

Identifying Synergies



between Mine Action



and Small Arms



and Light Weapons



GICHD | CIDHG





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CONTENT

INTRODUCTION

Background to the Report 2

SUMMARY OF STUDY CONCLUSIONS, FINDINGS AND RECOMMENDATIONS 3

CHAPTER 1

THE CASE OF BOSNIA AND HERZEGOVINA

Background 5

The explosive threat 5

Mine Action and SALW programming structures 10

Mine Action and SALW programming: identifying synergies 12

The synergies between mine action and SALW 27

The role of donors 28

Main case study conclusions and findings 30

Annexes 31

CHAPTER 2

THE CASE OF CAMBODIA

Background 34

The explosive threat 34

Mine Action and SALW programming structures 37

The synergies between Mine Action and SALW 49

The role of donors 52

Main case study conclusions and findings 54

Annexes 55

CHAPTER 3

STUDY CONCLUSIONS AND FINDINGS

Introduction 61

Case study conclusions and findings 61

Other supporting analysis 65

Achieving greater synergy between mine action and SALW 69

BIBLIOGRAPHY 71

GLOSSARY OF ABBREVIATIONS AND ACRONYMS 75

APPENDIXES

Appendix 1. Reflections on SALW mitigation 76

Appendix 2. Lessons from Mine Action 115

BACKGROUND TO THE REPORT

In 2004, the Geneva International Centre for Humanitarian Demining (GICHD) was asked by the United States (US) Department of State to conduct a scoping study on synergies between mine action and efforts to mitigate harmful effects of small arms and light weapons (SALW). While mine action has been an established humanitarian activity since the late 1980s, large-scale programmes to address the humanitarian and developmental impacts of SALW only started in the mid-1990s. To date, there has been little strategic exchange between the two sectors, despite some apparent similarities in both the problem and the determined responses.

Terms of Reference

The study terms of reference were to address three inter-related questions:

- > What are the parallels between Mine Action and SALW?
- > Where can the mine action community provide guidance for SALW practitioners to encourage professionalism?
- > Are there benefits and costs in developing a more integrated approach?

Methodology and Authorship

In seeking to answer these questions, the GICHD commissioned two thematic studies as part of the overall study of possible synergies, the first, drafted by the Small Arms Survey in Geneva, focused on efforts to address harmful effects of SALW, and the second, drafted by Stuart Maslen, looked at lessons from mine action. Based on the lessons of the thematic studies, the GICHD then commissioned two country case studies, on Bosnia and Herzegovina (Robert Parker) and Cambodia (David Atwood).

A Study Advisory Group (SAG) was formed of concerned organisations: the International Committee of the Red Cross (ICRC), the Quaker United Nations Office, the UN Development Programme (UNDP) South Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC), Small Arms Survey, UNDP, and the UN Institute for Disarmament Research (UNIDIR). The SAG met in Geneva in October 2004 to discuss the terms of reference for the study. In November 2005, a draft of the full Study Report was sent to the SAG for review.

In February 2006, the Small Arms Survey was specifically requested to contribute to the finalisation of the Study Report. A comprehensive draft of the study was sent to the US Department of State for review in June 2006. This report has been completed on the basis of comments received from the Department of State.

Layout of the Study Report

An executive summary of the Study's main conclusions, findings and recommendations follows this brief introduction. Chapter 1 of the Study Report sets out the case study of Bosnia and Herzegovina. Chapter 2 sets out the case study of Cambodia. The study findings and conclusions are set out in Chapter 3; in addition to drawing on the lessons from the two case studies these include evidence and analysis from other relevant sources. Two appendixes follow the bibliography and glossary of abbreviations and acronyms, Appendix 1 describes the field of SALW and Appendix 2 includes a review of lessons in Mine Action.

Based on available evidence, there are few examples of existing synergies between the SALW and mine action sectors. It is generally agreed that efforts to address the harmful effects of SALW are more complex than the discipline of mine action, and in the countries studied very little existing synergy was observed between mine action and SALW programmes at field level. That which does exist, generally occurs as a result of the daily realities of mine and explosive ordnance clearance and SALW mitigation in a post-conflict environment. These synergies tend to exist where mixed ordnance has been laid, fired, abandoned, stored and hidden, and where large numbers of SALW are present rather than following a strategic decision to tackle both issues together at an operational level.

At the international level as well, many donors to mine action are also donors to SALW programmes. However, the study uncovered no examples of donors actively seeking to link mine action funding with SALW funding beyond a recognition that both issues are concerned with human security, and therefore may come from the same funding stream. The exception is the NATO Partnership for Peace Trust Fund, which has extended its original focus of providing financial support and technical assistance for the destruction of anti-personnel mines to include the destruction of SALW and stockpiled munitions.

A number of areas at the project level do offer opportunities for synergy, particularly the disposal of SALW and explosive remnants of war (ERW), and SALW awareness and mine risk education. The area which would appear to have the most potential for future synergy between mine action and SALW programmes is the provision of technical expertise to manage the explosive threat through mine/ERW clearance, SALW collection programmes and ammunition stockpile reduction, including by destruction and demilitarisation. Within these three fields there is significant potential synergy and several projects have combined SALW awareness and mine risk education (MRE).

An observer in Cambodia has claimed that: "There is potentially a great deal of synergy between mine action and SALW victim assistance. Areas include, among others: medical personnel training and assistance, record keeping and data storage (injury surveillance); coordinated funding opportunities; community engagement; socio-economic reintegration of victims into communities; employment; rehabilitation. Both mine action and SALW victim assistance must be integrated into the overall health care system (and disability policies), while recognizing that the burden on health care systems in areas affected by either landmines or/and SALW often experience vastly increased resource demand".

The management of SALW and mine action programmes requires different skills, but may offer some opportunities for efficiencies. The Study suggests that there may be opportunities for cost savings in terms of coordination and programme management of SALW and mine action. However, while acknowledging the theoretical advantages of combining efforts to address the humanitarian effects of mines, ERW and SALW local actors, were concerned to point out that they are already operating at full capacity and struggling to reach agreed targets within one thematic area alone.

The rule of law is one area which is also applicable to both mines and SALW. International and national legislation controlling the production, transfer, possession and use of SALW is however, a very different issue than with landmines. Legislative control of landmines is relatively simple. They are banned under the Anti-Personnel Mine Ban Convention. Proscriptive domestic legislation on production, export and possession follows logically. This is not the case for SALW, which are not illegal and which require a more complex and contextualised set of legislative controls.

Export control legislation and the capacity needed to implement a tough export control regime is an area that applies to both mines and SALW. The export of anti-personnel mines is banned by the Anti-Personnel Mine Ban Convention and restricted by other instruments of international law. SALW are subject to several regional instruments, including the EU Code of Conduct on Arms Exports to which Bosnia adheres. The EU Code of Conduct also bans the export of landmines. It therefore follows that training of export control officials and capacity-building of national export control institutions should include reference to both landmines and SALW. If the training is funded by a donor primarily to build capacity for the export control of SALW but includes the skills necessary to control the export of landmines, it could be deemed an example of “synergy by default”.



BACKGROUND

This case study has drawn on a combination of primary and secondary sources. Primary data was obtained via interviews, telephone conversations and emails with relevant experts and representatives of international and national organisations, institutions and agencies in Bosnia and Herzegovina (BiH) and beyond. The author undertook a mission to the UNDP SEESAC in Belgrade and carried out field work in the country on 25-30 July 2005. Secondary information was gathered from the existing literature and media reports on mine action and SALW. Annex A contains further details of the case study methodology, including a list of the organisations and individuals visited and interviewed.

The case study was not intended to provide an in-depth analysis or evaluation of either the mine action or SALW sectors in BiH. Rather, the aim was to provide an overview of both sectors and to critically examine any existing cross-over and the potential for future synergy between the two. The case study was limited by both timeframe (approximately four weeks) and timing (August 2005) as this is the month when many organisations in the country were closed and personnel on leave. This should not, however, have a significant bearing on the findings in the final report due to email and telephone interviews. The author experienced difficulties in contacting relevant representatives of governmental authorities (both at State and departmental level). As a result their views are not represented in this report, except when quoted from existing material.

THE EXPLOSIVE THREAT

There is widespread agreement that the threat to human security in BiH posed by mines and unexploded ordnance (UXO), the proliferation of SALW, and the existence of numerous insecure, ageing and overstocked conventional ammunition storage sites is considerable. The tinderbox of aged and deteriorating ammunition, explosives and propellant held by the Armed Forces of BiH (AFBiH) represents a considerable humanitarian threat.

Mine and explosive remnants of war contamination and impact

Mines are frequently concentrated in specific areas and their location can be relatively quickly discerned. In BiH, landmines (both anti-personnel and anti-vehicle) were used extensively along the lines of confrontation during the 1992–95 war. As a result of the frequent movement of the frontlines, mine contamination is extensive, random, generally low in density, and mainly confined to the zone of separation created at the end of the conflict to demarcate the two Entities.¹ The “separation zone” is 1,100 kilometres long and up to four kilometres wide – nationwide the estimated area of mine/UXO contamination is claimed to be greater than 2,000 square kilometres. Mines were laid in both urban and rural areas by all sides to the conflict often in close proximity and by personnel untrained in either mine-laying or record-keeping.² As a result many minefields remain unrecorded and, where records exist, they are often inaccurate.³

¹ The territory of BiH is divided into two entities and an autonomous district: the Federation of Bosnia and Herzegovina, the Republika Srpska, and Brcko District.

² ICBL (2004).

³ The Bosnia and Herzegovina Mine Action Centre (BHMACE) estimates that 25 per cent of all minefield records are incomplete or inaccurate and that up to 60 per cent of minefields remain unrecorded. Survey Action Center and Handicap International (2003: 39).

The Landmine Impact Survey (LIS) for BiH, conducted between October 2002 and December 2003, identified 1,366 mine-impacted communities as impacted by 2,134 distinct mine- and UXO-contaminated areas. Drawing on existing census data, this represents a direct threat to the safety and livelihoods of an estimated 1.3 million people and makes BiH one of the most mine-affected countries in the world. BiH has a particularly high percentage of medium-impacted communities (51 per cent of the 1,366 impacted communities against a global average of 30 per cent in mine-affected countries) due to the effect of the return of internally displaced persons (IDPs) and refugees.⁴

UXO contamination also generally follows the lines of confrontation but is spread more widely than the mined areas due to the use of mortars and other munitions.⁵ There are relatively few booby-traps or improvised explosive devices (IEDs) and the type of UXO encountered is generally known.⁶ Although most UXO found in BiH can be attributed to the war of 1992-95, a legacy of UXO also remains from the 1939-45 War, which is often beyond the capacity of local explosive ordnance disposal (EOD) teams to deal with.⁷

The overall impacts of landmines are significant in relation to other comparable countries. The LIS recorded 2,171 mine and ERW casualties for the period 1996-2001 and a further 129 “recent” mine or ERW victims (those in the two years preceding the survey, i.e. 2002-03). A total of 87 per cent of recent victims in BiH were males aged 15-59, and the most frequent activity at the time of the incident was farming (25 per cent) followed by collecting wood or water (22 per cent) and herding animals (12 per cent).⁸

According to the LIS, the most common effect of mine/UXO contamination on impacted communities is the denial of safe access to non-agricultural land such as forest. Areas of BiH are heavily forested, providing a natural resource used by many rural communities for hunting, charcoal production, wood collection, and gathering herbs and medicinal plants. A total of 84 per cent of impacted communities are affected in this way. The second most reported effect is blocked access to pasture for grazing animals (63 per cent), followed by rain-fed cropland (57 per cent). The LIS reports blocked access, in varying degrees, to water, housing, roads and other infrastructure.⁹ Housing reconstruction and IDP and refugee return is similarly hindered.

The threat of mine and ERW contamination on impacted communities is compounded by the poor economic conditions and lack of employment in BiH that force many people to find alternative sources of income. This may involve deliberate interaction with mines or ERW to render land safe for agricultural and non-agricultural use or to salvage scrap metal such as copper and aluminium as an economic resource.¹⁰

Although the mine and ERW incident rate has fallen from an average of 52 casualties per month in 1996 to three per month in the first half of 2004, it still represents a significant threat to the security and development of impacted communities.¹¹

SALW in BiH society and their effects

The origin of the SALW threat facing BiH also predates the conflict of 1992-95 to the 1939-45 War and the immediate post-war period. The legacy of Tito’s “Total National Defence” doctrine left weapons caches and stockpiles scattered around BiH for use by the Yugoslav National Army and a reservist capacity known as the Territorial Defence Forces in the event of a NATO or Soviet invasion.¹² In addition, much of the former Yugoslavia’s defence industry capacity, including SALW production, was located in the mountainous regions of BiH.¹³ Private ownership of weapons, both legal and illegal, was also common in Yugoslavia, partly as a legacy of partisan warfare during the 1939-45 War and partly due to the popularity of hunting in the country.

In addition to the readily available stock of weapons and ammunition in private hands and weapons caches, the willingness and ease with which international arms dealers were prepared and able to supply the warring parties after hostilities broke out in the 1990s maintained stocks during the fighting and added to the post-conflict pool of available weapons. Despite a UN arms embargo on the warring parties, the Bosnian Serbs received arms and ammunition from Milosevic’s Yugoslavia while the Bosnian government forces were reportedly supplied clandestinely via Turkey and Croatia by Iran and Saudi Arabia, among others.¹⁴

To compound the problem, the General Framework Agreement for Peace in Bosnia and Herzegovina that ended the 1992-95 War (the Dayton Peace Agreement – DPA) did not contain clear provisions for an organised Disarmament, Demobilisation and Reintegration (DDR) programme, with the result that many ex-combatants returned to their communities with their weapons.¹⁵ While setting out the general conditions necessary “to recreate as quickly as possible normal conditions of life in Bosnia and Herzegovina”, and to establish “progressive measures for regional stability and arms control”, in the view of at least one expert the DPA contained insufficient detail on the specifics of SALW and should have been more aggressive on the issue.¹⁶

It is difficult to determine the precise number of weapons in Bosnia and Herzegovina, though current experts place the number at less than one million. Attempts by UNDP BiH to assess the quantity of weapons in BiH¹⁷ have faced a dual problem: the lack of an accurate figure for the number of weapons retained in hidden caches after the “superficial disarmament process following the DPA” at the end of the war; and the current administrative structure in BiH, which leaves responsibility for security at the Entity and cantonal levels.¹⁸

⁴ An estimated 50 per cent of the population of BiH left their pre-war place of residence as a result of the conflict (Survey Action Center and Handicap International (2003: 39)).

⁵ Interview with Damir Aticovic, Mine Action Adviser Community Liaison, Norwegian People’s Aid, 26 July 2005.

⁶ Interview with David Rowe, UNDP Chief Technical Adviser, BHMIC, Sarajevo 28 July 2005.

⁷ Telephone interview with Lt.-Col. Per Sandgren, EUFOR Countermines Section 2 September 2005; see also various reports on EUFOR Forum in January and August 2005.

⁸ Survey Action Center and Handicap International (2003: Executive Summary).

⁹ Survey Action Center and Handicap International (2003:33-35 & 36, Table 15).

¹⁰ Landmine Action et al. (2005: 8 and 29).

¹¹ Survey Action Center and Handicap International (2003: Executive Summary); ICBL (2004).

¹² UNDP and BICC (2004: 11).

¹³ SEESAC and Saferworld (2004: 35); Small Arms Survey (2003: 43).

¹⁴ Pomfret and Ottaway (1996); Congressional Record: Arms Shipments to Bosnia from Islamic Countries (US Senate, 9 May 1996), accessed on the Federation of American Scientists (FAS) website at www.fas.org/irp/congress/1996_cr/s960509a.htm.

¹⁵ UNDP and BICC (2004).

¹⁶ Interview with Adrian Wilkinson, Head, SEESAC, Belgrade 25 July 2005. Annex 1B to the DPA contains provisions relating to, inter alia, heavy weapons (tanks and armoured vehicles, all artillery of 75mm calibre and above, all mortars of 81mm and above, and all anti-aircraft weapons of 20mm calibre and above), combat aircraft, military exercises and manufacturing capabilities. It also refers to the “disbandment of special operations and armed civilian groups” but makes no mention of SALW.

¹⁷ Details of the surveys conducted by the UNDP BiH are contained in the section “Mine action and SALW programming: identifying synergies”.

¹⁸ For more on the administrative structure of BiH see the section on the existing structures.

Nevertheless, estimates are possible. For example, small arms are held by various groups in BiH and a stockpile estimate can be rendered by comparing their respective holdings. In June 2004, the AFBiH had a surplus of 370,010 SALW as a result of downsizing the armed forces.¹⁹ Bearing in mind the role played by SALW in the conflict and regardless of whether attempts to export the surplus succeed, the destruction of the remainder poses a significant logistical challenge in the future.²⁰ EUFOR (European Union Force) and US forces have been reportedly seeking AK-47s and small arms ammunition for export to Iraq.²¹ It is unclear what bearing the export moratorium will have on this effort.

The police forces of the Entities are subject to the European Union Police Mission's (EUPM) weapons policy and, as such, are armed with short-barrelled service revolvers and permitted to hold one long-barrelled firearm (rifle, shotgun or sub-machine gun) for every ten officers. The police in Brcko District are similarly equipped and together the three forces have access to a combined total of around 17,200 weapons which corresponds closely with the number of officers on duty. The State Border Service controls around 1,750 weapons.

Private security companies are a growth industry in BiH but accurate figures for the number of weapons they hold are not currently available. Legally registered weapons in civilian possession numbered approximately 353,000 in 2003–04 and estimates for the number of illegal weapons in civilian possession range from 140,397 to 494,252.²² In addition, troops from the Stabilisation Force (SFOR) and its replacement, EUFOR, continue to discover large weapons and ammunition caches containing light weapons, ammunition and explosives. Many of these caches are described as “well-managed”, indicating that although armed conflict ended years ago there are still groups seeking to maintain a military capability in the event that the situation deteriorates.²³

Interestingly, while no substantial imports of SALW have taken place since the war, apart from the 1996 US-sponsored “Train & Equip” programme,²⁴ business is booming for the Bosnian arms export industry. The value of private sector weapons and ammunition exports from BiH in the first six months of 2005 had already exceeded the total for the whole of 2004.²⁵

The direct impact of SALW on individuals and communities in BiH is similarly difficult to quantify, due in part to poor and incomplete surveillance data on both public health impacts, and the use of SALW in criminal activities. There are also some seemingly conflicting perceptions of relative security among citizens and international observers. The statistics made available to the authors of the Small Arms Impact Survey 2004 collate all violent deaths (accident, suicide and murder) in BiH without disaggregating data on deaths attributable to SALW misuse. There was an average of 550 violent deaths every year from 1996 to 2002 but, apart from an assumption that SALW may have been used in many of the homicides and suicides, it is impossible to get a more accurate picture of the true impact of SALW on the community in terms of lethal criminal activity. The Small Arms Impact Survey lists more specific statistics at cantonal level, but these fall short of the detail necessary to produce a more thorough analysis of the direct impact of SALW on the community.²⁶

With specific reference to the Republika Srpska, the Small Arms Survey (2004) notes that “the crime statistics show a relatively low number of incidents involving the use of weapons with no clear trend being visible during the last three years. In general, EUPM officials indicate that the crime rate is still very low in BiH compared to other European countries.”²⁷ This observation is supported by the findings of the Small Arms Perception Survey, conducted as part of the SALW Survey for BiH (2004).²⁸

The indirect impact of SALW proliferation on communities is also exceedingly difficult to quantify – though various surveys have attempted to do so. At a minimum, there is evidence suggesting that the diversion of resources to improve security – both in terms of post-conflict disarmament/demilitarisation and crime reduction and prevention – decreases the funds available for development and threatens foreign and domestic investment. The destabilising effect of large numbers of SALW is clearly documented (for example, by the Small Arms Survey) in many post-conflict contexts, including neighbouring Kosovo and the Former Yugoslav Republic of Macedonia.

Despite the absence of concrete data, it is clear that the presence of so many illegal weapons poses an obvious threat to individual lives and is a significant source of insecurity for communities. Armed violence, suicide and accidental death rates are fuelled by the presence of literally hundreds of thousands of SALW in both military and civilian hands. It is generally understood that SALW proliferation is, in some measure, undermining the rule of law, contributing to daily casualties, exacerbating social tensions, negating security confidence-building measures and obstructing development.²⁹

¹⁹ The policy of selling surplus weapons to generate much-needed income rather than destroying them has been criticised by some observers.

²⁰ A moratorium issued by the Ministry of Defence allowed the sale and export of surplus arms and ammunition until July 2005, after which it was to be destroyed. UNDP and BICC (2004); SAS (2004); and email from Amna Berbic, Small Arms Project Manager, UNDP BiH, 10 August 2005.

²¹ Telephone interview with Lt.-Col. Per Sandgren, EUFOR Countermines, 2 September 2005.

²² UNDP and BICC (2004); SAS (2004: 24).

²³ SEESAC and Saferworld (2004: 36); Lt. Hollie Ryan, “A fine harvest for the Ghurkas”, SFOR Informer, October 2003, available at: www.nato.int/sfor; and “NATO discovers more weapons caches in Serb-run Bosnia”, Weekly Media Report 15–22 September 2003, 17 September 2003, www.seesac.org.

²⁴ This programme aimed to reduce the likelihood of a resumption of hostilities when the Implementation Force pulled out by establishing a military balance between the Army of the Federation (VFBiH) and the Army of the Republika Srpska (VS). The VFBiH received military training from the private military company (PMC) Military Professional Resources Incorporated (MPRI) and equipment, including SALW, worth US\$100 million. The White House, Office of the Press Secretary, “Fact Sheet: Training and Equipping the Bosnian Federation”, July 1996; UNDP and BICC (2004); and SAS (2004: 30).

²⁵ “Bosnian Federation companies see rapid arms export growth”, BBC News, 24 June 2005.

²⁶ Some of the cantons break the information down to include “number of deaths and injuries as a result of illegal and irregular use of SALW”; “arrests and charges for illegal possession of SALW”; “number of criminal acts involving the use of SALW” but these statistical categories are by no means universally recorded. Similarly, violent deaths and crime statistics provided by the Republika Srpska appear under the headings: Crimes against life and body; Murder; Attempted murder; or Other blood crime. Neither Entity held statistics on the use of SALW in domestic violence or other crimes likely to have a specific gender angle. UNDP and BICC (2004); SAS (2004: 32 and 35).

