

Preventing Diversion: The Importance of Stockpile Management

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1. Introduction

Stockpile management, including physical security measures, is planned to be a key focus of the 2014 Fifth Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (hereafter referred to as the 2014 BMS).¹ This paper highlights the importance of continued national and international attention to stockpile management of small arms and light weapons. The technical means to achieve better management and security are covered extensively in other documents and are not covered in this paper.

For States attending the 2014 BMS, **stockpile management is designed to prevent two outcomes: the diversion of arms into illicit hands, and unplanned explosions.** As is shown later in this paper, there are many recent examples of weapons being diverted into illicit hands. In addition, improved stockpile management has many other ancillary benefits for States, including improvements in record keeping which helps them to identify arms and ammunition in surplus.

A stockpile can be defined as a store of weapons or ammunition, and for the purposes of the 2014 BMS stockpile management comprises the safety and security of small arms, light weapons, their parts and ammunition; and it occurs in their storage, transport, disposal and use.² A key component of stockpile management is measuring the size of stockpiles and determining whether any equipment is surplus to requirements. Inventory management involves keeping accurate records of arms, parts and ammunition stored in each stockpile, and those issued to personnel.

Stockpile management has long been a concern of international action on small arms and light weapons. At the beginning of the UN small arms process the 1997 Report of the Panel of Governmental Experts on Small Arms (UNGA 2007) highlighted the dangers of 'poorly controlled' stocks, particularly of surplus weapons. It is a key element of the 2001 Programme of Action. Most recently, the 2013 UN Security Council resolution on small arms (UNSC 2013a) contains numerous references to stockpile management, including: recommending technical guidelines and best practices; embargo enforcement; peace-keeping; disarmament and demobilization; and regional cooperation. As is noted later in this paper, numerous regional organizations have also adopted specific commitments regarding stockpile management; and preventing diversion is a key part of the Arms Trade Treaty.

This paper concludes by recommending that this patchwork of existing agreements be enhanced with an informal international process on stockpile management. This would be designed to better coordinate those governments and organizations interested in stockpile management, and to encourage greater participation among those that have not focused upon the issue already.

¹ See for example the Chair Designate's draft of the outcome document, available for download at <http://www.un-arm.org/BMSS/>

² Definition drawn from Bevan and Wilkinson (2008: xxx).

2. Diversion

This section highlights incidents of diversion from military stockpiles in countries at war and peace; and stockpiles held by law enforcement agencies and private individuals and firms.

2.1. Diversion and warfare

In general, the most important source of arms for a rebel group is the government that it fights. Weapons are obtained via means such as theft, battlefield capture, donation by a sympathizer, or corrupt sale. Warfare offers many unique and sometimes insurmountable challenges to effective stockpile management – arsenals are actively attacked for the munitions they contain. The groups of experts established under the auspices of UN Security Council resolutions enacting arms embargoes and other sanctions have repeatedly reported upon diversion of arms in war zones, and some examples are presented below.

It was noted in 2014 that the Armed Forces of the Democratic Republic of Congo continue “to face challenges in securing its arms and ammunition” (UNSC 2014a: 30). Examples include diversion of ammunition for Kalashnikovs from army stockpiles. In particular, the expert group noted the effects of the occupation of the city of Goma by M23, an illicit armed group. During the occupation army arms and ammunition were diverted, including a T-55 tank (UNSC 2014a: 31). The DR Congo army started to use makeshift armories, which were seen to be facilitating the diversion of weapons; soldiers were also reported to have sold their weapons (UNSC 2014a: 30). All in all, the DR Congo army “remains the main source of ammunition for armed groups in eastern Democratic Republic of the Congo.” (UNSC 2014a: 30).

An earlier group of experts report (UNSC 2012a: 36) similarly notes that “Congolese armed forces stockpiles continue to be a significant source of ammunition for armed groups. An escalation in armed group activities in the Kivus and Ituri has led to an increase in the diversion of arms and ammunition.” The group’s report cited many instances of the illicit sale of arms and ammunition, including “34 boxes of ammunition, each containing 750 rounds and an AK-47 rifle that they had recently purchased from Congolese armed forces soldiers.”(UNSC 2012a: 36).

Concerning Somalia, in 2013 the group of experts reported that in the past cases of arms diversion by Transitional Federal Government troops were documented and were “particularly problematic” (UNSC 2013c: 287).

