million, 55 million are reputed to be AK-47 assault rifles. Seven million of those are alleged to be in West Africa.

<sup>4</sup> Boutwell and Klare, *Light Weapons*, 7.

<sup>5</sup> Much of this information is drawn from Lora Lumpe, "A Preliminary Survey of Small Arms Data Collection Efforts," unpub. paper (1999); Kathi L. Austin, *Stoking the Fires: Military Assistance and Arms Trafficking in Burundi* (New York, 1997).

<sup>6</sup> Boutwell and Klare, *Civil Violence*, 12.

<sup>7</sup> See Jeffrey Boutwell and Michael Klare (eds.) *Light Weapons and Civil Conflict: Controlling the Tools of Violence* (Lanham, MD 1999); Andrew J. Pierre (ed.), *Cascade of Arms: Managing Conventional Weapons Proliferation* (Washington, D. C., 1997), 1-6.

<sup>8</sup> See IANSA, *Founding Document* (May 1999), 5-7.

<sup>9</sup> Security Council meeting of 24 September 1999, Agence France-Presse report.

<sup>10</sup> Supplement to an Agenda for Peace, UN document A/50/60, January 3, 1995, 14-15.

<sup>11</sup> General and Complete Disarmament: Small Arms, U.N. document A/52/298, August 27, 1997.

<sup>12</sup> UN document S/PRST/1999/28, 24 Sept. 1999.

<sup>13</sup> William W. Keller and Janne E. Nolan, "The Arms Trade: Business as Usual?" *Foreign Policy* (Winter 1997-98), 123-124.

<sup>14</sup> *Christian Science Monitor*, 10 August 1999.

<sup>15</sup> Much of the material in the first part of this section derives from Lora Lumpe, "Control and End Use Monitoring for State Sanctioned Small Arms Exports," unpub. talk at the second meeting of the World Peace Foundation/Fund for Peace Washington discussions on small arms, 6 May 1999. See also Lora Lumpe, "Curbing the Proliferation of Small Arms and Light Weapons," *Security Dialogue*, XXX (1999), 156-160. The material in the second part is derived from unpub. unclassified documents produced by the US Department of State.

<sup>16</sup> Disarmament Commission, *Report of Working Group III on Agenda Item 6* (28 April 1999), 3.

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