²⁷ UNDP and BICC (2004); SAS (2004: 23). The report also notes that this may in part be due to a reticence on the part of the community to report crime to the authorities.

²⁸ There are some contradictions in the survey, however. For example, the survey concludes that “overall, BiH is a relatively safe place”, that “the overall risk of being the victim of a violent encounter is extremely low” and that “the data gathered indicates that gunshots and the visible presence of firearms on the streets is [sic] quite rare.” However, the survey also reports that when asked about the perceived quantity of SALW in their areas, many respondents felt that there were too many weapons and that this posed a serious threat to security. It is interesting that weapons which are rarely seen or heard are still perceived to pose a significant threat. The fear of a resumption of hostilities and the knowledge or perception that a simple dispute could easily escalate to armed violence due to the presence of SALW may go some way to explaining this phenomenon. UNDP and BICC (2004); SAS (2004: 37 and 39).

²⁹ SEESAC (2003: 1).

Joint threat assessments

There is no evidence that any joint threat assessments for mines/ERW and SALW have been carried out to date in BiH. This may be due to the fact that, as noted below, mine action and SALW in BiH are conducted by a diverse group of local and international organisations and institutions, and, for the most part, the issues are dealt with in isolation from each other.

Opportunity for synergy

Though there have been few concrete examples of common threat assessments, there are a number of entry-points for collaboration on the ground. For example, there is a considerable lack of adequate surveillance data to monitor mortality and morbidity rates. SALW fatal and non-fatal injury data is particularly limited, though some innovative attempts at collaboration in the context of data collection are emerging, as will be seen below. Collaborative activities in relation to surveillance and monitoring and evaluation could benefit both mine action and SALW.

MINE ACTION AND SALW PROGRAMMING STRUCTURES

BiH is divided into two Entities (Republika Srpska and the Federation of BiH) and one district (Brcko District), with a weak central State government at national level. The Entities and the much smaller autonomous Brcko District (under international administration) all have legislative powers and separate governments. The political system in BiH is a product of the DPA, and the formal structures of the mine action and SALW programmes are essentially determined by the system put in place.

The DPA is made up of 11 Annexes addressing different aspects of post-conflict rebuilding, including military and security matters, civil implementation of the DPA and national and international policing. The Annexes mandate different organisations and agencies in BiH to carry out specific tasks according to their role in the post-conflict rebuilding process, and this may impact their work on mine action or SALW.

All interviewees considered the complexities of the political structure in BiH to be one of the main obstacles to the further development of coherent and effective nationally-run programmes to address the threat of SALW and mines individually, let alone in a combined initiative. Indeed, SALW issues are the responsibility of the Ministry of Security and the Ministry of Defence. By way of contrast, mine action is carried out under the auspices of the Ministry of Civil Affairs. Organisations such as UNDP BiH have different contacts in different government departments for mine action and SALW.³⁰

The role of the international community

According to the provisions of the DPA, different international organisations have been mandated with different responsibilities relating to arms control. The Office of the High Representative of Bosnia and Herzegovina (OHR) is responsible for civilian implementation of the DPA and for overall control of the whole DPA process. It is therefore responsible for the introduction of State-level legislation and the harmonisation of arms control legislation at entity and cantonal levels. The OHR does not deal specifically with mine action but is indirectly involved in SALW issues as it plays a role in terms of policy coordination and development of national institutional frameworks which will ultimately be responsible for SALW.³¹

EUFOR, the European Union Force that replaced the NATO Stabilisation Force in December 2004, is responsible for assisting in the implementation of territorial and military aspects of the DPA through “Operation Althea”. Comprising some 7,000 troops from 33 nations (including 22 Member States and 11 non-EU nations), it is divided into three multinational task forces which cover three distinct areas of operation in the north-west, north and south-east of BiH.³²

The Organisation for Security and Cooperation in Europe (OSCE) is tasked with establishing an arms control regime to help build confidence between the parties and lead to the establishment of permanent peace. The OSCE Code of Conduct on Politico-Military Aspects of Security sets the foundation for BiH’s defence and security commitments. The OSCE provides support and expertise to BiH’s defence institutions in their efforts to reach the benchmarks set for NATO Partnership for Peace candidacy, which include the establishment of state-level defence institutions and democratic control of the AFBiH. The OSCE Mission identified SALW as a priority area for 2004 and took a lead role in addressing the issue of surplus SALW as part of a Defence Reform Commission implementation team.³³

EUPM is tasked with regulating and reforming police structures in BiH and consequently has control over SALW in their possession. EUPM took over from the UN International Police Task Force (IPTF) in January 2003 with the objective of raising BiH police competency to a level comparable to that of other EU and international police forces.³⁴

Mine action structures

In June 1996, following a request from the BiH Government, the UN established the United Nations Mine Action Centre (UNMAC). This was the first significant step towards establishing a national structure for mine action activities in BiH. UNMAC took over the records from SFOR as well as a minefield database in BiH. UNMAC was supported in its work by The World Bank, while UNHCR established six clearance teams, mainly to clear houses for returning refugees.

The UN also set up a new national structure to create demining capacities, which led the establishment of the Demining Commission in 2002 as the national policy-making body. The Demining Commission is part of the Ministry of Civil Affairs, and the State-level mine action Centre (BHMAL), its technical body, was formed to coordinate and oversee mine action activities such as prioritisation, surveying, quality assurance, and certification.

The UNDP runs an Integrated Mine Action Programme, which seeks to provide operational and strategic support to the national mine action bodies – the Demining Commission and BHMAL. The UNDP also runs a Direct Demining Project and also co-chairs the board of donors for mine action in BiH.

³⁰ Interview with Anna Berbic, Small Arms Project Manager, UNDP BiH, Sarajevo, 28 July 2005.

³¹ SEESAC and Saferworld (2004: 37); email from Mudzahid Hasanegovic, Legal Officer for Public and Administrative Law, OHR Sarajevo, 11 August 2005.

³² “Facts about EUFOR”, EUFOR Forum #1, January 2005.

³³ www.oscebih.org.

³⁴ www.eupm.org.

SALW mitigation structures

The lead international agency for SALW issues in BiH is the UNDP country office. UNDP BiH has two goals: to reduce the risk associated with SALW and to build BiH state-level capacity to tackle the problems of SALW.³⁵ It currently runs a Small Arms Reduction Project (SAP) and acts as technical adviser to the State-level SALW Coordination Board established in 2002. UNDP BiH has been involved in the development of a national strategy for SALW, which was due to be approved by the Council of Ministers before the end of 2005.³⁶ UNDP BiH provides specialised training on SALW for public servants, SALW awareness-raising, and is a major player in the disposal of SALW. It is also working on the development of a weapons demilitarisation capacity for BiH for the destruction of surplus and obsolete ammunition.³⁷

There are three civil society organisations which are concerned specifically with SALW in BiH: the Red Cross Society BiH, Conscientious Objectors BiH, and the Centre for Security Studies (CSS). The first two concentrate on public awareness campaigns while the CSS is a research and policy think-tank.³⁸

Regionally, NGO activity in the SALW field has been increasing slowly since the November 2002 “Szegeed Call for Action”. Thirty NGO representatives from SEE gathered in Hungary to discuss the problems caused by SALW in the region and issued a call for action focusing on the need for governments, local authorities, the international community and civil society to work together to improve community security and raise public awareness about SALW. The NGOs formed the South East European Network for the Control of Arms (SEENCA), which has met subsequently in Sarajevo and Skopje and has identified three main areas for network action:

- > Public awareness-raising on SALW issues,
- > Education for children and young people on the dangers of SALW, and
- > Joint lobbying of government and other key decision-makers on SALW.

MINE ACTION AND SALW PROGRAMMING: IDENTIFYING SYNERGIES

Mine action and SALW activities in BiH are conducted by a diverse group of organisations and institutions operating in a difficult and complex political environment. State, entity and cantonal level institutions work alongside international and national agencies in a loosely linked multinational, multi-ethnic and multi-faith taskforce to tackle the security threat posed by mines, ERW³⁹ and SALW.

³⁵ Interview with Amna Berbic, Small Arms Project Manager, UNDP BiH, Sarajevo 28 July 2005.

³⁶ *ibid.*

³⁷ Interview with Amna Berbic, Small Arms Project Manager, UNDP BiH, Sarajevo, 28 July 2005; www.undp.ba; and UNDP and Threat Resolution Ltd (2004).

³⁸ UNDP and BICC (2004: 54); SEESAC and Saferworld (2004: 57).

³⁹ Despite its principal policy focus on anti-personnel mines, in practice mine action deals with the broader problem of explosive remnants of war (ERW), which encompass – under international law – abandoned explosive ordnance (AXO) and unexploded ordnance (UXO). BiH is no exception, and organisations involved in aspects of mine action in BiH necessarily deal with other ERW as the mine/ERW threat is fundamentally interlinked at the operational level.

Information collection, analysis and management**Mine action survey**

“General” and “systematic” surveys are conducted by BHMAL to establish the location, size and boundaries of mine-contaminated areas, level of risk and socio-economic impact on the community, including the potential benefits of demining. Areas deemed without risk following general or systematic survey are returned to the local community while risk areas are prioritised for technical survey, marking and clearance according to an impact analysis.⁴⁰ During 2003, BHMAL used the resources of 37 accredited demining organisations, including the AFBiH, the Civil Protection Agency, NGOs and commercial companies.⁴¹

BHMAL is supposed to use the results of the Landmine Impact Survey 2003, which were entered into the Information Management System for Mine Action (IMSMA) database, to prioritise land for clearance, permanent marking and fencing. In recent years it has prioritised land which is predominantly for the repatriation of refugees and IDPs and for agricultural use. BHMAL and accredited demining organisations are also involved in mapping, mine risk education and victim/survivor assistance.

SALW Survey

In order to develop an accurate picture of the distribution, impact, perception and capacity to deal with SALW to inform national and international policy makers, UNDP BiH commissioned first a needs assessment on SALW in 2003,⁴² and then a formal SALW Survey for BiH in 2004.⁴³

The SALW Survey consisted of four major components:

- > A *Small Arms Distribution Survey*, that provides an overview of the quantity of SALW in BiH, including those under the control of the AFBiH and those in civilian possession;
- > A *Small Arms Impact Survey*, that attempts to document the negative impact which the misuse of SALW has on the population of BiH;
- > A *Small Arms Perception Survey*, which presents the general perception of security in BiH including attitudes towards security providers and gun ownership; and
- > A *Small Arms Capacity Survey*, that focuses on the capacity of BiH institutions in terms of regulatory control of SALW (both civilian and armed forces/security providers) and the capacity of state, entity and local institutions, and civil society to conduct safe collection and destruction programmes.⁴⁴

⁴⁰ BHMAL (2005a).

⁴¹ ICBL (2004).

⁴² UNDP and CSS (2003).

⁴³ UNDP and BICC (2004).

⁴⁴ *ibid.*

The other significant survey commissioned by UNDP BiH and SEESAC in 2004 was the BiH SALW Ammunition Feasibility Study.⁴⁵ The study highlights the risks posed by currently overstocked and insecure ammunition storage sites and examines the feasibility of establishing an Ammunition Disposal Facility in BiH to deal with the large surplus in an economically viable and environmentally sound manner.

Other organisations conducting SALW surveys or gathering information on SALW include SFOR/EUFOR and the OSCE, local police forces and the Centre for Security Studies (which was the local partner organisation for the UNDP and BICC SALW Survey for BiH in 2004). EUFOR Liaison and Observation Teams are based in communities around BiH with the purposes of improving communications with the local population, helping with problems and gathering intelligence including information on weapons caches and UXO finds.

Synergies

There is evidence to suggest that a cross-over between mine action and efforts to address harmful effects of SALW in the context of information gathering is beginning to emerge. For instance, the Anti-Mines Initiative, which delivers mine risk education (MRE) in Brcko District, is also conducting a survey into the impact of SALW in the District, with the support of the local authorities. Like the four surveys in the 2004 SALW Survey for BiH this involves questionnaires, focus groups, interviews and household surveys.⁴⁶

Legislative and Regulatory Reform

Mine action

BiH became a State Party to the Anti-Personnel Mine Ban Convention on 1 March 1999. National implementation legislation is the responsibility of the State-level Ministry of Justice whereas mine action in BiH falls under the jurisdiction of the Ministry for Civil Affairs. A national Demining Law was adopted in 2002, which established the Demining Commission and regulates the implementation of demining operations in accordance with the national Demining Strategy adopted in April 2003. The Strategy aims to free the country from the negative impact of mines and UXO by 2010.⁴⁷ As mentioned above, the government formed BHMAL to coordinate mine action activities such as prioritisation, surveying, quality assurance, and certification.

SALW mitigation

While there is no global SALW treaty equivalent to the Anti-Personnel Mine Ban Convention, BiH does have international commitments through a range of arms and SALW agreements, including the OSCE document on SALW and the EU Code of Conduct on Arms Exports.⁴⁸ The lack of an established international structure for the practice of SALW mitigation is exacerbated in BiH by the complex political and legal framework within which SALW legislation sits at entity and cantonal levels. Internal regulations addressing issues such as security and the possession of weapons vary according to geographical location throughout the country.

⁴⁵ UNDP and Threat Resolution Ltd (2004).

⁴⁶ Email from Zehrudin Sukanovic, Project Manager, Anti-Mines Initiative, 5 August 2005.

⁴⁷ ICBL (2004).

⁴⁸ BiH's international arms and SALW commitments are listed in Annex C.

The UNDP/Centre for Security Studies (CSS) BiH Needs Assessment on Small Arms and Light Weapons comments that the political system in BiH is so complex that it is unstable and dysfunctional⁴⁹ and that the multiplicity of overlapping laws addressing and regulating the same issues in different ways makes it difficult to know what the law actually is.⁵⁰ As an indication of this complexity, the report devotes 15 pages to elaborating the different laws addressing SALW issues across the country – which number more than 30 in total.⁵¹

In 2004, however, the government established the Ministry of Security in order to integrate security issues by creating State-level institutions and laws, including SALW legislation. This process was ongoing as this case study was being researched. The Ministry of Security drafted a new law on civilian SALW acquisition, possession and use, which was awaiting parliamentary approval. It includes a central register for SALW and aims to harmonise the Entity laws into a consistent and workable State-level law.⁵² There is currently a SALW amnesty which allows citizens to surrender weapons and ammunition at any time to a police station without facing legal action.

The State-level SALW Coordination Board⁵³ works in collaboration with UNDP BiH on its SALW Project and also compiles the BiH official reports to the UN Department for Disarmament Affairs (UNDDA), the OSCE and the government report on implementation of the UN Programme of Action on SALW. The Coordination Board also worked on the development of the draft national SALW strategy due to be approved in the latter half of 2005.⁵⁴

There is no state-level law governing the maintenance of SALW stockpiles although the AFBiH are required to meet NATO standards for the management and safety of ammunition and weapons storage sites. These standards are often not achieved.⁵⁵

The transfer of arms is regulated at State level by the Ministry of Foreign Trade and Economic Relations and monitored by EUFOR, according to Article 14 of the “Instructions to Three Parties”.⁵⁶ The State Border Service, although not specifically tasked with arms control, monitors activities related to import, export and transit of military and security equipment along the international borders of BiH⁵⁷ and exchanges information with police institutions from neighbouring countries as part of a

⁴⁹ UNDP and CSS (2003: 15).

⁵⁰ *ibid.*: 35.

⁵¹ Furthermore, by way of illustration, the report lists 16 non-harmonised elements of Entity laws on arms and ammunition. For example, the draft law on arms and ammunition of the Federation of BiH specifies exactly which types of weapons civilians are permitted to possess but the draft law of the Republika Srpska does not. The draft law of the Federation of BiH contains no provisions stipulating that a person must undergo training prior to being issued with a permit to possess arms, whereas the draft law of the Republika Srpska states that arms shall not be issued to persons who have not undergone training. The fines, penalties and legal procedures for contravening either law also differ (*ibid.*: 40-42).

⁵² Email from Amna Berbic, Small Arms Project Manager, UNDP BiH, 10 August 2005.

⁵³ The Board comprises representatives from the Ministries of Foreign Affairs, Security, Foreign Trade and Economy, Defence, Interior and the Indirect Tax Administration, and meets on average once a month.

⁵⁴ SEESAC and Saferworld (2005: 39).

⁵⁵ UNDP and BICC (2004: 52); UNDP and CSS (2003: 72 & 76); UNDP and Threat Resolution Ltd (2004).

⁵⁶ Email from Amna Berbic, Small Arms Project Manager, UNDP BiH, 10 August 2005. The ITP is published on behalf of the Commander of SFOR/EUFOR (COMSOF/COMEUFOR) and gives direction on compliance with the military aspects of the GFAP (Dayton Agreement).

⁵⁷ UNDP and CSS (2003: 18).

regional arrangement to combat illegal activities including the illegal arms trade.⁵⁸ BiH incorporated the EU Code of Conduct on Arms Exports into its national legislation in 2003.⁵⁹

Part of EUFOR's role is to work with the 534-strong Integrated Police Unit (IPU). IPU units are armed and work alongside the State Border Service and local police services. During 2004, the IPU carried out a number of intelligence-based operations against smuggling along the borders with Serbia and Montenegro. The IPU discovered significant weapons caches away from borders, including RPGs, 85mm rockets, grenades and bombs that were uncovered during "Operation Tarcin" in December 2004.⁶⁰

Synergies

The legislative provisions pertaining to mine action and SALW mitigation in BiH illustrate the incompatible nature of the objectives of the two programmes. The National Demining Strategy and relevant legislation aim to eliminate the *presence* of mines in contaminated areas, whereas the SALW legislation is focused on controlling the *transfer* of SALW. Landmines are *banned* under the Anti-Personnel Mine Ban Convention, to which BiH is a State Party, whereas SALW are not illegal in BiH and therefore require a more complex and contextualised set of legislative controls.

On the other hand, export control legislation and the capacity needed to implement a tough export control regime is one area which applies to both mines and SALW. As noted, the export of anti-personnel mines is banned by an international treaty to which BiH is a party. SALW are subject to several regional instruments, including the EU Code of Conduct on Arms Exports to which BiH adheres.⁶¹ The EU Code of Conduct also bans the export of landmines.⁶² It therefore follows that training of export control officials and capacity-building of national export control institutions should include reference to both landmines and SALW. If the training is funded by a donor primarily to build capacity for the export control of SALW but includes the skills necessary to control the export of landmines, it could be deemed an example of "synergy by default".

Mine and ERW clearance

The Demining Strategy, among others, sets as a target the clearance of all 243 square kilometres of suspected priority areas by 2010. The AFBiH provide demining teams over the whole of BiH, with nine or ten deminers per team. They practice integrated demining, combining manual demining, mechanical flails and dogs trained to detect explosives.⁶³ AFBiH demining units were responsible for 21 per cent of the total area cleared in 2003.⁶⁴ In 2005, Brigade Commanders from both Entities and Brcko District

⁵⁸ The SEESAC and Saferworld SALW Monitor for 2005 reports that: "BiH has now signed a number of bilateral agreements with states across the region expressing commitment to jointly combating illegal activities including organised crime. During 2004 there were no joint projects on border control with other countries. Nonetheless, the State Border Service states that the service maintained regular contact and has relevant information exchanges with authorised police institutions from neighbouring countries. The State Border Service training programme includes activities aimed at preventing the flow of SALW across state borders. This necessitates enhanced cooperation with equivalent services in neighbouring states with the aim of a co-ordinated approach to countering the illegal arms trade and related types of criminal activity" (SEESAC and Saferworld (2005: 40).

⁵⁹ SEESAC and Saferworld (2005: 40).

⁶⁰ *ibid.*: 50.

⁶¹ See Annex C.

⁶² EU Code of Conduct on Arms Exports, Article 2, Criterion 1 (c) - the commitment of Member States not to export any form of anti-personnel landmine.

⁶³ Dżisiewska, Maj. I.K., "Reforming demining in BiH", SFOR Informer, #166, October 2003.

⁶⁴ "BHM MAC Mine Action in 2003"; ICBL (2004).

pledged to tackle the mine problem together by signing an Integrated Demining Plan.⁶⁵

EUFOR soldiers do not actively participate in mine clearance but the Countermines Section fulfils a supervisory role working in cooperation with the AFBiH to monitor the quality of clearance and destruction activities to ensure that they meet international standards. Responsibility for the coordination and monitoring of AFBiH humanitarian demining operations is in the process of being transferred from EUFOR to the AFBiH Operational Command, with full responsibility to be ceded to BiH by 2006.⁶⁶ EUFOR has other mine-related duties in its responsibility for the inspection of weapons storage sites and the collection of weapons through ongoing "Harvest" Operations (a weapons collection programme described below).

The Civil Protection Authorities (CPAs)⁶⁷ have mine and ERW clearance capacities that accounted for 10 per cent of the total area cleared in 2003.⁶⁸ CPA mine clearance teams use ground preparation machines and mine detection dogs, while CPA Emergency Response EOD teams are "on call" to respond to discoveries of mines or ERW by the local population or police.⁶⁹ However, mine and ERW clearance is not the only responsibility of the CPAs, since they are also concerned with disaster relief, such as flooding and fire. This lack of specialisation may explain why CPA training and safety standards have been criticised for being obsolete and non-compliant with European safety requirements. Furthermore, CPA teams and communities alike are being put at risk because of deficiencies in storage equipment for UXO collected by the CPA teams and inadequate transport and destruction facilities.⁷⁰

NGOs play a major role in technical survey and clearance work in BiH. Norwegian People's Aid (NPA) cleared 25 per cent of the total area cleared in 2004 making it the largest single contributor to clearance efforts in BiH in that year. NPA maintains two EOD teams with medical back-up: one in Brcko and one in Sarajevo canton. These teams respond to requests for EOD assistance from the municipal CPA and local police if they do not have the capacity to deal with incidents themselves.