The end of civil war usually poses particular problems for stockpile management. At that point, large quantities of arms are often available with little or no management or security – weapons may be left on the battlefield, or storage depots left open and unguarded after some of their contents were appropriated during the fighting. A 2014 UN group of experts report on Libya highlights the risks of inadequately secured stockpiles:

Another source of arms proliferation from Libya are old ammunition stores from the Qadhafi regime, which still contain large quantities of materiel and remain under the control of a range of actors. Security and stockpile management measures in place for those stores is generally very poor, resulting in regular looting and onward proliferation of the materiel, not to mention the significant risk of detonations. (UNSC 2014b: 15).



Thousands of old shells ready for dismantling at Dedoplistskaro military base, in Georgia, 29 June 2006, as part of an OSCE Mission to Georgia programme. Photo: OSCE/Miloslav Rokos, used under CC BY-ND 4.0.

The group notes that “Arsenals of non-State armed actors are the major source of weapon proliferation out of Libya” with investigations taking place in 14 countries as far afield as the Gaza Strip, Syria and Niger. The report states that:

The very significant stockpiles that are still available in Libya, the absence of any control by the national authorities, the development of local arms dealers and networks over the past three years and the numerous security crisis in the wider region have made Libya a primary international source of illicit weapons trafficking. This is not likely to change in the near future. (UNSC 2014b: 27).

Other post-conflict situations also highlight the risks associated with a lack of adequate stockpile management. A 2013 group of experts report on Liberia states that: “The Panel remains concerned that the failure of the Government of Liberia to adequately mark weapons pursuant to resolution 1903 (2009) could present problems in the future concerning the safeguarding of government stocks.” (UNSC 2013b: 12).

2.2. Losses by armed forces not at war

In 2007 Argentina enacted a legal requirement that the armed forces and police should report weapons found to be missing from their inventories.³ This improvement in accountability was a

³ See Ley 26.216 Declárase la emergencia nacional en materia de tenencia, fabricación, importación, exportación, transporte, depósito, almacenamiento, tránsito internacional, registraci3n, donaci3n, comodato y compraventa de armas de fuego, municiones, explosivos y dem3s materiales controlados, registrados o no registrados. Programa Nacional de Entrega Voluntaria de Armas de Fuego. Réplicas y Armas de Juguete. Inventario de Arsenal. Comit3 de Coordinaci3n y Consejo Consultivo. Disposiciones transitorias y finales.

consequence of the advocacy and technical support provided by civil society (particularly by the *Asociación para Políticas Públicas*). In 2012 the army, air force and police publicly reported that an audit had uncovered hundreds of missing firearms and their parts, and thousands of rounds of ammunition (see Jefatura de Gabinete de Ministros 2012).⁴ The police reported detailed information on 74 firearms which were found to be missing from an arsenal; and the air force reported that 26 firearms and 1 300 rounds of ammunition had been stolen. The equipment reported to be missing by the army is summarized in Table 1.

2.2.1. Table I Equipment reported missing by the Argentinian army

Quantity	Type
43	FN FAL assault rifles (complete)
109	FN FAL assault rifles (incomplete)
6	12.7mm heavy machineguns (incomplete)
1	7.62 mm machinegun (complete)
1	9mm pistol (complete)
1408	Parts of firearms

Contrary to what was reported in the press (Santoro 2012), the public reporting does not state that the arms had been stolen from the army over the previous two years. Instead, an audit had discovered that they were missing. These missing arms could have been stolen, but other explanations include errors in inventory management over many years.

The public reporting of missing arms and ammunition by Argentina is a positive example that should be considered by other States that have not yet done so. Transparency can highlight the existence of a problem and is often a first step to solving it.

2.3. Losses by law enforcement

In almost all countries law enforcement personnel (such as police, park rangers, customs agents, border patrol and prison guards) are routinely armed. The numbers of firearms estimated to be owned by law enforcement are much smaller worldwide than for military forces (some 25 million firearms by law enforcement compared to 200 million by armed forces).⁵ Nevertheless, law enforcement has vulnerabilities that are not present in armed forces operating outside war zones. First, firearms are routinely removed from safe storage and taken out on patrol on the streets; and storage in police stations and similar establishments is dispersed and often small scale. This creates numerous difficulties for effective stockpile management and opportunities for unscrupulous people to divert guns and ammunition. Second, law enforcement is often responsible for firearms that have been seized from criminals and held as evidence. Such stocks of firearms have a high turnover which makes inventory management difficult, and are therefore vulnerable to loss, theft or corrupt sale.