A recent example in Brcko District illustrates the complex technical nature of the problem faced by local authorities and the difficulty in providing an integrated and sufficiently expert response to ensure the safety of the community. Local police uncovered a weapons cache containing SALW, explosives and ammunition (as is often the case). The police do not have the capacity to deal with the explosive threat posed by the ammunition and the explosives, so they called the NPA EOD team to assist with its movement and demolition. The police then store the SALW until they can be collected by EUFOR troops and destroyed, although many police stations do not have the capacity to store SALW safely and securely. NPA does not receive funding for EOD – their funding is specifically for mine clearance. Nor do they have the capacity to deal with SALW except for any EOD problem posed by SALW ammunition and UXO.⁷¹

⁶⁵ Francke, Capt. J.W. "Demining Action Plan Historic Meeting", EUFOR Forum #3, April 2005.

⁶⁶ Daul, H., "EUFOR Humanitarian Demining Activities", EUFOR Forum #6, July 2005.

⁶⁷ The CPA teams are funded by the European Commission and the governments of Japan and Canada to undertake mine clearance and EOD operations in support of reconstruction activities to facilitate the return of refugees and displaced persons and demining clearance priorities set by the Government and BHM MAC. The foreign funding is due to be phased out and replaced by Entity funding by 2006 (EU Delegation, "Note for the file", 11 July 2005, information supplied in email from Sanja Tica, Programme Officer Mine Action, EU Delegation to Bosnia and Herzegovina.)

⁶⁸ ICBL (2004).

⁶⁹ Email from Maj.-Gen. John Drewienkiewicz, OSCE BiH, 9 August 2005.

⁷⁰ UNDP and CSS (2003: 53).

⁷¹ Interview with Resad Junuzagic, Operations Manager, Mine Action Team, NPA, and Damir Aticovic, Mine Action Advisor for Community Liaison, NPA, Sarajevo Canton, 26 July 2005.

Other NGOs involved in clearance operations include international organisations such as INTERSOS and Help, and local organisations such as STOP Mines, APM (Akcija Protiv Mina) and UG ZOM. Together NGOs accounted for 37 per cent of the total of cleared land in 2003.⁷² Commercial demining companies accounted for 32 per cent of the total in the same year and several BiH companies produce equipment used in mine clearance including vehicles and protective clothing.⁷³

SALW collection

Since 1998 in BiH the international forces of SFOR (now EUFOR) have been the main collectors of SALW from the local population under the auspices of Operation Harvest, although these are increasingly being carried out by local authorities. Harvest operations are in two main categories – “Passive Harvest” and “Active Harvest”. “Passive Harvest” is primarily a voluntary weapons collection programme accompanied by a public information campaign, the establishment of collection points within a community and the involvement of local authorities. “Active Harvest” is a more intelligence-led, search-and-seize type operation conducted by SFOR/EUFOR troops, aimed at uncovering hidden weapons caches.⁷⁴

Increasingly, local agencies such as the police, CPA and AFBiH have become involved in SALW collection, and the aim is to hand over responsibility to BiH institutions as capacity allows. For instance, local police forces assist by offering police stations as SALW collection and storage points from which EUFOR or CPA can pick them up for destruction. Harvest operations have adapted to incorporate different methods and incentives according to locality.⁷⁵ The move towards “National Harvest” operations being run by the AFBiH, CPA and police is welcome, and many EUFOR reports on collection activities in 2005 stress the capacity-building aspects and close liaison between international and national agencies during the operations. These operations are also often accompanied by other activities such as the “Run for Peace” in Sarajevo and concerts by the British Army Grenadier Guards Band.⁷⁶

Despite the lack of an accurate figure for the number of SALW in BiH before post-conflict weapons collection began, and despite observations that many of the weapons handed in are obsolete, overall Harvest operations have been seen as successful due to the quantity of weapons and ammunition collected and the awareness-raising the ongoing process delivers. The success in terms of impact on illegal weapons holdings must, however, be assessed as negligible. The total number of SALW and other ordnance collected during SFOR operations can be found in Annex C.

SALW collection in BiH highlights one of the major difficulties faced by the authorities in tackling the human security legacy of the war. For instance, the willingness of individuals [and communities] to surrender their weapons is affected by their perception of the security situation. In BiH the perception of personal security is linked to the fear of crime and the inability of the state to provide adequate security, and both individuals and communities fear a resumption of hostilities.⁷⁷

⁷² ICBL (2004).

⁷³ *ibid.*

⁷⁴ UNDP and BICC (2004: 25).

⁷⁵ For example in 2004, “Harvest Rewards” offered lottery tickets for household appliances in exchange for weapons. The programme was run by the Republika Srpska authorities over a longer period than most SFOR/EUFOR operations and operations in Tesanj in 2004 emphasised the leading role played by local authorities.

⁷⁶ See for example: Baillie, Lt. R., “Operation Lucky Harvest”, EUFOR Forum #6, July 2005; Compagnone, Capt. B. “Give Peace a Chance Operation FREE ENTRANCE 12”, EUFOR Forum #3, April, 2005; Camous, Capt. J.-P., “Op FREE ENTRANCE 11 Harvest Operation in MNTF(SE)” EUFOR Forum #2, March, 2005.

⁷⁷ UNDP and CSS (2003: 10); interview with Adrian Wilkinson, Head, SEESAC, Belgrade, 25 July 2005.

SALW and mine stockpile destruction

Mine action

Destruction of anti-personnel mines and UXO generally takes place in designated demolition pits around the country with the agreement of the CPA or on site if necessary for safety reasons.⁷⁸ The logistical disposal of anti-personnel mines is limited by international treaty to destruction or demilitarisation (the other traditional options for the disposal of ammunition and explosives – sale, gift, increased use or deep sea dumping – are not permitted for anti-personnel mines).⁷⁹

SALW mitigation

Destruction of weapons collected during Harvest operations is relatively straightforward when compared with the logistical destruction required to rid BiH of its huge surplus of SALW.⁸⁰ Different expertise and facilities are also required to destroy SALW when compared with ammunition, explosives, mines and UXO. Destruction of UXO, landmines and ammunition can be conducted by Open Burning and Open Demolition (OBOD) if the stockpiles are not too large. However, the use of explosives to destroy SALW and ammunition using OBOD techniques has led to complaints from local communities over noise levels, flying debris and increased concentrations of heavy metals in the soil.⁸¹ UNDP has supported the development of an industrial ammunition demilitarisation facility in BiH to deal with the logistic destruction of ammunition, and to take advantage of economies of scale.⁸²

The SEESAC destruction database reports that between 2000 and 2003, 23,145 weapons were officially destroyed in BiH. A significant amount of military equipment, including 10,000 SALW from each of the two Entity armies, was destroyed in 2004. This process continued throughout 2005, and a further 40,000 weapons have been destroyed.⁸³ For example, on 26–28 July 2005, 5,407 weapons were destroyed in the Zenica steel mill. The operation was implemented by the Ministry of Defence with financial and technical support from UNDP and independent monitoring and verification by the CSS and EUFOR. The destruction of a further 70,000 surplus weapons began in September 2005.⁸⁴ EUFOR observers also witnessed the destruction by the AFBiH of four tonnes of ammunition at the Vojska Repulike Srpske Munitions Destruction Site on 30 May 2005.⁸⁵

OSCE BiH hosted a workshop in early June as a means to prepare the 2005 BiH Information Exchange on Small Arms and Light Weapons. The workshop was attended by representatives from the BiH Ministry of Foreign Affairs, the Ministry of Defence, the Ministry of Security, and the State Border Service. The agenda included the immediate destruction of ammunition following the end of the export moratorium in July 2005. Beginning in July 2005, the OSCE Mission to BiH, EUFOR and UNDP were due to make plans for the destruction of all surplus small arms and light weapons – weapons ranging from a 5.45mm calibre assault rifle to a 14.7mm machine gun.⁸⁶

⁷⁸ Interview with David Rowe, UNDP Programme Manager, BHMIC, Sarajevo 28 July 2005.

⁷⁹ IMAS 11.10, 2nd edition, 1 January 2003.

⁸⁰ Interview with Adrian Wilkinson, Head, SEESAC, Belgrade, 25 July 2005.

⁸¹ UNDP and CSS (2003: 54).

⁸² UNDP and Threat Resolution Ltd (2004).

⁸³ SEESAC and Saferworld (2005: 47).

⁸⁴ UNDP, “Surplus Weapons Destruction, Zenica 26-28 July 2005”, UNDP Activity Report 2005/04, Sarajevo.

⁸⁵ Daul, H., “Munitions Destruction Operation at Kalinovik”, EUFOR Forum #6, July 2005.

⁸⁶ Berger, J., “Seminar on Small Arms and Light Weapons in BiH”, EUFOR Forum #7, August 2005.

SALW stockpile management

The issue of over-stocked and under-manned stockpiles of SALW ammunition has risen up the international agenda in the context of BiH following recommendations by the Defence Reform Commission⁸⁷ to significantly downsize and consolidate the AFBiH and the implications this has for the logistic disposal of surplus SALW and ammunition.⁸⁸

As a result of recent downsizing of the AFBiH there are an estimated 370,000 surplus weapons and possibly 33,000 tonnes of ammunition in stockpiles around the country. This poses a significant logistical challenge to the BiH authorities and the international community both in terms of its secure storage and eventual destruction or demilitarisation.

The BiH SALW Ammunition Feasibility Study⁸⁹ concluded that the ammunition stockpile presents a real danger to the civilian population living near storage facilities, and there are concerns over lack of security at weapons storage sites.⁹⁰ Many ammunition storage sites contained anti-vehicle mines, and many were affected by the presence of minefields around the storage site.⁹¹ SEESAC, which has a mandate from the UNDP and the Stability Pact for South East Europe to provide assistance and support on SALW destruction issues to partner nations in the region, has concluded that the only realistic solution to this problem is a coordinated international effort to establish a safe and effective Logistic Ammunition Disposal System.⁹²

The improvements necessary to these sites have been put on hold while appropriate donors are found but, in the meantime, closure of other sites and ammunition destruction continues under EUFOR supervision.⁹³ SFOR/EUFOR works closely with the AFBiH to reduce the number of storage sites and destroy surplus stocks of weapons and ammunition through Operation Armadillo.⁹⁴ The number of weapons storage sites has been reduced from 540 in 1999 to 42 in 2004, with plans to reduce the number further by the end of 2005.⁹⁵ EUFOR is training members of the AFBiH to conduct weapons and ammunition storage site inspections to build the capacity of the AFBiH to conduct such inspections to NATO standards. The training is part of the effort which aims, after a transition period, to transfer the inspection responsibilities from EUFOR to the armed forces of BiH.⁹⁶

⁸⁷ The OHR established the Defence Reform Commission in May 2003 to accelerate and develop action plans for the implementation of defence reforms, including the integration of the Armed Forces of BiH under a single chain of command for the first time. There will be one State-level defence budget as of January 2006, and functions of the existing Entities' Ministries of Defence will be transferred to the Ministry of Defence BiH. The number of active duty troops in the AFBiH will be reduced to between 9,000 and 10,000, and conscription will be abolished. A new professional Active Reserve force will be established over the next few years and will be half of the active duty force. (Email from Amna Berbic, Small Arms Project Manager, UNDP BiH, 10 August 2005; "Defence Reform", EUFOR Forum #7, August 2005.)

⁸⁸ SEESAC and Saferworld (2004: 36). On 24 March 2004, the Presidency of BiH adopted the recommendations of the Defence Reform Commission on the future structure of the unified armed forces (see Section 2 for more detail). This has had a serious impact on the numbers of SALW kept by the AFBiH and has resulted in a large surplus of SALW and ammunition. UNDP and BICC (2004); and SAS (2004: 13).

⁸⁹ UNDP and Threat Resolution Ltd (2004). The survey was commissioned by UNDP BiH and SEESAC in 2004. (See section 3.1 above for further details).

⁹⁰ UNDP and Threat Resolution Ltd (2004: 2-5); UNDP and BICC (2004: 52).

⁹¹ UNDP and Threat Resolution Ltd (2004: Annex A to Chapter 2).

⁹² UNDP and Threat Resolution Ltd (2004: Annex A to Chapter 1).

⁹³ Email from Amna Berbic, Small Arms Project Manager, UNDP BiH, 10 August 2005.

⁹⁴ The stated aim of Operation Armadillo is to "support the Entity Armed Forces with their efforts to reduce their current stocks of unserviceable, unsafe and surplus ammunition, in order to reduce the number of Ammunition Storage Sites in BiH". "SFOR Operation Armadillo" Factsheet, February 2004. However, it is difficult to get current information on the status of Operation Armadillo – this difficulty was also encountered by the author of the Landmine Monitor report on BiH for 2005. Telephone interview with Karel Bartosik, London, 1 September 2005.

⁹⁵ SEESAC and Saferworld (2005: 48).

⁹⁶ Miettinen, Lt. J., "EUFOR Weapon Inspection Training Programmes", EUFOR Forum #5, June 2005.

Synergies

The threat to human security in BiH posed by mines and UXO, the proliferation of SALW and the existence of numerous insecure, ageing and overstocked conventional ammunition storage sites is considerable. In all three cases the security risk in the form of explosive threat is of a sufficiently similar technical nature that there is a common need for the same kind of technical expertise and advice when conducting mine/UXO clearance, SALW collection and stockpile management and destruction operations.

In the context of SALW collection, for instance, Harvest operations rarely gather firearms alone. Explosives, detonators, ammunition, hand grenades, RPGs and mines (anti-personnel and anti-vehicle) are all routinely collected during Harvest operations and each poses a particular threat to the safety of those involved on both sides of the operation. In order to minimise this explosive threat, all SALW collection operations should be planned in collaboration with ammunition technical officers and EOD specialists. Ammunition Technical Officers (ATO), EOD specialists and medical teams should be on site to assess the risk posed by any potentially explosive item before it is moved and/or destroyed.⁹⁷ Collection should ideally be conducted house-to-house following reports of weapons from individuals, rather than encouraging them to bring potentially unstable explosive material to collection points.⁹⁸ Even when EOD and medical teams are present, they may only assess the condition of potential explosive hazards once they have been brought to the collection point by the person surrendering the arms, rather than assessing the risk before the arms are moved.

Despite the relatively low number of casualties sustained during Harvest operations so far,⁹⁹ EOD and medical expertise, along with technical ammunition expertise should be an integral part of the planning and delivery of any SALW collection effort.¹⁰⁰ In addition, authorities must ensure that if local police have to store SALW until they can be collected for destruction by the CPA or EUFOR then storage facilities and procedures must be adequate to avoid loss or theft.¹⁰¹

As noted in the RMDS/G developed by SEESAC: "Micro-disarmament programmes inevitably lead to the return of unstable and inherently dangerous ammunition and explosives in parallel to the return of weapons. Not only does this create a physical threat to human life, but also it can be a threat to the whole disarmament, demobilisation and reintegration process. Any civilian casualties as a result of the instigation of such programmes can have a negative effect on the credibility of the organisation conducting the operation, leading to a lack of confidence in their abilities by the local community and the subsequent withdrawal of consensual support for the process".¹⁰² Furthermore, experience has shown that the integration of EOD and ammunition technical support into the wider micro-disarmament programme from the beginning can save time, ensure a more efficient use of resources and significantly improve safety.¹⁰³

⁹⁷ Interview with Adrian Wilkinson, Head, SEESAC, Belgrade, 25 July 2005.

⁹⁸ Interview with David Rowe, UNDP Programme Manager, BHMAC, Sarajevo, 28 July 2005.

⁹⁹ SEESAC and Saferworld (2004: 50).

¹⁰⁰ Interview with Adrian Wilkinson, Head, SEESAC, Belgrade, 25 July 2005; RMDS 05.60, 2nd Edition (1 March 2004), available at: www.seesac.org.

¹⁰¹ SEESAC and Saferworld (2004: 50).

¹⁰² RMDS 05.60, 2nd Edition (1 March 2004) – www.seesac.org.

¹⁰³ EOD and ammunition technical support was integrated into the Albania micro-disarmament programmes during 1999–2002; the result was that there were no civilian or police casualties during the collection and destruction phases of the programme. This has not been the case in other previous micro-disarmament programmes within the region where there has been either limited or no integral support (ibid).

In the context of stockpile destruction, International Mine Action Standards (IMAS) has noted that: “In terms of stockpile destruction, anti-personnel mines are no different to other types of munitions. They all contain fusing systems and high explosives, so the inherent dangers present during transport, storage, processing and destruction are the same. For this reason, it is recommended that the stockpile destruction of anti-personnel mines should not be looked at in isolation. The technical factors are the same for the destruction of all types of ammunition, therefore, where appropriate, consideration should be given for the destruction of these different types in parallel to anti-personnel mines; it may prove to be beneficial in some cases. The supporting logistic and support services will remain similar for all ammunition types.”¹⁰⁴

Currently the technical response of both the international community and BiH national authorities and agencies to the explosive threat posed by mine/UXO clearance, SALW collection programmes and the management and reduction of ammunition storage sites in BiH is not integrated. Demining agencies maintain their own EOD teams and technical experts. The CPA has a limited capacity to respond to UXO emergencies and is not supposed to deal with SALW destruction. EUFOR provides its own EOD teams at weapons collection points, although the focus seems to be on the safety of the troops rather than the community as a whole. And the AFBiH has limited weapons and ammunition inspection capacity but is sitting on huge stockpiles of SALW and ammunition. Where overlap does occur it tends to be ad hoc rather than strategically planned, as in the case of NPA providing EOD support to local police in Brcko, or it is “synergy by default”, such as the destruction of stockpiled mines along with other ammunition because they were all located in the same ammunition storage site.¹⁰⁵

The integration of EOD and ammunition technical support to all three areas of explosive threat encountered in BiH offers one possible area for future synergy between mine action and SALW in BiH. Individuals and teams already active in demining operations may well have the required technical training and experience to contribute to micro-disarmament SALW operations. This expertise should be harnessed and used where possible to make the best use of current resources. This applies to both the international community’s response via UNDP mine action and SALW programmes and to the capacity-building of technical expertise within national institutions such as the AFBiH and CPA by EUFOR.¹⁰⁶

Several sources highlight the success of micro-disarmament and stockpile reduction efforts in Albania as evidence of the potential for synergy between efforts to address harmful effects of SALW and mine action, particularly in the area of technical expertise to counter the explosive threat posed by ammunition storage sites and weapons collection programmes. EOD expertise and capacity-building provided by NATO, and technical ammunition expertise provided by Ammunition Technical Officers seconded to UNDP, ensured that the ammunition stockpile reduction and weapons collection programmes were successful and resulted in no casualties.¹⁰⁷

¹⁰⁴ IMAS 11.10, 2nd edition, 4.4. (Technical considerations). “Note: For example, the destruction of anti-personnel mines could be done in conjunction with the disposal of large-calibre artillery shells. These can then act as donor charges for the anti-personnel mines, thereby reducing the costs of serviceable explosives during Open Detonation (OD) disposal operations” (ibid)

¹⁰⁵ Lt.-Col. Per Sandgren feels that there is little opportunity for synergy precisely because landmines are treated differently if they are found in minefields (destroyed on site along with UXO) than if they are found by weapons inspectors in storage sites or weapons caches (where they are usually still boxed and unused and are therefore treated like any other munition). Telephone interview with Lt.-Col. Per Sandgren, EUFOR Countermines Section, 2 September 2005.

¹⁰⁶ Some training in weapons storage inspection is being delivered to the AFBiH by EUFOR as noted in the previous Section. Miettinen, Lt. J., “EUFOR Weapon Inspection Training Programmes”, EUFOR Forum #5, June 2005. EUFOR Countermines Section is also working on joint-planning and budgeting with the new Ministry of Defence BiH Demining Cell: telephone interview with Lt.-Col. Per Sandgren, EUFOR Countermines Section, 2 September 2005.

¹⁰⁷ *Bitting the Bullet* and SEESAC (2005); UNDP and Threat Resolution Ltd (2004); interview with Adrian Wilkinson, Head, SEESAC, Belgrade, 25 July 2005; and telephone interview with Kate Joseph, Senior Policy Advisor Conflict and Humanitarian Affairs, DFID.

Awareness and Sensitisation

Mine risk education

Many of the organisations involved in mine clearance undertake mine risk education (MRE) as an integral part of their work. There are also several organisations which specialise solely in MRE. This ranges from locally targeted community liaison before a demining operation through to national MRE efforts as part of the school curriculum.

Methods used include urgent and permanent marking of risk areas, presentations, discussion groups, poster campaigns, educational material such as leaflets and postcards, radio and television broadcasts, and other awareness-raising events and materials targeted at specific risk groups.

BHMAC coordinates organisations engaged in MRE nationally and is responsible for the development of MRE quality assurance standards and the MRE accreditation system. BHMAC survey and inspection teams also provide MRE in high-risk areas, including running training courses for people who will deliver MRE.¹⁰⁸

NPA conducts its own MRE in the field to accompany mine clearance operations. The organisation produces brochures and other public information literature to distribute in communities where NPA programmes are due to take place. NPA does not conduct MRE in schools except in collaboration with other organisations, for example Genesis in Banja Luka. BHMAC monitors NPA’s MRE materials but does not give guidelines on content.¹⁰⁹

Ministries of Education in both entities provide MRE in schools for children aged 7 to 17. This is often delivered in conjunction with NGOs such as Handicap International and the Bosnian Red Crescent Society (RCSBiH), and is increasingly being linked with SALW awareness. The classes are conducted as part of a risk education/risk reduction programme which also includes road accident prevention as well as the “reduction of risk from dangerous objects” programme under which MRE and SALW awareness is delivered.¹¹⁰

EUFOR conducts MRE for its own troops as well as for the OSCE, EUPM and embassy staff. It runs poster campaigns and other public information campaigns and delivers MRE to the local population via EUFOR interpreters.

UNICEF is a major source of funding and material support for MRE in BiH. NGOs and agencies receiving UNICEF resources in 2003/4 included BHMAC, the Ministries of Education, Genesis (for a puppet show combining elements of MRE and SALW awareness), PRONI (which ran MRE programmes in NE BiH including leaflet distribution, television broadcasts, door-to-door presentations and MRE capacity-building), INTERSOS (for an MRE programme aimed at trade unionists and workers) and the CPA. Programmes receiving UNICEF support included school-based MRE and disability awareness through puppet shows and workshops, discussion groups and MRE-based teacher-training.¹¹¹ Anti-Mines Initiative based in Brcko is currently planning MRE for 15 high-impacted communities supported by UNICEF Sarajevo, in addition to the Initiative’s work integrating MRE with other areas of mine action such as urgent and permanent mine marking.¹¹²

¹⁰⁸ ICBL (2004).

¹⁰⁹ Interview with Selma Busuladzic, Task Impact Assessment/Mine Risk Education Assistant, NPA, Sarajevo Canton, 26 July 2005.

¹¹⁰ Email from Danijel Hopic, Deputy Project Manager/MRE Coordinator for School System, Handicap International, 3 August 2005.

¹¹¹ ICBL (2004).

¹¹² Email from Zehrudin Sukanovic, Project Manager Anti-Mines Initiative, 5 August 2005.

The Red Cross Society of BiH (RCSBiH) currently has three national MRE coordinators with 96 volunteers working in local communities and schools in high- and medium-risk areas. The RCSBiH conducts MRE which incorporates four main elements: work within the local community; work with children and young people (in and out of school); data collection on mine and ERW victims; and work with the media.

Local community work involves targeting those considered most vulnerable to mine and ERW accidents. These include farmers, woodcutters, hunters and fishermen, children and returnees. Specially designed promotional materials such as work gloves and caps are used to target agricultural workers in conjunction with individual and group discussions, sports, cultural and religious events and children's summer camps. Volunteers visit schools with the cooperation of teachers and the Ministry of Education to show videos and play cassettes with songs using a "Red Riding Hood" theme in interactive risk education lessons. Up until 2005 the RCSBiH organised an annual national primary school quiz with the support of the ICRC. This support has been withdrawn in line with the ICRC belief that national authorities and organisations such as BHMACH are now capable of undertaking roles which international organisations have undertaken since 1995.¹¹³

National and local level media campaigns are conducted by the RCSBiH during key times of the year (for example Mine Awareness Week, spring and autumn harvest time), sometimes using sportsmen and women or pop stars and actors to promote MRE. The RCSBiH also participates in the national supervision board for MRE activities, which plans and revises the mine action strategy with regard to MRE standards and procedures in cooperation with BHMACH and UNICEF.¹¹⁴

A recent visit to BiH by the English football legend Sir Bobby Charlton highlighted another programme which has delivered MRE to young people from all BiH communities. The Spirit of Soccer programme, founded as a peace-building project after the mine-related deaths of three boys while playing football and funded by the ITF, brings together trainers and players from around BiH and has trained more than 11,000 youths so far – MRE is delivered alongside the training.¹¹⁵ Although the most obvious message for a football-based community programme such as this concerns the risk from mines and ERW on playing areas, the broader peace-building cross-community approach and the attraction of a sports-based programme could also potentially be used to deliver a strong SALW message.

SALW awareness

A good deal of awareness-raising is integral to Harvest collection operations and subsequent destruction events. The need to inform the local population that a collection operation is about to take place in the area, to publicise the dates of an operation, the location of weapon collection points and who will be manning them, explaining why weapons surrender is a good idea and reiterating the terms of the national weapons amnesty is vital to the success of any such operation. SFOR/EUFOR operations are often accompanied by media campaigns, public information distribution and door-to-door awareness-raising activities.

Each SFOR/EUFOR brigade has a media operations team to coordinate news conferences, press releases, radio and television broadcasts and poster campaigns to coincide with Harvest operations. As more responsibility for collection is taken by local actors, these awareness-raising activities are increasingly becoming combined EUFOR-local agency efforts.¹¹⁶ LOT teams also distribute the EUFOR magazines "Mirko" and "Mostovi" published by the Psychological Operations branches of EUFOR. Aimed at seven to 15-year-olds and 15 to 25-year-olds respectively, and published in English and the local language, they contain articles and messages, including for MRE and SALW awareness.¹¹⁷ EUFOR Psychological Operations' permanent themes of work include MRE, illegal weapons collection and BiH Army reform.¹¹⁸

Similarly, making destruction events as high profile and media-friendly as possible (by inviting local dignitaries and using a particularly eye-catching destruction technique) can generate positive press coverage and reinforce the general impression that someone is doing something to tackle the problem of SALW. However, some of these destruction methods (for example, crushing with a tank or steamroller, or burning in a large bonfire, which may look good on camera) are not necessarily the most efficient ways to destroy large quantities of SALW. For example, the same impact in awareness terms can be achieved by using a senior politician to destroy weapons in a steel foundry, and the images are just as impressive.¹¹⁹

In terms of more general SALW awareness as part of a national SALW mitigation programme, in 2003 SEESAC developed the SALW awareness Support Pack (SASP), a handbook setting out the principles and procedures for conducting safe and effective SALW awareness campaigns.¹²⁰ It is available for use by all actors undertaking awareness-raising, from local NGOs to international organisations and peace-keeping forces. According to the SASP, SALW awareness¹²¹ consists of three components: SALW risk education;¹²² SALW advocacy; and SALW public information.¹²⁴ A shorter, less-detailed version is being developed for use in schools and local communities.

Synergies

MRE is a well-established and structured area of work in BiH. The core message is generally about reducing risk through the promotion of safe and appropriate behaviour in contaminated areas, with a "don't touch" thread linking other aspects of MRE such as likely locations of mines/ERW and where to report the discovery of ERW or mines. SALW awareness is a newer discipline that is rapidly gaining ground and recognition in BiH. Using many of the same public information techniques as MRE and also promoting the adoption of safer behaviour and publicising forthcoming collection operations, there is a natural overlap between the two.

¹¹⁶ SEESAC and Saferworld (2004: 56).

¹¹⁷ Lt. S. Mustafaj, "LOT – 'Eyes and ears'", EUFOR Forum #3, April 2005.

¹¹⁸ "Psychological Operations Changing Attitudes", EUFOR Forum #3, April 2005.

¹¹⁹ Interview with Adrian Wilkinson, Head, SEESAC, Belgrade, 25 July 2005.

¹²⁰ This was updated in 2005 to make SASP 2.

¹²¹ SASP 2003 defines SALW awareness as: "A programme of activities undertaken with the overall goal of minimizing, and where possible eliminating, the negative consequences of inadequate SALW control by undertaking an appropriate combination of SALW Risk Education, SALW Advocacy and Public Information campaigns which work together in collaboration with other social intervention programmes to change behaviours and facilitate appropriate alternative solutions over the long term." SEESAC Small Arms and Light Weapons Awareness Support Pack (SASP 2003); hereafter SASP 2003.

¹²² SASP 2003 defines SALW risk education as: "A process that promotes the adoption of safer behaviours by at-risk groups and by SALW-holders by informing people of the dangers and threats of SALW and educating them about alternative, safer behaviours."

¹²³ SASP 2003 defines SALW advocacy as: "A process that aims to raise SALW problems and issues with the general public, the authorities, the media, governments and their institutions to achieve changes at both institutional and/or individual levels."

¹²⁴ SASP 2003 defines (SALW) public information as: "Information which is released or published for the primary purpose of keeping the public fully informed about the exact terms of a SALW intervention, thereby gaining their understanding and support."

¹²⁵ Interview with Adrian Wilkinson, Head, SEESAC, Belgrade, 25 July 2005.

¹¹³ Information provided during interview with Senadin Kumro, Programme Coordinator, RCSBiH, Sarajevo 28 July 2005; interview with Claudio Baranzini, Coordinator for Security Cooperation, ICRC, and Natasa Halapic, Cooperation Assistant, ICRC, Sarajevo 28 July 2005.

¹¹⁴ Information provided during interview with Senadin Kumro, Programme Coordinator, RCSBiH, Sarajevo, 28 July 2005.

¹¹⁵ Davies, G.A., "Sporting revival helps capital to rebuild Bosnian project hailed by Sir Bobby Charlton as example to the world", Daily Telegraph, 12 August 2005.

The SALW awareness Support Pack (SASP) developed by SEESAC elaborates best practices at the operational level to aid those delivering SALW awareness in the field in south-eastern Europe. It includes a section on “De-conflicting SALW awareness and MRE”, which recognises the similarities between the two and reinforces the need for contact between organisations delivering both in order to prevent a conflict of messages or activities arising. As SASP points out, “the most obvious case is the possibility that a SALW collection may trigger the attempted hand-ins of mines, UXO or other ERW by citizens.” This has the potential to undo positive advances in the knowledge, perceptions and behaviour of target groups as a result of MRE.¹²⁶

EUFOR, through its LOT teams and PsyOps publications and public campaigns, delivers general MRE and SALW public information on specific collection operations to communities. The level of integration between the two is unclear. NPA delivers MRE to communities where it is engaged in demining operations. The organisation does not think it appropriate to deliver SALW messages at the same time as it does not have the capacity to follow-up with a collection operation. As one interviewee stated: “I don’t want to be in the middle of a minefield with people handing me weapons!”¹²⁷

In 2004, UNDP BiH launched a pilot project to train experienced MRE providers from the RCSBiH in techniques to deliver SALW awareness classes to primary-school children.¹²⁸ UNDP has also worked on a draft national strategy for SALW awareness to supplement the national strategy for SALW mitigation developed by the SALW Coordination Board which is currently awaiting approval by the Council of Ministers.¹²⁹

The delivery of MRE and SALW awareness in primary schools in BiH is becoming increasingly integrated at the request of the Ministry of Education.¹³⁰ The classes are conducted as part of a risk education/risk reduction programme, which also includes road accident prevention as well as the “reduction of risk from danger objects” programme under which the MRE and SALW awareness-raising is delivered.¹³¹

Handicap International is developing a joint MRE/SALW manual for teachers as part of the risk reduction programme. At the point of delivery in schools the issues are taught separately but with reference to each other. There is some existing collaboration and sharing of expertise and experience between organisations such as CSS, Handicap International and the RCSBiH on MRE and SALW awareness in schools. CSS has SALW policy expertise and RCSBiH has significant experience in the delivery of MRE in schools. This work is hindered by the need to develop parallel texts for both Entities.¹³²

The Genesis Project is a successful example of synergy between MRE and SALW awareness. Genesis, an NGO from Banja Luka, performs puppet shows for children and young people with both a mine and SALW awareness message. It is reportedly very successful but limited in audience range.

However, SALW awareness has a more complex message which can sometimes conflict with the core “don’t touch” message of MRE depending on the context and target audience. SALW programmes may encourage the safe handling of weapons, ammunition and explosives as part of a collection/surrender operation or as information on safe behaviour to those who use weapons. The “don’t touch” message may be more appropriate for SALW awareness for children. Once the SALW message is taken out of the classroom and into the community it ceases to be a simple “don’t touch!” message and becomes more difficult for organisations such as the Red Cross to participate in without jeopardising their neutrality.¹³³

When compared to MRE, the SALW awareness message is more nuanced, more politically and socially charged, and needs to be delivered as part of an integrated national SALW strategy to have any lasting effect. SALW awareness needs to be backed up by legislation, adequate collection capacity including EOD/explosive risk control and secure storage, and independently monitored destruction made public where possible.

The synergies between mine action and SALW

One might expect synergy between many areas of mine action and SALW programmes in BiH. The established pillars of mine action and the areas of SALW being developed by SEESAC touch on many of the same issues: advocacy, programme management, legislative control, collection/clearance, destruction, information management, risk education and awareness, and stockpile management. However, of the national and international organisations in BiH engaged in both SALW and mine action, few, if any, are currently tackling the two issues in an integrated way at an operational level except in the context of MRE and SALW awareness.

Some organisations, such as UNDP and EUFOR, have broad security portfolios which cover both SALW and mine action but when it comes to the actual surveying, threat/risk assessment, advocacy, weapons collection, clearance and destruction and the delivery of survivor/victim assistance the two issues are generally dealt with separately. Indeed, most interviewees felt that the significant differences in the political and social context in which the mine/ERW problem and SALW need to be addressed, combined with the different messages and types of expertise needed to conduct mine action and SALW programmes, negated the possibility of meaningful synergy in most cases in BiH.¹³⁴

None of the interviewees knew of any organisations that had carried out joint threat assessments or surveys for mines/ERW and SALW. This is primarily because they each pose a different type of threat to communities and the methods used to measure that threat are sufficiently different to warrant separate approaches. That is not to say that there are not links between the threat associated with mines/ERW and SALW, nor that there is not a need for communication between agencies working on either issue. But at the level of threat assessment there is currently no obvious synergy in BiH.

¹²⁶ SEESAC and Saferworld (2003: 18–20).

¹²⁷ Interview with Damir Aticovic, Mine Action Advisor for Community Liaison, NPA, Sarajevo Canton, 26 July 2005.

¹²⁸ Interview with Senadin Kumro, RCSBiH Sarajevo, 28 July 2005; SEESAC and Saferworld (2004: 56); and SEESAC and Saferworld (2005: 49).

¹²⁹ Interview with Amna Berbic, Small Arms Project Manager, UNDP BiH, Sarajevo, 28 July 2005.

¹³⁰ Interview with Amna Berbic, 28 August 2005.

¹³¹ Email from Danijel Hopic, Deputy Project Manager/MRE Coordinator for School System, Handicap International, 3 August 2005.

¹³² Interview with Olga Palinkasev, Project Coordinator, CSS BiH, Sarajevo, 27 July 2005.

¹³³ Interview with Claudio Baranzini, Coordinator for Security Cooperation, ICRC, and Natasa Halapic, Cooperation Assistant, ICRC, Sarajevo, 28 July 2005.

¹³⁴ For example: “Different ministries are responsible and there are different contact points in government for mine action and SALW.” Interview with Amna Berbic, Small Arms Project Manager, UNDP BiH, 28 July 2005. “The mine issue is not political like the SALW issue, and we have a need to maintain neutrality.” Interview with Claudio Baranzini, Coordinator for Security Cooperation, ICRC, and Natasa Halapic, Cooperation Assistant, ICRC, Sarajevo, 28 July 2005. “The two operations are very dissimilar. Demining requires men on the ground, properly trained and equipped, in harm’s way. Collecting and destroying rifles can be done by normal infantry so is pretty unskilled work. Deminers could collect/destroy SALW but it would be a waste of trained manpower. Normal infantry cannot clear mines.” Email from Maj.-Gen. John Drewienkiewicz, OSCE BiH, 9 August 2005.

Organisations attempting to combine the two issues on this level have met with little success. For example, the Anti-Mines Initiative prepared a project proposal entitled “Community Risk Management” comprising survey, needs assessment, education for local stakeholders and activity planning for both mines/ERW and SALW in ten municipalities in north-eastern BiH. The organisation has failed to find funding for the composite project and is therefore continuing to apply for separate funding on single-issue project proposals.¹³⁵

Advocacy efforts directed towards the BiH government must necessarily be separate as the ministries and contact points for mine action and SALW are different. Advocacy skills may be transferable between issues, and organisations may well consider lobbying on both mine action and SALW, but this would not necessarily be mutually reinforcing and beneficial unless part of a general programme of advocacy on human security issues. Experience shows that a strategic, targeted and focused (preferably single issue) approach sustained over time is usually the only way to achieve significant policy and practice change at governmental level.

In terms of mine action and SALW coordination – at a project management level and in administrative, accounting and communications roles – there may be opportunities for integration and cost savings,¹³⁶ but individual organisations must decide what level of integration is appropriate and achievable. For example, the OSCE has three people working together on both issues but it is not a lead organisation on either, and does not carry out technical operational mine action or SALW work.¹³⁷ UNDP BiH has a Human Security Portfolio Manager who manages both mine action and SALW teams, although each issue has a separate Programme Manager and support team.

It is interesting to note that those with an international or regional overview of one or both issues are more likely to consider there to be potential for developing synergy between mine action and SALW programmes, particularly in terms of non-technical roles. Most of the national-level actors working in mine action or SALW coordination roles interviewed for this study, while acknowledging the theoretical advantages of combining efforts to address the humanitarian effects of mines, ERW and SALW in BiH, were concerned to point out that they are already operating at full capacity and struggling to reach agreed targets within one thematic area alone.

The role of donors

Many donors to mine action in BiH are also donors to SALW programmes. However, this study uncovered no examples of donors actively seeking to link mine action funding with SALW funding beyond a recognition that both issues are concerned with human security and therefore may come from the same funding stream. The exception is the NATO Partnership for Peace Trust Fund which has extended its original focus of providing financial support and technical assistance for the destruction of anti-personnel mines to include the destruction of SALW and stockpiled munitions.¹³⁸

¹³⁵ Email from Zehrudin Sukanovic, Project Manager, Anti-Mines Initiative, 5 August 2005.

¹³⁶ Interview with Adrian Wilkinson, Head, SEESAC, Belgrade, 25 July 2005.

¹³⁷ Email from Maj.-Gen. John Drewienkiewicz, OCSE BiH, 9 August 2005.

¹³⁸ “To date resources to support the security, demilitarisation and destruction of ammunition in developing, transitional and post-conflict countries have largely been mobilised through the following international contexts:

- > Promoting destruction of anti-personnel mines, to support compliance with Article 7 to the Mine Ban Treaty (MBT);
- > Responding to national requests as part of Confidence and Security Building Measure (CSBM) initiatives such as NATO Partnership for Peace or the OSCE Document on Conventional Ammunition;
- > Destruction activities to support post-conflict stabilisation and security, mostly under the auspices of Demobilization, Disarmament and Reintegration (DDR) activities;
- > Destruction activities to support SALW control interventions, focusing on smaller calibre SALW ammunition, in line with the Plan of Action and associated regional agreements;
- > Destruction activities to support armed forces restructuring as part of wider Security Sector Reform (SSR);
- > Destruction of Man Portable Air Defence Systems (MANPADS), primarily by the USA as part of its counter-proliferation programme.

The majority of funding for mine action in BiH is provided by international donors including individual states, the European Commission and NATO, and is generally channelled through UNDP BiH, the International Trust Fund for Demining and Mine Victims Assistance (ITF),¹³⁹ UNICEF (for MRE) and directly to NGOs. Funding is provided by governments and regional organisations such as the European Commission and NATO. The level of international mine action funding to BiH is dropping as the BiH State and Entities take on more responsibility each year.

International SALW funding is generally channelled through UNDP BiH from the UNDP BCPR Thematic Trust Fund, or bilaterally to UNDP BiH. A challenge for UNDP is to continue generating funding for SALW mitigation in a context where the governments of the region have many other competing priorities.¹⁴⁰ EUFOR Harvest operations are funded by the European Union Member States. BiH also received assistance from the SFOR’s Operation Armadillo for the destruction of ammunition.¹⁴¹

Major donors to both mine action and SALW programmes include the governments of the UK, US, Canada, the Netherlands and the European Union. Despite giving substantial amounts of money to both areas of work, none of these donors really considers mine action and SALW funding in an integrated way beyond the general human security approach previously mentioned.

The UK’s funding for each area of work is delivered in different ways through separate funding streams. DfID is the sole UK government donor to mine action through UNDP and UNICEF, whereas the funding for SALW programmes comes from the joint DfID/Foreign and Commonwealth Office/Ministry of Defence Global Conflict Prevention Pool (GCPP). The UK’s GCPP strategy seeks to coordinate efforts to transform the Balkan countries into peaceful, law-abiding states ahead of integration into the EU and NATO. GCPP SALW strategy works closely with NGOs, governments, regional organisations and the UN to develop and implement targeted strategies for reducing the damage caused by armed violence and SALW misuse.¹⁴² Apart from some £2 million (approx. US\$3.5 million) annually donated via UNDP, SALW funding is generally project-driven through local NGOs. DfID leads on mine action but the Ministry of Defence tends to lead on SALW, and the current priority is the destruction of surplus SALW.¹⁴³

The Netherlands funding for both mine action and SALW goes through UNDP from their “stability fund”. This is not part of the bilateral aid budget which is managed by the Embassy.¹⁴⁴

Few projects or priorities have so far been developed that have primarily been justified in terms of public safety, human security or development, although these are included in the overall aims of the above programmes and agreements. Additionally, in some commercial cases, ammunition has been selected purely for ease of destruction or the potential return on material recovery.

The issue is still not a priority for many donors, and in fact the numbers of major donors involved remains very limited (to about eleven). Donor awareness and mandate restrictions remain, unfortunately, a major obstacle. The most extensive engagements at the operational level have probably been through the UNDP Small Arms Demobilization Unit (SADU) and the NATO Partnership for Peace Trust Fund. The other two major international programmes have taken place in Europe through the Stability Pact and OSCE, primarily at the political level.” *Biting the Bullet* and SEESAC (2005: 23, 24).

¹³⁹ The ITF was established in March 1998 by the government of Slovenia to support BiH in its mine clearance efforts. It now finds operations in other mine-affected countries in south-eastern Europe.

¹⁴⁰ *Biting the Bullet* (2005: 99)

¹⁴¹ *Biting the Bullet* and SEESAC (2005: 25).

¹⁴² FCO (2003: 14 and 33).

¹⁴³ Telephone interview with Kate Joseph, Senior Policy Advisor Conflict and Humanitarian Affairs, DFID, London.

¹⁴⁴ Email from Willem van Rossem, Deputy Head of Mission, Netherlands Embassy BiH, 4 August 2005.

In an address to the plenary of the Intersessional Standing Committee meetings of the Anti-Personnel Mine Ban Convention in 2005, the US delegate announced that: “Later this year, the accumulated total United States interagency contribution to humanitarian mine action worldwide since 1993 will reach the US\$1 billion mark.” He also reiterated the commitment of the US to tackle SALW: “The United States remains firmly committed to working with and alongside other nations in practical and meaningful ways to eliminate the harm done by illicit and dangerous conventional munitions of all types, including landmines, unexploded ordnance, abandoned ordnance, and small arms and light weapons.”¹⁴⁵ However, in BiH to date, US funding has not been based on a combined approach to both issues.

An example, cited above, from an NGO based in Brcko District, serves to illustrate the lack of synergy in the approach of donors if only at a local level. The Anti-Mines Initiative prepared a project proposal entitled “Community Risk Management” comprising survey, needs assessment, education for local stakeholders and activity planning for both mines/ERW and SALW in ten municipalities in North-East Bosnia. The organisation has failed to find funding for the composite project and is therefore continuing to apply for separate funding on single issue project proposals.¹⁴⁶

MAIN CASE STUDY CONCLUSIONS AND FINDINGS

Apart from some successful but limited collaboration between organisations delivering MRE and SALW awareness in schools, very little existing synergy was observed between mine action and SALW programmes at field level in BiH. That which does exist generally occurs as a result of the daily realities of mine/ERW clearance and SALW in a post-conflict environment where mixed ordnance has been laid, fired, abandoned, stored and hidden, and where large numbers of SALW are present rather than following a strategic decision to tackle both issues together at an operational level. While there are several organisations working on both issues, they do not do so in a way which seeks to create an enhanced combined effect. This is by no means to say their efforts have no impact – quite the contrary – the efforts are just not being done together at an operational level.