Publications by the South African Police Service (SAPS) show that over the four year period from 2009-2013 the SAPS reported that a total of 8 614 of its firearms had been reported as being lost or stolen, and that in two years other government departments had reported a further 478 firearms

⁴ We gratefully acknowledge the assistance of Diego Fleitas and Victoria Perotti in providing information on Argentina.

⁵ Estimate from Karp 2012.

lost or stolen.⁶ These losses are summarized in Table 2. Lost firearms have not necessarily been removed from police stockpiles – one explanation is that the loss is a consequence of poor record keeping and the firearms remain in police control.

2.3.1. Table 2 firearms reported lost or stolen by the South African Police Service (SAPS) and other government departments

Year	Firearms lost or stolen	SAPS	Other departments
2012-13	2 431	2 300	131
2011-12	1 512	1 165	347
2010-11	1 335		
2009-10	3 814		

Source: SAPS 2013: 80; SAPS 2012: 72; SAPS 2011: 72.

Note: each year covers 12 months from 1 April to 31 March.

The SAPS should be commended for publishing this information. Such a commitment to transparency displays a clear indication that South Africa has a serious approach to stockpile management.

Poor inventory management can affect other branches of law enforcement. In the USA a 2013 Inspector General review of the United States Park Police (part of the National Park Service) found that hundreds of firearms were present but not listed in inventories. The Park Police's approximately 640 officers were found to have 1,400 'extra' weapons, which "included 477 military-style automatic and semi-automatic rifles." (Office of the Inspector General 2013: 2).

2.4. Firearms owned by private individuals and firms

Worldwide, civilians own the largest proportion of firearms. Compared to 25 million and 200 million owned by law enforcement and military respectively, civilians own an estimated 650 million small arms (Karp 2012). Due to issues concerning mandates and national legislation, in many cases international commitments and best practice guidelines do not cover arms owned by civilians. Nevertheless they are included in some best practice guides (for example the *Best Practice Guidelines For The Implementation Of The Nairobi Declaration And The Nairobi Protocol On Small Arms And Light Weapons* which "covers the SALW stockpile, in legal non-state possession, as well as that in state possession during peacetime." (RECSEA 2005: 4). Furthermore, many States' national legislation includes regulations on record keeping and secure storage by private citizens who legitimately own firearms. While individuals may typically each own a small number of firearms, tens may be owned by collectors; furthermore significant quantities of small arms and ammunition may be owned by gun shops, production companies, dealers and private security firms.

Some statistics are available on aggregate numbers of lost and stolen firearms which had been owned by civilians. In 2013 the US Bureau of Alcohol, Tobacco, Firearms and Explosives published statistics on the number of firearms reported to the National Crime Information Center (NCIC) as being lost or stolen. During 2012, the NCIC received reports concerning 190 342 lost and stolen firearms (ATF 2013: 4). Of these, 16 667 firearms were reported as lost or stolen from holders of Federal Firearms Licenses – mainly gun dealers, producers and importers. The

⁶ The other government departments are listed as including the Departments of Local Government and Traffic, Transport, Correctional Service, Health, Finance, Community Safety, the South African National Defense Force, the National Prosecuting Authority and municipalities (SAPS 2013: 72).

remaining 173 675 firearms reported lost or stolen by private citizens in 2012 are assumed to be an under-estimate, as reporting to the NCIS by local police departments is done on a voluntary basis. Of the 16 667 firearms reported lost or stolen by holders of Federal Firearms Licenses, 4 340 were due to burglary, 1 340 to larceny, 118 to robbery, and 10 915 reported as lost (ATF 2013: 10).

Statistics on thefts and losses are available from other States. For example, Duquet and Van Alstein (2102: 13) note that in Belgium between October 2006 and March 2010 private citizens reported to the police that 2 539 guns had been stolen and 15 203 had been lost. Duquet and Van Alstein (2102: 13) speculate that changes in regulation may have meant that people reported losses during 2006-10 which had actually taken place in an earlier period. It was reported in the press that in Ireland (a country with a much smaller population and relatively restrictive legislation), from 2010 to 2014 1 134 registered guns had been reported stolen by private individuals and 159 guns had been lost (O'Regan 2014).