As noted previously, there may well be opportunities for cost savings in terms of coordination and programmatic roles across both issues, in areas such as project management, communications and administration. It is difficult to make detailed recommendations, as this will be down to individual organisations and their capacity and willingness to overcome shortcomings in either staffing levels or expertise by seconding extra staff or forming coalitions for specific projects.

In BiH, as in the rest of the world, SALW mitigation is a more complex issue than mine action. There are arguably many more national stakeholders in SALW than mine action in BiH, and focused approaches must be developed for each if any lasting impact is to be achieved. Mine action is generally perceived to be in the interest of the whole community, whereas SALW programmes must be sensitive and tailored to avoid alienating people who may perceive themselves to be unfairly targeted or put at risk by collection operations, whether military or civilian. In BiH, it is arguably as important to know the community and the political environment as it is to know the issue.

¹⁴⁵ Prepared Statement of the US to the Intersessional Standing Committee meeting of the Anti-Personnel Mine Ban Convention, Geneva, 14 June 2005.

¹⁴⁶ Email from Zehrudin Sukanovic, Project Manager, Anti-Mines Initiative, 5 August 2005.

The area which would appear to have the most potential for future synergy between mine action and SALW programmes is the provision of technical expertise to manage the explosive threat posed by mine/UXO clearance, SALW collection programmes and ammunition stockpile reduction including destruction and demilitarisation. Within these three areas there is significant potential synergy but it will require the further development, recognition and implementation of common international standards such as the RMDS/G developed by SEESAC and investment in further capacity-building for both the AFBiH and the CPA to take on full responsibility for the explosive safety of these types of operations once the international community finally pulls out.

ANNEX A STUDY METHODOLOGY

Study preparation

- > Review of existing literature;
- > Archive media search and review including online media;
- > Identify and approach relevant contacts in both SALW and mine action programmes in BiH;
- > Identify and approach donors of SALW and mine action programmes in BiH;
- > field trip to Belgrade (25 July 2005) & Sarajevo (25–30 July 2005); and
- > field trip follow-up via telephone and email.

field trip – organisations visited and people interviewed:

UNDP South Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC) 25.7.05

- > Adrian Wilkinson | Head, SEESAC
- > Anya Hart-Dyke | SALW awareness Officer

Norwegian Peoples Aid (NPA) 26.7.05

- > Resad Junuzagic | Operations Manager mine action Team
- > Damir Aticovic | Mine Action Advisor for Community Liaison
- > Selma Busuladzic | Task Impact Assessment/Mine Risk Education Assistant

Centre for Security Studies BiH (CSS) 27.7.05

- > Olga Palinkasev | Project Coordinator

Red Cross Society BiH 28.7.05

- > Senadin Kumro, Programme Coordinator

UNDP BiH 28.7.05

- > Amna Berbic | Small Arms Project Manager

Bosnia and Herzegovina mine action Centre (BHMACE) 28.7.05

- > David Rowe | Programme Manager

International Committee of the Red Cross (ICRC) 28.7.05

- > Claudio Baranzini | Coordinator for Security Cooperation
- > Natasa Halapic | Cooperation Assistant

Telephone interviews

- > Lt.-Col. Per Sandgren | EUFOR Countermines Section, 2.9.2005
- > Karel Bartosik | researcher, Landmine Monitor for Bosnia and Herzegovina 2004., 1.9.2005
- > Kate Joseph | Senior Policy Advisor, Conflict and Humanitarian Affairs Department, DFID, UK
- > Bob Keeley | Independent Consultant (RK Consulting) 27.7.2005
- > Simon Rynn | Saferworld, UK.Σ

Email correspondence

- > Sanja Tica | Programme Officer Mine Action, EU Delegation to Bosnia and Herzegovina
- > Danijel Hopic | Handicap International, Deputy Project Manager/MRE Coordinator for School System, Bosnia and Herzegovina
- > Zehrudin Sukanovic | Project Manager, Anti-Mines Initiative, Brcko
- > Willem van Rossem | Deputy Head of Mission, Netherlands Embassy Bosnia and Herzegovina
- > Amna Berbic | Small Arms Project Manager, UNDP Sarajevo
- > Major General John Drewienkiewicz (Retd) | Director, Department for Security Cooperation, Organisation for Security and Cooperation in Europe (OSCE) Sarajevo
- > Mudzahid Hasanbegovic | Legal Officer for Public and Administrative Law, Office of the High Representative (OHR) Sarajevo.

ANNEX B BIH'S INTERNATIONAL COMMITMENTS ON SALW

ARMS OR SALW CONTROL AGREEMENT	BOSNIA & HERZEGOVINA'S COMMITMENTS
Stability Pact Regional Implementation Plan	November 2001
UN Programme of Action	July 2001
UN Firearms Protocol	-
OSCE Document on Small Arms	November 2000
OSCE Document on Stockpiles of Conventional Ammunition	December 2003
EU Code of Conduct	Incorporated into domestic legislation in 2003
EU Joint Action on SALW	-
Wassenaar Arrangement	-

BOSNIA HERZEGOVINA'S COMMITMENTS TO ARMS OR SALW CONTROL AGREEMENTS
Source: SEESAC and Saferworld (2005)

ANNEX C A SUMMARY OF SALW COLLECTION IN BIH

COLLECTION ACTIVITY	SALW items	AMMUNITION / EXPLOSIVES
SFOR Activities and Operations (January 2000-November 2003)	22,620	20 tonnes of bulk explosives
SFOR Activities and Operations (January 2004-November 2004)	9,000	30,000 hand grenades
Total	36,620	-

SUMMARY OF SALW COLLECTION IN BOSNIA AND HERZEGOVINA 1998 - 2004
Source: SEESAC and Saferworld (2005: 46)

SEESAC SALW database, www.seesac.org, accessed 08 February 2004. South East Europe TV, The European Security and Defence Policy, <http://www.seetv-exchange.com/transcripts/2005/04/2005-04-28.htm>, accessed 05 May 2005. Data on collections before 01 January 2000 is unfortunately not available.

ANNEX D A SUMMARY OF SALW DESTRUCTION IN BIH

DESTRUCTION ACTIVITY	SALW items	AMMUNITION (TONNES)
SFOR Activities and Operations (January 2000-November 2003)	23,145	NA ⁶⁷
SFOR and entity armed forces Activities and Operations (2004)	22,251	10,429,901
EUFOR (February 2005)	1,170	-
Total	46,566	> 10,429,901

SUMMARY OF SALW DESTRUCTION IN BOSNIA AND HERZEGOVINA 2000 - FEB 2005
Source: SEESAC and Saferworld (2005: 47)

SEESAC SALW Destruction Database, www.seesac.org, referenced 10 February 2004.

BACKGROUND

In the short time he was able to spend in Cambodia, the author felt that actors were constantly moving between two essential realities: 1) enthusiasm for and strong commitment to national and local approaches which can really make a difference in peoples' lives in both of these issue areas, as manifested in extensive current programming on and donor support for both; and 2) a degree of pessimism concerning the perceived increasingly authoritarianism of the current leadership of Cambodia and the levels of official corruption which threaten to undermine public support for government approaches in both areas. These two parallel "realities" are the underlying context of the observations that follow.

THE EXPLOSIVE THREAT

The weapons reality in Cambodia today is attributable to the legacy of decades of violent conflict in Cambodia throughout much of the second half of the 20th century. While most attention has been focused in the last decade on the mines/UXO legacy, there has been an increasing focus on the SALW problem in recent years.

Mine and ERW contamination and impact

Cambodia is generally considered to be one of the most heavily mine and UXO affected countries in the world. Although all areas of the country are affected to one degree or another, landmines and battlefield UXO are found predominantly in the west of the country while air-delivered UXO is found primarily in the east, due to the heavy bombing by the US in the period 1965–1975.¹⁴⁷

Approximately 4,500 square kilometres of Cambodian land is known or suspected to be contaminated with mines and/or UXO. Although this figure represents only 2.5 per cent of all land in Cambodia, nearly half of all Cambodian villages suffer some degree of contamination. These figures represent the findings of the Landmine Impact Survey¹⁴⁸ in Cambodia, conducted between 2000 and 2002, which surveyed 13,908 villages and identified 6,422 villages as contaminated. 2,776 of these villages were found to be contaminated by minefields and/or cluster bomb areas having an adverse socio-economic impact on the community. The remaining contaminated villages suffered spot UXO contamination or were contaminated by cluster bomb areas that were not having an adverse socio-economic impact on the community at the time of the survey.

During calendar year 2004, the Cambodia Mine/UXO Victim Information System (CMVIS)¹⁴⁹ recorded 898 mine and UXO victims, an increase of 16 per cent over those reported in 2003. Of the 2004 casualties, some 62 per cent were UXO-related, an increase of 36 per cent over 2003. The data also indicated that most mine accidents occurred in forests, whereas the majority of UXO accidents occurred in villages, largely due to the handling of ordnance. This indicates that, despite MRE, economic factors are prompting individuals to either go into mined areas or deliberately handle explosive devices (for scrap metal or explosives).¹⁵⁰

¹⁴⁷ Landmine Action (2005: 34).

¹⁴⁸ The Landmine Impact Survey in Cambodia was funded by the Canadian International Development Agency (CIDA). The final report of the survey can be found at: www.sac-na.org/pdf_text/cambodia.

¹⁴⁹ The CMVIS system allows for tracing over time the nature and frequency of mine/ERW injuries, thus providing indicators of the impact of policies.

¹⁵⁰ CMVIS (2005: v-vi).

Casualties reported in 2004 were, however, less than a quarter of the level in 1996.¹⁵¹ Over and above the victims themselves, those living in mine and UXO-contaminated areas are also constrained in their access to homes, agricultural land, pasture land, water sources, forests, schools, dams, canals, markets, business activities, health centres, pagodas, bridges and neighbouring villages.¹⁵² These effects and the ongoing care required for mine/ERW survivors keep the landmine and ERW problem in Cambodia high on perceived priorities, both nationally as well as for donors.

SALW in Cambodian society and their effects

There is an ongoing dynamic to the SALW problem that has not existed for mines or UXO since the end of the civil war in the 1990s and certainly, in the case of anti-personnel mines, since Cambodia became a State Party to the Anti-Personnel Mine Ban Convention in 1999. Although many of the weapons that have been the focus of SALW programmes date back to before the end of the civil war, there is also evidence that part of the SALW problem in Cambodia is caused by weapons that have since become available from government stockpiles, weapons smuggling¹⁵³ and other factors.

The total number of legally and illegally held SALW in Cambodia is unknown. In 2001, the Small Arms Survey estimated the number to be between 500,000 and 1 million, with a very large proportion in civilian hands partly as a result of the deliberate arming of rural militias as a village-level security force during the struggle against the Khmer Rouge.¹⁵⁴ The government was prompted to take action on SALW in the late 1990s primarily out of a national security concern. Such large numbers of weapons in the hands of the civilian population were seen to pose potential threats to the fragile new government.

A CMVIS-type system for recording deaths and injuries from SALW does not exist in Cambodia. A National Demographic and Health Survey conducted in 2000, however, indicates that in calendar year 2000 a higher percentage of the population was killed or physically impaired by SALW (5 per cent) than by mines/UXO (3 per cent).¹⁵⁵ A further such survey was due to be published in early 2006.

While overall security appears to have improved in Cambodia since 1999, the use or threat of use of SALW continues to be an important feature of society. For example, a 2003 research study by Working Group for Weapons Reduction (WGWR), the principal NGO in Cambodia focusing on SALW, noted that in rural areas, where 85 per cent of the Cambodian population live, weapons were being used to evict people from their ancestral lands and to control access to customary forest food gathering and fishery lots, and that this has a severe impact on food security and income generation for many people.¹⁵⁶ As a consequence, in rural areas, local people have sometimes resisted turning in their weapons due to the sense that local authorities cannot be counted on to provide adequate security, fears about reversion to political instability in the country, or because the authorities themselves are seen as a part of the problem.

¹⁵¹ ICBL (2004: 262).

¹⁵² Cambodia National Level 1 Survey (2002).

¹⁵³ See, for example, "Vietnam-Cambodia Border a Haven for Arms Dealers", *Thanh Nien News*, 15 August 2005.

¹⁵⁴ In some initial research in early 2005 on developing measures for assessing the impact of different arms-related programmes for the Small Arms Survey, Bartu (2005, 7–8) noted that in the early 1990s, "When the UNTAC Military Survey Mission arrived in Cambodia... the factions were obliged to provide a complete list of all their weapons and munitions and where they were located so the UN could determine, in part, where the cantonment locations would be. The combined list included 322,000 SALW and more than 80 million rounds of ammunition, in more than 100 sites across Cambodia. This did not include the weapons held by the civilian police of each faction."

¹⁵⁵ Cambodia Demographic and Health Survey 2000 NIS, Ministry of Health, June 2001, p. 27, as noted in Bartu (2005: 14).

¹⁵⁶ Sourn, Long, and Vijghen (2003: 56).

In urban areas, crime, youth gangs and unequal enforcement of the law are all noted as small-arms-related issues with an impact on well-being and security.¹⁵⁷ The WGWR, which monitors press reports of gun misuse, has noted that for the first six months of 2005, 421 gun incidents were reported. This is an average of 70 per month, whereas the average for the same period in 2004 was 36. The two most common categories of gun-related incidents during this period were robberies and personal conflicts.¹⁵⁸ Handicap International-Belgium (HIB) staff have noted that even in the area of road accidents, SALW can be seen to have their impact. In 10 per cent of road accidents, there is an association between the accident and SALW. Guns are often used to steal motorcycles; occasionally the person causing an accident will choose to kill the victim rather than having to provide care.¹⁵⁹

Other impacts of SALW proliferation and misuse include threats to development and humanitarian workers. WGWR has also noted cases of gun intimidation of community members, which reduces the effectiveness of activities dependent on community involvement. In addition, in a number of legal cases where witnesses were intimidated, this has led directly to the cessation of legal proceedings, and indirectly to the undermining of the rule of law and the effectiveness of the judicial system in general.¹⁶⁰

Joint threat assessments

There is no evidence that any joint threat assessments for mines/UXO and SALW have been carried out to date in Cambodia. As will be noted below, different elements of the government of Cambodia have taken responsibility for mines/UXO and for SALW. This has resulted in a failure to look at overall impact on health, safety, development and other concerns from a joint “weapons” perspective.¹⁶¹

Opportunity for synergy

One of the gaps noted above is the relative lack of good injury data from SALW incidents in Cambodia, particularly in a form that makes it comparable in detail to the kinds of data on mine/UXO injury collected by the HIB-coordinated CMVIS. It was revealed in an interview with the Injury Prevention Officer of HIB that one of the sponsors of the CMVIS has a contract with UNICEF to bring out a joint HIB/Cambodian Red Cross/UNICEF study on mines/UXO and road injuries. It was his view that it would make sense to associate SALW data to this, thereby allowing a truly comparative perspective on these three significant areas of injury and death in Cambodia.¹⁶²

A later interview with Plong Chhaya, Assistant Project Officer in the Children in Need of Special Protection Section in the UNICEF Cambodia office, noted that UNICEF wishes to have consolidated data on mine injuries, gunshots and road accidents. He said that a new study would begin in October 2005 to assess different databases currently running: “We need to be able to consolidate all that information and

¹⁵⁷ One study cited by Bartu in connection with the violent crime and armed violence dimension in Cambodia has argued that Cambodia’s exposure to an extended “legitimation of violence” has carried forward into “higher peacetime homicide” (Bartu (2005: 15)). The study cited by Bartu is “Lethal Violence, Crime and State Formation in Cambodia,” *Australian and New Zealand Journal of Criminology* 35 (No. 1, 2002: 1)

¹⁵⁸ Press release, WGWR, 11 July 2005.

¹⁵⁹ Interview with Christian Provoost, HIB, Phnom Penh, 20 August 2005.

¹⁶⁰ Sourn, Long, and Vijghen (2003: 13–14).

¹⁶¹ The sophisticated survey and mapping techniques that have been developed in the landmines field could be extended to look at small arms presence and impact. The Survey Action Center and the Small Arms Survey are exploring the possibility of such an approach with a feasibility study being developed for Colombia. See Muggah and Bevan (2004).

¹⁶² Interview with Christian Provoost, HIB, 20 August 2005.

prioritise what is needed by the different end-user bodies. Once we have a reliable system, then we can design appropriate policies.”¹⁶³

MINE ACTION AND SALW PROGRAMMING STRUCTURES

Decisions by the Cambodian government to join the Anti-Personnel Mine Ban Convention and the Convention on Certain Conventional Weapons put expectations on the government to meet emerging international standards. Likewise the decision to agree to the 2001 United Nations Programme of Action to Prevent, Combat, and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (PoA) also contributes to shaping how the government organises its work in this area.

This section outlines briefly the current shape of the formal structures for the two programmes and points to some areas where there is evidence of the two issues being addressed together or apparent potential for doing so.

Mine action structures

Owing to the tremendous degree to which it is affected by landmine/UXO contamination, Cambodia was active in mine and ERW clearance as early as 1992. Mine action is incorporated as a central feature of government responsibility. Its centrality in the thinking about Cambodia’s development strategy can be seen in its decision to adopt mine action as a 9th Millennium Development Goal.

Currently, the Cambodian Mine Action and Victim Assistance Authority (CMAA), established in 2000, is responsible for coordinating all mine action activities in the country. The CMAA must coordinate with all relevant ministries¹⁶⁴ as well as with provincial authorities and national agencies, such as the Cambodian Red Cross. It also must coordinate with national demining operators (the Cambodian mine action Authority – CMAC – and the Royal Cambodian Armed Forces in their clearance activities), external demining operators (such as Mines Advisory Group – MAG – and the HALO Trust); development NGOs (such as HIB and Norwegian People’s Aid – NPA); and donors and external agencies, such as UNDP, UNMAS, GICHD and government aid agencies.¹⁶⁵

The CMAA is intended to assist the government in formulating policy and providing a regulatory framework for mine action management. For example, it has been responsible for the development of the National mine action Strategy and the five-Year mine action Plan. CMAA has the responsibility to see that mine action programmes, seen to be crucial to development, are integrated into the national Socio-Economic Development Plan and the National Poverty Reduction Strategy.¹⁶⁶

¹⁶³ Interview with Plong Chhaya, UNICEF, 23 August 2005.

¹⁶⁴ The following ministries are engaged to some degree in this: Interior/National Police; Education, Youth and Sport; Social Affairs; Veterans and Youth Rehabilitation; Land Management, Urban Planning and Construction; Rural Development; and Planning; Foreign Affairs; National Defence; and Public Works and Transportation.

¹⁶⁵ See CMAA (2005b) for a fuller official description.

¹⁶⁶ See CMAA (2005c: 7) on “Implementing a mine action national policy integrated into national plans.”

A key feature of the current approach of the government to mine action involves strengthening mechanisms at provincial level for setting priorities, based on needs identified by local communities. This is part of a larger “decentralisation” approach of the government. Thus, for example, it is intended that in future funding for mine clearance will only be made where it is included among priorities for demining established by the Provincial mine action Committees (PMAC), “through a bottom-up, participatory process.”¹⁶⁷ It is planned that each PMAC will have a mine action Planning Unit (MAPU) “to facilitate the planning process ... [including] identification and prioritisation of mine clearance activities ... [and to] address clearance requests from mine/UXO affected villages and to promote economic and social development in contaminated areas”.¹⁶⁸

At national level, a recently established Technical Working Group made up of the CMAA (on behalf of the Council of Ministers) and key donors is proving an important element in shaping national mine action policy and set-up. A Mine Action Forum, made up of key NGOs working on dimensions of mine action in Cambodia, is also an established piece of the overall structural picture, even if unofficial in nature.

SALW mitigation structures

Following the establishment of the new political authority in 1998, the government moved quickly to focus on the problem of large numbers of SALW in the hands of the civilian population which were perceived to be a potential threat to the State itself once ‘peace’ was established. In late 1998, the Municipality of Phnom Penh launched a weapons collection programme that was replicated by the Ministry of the Interior throughout the country and in 1999 the government passed a law declaring private ownership of weapons to be illegal. Between May 1999 and March 2000, the government of Cambodia publicly destroyed more than 36,000 weapons.¹⁶⁹

Because of this history and considering that weapons control is normally seen as the prerogative of the police or the military, action on SALW has largely rested in the Ministry of the Interior and the Ministry of National Defence. Due to the daunting nature of the task, however, international assistance was sought and the programmes developed by the European Union Assistance on Curbing Small Arms and Light Weapons in Cambodia (EU ASAC) and the Japan Assistance Team for Small Arms Management in Cambodia (JSAC) have shaped SALW mitigation in Cambodia over the last five years. In addition, a national NGO, WGWR, has been accorded a key collaborative role in furthering the aims of many government programmes.

There is at present no “Cambodian Small Arms Action Authority” of the sort that exists for mine action through the CMAA. Moreover, to date, SALW mitigation has not been approached in the comprehensive way in which mine action is envisioned via the CMAA. A National Commission for the Reform and Management of Weapons and Explosives in Cambodia exists, made up of ministers from key national ministries.¹⁷⁰ However, this body remains largely an empty shell, as it almost never meets and has no resources of its own.

Authority for seeing to the operational implementation of national policy falls largely to designated focal points in the Department of Weapons and Explosives Management Control (Ministry of Interior) and the Office of Materiel and Technique (Ministry of National Defence). Discussions are ongoing as to the desirability and nature of the formal development of a National Action Plan on SALW and, with it, a National Commission, to conform to recommended national actions under the UN PoA.

Instances of joint mine action and SALW programming

To date, there are only rare cases of SALW priorities being taken into account by the mine action community, and vice versa, but a few do exist. The fact that there are possible overlapping interests between the two policy worlds can be seen, for instance in the recent appointment of General Yeng Marady as a Deputy Secretary General of the CMAA. General Yeng was formerly Deputy Commissioner of National Police with special responsibility for SALW management. His task is to bring lessons from SALW management into management of UXO issues.¹⁷¹ Yeng pointed out that there is an important connection at the community level between SALW and UXO.

Mine action and SALW legislation

In 1999, the government issued Sub-Decree No. 38 on the management and control of importation, production, sale, purchase, distribution and use of all kinds of weapons and explosives. By this order, private ownership of weapons was declared to be illegal.

One of the components of the more integrated package of activities for approaching the SALW problem in Cambodia, which emerged from about 2000, included the development of a national legal framework, including the new Law on the Management of Weapons, Explosives and Ammunition, adopted on 26 April 2005. This Law brings under one umbrella the governance of the “equipping, possession, carrying, utilization, purchase, sale, trading, loan, transfer, hiring production, fabrication, repair, transportation, transit, importation, exportation, and stockpiling of weapons, explosives and ammunition of any and all types” (emphasis added). Details of the provisions are contained in Annex B.

Synergies

The promulgation of the national Law on the Management of Weapons, Explosives and Ammunition raises challenges to procedural and organisational approaches previously undertaken in relation to mine action and SALW. This represents an opportunity for a more comprehensive understanding of the requirements of SALW mitigation to be brought more closely in line with the existing breadth of mine action. To realise these, however, current organisational approaches within the Cambodian government would have to shift and other actors would need to be more open to more inclusive thinking.

¹⁶⁷ CMAA/UNDP (2005: 3).

¹⁶⁸ NPA (2005: 10).

¹⁶⁹ “The Royal Government of Cambodia and Small Arms”, EU ASAC information sheet, www.eu-asac.org.

¹⁷⁰ The Ministries of National Defence, Interior, Justice, Economy and finance.

¹⁷¹ Interview with General Yeng Marady, Phnom Penh, 23 August 2005.

Mine and ERW clearance

Cambodia has set itself the medium-term goal of moving towards “zero impact” from mines and UXO by 2012. Considerable progress made since 1992 in clearance of affected areas, with ICBL reporting that between 1992 and 2003, a total of more than 250 square kilometres of land had been cleared, with the destruction of 418,484 anti-personnel mines, 12,561 anti-tank mines and 934,853 UXO.¹⁷²

Professional mine clearance operations are carried out by, principally, CMAC, MAG and HALO Trust, and, with less certainty due to lack of transparency of their clearance activities, the armed forces (RCAF). However, it is clear that considerable clearance activity takes place through so-called “village demining” (individuals taking it upon themselves to clear their own land for farming or security reasons, or hiring village deminers, usually former military, to do it for them). People choose to take the risk rather than wait for the formal mine action community to respond. Not only is this form of clearance happening at a rate that can compete with the formal demining sector, it is far cheaper. Given this reality, the challenge becomes one of how to raise standards and reduce risk while trying to determine just how extensively village demining should figure in a national clearance strategy.¹⁷³

Other factors that appear to be shaping current debates about the direction of clearance programme priorities for the period ahead include: the “decentralisation” approach of the government, which puts emphasis on community-based priority setting, has implications for clearance strategies; and the need to find strategies which promote self-reliance in reaching clearance goals and which are more inclusive of development criteria, as a consequence of a predicted decline in donor funding.

SALW collection

In Cambodia, the peace process of the 1990s concentrated on collecting weapons through the reduction of the size of the armed forces, national police and militias. Experience in Cambodia showed, however, that getting people to part with their weapons involved more than declaring their possession illegal. Initiatives needed to be undertaken which actually addressed the population’s ongoing security fears, livelihood requirements and confidence in the government itself.

Accordingly, with assistance provided by EU ASAC and JSAC, a more integrated package of activities for approaching the SALW problem in Cambodia emerged from about 2000.¹⁷⁴ Weapons collection and reduction initiatives in Cambodia have come to be understood as one necessary but insufficient part of this larger set of elements.

In its 2004 annual report to the United Nations, under the voluntary obligations undertaken by those countries that agreed to the 2001 UN PoA, Cambodia reported that 128,815 illegal firearms had been collected and destroyed.¹⁷⁵

EU ASAC has supported the weapon collection efforts of the Royal Government of Cambodia through a strategy called “Weapons (in exchange) for Development” (WfD) combined with a police capacity building project to provide security after people turned in their weapons and to improve police-community relations. Differing from traditional

¹⁷² ICBL (2004: 253).

¹⁷³ Three current studies highlight dimensions of the debate over this point: Bottomley (2003), Moyes (2004), and Fleischer (2005).

¹⁷⁴ Major components of this included: The development of a national legal framework (including the new Law on the Management of Weapons, Explosives and Ammunition, adopted on 26 April 2005) (see Annex 2); Weapons registration and safe storage for military and police weapons; “Weapons for development” projects; Weapons destruction; Public awareness campaigns; and Community capacity building projects (See de Beer (2003 and 2005).

¹⁷⁵ RGC (2004: 4).

and largely discredited “buy-back” programmes elsewhere, in the WfD work in Cambodia villages were promised appropriate community development projects, such as water wells and schools. Thus, no personal rewards were given to people for handing in weapons.¹⁷⁶

At the end of 2003, the EU ASAC ended its WfD programme after three years because of the perceived success of initiatives in encouraging turn-in. By then fewer and fewer guns were coming in, and evidence suggested that there had been a reduction in gun-related violence. For instance, according to the head of the EU ASAC programme, David de Beer, there seemed to be less domestic violence being conducted with AK-47s than prior to the implementation of the programme.¹⁷⁷

In assessing the work it had done, EU ASAC concluded that “what had started in April 2001 as a self-contained comprehensive large-scale WfD programme had evolved ... into a weapons collection and public awareness programme that provided a security and stability element as added-value to the work of institutional agencies as well as to the Cambodian government’s own provincial development structures.”¹⁷⁸

Criminal violence and domestic violence in 2005 is being conducted mainly with handguns, knives and other instruments and no longer primarily with military-style weapons. Recovering weapons still retained illegally among the rural and urban populations would require alternative strategies. This might include continuing efforts to strengthen the police, while at the same time improving the public’s confidence in the police to deliver protection and a sense of fairness in the application of the law. JSAC, on the other hand, continues its WfD work as part of its “Weapons Reduction and Development for Peace” programme.¹⁷⁹ Weapons collection in the JPAC programme is seen as an element in essentially a development and peace-building programme, whereas for EU ASAC WfD was seen as instrumental in achieving the arms control elements for which EU ASAC assistance had been sought in the first place.

Two other important features of SALW mitigation in Cambodia with relevance to the collection and reduction issue are those of registration and safe storage of official weapons. Early analysis demonstrated that not only was the government not fully aware of what kinds and numbers of weapons it possessed and their location, but also no real weapons registration system existed and weapons were stored in bad and often unsafe conditions. EU ASAC programmes have subsequently assisted both the Ministry of National Defence and the Ministry of Interior in registration and safe storage capacity.¹⁸⁰ JSAC also has a “Safe Storage and Registration” project through which it assists the government.

These programmes have helped the government to identify not only what weapons it has in stock but also its weapons requirements for national defence and policing. Thus, items surplus to requirement have been identified and destroyed. This applies across weapons systems, not just SALW, as the discussion on destruction below will reveal in more detail. In the course of examining existing storage facilities, it was that many of these were not properly secured, thus increasing the possibility of weapons leakage back into the society. In addition, SALW were often stored unsafely alongside

¹⁷⁶ For one analysis of WfD in Cambodia, looking particularly at the role and perceptions of directly involved in and affected by such programmes, see Mugumya (2005).

¹⁷⁷ Interview on 16 August 2005.

¹⁷⁸ de Beer (2005: 9).

¹⁷⁹ Interview with Yasumitsu Kida, 19 August 2005.

¹⁸⁰ For detail on this work and progress to date, see “Registration and Safe Storage”, EU ASAC information sheet, www.eu-asac.org.

poorly housed and dangerous explosives.¹⁸¹ Programmes undertaken have led not only to safer storage of SALW, but also to the identification of additional items requiring disposal.

A further aspect of collection programmes with important community safety implications – including risk education programmes and the role of the police – is that encouragement to turn in weapons often has meant that people have brought in everything, not just SALW, but also ammunition and other UXO.¹⁸²

SALW and mine stockpile destruction

Mine action

Mine action in Cambodia requires the physical destruction of explosive devices encountered as a national policy. As with clearance, the key actors in explosive ordnance disposal (EOD) have tended to be CMAC, the RCAF, HALO Trust and MAG. CMAA reported in 2005 that from 1992 to 2004, these actors had destroyed some 1.6 million explosive devices, of which 1.1 million were UXO, nearly half a million were anti-personnel mines, and less than 15,000 were anti-tank mines.¹⁸³ Cambodia has, in theory, completed the destruction of its known stockpiles of anti-personnel mines in accordance with Article 4 of the Anti-Personnel Mine Ban Convention. As additional anti-personnel mines are discovered in unknown or forgotten weapons caches and warehouses, they are destroyed.

SALW

In the field of SALW programming, the destruction of collected and surplus weapons has also made up an important part of attempts to reduce the role of SALW in Cambodian society. As noted by EU ASAC: “Merely collecting weapons is not enough to guarantee their removal from society, or prevent their sale to other regions. Publicly destroying surplus and collected weapons is the only truly effective method of addressing their destabilising effects.”¹⁸⁴ In SALW practice, there is also understood to be an important link between the public disposal of weapons and people’s willingness to turn them in. Thus, the Cambodian government has put emphasis on public weapons destruction ceremonies, or “flames of peace”. In May 1999 through the end of 2005, the government, with the assistance of EU ASAC (since 2000) and JSAC (since 2003), publicly destroyed 167,527 weapons.¹⁸⁵

¹⁸¹ Richard Moyes (2005: 17) has noted that: “While the EU ASAC programme has subsequently been able to bring [identified] storage problems under control with respect to weapons, there has not been a substantial parallel engagement to establish controls over the storage and management of ordnance and explosives. Secure and regulate ammunition storage would reduce the bleeding of ordnance from the military into the public domain. Establishing the necessary physical structures and stock-control mechanisms within the Cambodian army would be a large programme, but it would contribute towards the broader requirement for security sector reform.”

¹⁸² As Adrian Sprangemeijer of EU ASAC noted in an interview with the author on 16 August 2005: “The Khmer language doesn’t distinguish between a weapon or ammunition.”

¹⁸³ CMAA (2005b: 33).

¹⁸⁴ EU ASAC information sheet on “Weapons Destructions”, www.eu-asac.org.

¹⁸⁵ EU ASAC, “Weapons Destruction Table”, 1999–2005, www.eu-asac.org.

SALW stockpile management

Synergies

There is evidence of initiatives having been made in relation to opportunities for synergy in the context of mine/UXO clearance and SALW collection. For example, the JSAC representative reported that they have a cooperation agreement with HALO Trust and CMAC whereby if CMAC or HALO Trust find SALW in their clearance work, they will inform JSAC and vice versa. “If we want a small arms management programme, we must meet with the UXO/APL [anti-personnel mine] people. Caches often contain both. We need to educate our staff about UXO.”¹⁸⁶

A working synergy also exists between EU SAC and CMAC in the context of collection. If and when explosives are handed in during collection campaigns run by EU SAC, EU SAC and CMAC have arranged that CMAC will destroy ammunition that has been handed in and assist with the handling of explosives.¹⁸⁷ The JSAC and EU ASAC arrangements were confirmed in the interview with Heng Ratana of CMAC.¹⁸⁸

The practice for EOD and SALW destruction has, for the most part, followed quite different patterns. Technical requirements dictate some of this. In addition, EOD operators have been given quite a free hand in the destruction of mines and UXO, albeit under the general watch of the CMAA. However, the destruction of SALW has been kept firmly under the direct authority of the Ministry of National Defence (in the case of the destruction of surplus weapons) and the Ministry of the Interior (in the case of collected illegal weapons). Yet, as one observer has noted, similar concerns regarding cost, personnel safety, operational security, safe transport and environmental protection are relevant when destroying mines and SALW.¹⁸⁹

A number of factors would therefore seem to argue for a more closely aligned national approach on destruction.

- > The implementation of the recently adopted “Law on the Management of Weapons, Explosives and Ammunition” would seem, by its very inclusive nature, to require the development of national common practices and systems of accountability for the different actors involved in EOD and weapons destruction.
- > While mine clearance remains a national priority, clearance and disposal of UXO, including ammunition, is of growing importance to some mine operators.¹⁹⁰ It was noted above that some practical arrangements exist between those destroying UXO and weapons collection practitioners. These factors would seem also to argue for the development of some common practices for mines/UXO/weapons destruction. “Flames of peace” public ceremonies, or even more locally designed weapons destruction practices, aimed at demonstrating

¹⁸⁶ Interview with Yasumitsu Kida, 19 August 2005.

¹⁸⁷ De Beer notes: “EU ASAC appeals to the Cambodian public to hand in their illegally-held weapons to the authorities. In practice not only small arms are handed in, but also extensive quantities of ammunition, grenades and even unexploded ordnance (UXO). While the public awareness campaigns try to underline the danger of touching hand grenades and UXO, some are still handed in. EU ASAC has an agreement with CMAC that they will destroy the ammunition that has been handed in and will respond to requests for assistance in dealing with dangerous live explosives and UXO” (de Beer (2003: 17)). This same publication said that “EU ASAC and CMAC have also agreed to co-operate in search for weapons caches hidden in remote forest areas.” The author was unable to discover whether this has actually happened or not.

¹⁸⁸ Interview with Heng Ratana, 22 August. Heng noted: “The reality is that it is hard to have a clear-cut division between small arms and anti-personnel mines. For example, when you look in warehouses for small arms, you find grenades, even landmines sometimes. Our agreement is that we support them; they call us.”

¹⁸⁹ Waszink (2004: 1).

¹⁹⁰ Richard Boulter of HALO Trust described how his organisation is doing more and more UXO disposal. Interview, 23 August 2005. There is also evidence of EOD operators destroying small arms, for example when they have come across them in weapons caches.

to the public that weapons have in fact been destroyed, are clearly not appropriate for the destruction of explosives. However, even properly conducted explosives destruction can be seen to have this kind of purpose.¹⁹¹

- > The issue of ammunition bridges the two concerns. A combined national policy on SALW, which would include not only the destruction of collected illegal weapons and surplus weapons but also the ammunition which makes such weapons so lethal, would provide Cambodia with a better benchmark from which to determine the actual impacts of SALW reduction as a national priority. It could also influence the development of regional and international approaches, where there has been strong resistance to including ammunition as part of SALW weapons management.
- > In Cambodia, as in some other countries, a pragmatic “win-win” approach has evolved: governments receive donor assistance for getting rid of surplus ordnance, including ammunition, thus helping the country financially as well as in security terms, and donors guarantee the reduction of ordnance which might otherwise make its way to less stable settings. Including surplus SALW along with surplus ordnance for destruction can make good national security and economic sense. A current US State Department programme in Cambodia is showing one way in which this can be done.¹⁹²

Awareness and sensitisation

Mine risk education

MRE programmes have long been part of mine action in Cambodia. Educational campaigns through the marking of suspected mined areas and the use of a range of media have sought to warn rural publics of the dangers of mines and educate them on safe behaviour. Landmine Monitor estimates, for example, that between 1999 and 2002, some 2.1 million people attended MRE sessions.¹⁹³

The CMAA five Year Action Plan (2005–2009) notes that “The general objective for MRE is to reduce the risk and the number of mine/UXO casualties by identifying appropriate and effective Mine Risk Education needs, and ensuring that all risk reduction efforts be well coordinated and integrated with broader humanitarian and development activities.”¹⁹⁴ In recent years this has meant that MRE has become more fully a part of programmes aimed at building local capacity so that these communities themselves act to define appropriate mine action tasks, based on community needs.¹⁹⁵ As the Cambodian Red Cross official noted, “After five years, we moved from ‘awareness’ to ‘education’. It is changing behaviour that is important. We want to reduce mine victims, but people still have to feed their families. This has made us link up to broader development work.”¹⁹⁶

¹⁹¹ For example, CMAA in its annual report for 2004 noted that: “The initiative of collecting mines and UXO from home to home and then destroying it in a safe area is a major success of the MRT [Mine Risk Reduction Team] project. This activity in one way serves as an awareness education to the population – the powerful explosion of the explosive is an alert to the communities and villagers of the dangers of mines and UXO... The removal and destruction of mines and UXO in and around the house (sic) of the population has also a high psychological and socio-economic impact on the affected communities.” CMAA (2005: 24).

¹⁹² The full story of how the US came to be involved in this is beyond the scope of this study. Briefly, however, the US now has an Office of Defense Cooperation, located at the US Embassy in Phnom Penh. Requests for help in getting rid of collected or surplus ERW, including ammunition, come from the field or directly from the MOD. As part of this, this programme has also been assisting in paying for the destruction of explosive devices and conventional weapons. As the Director declared, “I’ll destroy anything 100mm and below... We’ll pay the Cambodian government for the weapons and then destroy them.” Interview with Major Craig Tippins, 25 August 2005. Greene et al. (2005: 24–26) give an overview of a number of ammunition destruction and storage assistance programmes supported by a range of donors, including NATO, UNDP, OSCE, US, Canada, Australia and New Zealand.

¹⁹³ ICBL (2004: 258). Pages 258 – 260 provide a useful overview of MRE in Cambodia.

¹⁹⁴ CMAA (2005c: 29).

¹⁹⁵ Interview with Plong Chhaya, 23 August 2005.

¹⁹⁶ Interview with Men Neary Sopheak, 17 August 2005.

There are many variations but MRE (including for UXO) based on this more holistic approach is now being supported by or undertaken by a broad range of actors in Cambodia. For example, community-based mine risk reduction strategies are underlined in the mine action approaches by clearance operators such as CMAA and MAG; by humanitarian and development actors such as HI, UNICEF, Cambodian Red Cross and NPA; and through the Ministry of Education, Youth and Sport.¹⁹⁷

The joining of mine and ERW risk education under the one banner of MRE disguises some of the basic differences between education strategies aimed to protect people against mines and those based on the current realities of people (mainly men and boys) handling UXO. Dominique Guéret, seconded by UNDP as a mine action consultant to CMAA, noted, “With ‘mines’ you are not an actor. With UXO you are an actor.”¹⁹⁸ There is, however, no consensus in the mine action community in Cambodia on these issues. The differences reflect the emerging situation in Cambodia where most people are aware of the risk but for other reasons still either enter suspected mined areas or handle ordnance, and where the “gold standard” of certainty provided by professional mine clearance operators is either not sufficient to meet the needs or is just too expensive.

One common feature of many of the observations by mine action actors in Cambodia, also with important implications for SALW approaches, is the key role for the police in enhancing community safety and security and the challenges this poses to current capacities of the police and how they are perceived.¹⁹⁹ The “Tampering” study by Richard Moyes puts a special emphasis on this dimension.²⁰⁰ Current lack of capacity of the Cambodian police to fulfil these roles (or even the advisability of some of them) is noted by the study and by key observers.²⁰¹

SALW awareness

SALW awareness has not, so far, become part of national policy in the way MRE has. The national approach has focused on the national security interests of removing weapons from the hands of civilians rather than community safety and security. The equivalent of risk education in relation to SALW has tended to be guided to date by EU ASAC, JSAC and WGWR through a range of programmes which, while ambitious, have not penetrated Cambodian society in the same way as MRE.

¹⁹⁷ The NPA 2004 annual report (2005: 10) notes the following about CBMRR: “CBMRR’s objective is to develop the capacity of communities and individuals in contaminated areas to fully participate in prioritisation and planning and to use community resources for mine risk education and risk reduction strategies.”

¹⁹⁸ Interview, 26 August 2005.

¹⁹⁹ A few examples from interviews conducted illustrate this: Rupert Leighton of MAG noted that there were important possibilities for intervention on UXO through the police. “The link is from the community to the police and by the police to the processes for EOD... EOD must be addressed in the long-term by the police.” (Interview, 18 August 2005). Christian Provoost of HIB noted: “The police have to be supported... We need the village to work more in conjunction with the police but there is a need also to work with the scrap metal traders in Cambodia, Thailand and Vietnam. We need to train the police, to teach them about the arms law.” (Interview, 20 August 2005). Heng Ratana, Deputy Director of CMAA, said: “We still feel, however, that ‘don’t touch’ is the best practice. As long as the community doesn’t have proper skills to handle, then ‘don’t touch’ is a better approach... We try to build the capacity of the police at the community level, to assist them to be able to identify risk. Then the police can take care of the problems... The police must also have the capacity for safe storage of the stuff recovered.” (Interview, 22 August 2005). Plong Chhaya, of UNICEF, says that “We foresee that we have to involve the police in the structure of MRE. They must be involved in UXO work... We plan to use police as a network together with existing networks. Police will have an important role in relation to the new law. We’re going to integrate MRE education and other programmes into community development plans.” (Interview, 23 August 2005) Krishna Uk of NPA: “The law is still ‘don’t touch’. There is a reluctance to make MRE messages adapt. CMAA has a great deal to do. The police have a role to play in helping collect things and store safely and in identifying people most at risk.” (Interview, 19 August 2005).

²⁰⁰ Moyes (2005: 142–3; 154–5). “The police should have an important role in the development of a long-term and locally sustainable response to ordnance contamination in Cambodia. The police are responsible for maintaining local security. Deliberate interaction with live ordnance presents a threat to personal security, not just of persons directly involved, but also to others.” (142). The recommendations of this study, undertaken for NPA, HIB and MAG, are influencing in qualitative ways the thinking of some of the key mine action bodies in Cambodia.

²⁰¹ Adrian Sprangemeijer, of EU-ASAC and formerly a technical adviser with CMAA, has noted this deficit and has also seriously called into question the advisability of proposing a role for the police in EOD. Interview, 16 August 2005. See also written comments in Sprangemeijer (undated).

EU ASAC, as part of its WfD work and other activities has supported a range of public awareness methodologies and media (community meetings; posters/stickers; materials; signboards) that have had as their aims, *inter alia*:

- > Raising public awareness of the implications of the draft law (as it was prior to April 2005) on weapons possession;
- > Building confidence for weapons collection initiatives;
- > Raising awareness of the destabilising effects of SALW on society;
- > Demonstrating links between security and sustainable development; and
- > Building cooperation between the local population, civic authorities, security authorities and civil society organisations on issues of security and SALW.