To sum up this section, there are clearly severe problems with diversion from military stockpiles during and soon after wartime. Diversion from State stockpiles is something which affects all States, and is not limited to armed forces. The police and other law enforcement agencies experience theft and loss of guns and ammunition. Private individuals and businesses make up the greatest pool of firearm owners in most States, and in some cases significant quantities of their arms are reported missing or stolen.

3. Ammunition explosions

In addition to the risks of diversion outlined in the previous section, badly managed ammunition and explosives stockpiles threaten the safety of the public and military or law enforcement personnel. Unplanned explosions at munitions sites⁷ occur across the world and can cause hundreds of deaths and thousands of injuries per year. The Small Arms Survey (2013) has monitored unplanned explosions and reports that in 2012 there were 26 incidents which caused 360 deaths and 1 657 injuries. The worst incident was an explosion in the Republic of Congo which killed 280 and injured 1 500. Higher numbers were found in 2011, with 41 incidents causing 376 deaths and 1 937 injuries. In addition to these human costs, such explosions cause severe damage to nearby buildings and infrastructure. Clearing up afterward is especially difficult as the explosion may well have scattered unexploded munitions across a wide area. All in all, the costs of repairing the damage are likely to be far greater than installing effective stockpile management procedures which may well have prevented an explosion.

There are many causes of unplanned explosions, but they have been categorized into four broad types, “deterioration of the physical or chemical condition of the ammunition and explosives; unsafe storage practices and infrastructure; unsafe handling and transportation practices; or deliberate sabotage.” (Wilkinson 2006). All four are exacerbated by warfare or the state of a country immediately after the end of hostilities. There is an incentive to perform acts of sabotage or theft that would not normally exist in peacetime. Ammunition stockpiles may be jealously guarded by armed groups who lack the skill and resources to safely store explosive materials. Caches can be hidden if the individuals who made them have fled or been killed. Concerning government stockpiles, the exigencies of combat mean that best practices are ignored. Skilled personnel are wounded or transferred elsewhere and replaced with people who lack training.

Military stocks pose the greatest risk as they contain the largest quantities of explosive material. Nevertheless, explosions do also occur in privately held stockpiles. There have been unplanned explosions in warehouses operated by ammunition dealers and commercial producers. In developing countries there is a particular danger posed by unexploded ordnance purchased by scrap metal dealers (for example see BBC 2014).

⁷ For more information see Berman, Gobinet and Reina 2012.

4. Existing international commitments on stockpile management

The Programme of Action (PoA) on the illicit trade in small arms and light weapons contains numerous articles relevant to stockpile management. Most prominent are Articles II.16 and II.17 which require that States should set up adequate procedures regarding stockpile management, and that stocks should be regularly reviewed and identified surpluses destroyed. Furthermore, Articles II.29, III.8 and III.14 encourage international cooperation in improving stockpile management. This commitment was renewed in the 2012 *Outcome Document to the Review Conference* which contained commitments by States to implement adequate stockpile management procedures, destroy surplus and provide assistance (paragraphs II.A.h and II.C.b). The United Nations has further developed International Small Arms Control Standards, and some of the completed modules cover stockpile management, and connected areas such as the destruction of weapons, and marking and record-keeping.⁸

In addition to the PoA, regional agreements also have explicit reference to stockpile management. These include the:

- Central African Convention for the Control of Small Arms and Light Weapons, their Ammunition, Parts and Components that can be used for their Manufacture, Repair and Assembly.
- ECOWAS Convention on Small Arms and Light Weapons, their Ammunition and other Related Materials.
- Nairobi Protocol for the Prevention, Control and Reduction of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa.
- Protocol on Control of Firearms, Ammunition and other related materials in the Southern African Development Community (SADC) Region.
- Bamako Declaration on an African Common Position on the Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons.
- EU Strategy to combat illicit accumulation and trafficking of SALW and their ammunition, and the EU Joint Action on combating the destabilising accumulation and spread of small arms and light weapons.
- Organization for Security and Co-operation in Europe (OSCE) decisions 2/10, 11/09 and 11/08, and the OSCE Document on Small Arms.
- Inter-American Convention Against The Illicit Manufacturing Of And Trafficking In Firearms, Ammunition, Explosives, And Other Related Materials.
- Andean Plan to Prevent, Combat and Eradicate Illicit Trade in Small Arms and Light Weapons in all its Aspects.

These regional organizations offer a patchwork of additional means by which governments can mobilize support and share information on stockpile management. Nevertheless, the record of implementation has been uneven (with some organizations much more active than others). More importantly, many States are not covered by a regional agreement or organization working actively on small arms (for example States in South and East Asia).

⁸ See the International Small Arms Control Standards web site <http://www.smallarmsstandards.org/>



Samples of explosive remnants of war found in Inkerman cave near Sevastopol, Crimea, September 2009. Photo: OSCE/Rene BeBeau, used under CC BY-ND 4.0.

The Arms Trade Treaty contains in Article 16 a brief reference to international assistance concerning stockpile management. More importantly Article 11 requires that States assess the risk of diversion prior to authorising an export of arms; and suggests that States share information in order to prevent diversion. Article 15 encourages States to cooperate in order to prevent diversion. These two articles have the potential to have a profound effect upon stockpile management. Arms exporting States are effectively required to assess stockpile management in a potential recipient State. If inadequate stockpile management poses a real risk of diversion, a State may not receive arms exports, or the exporter may recommend mitigation measures. In doing so the Arms Trade Treaty may well promote better stockpile management, especially as the effects of Article 11 will reach out to potential recipient States who are not parties to the treaty.

The commitments on stockpile management found in the PoA are therefore supported by the Arms Trade Treaty and many regional organizations.

5. Conclusion and recommendation for an international process

This paper has highlighted that inadequate stockpile management is a serious problem. Examples of diversion and unplanned explosions can be found across the world. They constitute an acute problem in areas which are affected by armed conflict or its aftermath; but also affect States which are at peace. Stockpiles held by the police and other law enforcement agencies are also vulnerable, as are arms and ammunition owned by private companies or individuals.

Despite the widespread recognition of these problems, an enormous amount of work remains to be done. The challenge for the States meeting at the 2014 BMS is to find the most effective means to improve stockpile management. This will require an approach that is both flexible and long-term.

The States meeting at the 2014 BMS already have access to a set of excellent standards and best practices concerning stockpile management. The key task is effective implementation, and that is to a great extent a political task. Effort toward implementation needs to be tailored to each State (and often to individual ministries and agencies within that State). Stockpile management is politically sensitive, especially when it concerns explosions and diversion of State stockpiles (and those States such as South Africa or Argentina which routinely publish information on arms missing from State stockpiles are to be commended). National policies need to be developed sensitively.

The preceding sections of this paper highlight the diversity of the problems facing stockpile management. Arms in national military inventories are often correctly prioritized, but in some States police forces and private individuals may be more significant sources of diverted arms. Furthermore, regional organizations play a key role in implementing the Programme of Action, but many States are not members of a regional organization which is actively working on stockpile management.

We therefore suggest that interested States set up an informal process. Informality has the benefit of being flexible and rapid. States would not need to first negotiate an instrument, and the nature of assistance could be tailored to the needs of each State that requires it. Such a process could take the form of a working group of interested States in combination with interested regional and international organizations. It would need to have explicitly long term ambitions and its aim would be to first ensure that stockpile management remains an international priority; and second to facilitate cooperation between those States which can provide assistance and those States which need it.

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Preventing Diversion: The Importance of Stockpile Management

This paper highlights the importance of continued national and international attention upon stockpile management of small arms and light weapons. A stockpile can be defined as a store of weapons or ammunition, and stockpile management is designed to prevent two outcomes: the diversion of arms into illicit hands, and unplanned explosions. In addition, improved stockpile management has many other benefits for States, including improvements in record keeping which helps them to identify arms and ammunition in surplus.

This paper provides recent examples of diversion of small arms and ammunition through theft or loss. Severe problems exist in states involved in warfare or its aftermath. In addition, this paper identifies cases of significant losses which have occurred from armed forces not involved in war, and from law enforce-

ment and private citizens and firms. Stockpile management should be a priority for all governments. The paper concludes with a recommendation for governments to start an informal, flexible and long term process to promote better stockpile management.

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