Support for “flames of peace” weapons destruction ceremonies and small “on the spot” destruction ceremonies have also sought to increase public awareness of weapons issues and build confidence that fewer weapons in society will increase security.²⁰² In this work, EU ASAC has worked alongside a broad range of NGOs as well as supporting financially their educational programmes.

As a follow-up to its WfD work, EU ASAC has undertaken a “Community Council Capacity Building” programme in weapons security aimed at strengthening the sustainable capacity of local government structures and security authorities on issues related to weapons security by linking the message of community responsibility for security through these structures. It has also aimed to raise grassroots awareness of weapons security issues and the need for community responsibility for security by implementing a comprehensive public awareness campaign and encouraging all stakeholders, including provincial and commune-level civil and security authorities to disseminate information.²⁰³

Working with WGWR and a range of human rights NGOs, EU ASAC has also undertaken training with local police to improve police/community relations. They have also undertaken programmes to improve police equipment and have sought ways to address the difficult issue that police, because of poor wages, are often perceived to be corrupt, including demanding payments for “protection”.²⁰⁴

JSAC has linked a programme of “public awareness” to their programmes on “weapons reduction and development for peace”, “safe storage and registration” and “weapons destruction”. This public awareness work uses workshops, seminars, training, printed materials, billboards and radio spots and is aimed at government officials as well as civilians. JSAC also provides equipment to police – e.g. radios and bicycles – and training for the police to improve their capacity to provide real security for communities and encourage communities to have greater faith in them. JSAC works closely with local NGOs in this outreach work as a capacity building exercise for those NGOs.²⁰⁵

²⁰² See www.eu-asac.org. In reflecting on the training, public awareness, and weapons collection elements of EU ASAC’s WfD programme, David de Beer has observed that “Looking back, however, it is clear that an opportunity was lost by linking the public awareness campaign solely to the handover of weapons. Once the weapons had been handed in the public awareness work stopped. It would have been better to continue with public awareness campaigns in the communities that had handed in their weapons, but with the emphasis now on peace education.” (2002: 13).

²⁰³ de Beer (2005: 14).

²⁰⁴ See “Security Sector Reform (SSR) as part of weapons collection” in EU ASAC (2004: 5).

²⁰⁵ Interview with Yasumitsu Kida, 19 August 2005.

WGWR is the only national NGO working exclusively on SALW-related issues. One of WGWR’s roles is to coordinate and support civil society in SALW activities and therefore it works with a broad range of human rights, conflict resolution and other NGOs. One of its central programmes is the “Peace Education and Awareness” projects through which WGWR seeks to identify ongoing commitments, experiences and resources to “identify, stop and reverse the culture of violence that is commonly witnessed in Cambodia”.

Activities and methodologies aim to raise public awareness of the negative impact of weapons’ misuse, while enabling people to deal with their own fears to find common solutions to improve security in their communities. Such activities and methodologies include peripatetic traditional performances, media campaigns on TV and radio, and youth and public forums.²⁰⁶ WGWR also works on peace curricula in schools, including the development of conflict skills as an alternative to the use of guns. WGWR also has a “community security” programme that aims to increase communication between local populations and leadership. In this, they work with NGOs and local people on SALW and conflict resolution. “We want to build relations between the people and the police force, so that they push the police to protect the people... We host grassroots level forums to help people decide what they want to say to the police. With NGO partners in the community, we provide the community with an opportunity to have a forum.”²⁰⁷

Synergies

Like other dimensions covered so far in this analysis, risk education in Cambodia has not, for the most part, been undertaken jointly. Yet, here again, there appear to be elements where joint or parallel work could bring positive benefits. With both mines/UXO and SALW also, a key role for the police in promoting community safety and security has been identified and joint thinking and planning between the mine action community and the SALW community on approaches concerning the police could be useful in enhancing the community safety and security goals of each.²⁰⁸

Risk education in Cambodia in both mine action and SALW programming has focused on promoting community safety and security. Despite this, there has been very little attempt in Cambodia to exploit the commonalities in relation to efforts to promote community safety and security.²⁰⁹ But there are a number of needs and opportunities for synergy that can be suggested:

- > Some actors have begun to see the potential value of some joint “risk education” programming. David de Beer of EU ASAC observed, “Public awareness is a special area where overlap could be done. We started doing it and it actually worked.” de Beer also commented: “This is where you could have the institutional development agencies get involved. You could do a lot if they incorporated mine risk education and small arms awareness.”²¹⁰

²⁰⁶ WGWR (2004: 10).

²⁰⁷ WGWR staff member Pel Martin, 19 August 2005.

²⁰⁸ Moyes (2004: 154) has pointed out, for example, that “Workshops on implementation of Sub-decree 38 and the Arms Law in relation to ordnance in society—encompassing issues relating to monitoring and management of the scrap trade and support to ordnance contaminated communities ... should be planned and developed between the mine action sector, EU-ASAC, and the police.”

²⁰⁹ A recent review of the work undertaken by EU ASAC makes the following point in this regard: “It is fundamental that all development projects in Cambodia integrate weapon and unexploded ordnance awareness as one measure of conditionality and performance. EU ASAC will eventually have no further role in Cambodia yet illegal firearms and explosives will remain, and they constitute an important public health hazard.” (Poulton et al.: 63).

²¹⁰ Interview with de Beer, 16 August 2005. For example, EU ASAC has collaborated with CARE to have small arms material distributed in CARE’s community based MRE work.

- > SAC has included mines/UXO elements in their educational workshops. WGWR has also sought to join up mines awareness and SALW awareness in some of their public education work.²¹² Others interviewed also noted the logic of trying to make such linkages. For example, in commenting on the need for more specialised approaches for the particular problem of UXO, Dominique Guéret of UNDP noted that the work on SALW should be linked to the struggle against UXO and that SALW could be added to risk education strategies developed for the two.²¹³ A purely pragmatic approach would suggest that there should be contact between the MRE and SALW awareness communities to be certain that their messages to the public are at a minimum not contradictory and aim at being mutually supportive.

Survivor Assistance

Mine Action

The central authority in Cambodia on mine/UXO issues, the Cambodian mine action and Victim Assistance authority [our emphasis], understands survivor support to be within its area of competence. *Landmine Monitor*, in analysing “survivor assistance” practice in Cambodia in its 2004 edition said: “CMAA’s strategic plan for victim assistance includes collecting information from service providers and producing reports; developing a quick response trauma care and transportation system for mine/UXO casualties; follow-up for mine/UXO survivors; work with the Disability Action Council Physical Rehabilitation Committee to contribute to a national plan on mine survivor needs; assisting mine survivors to lead a normal productive life by developing strategies and pilot programs that encourage access to mainstream activities of poverty reduction and income generation program; and developing relevant databases to collect information that will assist NGOs, the government and donors in planning appropriate mine victim assistance programs.”²¹⁴

In practice, NGOs (international and local) are the main implementers of programmes for the rehabilitation of mine survivors, providing physical rehabilitation and other support such as vocational training, employment and small enterprise development.²¹⁵ There are many such organisations in Cambodia, however, the details and scope of the work undertaken are beyond this particular study, the key message being that this important and long-lasting dimension of the effects of mines/UXO injury is getting considerable attention by national authorities and by international agencies.²¹⁶

SALW programming

While it is the case that organisations specialising in disability concerns do not discriminate between mine/UXO victims and others with disabilities, it does appear that there has been virtually no analysis of the number, nature and type of disabilities that exist in Cambodia resulting from gun violence and their special needs.²¹⁷ There appear to be no organisations that specialise in this area of disability. Similarly, the “mainstreaming” of the special needs of communities affected by high levels of gun violence into development planning has certainly not advanced in the way it has with respect to mines/UXO.²¹⁸

²¹² Interview with Vanna Peou, 16 August 2005.

²¹³ Interview, 26 August 2005.

²¹⁴ ICBL (2004: 271), citing CMAA, “Mine Action: 1992–2003” (29 April 2004: 6).

²¹⁵ ICBL (2004: 265).

²¹⁶ *Landmine Monitor* has also noted that a further approach to survivor assistance in Cambodia is through development assistance to affected communities. “The aim of the development approach is to provide land for the planting of crops, roads, bridges, wells for water, a school, a healthcare facility, and some income generating assistance after mine clearance activities. Mine survivors are assisted along with other members of the community in this integrated development approach.” (ibid: 271)

²¹⁷ For example, CMAA (2005b: 50), citing a survey done in 1999, divided “cause of disability in Cambodia” in the following ways: diseases (33%), congenital diseases (20%); war (11%); mine/UXO accidents (11%), road accidents (6%), other accidents (19%). Whatever the accuracy (however dated) of these figures, small arms injury is disguised in the figures.

²¹⁸ As UNICEF has noted: “Gun-shot victims are not included in poverty reduction development strategy.” Interview with Plong, 23 August 2005.

Synergies

Death and injury from mines/UXO and SALW, with their long-lasting impacts on those who survive and on their families and communities, are important features of contemporary Cambodia. Whilst survivor assistance is one of the components of mine action in Cambodia, and support to mine victims has been a central element of humanitarian action, the needs of survivors of gun violence and the community and national socio-economic effects of such violence have not penetrated how SALW has been approached in the same way.²¹⁹ SALW have largely been treated as an “arms control” issue.

There is very little deliberate programming that addresses the needs of SALW survivors in joint efforts with the well-developed mines/UXO disability-focused sector (although their needs are not ignored in general programming on disability). Despite this, one observer has claimed that: “There is potentially a great deal of synergy between mine action and SALW victim assistance. Areas include, among others: medical personnel training and assistance, record keeping and data storage (injury surveillance); coordinated funding opportunities; community engagement; socio-economic reintegration of victims into communities; employment; rehabilitation. Both mine action and SALW victim assistance must be integrated into the overall health care system (and disability policies), while recognising that the burden on health case systems in areas affected by either landmines or/and SALW often experience vastly increased resource demand.”²²⁰

While there is a certain compelling logic to the potential synergies between these two areas, these are largely unrealised at this point. Modest efforts, such as those noted earlier in relation to data collection, a greater awareness on the part of the disability community of the realities of the effects of gun violence in Cambodian society, and an insistence by donors on the evolution of more inclusive thinking and programming could all help the benefits of this rather obvious synergy to begin to be realized.²²¹

The emphasis by both the mines/UXO communities and the SALW communities on “prevention” of victims (through education programmes, etc.) is also an area where the division of effort seems unnecessary and where more joint thinking and planning could realise additional benefits.

THE SYNERGIES BETWEEN MINE ACTION AND SALW

The above analysis suggests places where common approaches to mine action and SALW programming might be valuable. Issues of storage and destruction, “risk education”, the “ammunition” component of ERW all suggest more areas of possible synergy than is obvious from a traditional mine clearance perspective. This is also true of the perceived central role for the police in strategies based in integrated community action.

²¹⁹ For a useful overview of this major gap in SALW programming so far, see “Considering the Needs of Gun Survivors”, in Centre for Humanitarian Dialogue (2005: 51–65).

²²⁰ Waszink (2004: 1–2); see also Handicap International (2004). The comprehensive nature of the topics covered – e.g. physical rehabilitation, economic integration, legislation, access to services, and coordination – would be very similar for SALW-affected persons, even though this workshop missed the opportunity to give special attention to victims of gun violence.

²²¹ The author was fortunate to be present in Cambodia during an example of such “synergistic” thinking and activity: the opening of a major exhibition “To be Deter-mined/At Arms Length”. This is a project of EU ASAC, the Cambodian National Volleyball League (Disabled) Organization (CNVLD), in cooperation with Peace Art Cambodia. It features sculptures made from disused guns, as well as a photo exhibition on disability caused by the weapons of war and programmes for those so disabled. The joining up of partners and messages, as well as financial sponsorship by a range of organisations and governments (EU ASAC, HIB, AusAid, the German and Canadian Embassies, and CNVLD) demonstrates poignantly and effectively the potential which exists for such synergies to be realised.

There are a number of other orientations that would appear to reveal additional insights into possible synergies between mine action and SALW programming. These additional elements presented below emerge in some ways from what has been said but are of a more general nature.

Linking programming into development strategies

The mines/UXO problem in Cambodia has come to be understood as a development issue as well as a humanitarian one. Greater development will reduce the numbers of people who now put themselves at risk because of economic hardship. Donor insistence on “integrated mine action” programmes with equal parts of clearance and development seem to be pushing internal Cambodian process in this direction.

In a similar manner, linking SALW programming and development is an approach that is increasingly seen as critical to progress on both. Inside Cambodia, however, although there is government rhetoric to this effect and there have been “weapons for development” programmes, there is nothing resembling “integrated small arms” action policy on the part of government. And, curiously, donors for the most part have not yet really begun to incorporate this in their funding approaches, apart from that provided by EU ASAC and JSAC.

In a country so hideously scarred by the legacies of war, and in which ordnance and weapons related violence is a daily feature, there would seem to be value, from this development perspective, in seeking to bring mine action and SALW programming together more systematically. This will require greater efforts from the development community to see how the SALW problem may also be affecting development, as has become so clearly understood in the case of mines/UXO. It will require a broader perspective from the mines action community to see its work as part of a broader problem which also includes SALW. It will require a broader community of actors – Cambodian government, donors and NGOs – to be included in the development of such integrated approaches on SALW.²²²

Adopting a demand optic

At an international level, the SALW problem has been addressed as an arms management issue, and the rather narrow “supply-side” approach of the Cambodian government on SALW is a reflection of this. Some have begun to argue, however, for more inclusive thinking about SALW that seeks to understand more fully the factors that drive individuals and groups to turn to the gun and the approaches which appear to reduce these motivations.²²³

Joint analysis by the two communities (mine action and SALW) on how such demand factors are influencing behaviour could yield more holistic, less fragmented approaches to the reduction of harm caused by mines, UXO and SALW (although demand factors affecting SALW will likely be far more situation-specific, complex and varied than those influencing mines/UXO behaviour).

²²² As an example of this line of thinking for small arms, EU ASAC has pointed out that “If development agencies take responsibility for public awareness on weapons security and peace education as part of their normal ‘educational package’, this is likely to ensure a longer-term effect than single campaigns through special weapons collection projects”. de Beer (2004: 6).

²²³ See, for example, Atwood, Glatz and Muggah (2006)

Security Sector Reform and good governance

Security sector and general governance factors also affect the mines/UXO and SALW issues in Cambodia today. What is required by way of security sector reform and improvements in governance generally in order for there to be real progress on each? The perceived central role for the police, a key but weak institutional element, has been noted above. But security sector reform and “good governance” raise many fundamental political and structural questions about how the State does – and is perceived to do – its business.

There are growing perceptions of creeping authoritarianism, factionalism, cronyism and corruption which afflict Cambodia. These affect its stability and the effectiveness and sustainability of the work of the mine action and SALW sectors. These issues could justifiably be the focus of greater joined-up thinking and planning between the two.

One important current element that applies to the SALW sector and not to the mines action sector is the question of the misuse of guns, particularly in relation to criminality. There are many dimensions of misuse, all beyond the scope of this report, but it is this concern, closely related to the security sector and governance realities in Cambodia, that will increasingly be of concern to the SALW community in Cambodia.²²⁴ Unlike mine/UXO concerns, which are largely rural phenomena, SALW concerns have important urban dimensions, which are not a part of the mines/UXO problem.

Community-based programming

The orientation of mine action and SALW programming towards community-based assessments of needs and community-based ownership of programmes provides a solid basis for future activity.

Providing an important foundation and legitimisation of this approach is the “Seila”²²⁵ approach adopted by the Cambodian government as part of its development programming. The aim of this initiative is to establish a national programme to promote local economic development activities through decentralised planning and decision-making.²²⁶

This basic “bottom-up” approach to the emergence of national development plans is today a fundamental part of mine action programming and it has been shown here how community-based approaches have also been part of the emerging SALW mitigation sector. This reality, and its basis in a decentralised approach to development planning and ownership, would seem to provide a very strong foundation for future action in both spheres and opportunities for the development of complementary and mutually supportive approaches, including the development of common vocabularies.²²⁷ Such a basis also acts as a potential counter to some of the disintegrative “governance” features gloomily noted in the previous section.

²²⁴ This point was emphasised in an interview with David de Beer, 16 August 2005, as well as in the various meetings with WGWR staff. See also Tieng et al. (2004). De Beer also noted that one of the next key areas of need in terms of full accounting of SALW in Cambodia will be the registration of police weapons. Without such registration, there are too many opportunities for weapons to move from being licit to illicit. In addition, one consequence of insecurity and the failures of the security sector is the increasing “privatisation” of security in Cambodia, as in so many other parts of the world.

²²⁵ Seila in Khmer means “foundation stone”.

²²⁶ A UN Department of Disarmament Affairs report observes that: “SEILA is widely seen in the country as the foundation on which to build an effective and self-sustaining rural anti-poverty effort which has the potential to bring about social cohesion, behavioural changes and organization in villages and communes in regions where the social fabric and farm-production organization has been largely disrupted or dismantled by the country’s prolonged war. It also serves as a model to reintegrate former Khmer Rouge-held territories into the mainstream of the Cambodian Society.” (UNDDA (2002: 7)).

²²⁷ Oum Sang Onn of Austcare noted one way in which this could happen. In commenting on how “local assessments” of need are done in relation to the emergence of development planning for villages, he said: “It could be possible to simply add one or two questions about small arms into the local surveys.” Interview, 18 August 2005.

Integrating mine action and SALW programming into DDR Strategies

Former combatants represent both a problem and an asset for post-war countries like Cambodia, and yet neither the mine action community nor the SALW community has integrated this issue to any real extent into their work.

To the extent that the needs of such a large component of society (either those already demobilised or those waiting to be demobilised) are not addressed, social stability can be threatened, as these people are all trained in the use of weapons. Equally, however, in a country with so many “skilled” people, these elements represent a resource for dealing with ERW, for example, and peace-building.²²⁸ The “village demining” analyses have shown that much of the informal demining that is taking place is conducted by ex-militia and ex-military. Cambodia, it would appear, has been slower than a number of other countries in directly addressing this area. Potentially it is an area where the mine action and SALW communities could undertake analysis and strategic planning together.

THE ROLE OF DONORS

Donor funding for different dimensions of mine action in Cambodia far outstrips that which has been dedicated to SALW programming. The ICBL’s Landmine Monitor estimates that donations for mine action in Cambodia exceeded US\$190 million from 1994 to 2003, including US\$114 million in 1990–2003.²²⁹ Composite figures for assistance on SALW do not exist, but it seems certain that mine action assistance far exceeds that for SALW, given the relatively small number of players so far in this area.

Donors are in a position to heavily influence the priority setting of recipient governments and how they spend the money. For example, UNDP initiatives to reshape how money is given in support of the Cambodian government’s mine clearance/development priorities. It hopes that these will translate themselves into a new range of approaches to improve government and mine clearance actor efficiency, quality control, accountability and transparency. If successful, they will surely have a significant effect on how this business is carried out from now on.²³⁰ Similarly, for a number of years EU ASAC (some of its projects themselves funded by bilateral assistance) has been in a position to heavily shape the type and degree of response of the Cambodian government in meeting the SALW challenges it is facing.

The fact that donor financing for projects in Cambodia may come from different funding streams or even different government agencies or departments affects the awareness of, or the capacity for, joint work. For example, AusAid funds a whole range of mine action activities, supporting different NGO partners. Thus, they support integrated demining and development through CARE, World Vision International and Austcare; mine clearance with CMAC; landmine victim assistance through the Cambodian National Volleyball League (Disabled) Organization (CNVLD) and others. AusAid does no work in the SALW area in Cambodia. However, Australia supports a great deal of work related to the criminal justice system, including police training, which could be said to have SALW implications. In addition, AusAid itself has done a lot of work in the Solomon Islands and Bougainville in response to the violence by addressing the SALW “demand”-related area of restoring law and order and confidence in the police.²³¹

²²⁸ See, for example, Harpviken and Roberts (2004).

²²⁹ ICBL (2004: 260).

²³⁰ See CMAA and UNDP (2005).

²³¹ Interview with Stephen Close and Nguon Sokunthea, 25 August 2005. In Cambodia, Japan seems to be one of the few donor governments that have both mine action work and small arms assistance coming from a single office. At the Japanese embassy, the Chief of the Economic Cooperation Section oversees grant assistance to mine action and to small arms action as part of Japan’s human security assistance. Despite this, the two streams of assistance are still very separate within this Section. Interview with Miki Nagashima, 25 August 2005.

In addition to assistance received from the EU for the ASAC programme, Cambodia receives assistance from a range of EU bodies for humanitarian and development assistance as well as mine action support, but this is not coordinated to enhance programmes that could be jointly beneficial. UNDP is substantially engaged in Cambodia, including its partnership work on mine action with the CMAA. Despite this, the extensive work of UNDP’s Small Arms and Demobilisation Unit, a part of the Bureau for Crisis Response and Recovery (as is its mine action Unit), has not yet established a SALW presence in Cambodia.

Although only a limited examination of donor priorities was undertaken, this study did not find any examples of donors actively seeking ways to promote synergies between the two communities. Nevertheless, if a coherent picture of the possible synergies that was presented effectively to donors, this could help shape the nature of their assistance programmes and, in turn, could influence how the Cambodian government organises itself in relation to these two issue areas. A couple of examples illustrate this.

First, donor coordination and partnership with the RGC has been important in the evolution of strategies for mine action in Cambodia. Currently EU ASAC (and bilateral donors supporting their programmes) and Japan are principal donors to SALW programming. They work extensively with the relevant ministries, Interior and National Defence. As the SALW discipline evolves, a more comprehensive approach as in mine action could be seen as valuable. (It is, however, at the moment somewhat difficult to see what the future of donor involvement on SALW will be with the EU ASAC project due to complete its work in mid-2006).²³²

Second, one mechanism offers a possibility for the greater inclusion of SALW mitigation in current donor thinking. Each year, major national and international donor bodies (World Bank, Asian Development Bank, International Monetary Fund, country donors and others) meet with the Cambodian government in what is called the Consultative Group. At this meeting, the Cambodian government puts forward its requests for funding in some 18 key areas related to national development. There are so-called Technical Working Groups (TWGs) for each of these areas, including the Technical Working Group for Mine Action.²³³ In all of these areas, so far, SALW mitigation appears not to have received serious attention.²³⁴

It is little wonder, therefore, that there has been little donor interest so far. However, two donor government representatives independently stated to the author that, if SALW were to come up, it would be as part of the work of the TWG on Mine Action. As the Canadian Ambassador to Cambodia, Donica Pottie, has remarked: “One way to see that SALW are not forgotten would be to include them in the TWG on Mine

²³² A couple of years ago one observer argued the following with regard to the importance of donor funding on small arms: “Changes in state-society relations and attitudes among high-ranking governmental and military officials certainly have to be driven by domestic interests. In this context, the emergence of a viable and critically engaged civil society will be a key towards such changes. It is beyond the capacity of international programmes to drive such changes as they can, at best, only contribute by supporting domestic actors in the articulation and implementation of their interests. This having been said, international donors should ensure that their support for small arms control is put on a sustainable basis. Thus, at present, it would seem to say that there exists a funding bubble for local NGOs working on small arms control in Cambodia. A major concern for the future is that donors, turning their attention and resources to other issue-areas and countries, will withdraw their funding for small arms control and therewith end the ability of most Cambodian NGOs to continue their work in awareness raising and training of security personnel. Donors should therefore make conscious efforts to include concern for sustainability of small arms control in their programming. This, in turn, would make a considerable contribution to combating small arms proliferation in Cambodia in the medium and long term.” (Anders, undated: 11).

²³³ (In addition to the Technical Working Group on Mine Action, there is also a Mine Action Forum made up of NGOs).

²³⁴ The former director of WGWR reported to the author that WGWR does prepare a paper on small arms as part of a “book” of NGO presentations to the Consultative Group each year. (Interview in Phnom Penh, 25 August 2005).

Action. This hasn't happened up to now, but it could be pursued."²³⁵ Such a step could be key in building understanding of the relationship to development of the SALW issue in Cambodia, in pursuing possible synergies between the two issue areas, and in encouraging greater cross-issue organisation and approaches within the Cambodian government.

MAIN CASE STUDY CONCLUSIONS AND FINDINGS

There are real and critical differences in what is required for successful action on mine action and action on SALW. Different paths in these two areas have evolved in large part in response to these different realities. How these weapons systems are viewed (in general terms, landmines/UXO as "remnants"; SALW as "active", driven by human agency) has also had a great deal to do with how the Cambodian government has organised itself to approach them.

National history and the chronology of engagement by different actors have influenced the degree of engagement by the Cambodian government and by other actors (international organisations, donors and NGOs) in the mine action area over SALW. Sheer force of involvement over a longer time has helped to shape a mine action sector in Cambodia that is many times larger than that concerned with SALW.

The case study has revealed that such synergies as can be seen between the two areas have taken place more in the nature of what has emerged out of practical arrangements. To date, there appear to have been very few attempts in Cambodia to address the issue areas together.

Nevertheless, the case study has revealed a number of particular and general directions whereby certain synergies could be realised and which could make a mutually beneficial contribution towards achieving the general aims of both mine action and SALW programming. For instance, an important role for the police has been identified, as well as needs to enhance the capacities of the police and the confidence of the public in them to fulfil their security functions. Clear and mutually supportive risk education messaging aimed at preventing further victims should be realisable. Furthermore, an important strength of both approaches of embedding participation and ownership of initiatives by local populations through community-based programming was noted. These aims are surely similar at the very basic level of reducing the human costs of interaction with such weapons systems (whether accidental or deliberate) and enhancing the prospects for greater human security and development at the individual and societal levels.

In conclusion, Cambodia reveals a great deal about the evolution of mine action and SALW programming with applicability to other settings. While a focus on actual or potential synergies must be drawn within fairly narrow parameters of overlap, the study has pointed out areas where there is the potential for realising real benefit through greater joint or consciously parallel effort. A failure to seize such opportunities can be wasteful of human and financial resources.

This case study suggests that in Cambodia, as elsewhere, at a minimum key actors working principally in each issue area – within the government, among programme implementers, among donors, and among Cambodian civil society organisations, so critical to the future development of Cambodian society – would benefit from being more self-consciously aware of the other and of places where joint thinking and action could produce beneficial results for achieving the goals of each.

²³⁵ Interview with Ambassador Donica Pottie, 26 August 2006, and with Stephen Close, 25 August 2005.

ANNEX A LIST OF MEETINGS AND INTERVIEWS

- > 1. John Flanagan | Deputy Director of Operations, United Nations Mine Action Service, UNDPKO, and Jacki Seck Diouf, Advocacy and Treaty Implementation Officer, UNMAS, UNDPKO, New York, 21 July 2005.
- > 2. Patricia DeBoer | Director, American Friends Service Committee Regional Office, Phnom Penh, 16 August 2005.
- > 3. Peou Vanna | Executive Director, Working Group for Weapons Reduction, and Prok Vanny | Chair of Board of Directors of WGWR. 16 August 2005.
- > 4. David de Beer | Special Advisor, European Union, and Programme Manager, EU Assistance on Curbing Small Arms and Light Weapons in Cambodia (EU ASAC) and Adrian Sprangemeijer | Project Office, EU ASAC. 16 August 2005. Follow-up discussions with David de Beer, 19 August and 25 August.
- > 5. Neb Sinthay | former director of WGWR. 17 August 2005. Follow-up discussion, 25 August.
- > 6. Men Neary Sopheak | Director of Communications Department at the Cambodian Red Cross, and Mom Phireak, Landmine/Risk Education Program Coordinator, Cambodian Red Cross. 17 August 2005.
- > 7. Oum Sang Onn (Sam) | Country Representative, Austcare. 18 August 2005.
- > 8. Rupert Leighton | Country Programme Manager, Mines Advisory Group. 18 August 2005.
- > 9. Meeting with WGWR staff (Peou Vanna, Executive Director; Pel Martin, Community Security Program Assistant; Eileen Kilgour, Advocacy Consultant; Soia Heldlun, Program Advisor; Teng Saman, Program Manager, Small Arms Policy and Law, and Hoy, finance and Administration). 19 August 2005.
- > 10. Yasumitsu Kida, Project Officer | Japan Assistance Team for Small Arms Management in Cambodia (JSAC). 19 August 2005.
- > 11. Krisna Uk of Norwegian People's Aid. 19 August 2005.
- > 12. Participation in Opening of Exhibition "To Be Deter-mined" and "At Arms Length". Wat Phnom Exhibition Centre. 19 August 2005.
- > 13. Christian Provoost | Injury Prevention Coordinator with Handicap International-Belgium. 20 August 2005.
- > 14. David Rowe | independent consultant on mine action. 21 August 2005.
- > 15. Heng Ratana | Deputy Director General, Cambodian mine action Centre. 22 August 2005.
- > 16. Gen. Yeng Marady | Deputy of the Secretariat General for Cambodia mine action and Victim Assistance Authority (CMAA) and Roth Borey, Quality Management Officer. 23 August 2005.

- > 17. Peter Bartu | independent consultant. 23 August 2005.
- > 18. Richard Boulter | Programme Director for Cambodia, HALO Trust. 23 August 2005.
- > 19. Plong Chhaya | Assistant Project Officer, Children in Post-conflict in the Section “Children in Need of Special Protection”. UNICEF Cambodia Country Office. 23 August 2005.
- > 20. Theo Kidess | Counsellor, Deputy Head of Mission, German Embassy. 23 August 2005.
- > 21. Meeting at WGWR with Helen Verspeelt (UNDP), Sarel Buijs (SaferAfrica) and WGWR staff. 24 August 2005.
- > 22. Participation at a Meeting at Ministry of Interior Major General Ouk Kim Lek, Director of the Department of Weapons and Explosives Management and Fire Control, and Police Lt. General Sim Sophal, Deputy General Commissioner, National Police, Sarel Buijs (SaferAfrica), and WGWR staff. 24 August 2005.
- > 23. Stephen Close, Senior Programme Officer, and Nguon Sokunthea, Programme Officer, with AusAid, Australian Embassy. 25 August 2005.
- > 24. Phone Interview with Major Craig Tippiins, Director of Office of Defence Cooperation, US Embassy. 25 August 2005.
- > 25. Miki Nagashima | Grant Coordinator, in the Economic Cooperation Section, Japanese Embassy. 25 August 2005.
- > 26. Dominique Guéret | Senior Mine Action Consultant (UNDP), at Cambodian Mine Action and Victim Assistance Authority Secretariat General. 26 August 2005.
- > 27. Mike Bird | Country Programme Director, Oxfam GB. 26 August 2005.
- > 28. Donica Pottie | Ambassador of Canada to Cambodia. 26 August 2005.

ANNEX B LAW ON THE MANAGEMENT OF WEAPONS, EXPLOSIVES AND AMMUNITION

(Adopted on 26 April 2005)

Chapter 1 | General Provisions

Article 1

This law aims at determining the management of weapons, explosives and ammunition of any and all types in the Kingdom of Cambodia.

Article 2

This law governs the equipping, possession, carrying, utilization, purchase, sale, trading, loan, transfer, hiring, production, fabrication, repair, transportation, transit, importation, exportation, and stockpiling of weapons, explosives and ammunition of any and all types.

Article 3

The terms used in this law shall have the following meanings:

- a. **Weapons**
Refer to all kinds of firearms produced or fabricated which can be used for killing or injuring human beings or causing damage to properties;
- b. **Explosives and Ammunition of any an all kinds**
Refer to devices or equipment produced or fabricated which can be used to cause harm to life or cause damage to property;
- c. **Chemical Weapons**
All types of bacterial weapons and any other ammunition which contain chemical and bacterial substances or toxic gases produced or fabricated which may damage health, cause harm to life and cause damage to property and environment.
- d. **Uniformed Armed Services**
Refer to National Police Forces and the Royal Cambodian Armed Forces.
- e. **Officials**
Refer to Government employee within the framework of public functions and Judicial Officials and Officials of the various top institutions.
- f. **Civil Population**
Refers to those who are not covered by the fourth and fifth paragraph.

Chapter 2

Management, Supply and Transportation of Weapons, Explosives and Ammunition

Article 4

Equipping, possession, carrying, use, purchase, sale, trading, loan, transfer, rental, production, fabrication, repair, transportation, transit, import, export and stockpiling of weapons, explosives and ammunition of all its aspects by the civilian population are prohibited in the Kingdom of Cambodia.

Article 5

The Civilian population may be allowed gun and explosives not covered by paragraph a, b and c of Article 3 in this law:

- > Gun and ammunition used for signal;
- > Gun and ammunition used for sport activities;
- > Gun with blank cartridges or buckshot fireworks launcher or gun designed for art performance;
- > Explosives subjected to serve public services and civil engineering or decoration when fired.

Conditions and procedures for the implementation of this article shall be defined by sub-decree upon proposition of the Ministry of Interior.

Article 6

Only Ministry of Defence and Ministry of Interior shall be allowed to have clubs and fields for target shooting exercises.

Article 7

Equipping, possession, carrying, utilization, purchase, sale, trading, loan, transfer, hiring, production, fabrication, repair, transportation, transit, import, export and stockpiling of weapons, explosives and ammunition of all types by the Uniformed Armed Services and Officials shall be covered by the provision of this law.

Article 8

No foreigner shall be entitled to possess or use weapons, explosives and ammunition of any and all types in the Kingdom of Cambodia.

The Royal Government may, upon official request, provide for exception to body guards of the leader of foreign state such as: King, Queen, President, Head of State, Prime Minister and High Dignitaries who are paying a visit to the Kingdom of Cambodia.

Article 9

The registration to manage weapons, explosives and ammunition of any and all types in the Kingdom of Cambodia is within the competence of the Ministry of National Defence and the Ministry of Interior.

Article 10

The Ministry of National Defence is responsible for supply, control, and management of weapons, explosives and ammunition of any and all types of the Royal Cambodian Armed Forces.

The Ministry of Interior is responsible for supply, control, and management of weapons, explosives and ammunition of any and all types of the National Police Forces, Public Institutions, Officials and the Civilian population.

Article 11

It is within the competence of the Ministry of National Defence in issuing authorization for the use of weapons, explosives and ammunition of any and all types to the Royal Cambodian Armed Forces.

It is also within the competence of the Ministry of Interior in issuing authorization for the use of weapons, explosives and ammunition to the National Police Forces, Public Institutions, Officials and Civilian population.

The authorization for the use of weapons, explosives, and ammunition belonging to entity shall define the obligations requiring that the weapons, explosives and ammunition be returned to the depot.

Procedures and conditions for the application of authorization to use the weapons, explosives, and ammunition shall be determined by sub-decree.

Article 12

The Ministry of National Defence shall be responsible for the safety and security in stockpiling weapons, explosives and ammunition of any and all types of the National Police Force, Officials and the Civilian population.

All weapons, explosives, ammunition must be registered and all types of weapons, explosives, ammunition shall be stocked in secure depots.

Article 13

To ensure public safety and to prevent vital disasters or damages to property, the Minister of Interior Ministry or Minister of National Defence Ministry may issue orders to temporarily evacuate the people from residences or areas upon learning that danger may occur.

Procedures for the implementation of this article shall be defined by sub-decree.

Article 14

Transportation of weapons, explosives and ammunition of any and all types inside the country shall be within the competence of the Ministry of National Defence where the purposes are for national defence or shall be within the competence of the Ministry of Interior where purposes of the Ministry of National are for internal security.

Transportation of weapons, explosives and ammunition of any and all types from outside through the Kingdom of Cambodia shall be carried out unless there is agreement from the Royal Government upon propositions of the Ministry of National Defence and Ministry of Interior.

Article 15

- > Every loss of weapons, explosives and ammunition being used and occurring outside entity shall be reported to the Commune/Sangkat police or gendarmerie posts where the loss took place, not later than 24 hours after the loss is discovered. When reporting, there should be one or two witnesses accompanying. In case of no witness available, the competent authorities in the area shall examine on the spot and make minutes.
- > In the case when the weapon, explosives, and ammunition stockpiled in storage facility or in unit is getting lost, store man and person in charge shall report

to the commander or unit commander not later than 24 hours after the loss is discovered. The commander or unit commander shall take immediate action to investigate the loss.

- > The report on the loss of weapon, explosives, and ammunition shall be made in writing specifying the details on weapons, explosives, ammunition and registration number along with the circumstances surrounding the loss.

Article 16

In no case shall weapons, explosives and ammunition be destroyed or deleted from the list without permission from the Minister of Interior Ministry if those weapons, explosives and ammunition are under the jurisdiction of the Ministry of Interior or permission from the Ministry of National Defence if those weapons, explosives and ammunition are under the jurisdiction of the Ministry of National Defence.

Article 17

If deemed necessary, the Royal Government may establish a National Commission to control, direct, or to conduct reform on the management of weapon, explosives and ammunition of any and all types in the Kingdom of Cambodia.

Chapter 3

Import, Export, Repair and Production of Weapons, Explosives and Ammunition

Article 18

Import, export, repair and production of weapons, explosives and ammunition are within the competency of the Royal Government.

The Ministry of National Defence and Ministry of Interior are entitled to have repair shops and test the quality of weapons, explosives and ammunition of any and all types.

Import, export, and production of weapons, explosives and ammunition of any and all types shall be in line with the concerned international rules and principles.

Chapter 4 | Penalties**Article 19**

For those who act in contravention of articles 15 and 16 of this law shall be punished, without taking other criminal acts into account, from 3 (three) months to 1 (one) year imprisonment and a fine from 200.000 (two hundred thousand Riel) to 1 (one) million Riel.

Article 20

For those who equip, carry, possess, utilize, sell, purchase, lend, transfer, hire, fabricate, improvise and repair weapons, explosives and ammunition of any and all types shall be liable to imprisonment from 6 (six) months to 2 (two) years and a fine from 500.000 Riel (five hundred thousand Riel) to 2.000.000 Riel (two million Riel).

Article 21

For those who are careless by allowing other people to use weapons, explosives, and ammunition, which fall under oneself possession, shall be liable to imprisonment from 1 (one) year to 2 (two) years and a fine from 700.000 (seven hundred thousand Riel) to 2.000.000 (two million Riel).

Article 22

The designated competent authorities by the Ministries, who issue improper authorisation for the use of weapons, explosives and ammunition of any and all types contrary to their jurisdiction, shall be liable to imprisonment from 2 (two) years to 5 (five) years and a fine from 3.000.000 Riel (three million Riel) to 6.000.000 Riel (six million Riel).

For those who, with competence under the law, issue authorization for the use of weapons, explosives and ammunition of any and all types in any form or with whatsoever reason shall be liable to imprisonment from 5 (five) years to 8 (eight) years and a fine from 4.000.000 Riel (four million Riel) to 10.000.000 Riel (ten million Riel).

For those who make false authorisation for use of weapons, explosives and ammunition of any and all types shall be liable to imprisonment from 5 (five) years to 10 (ten) years.

For those who use a false authorization for the use of weapons, explosives and ammunition of any and all types shall be subjected to serve a prison term from 5 (five) years to 10 (ten) years.

Article 23

For those who produce, trade in, transit, export, import, or stockpile weapons, explosives and ammunition of any and all types without permission shall be liable to imprisonment from 5 (five) years to 10 (ten) years.

Article 24

For those who, without taking any other criminal acts into account, act in contravention of article 8 and 14 of this law shall be liable to imprisonment from 5 (five) years to 10 (ten) years.

Chapter 5 | Transitional Provisions**Article 25**

For those who are in possession of weapons, explosives and ammunition of any and all types without permission shall turn them over to the competent authorities within the longest period of 3 (three) months following the effective date of this law.

Chapter 6 | Final Provision**Article 26**

Provisions contrary to this law shall be abrogated.

Article 27

This law shall be declared as urgent.

This law was adopted by the National Assembly of the Kingdom of Cambodia on 26 April 2005, during its 2d Session, 3d legislature.

Done in Phnom Penh, 27 April 2005

1st Acting President of the National Assembly

Stamped and Signed

Heng Samrin

INTRODUCTION

The first section of this Chapter sets out the main conclusions and findings of the two case studies, assessing the lessons of specific interventions in mine action and SALW programming in Bosnia and Herzegovina and Cambodia. The two case studies are included to provide practical examples of where nascent collaboration, at the field level, has been successful or not. Although the two scenarios are very different, there is remarkable similarity in what they have uncovered. They confirm a widely held assumption that proponents of SALW mitigation have perhaps more to learn from mine action than the reverse. Nevertheless, both identify a range of areas where both communities could potentially benefit from improved information sharing and collaboration. But in the absence of enabling mechanisms from donors, mine action and small arms reduction and control communities will have few incentives to co-operate, as the cases amply show.²⁵⁶

The second section of the chapter includes supporting analysis from other contexts as well as a review of some of the international experiences in mine action and SALW programming. This section of the report provides a critical reflection on real and perceived synergies for greater collaboration between both the mine action and SALW sectors. A guiding assumption is that enhanced exchange and partnership could potentially improve overall programming in both sectors, expand outreach and burden-sharing potential, and reduce overall costs. The analysis draws explicitly from the experiences of other ongoing mine action and SALW programmes around the world.

The third and final section suggests a possible way forward to promote greater synergies between mine action and SALW.

CASE STUDY CONCLUSIONS AND FINDINGS

Conclusion 1 | Based on available evidence there are few examples of existing synergies between SALW programming and mine action.

Mine action and work on small arms and light weapons (SALW) have largely developed independently of each other. It is generally agreed that SALW is a more complex issue than mine action. Thus, for example, the United Nations Programme of Action, adopted in 2001, sets out ten major areas (“pillars of action”) for intervention, each of which involves a significant allocation of resources and commitment of political²³⁷ will. Equally, there are many more national stakeholders in SALW programming than for mine action, and focused approaches must be developed for each if any lasting impact is to be achieved. Furthermore, mine action is generally perceived to

²⁵⁶ There are of course some exceptions. In Serbia and Montenegro for example, UNDP is exploring the possibility of testing combined mine action and SALW initiatives. But there are few openings for more sustained collaboration. This is partly because mine action is far advanced than SALW at the strategic level (e.g. UNMAS, a UN Coordination Policy agreed by the General Assembly, etc.), thus there is little incentive to bring SALW activities on board.

²³⁷ The ten pillars of action in SALW mitigation are:

- > Establishment of national points of contact and national coordination agencies;
- > Legislation, regulations and administrative procedures;
- > Criminalisation regimes;
- > Stockpile management and security;
- > Weapons collection and disposal;
- > Export, import, and transfer controls and regulations;
- > Brokering;
- > Marking, tracing and record-keeping;
- > Disarmament, demobilisation and reintegration of ex-combatants;
- > Assistance and international cooperation in tackling different aspects and consequences of the illicit SALW trade in all its aspects.

See Appendix 1 – Work on Small Arms and Light Weapons – for further details.

be in the interest of the whole community, whereas SALW programmes must be sensitive and tailored to avoid alienating people who may perceive themselves to be unfairly targeted or put at risk by collection operations.

In Bosnia and Herzegovina, for example, very little existing synergy was observed between mine action and SALW programmes at field level. That which does exist generally occurs as a result of the daily realities of mine and explosive ordnance clearance and SALW in a post-conflict environment where mixed ordnance has been laid, fired, abandoned, stored and hidden, and where large numbers of SALW are present rather than following a strategic decision to tackle both issues together at an operational level. There has also been some successful but limited collaboration between organisations delivering MRE and SALW awareness in schools.

In Cambodia, there are only scant incidences of SALW priorities being taken into account by the mine action community, and vice versa, but a few do exist. Where they do happen, they would appear to be driven by a pragmatic realisation of the utility of either doing things together or supporting each other, as will be seen in the realm of weapons destruction and risk education. Otherwise, the separation is due to real differences between mines/UXO and SALW needs, as well as, one suspects, to history and organisational mandates and imperatives.

There is no evidence that any joint threat assessments for mines/UXO and SALW have been carried out to date in either Bosnia or Cambodia. This is primarily due to the different nature of the threat posed by the weapons and the different survey methods used to ascertain the threat level. Landmine impact surveys are expensive and take many months if not years. SALW surveys, on the other hand, can be done comparatively cheaply and quickly.

Many donors to mine action in Bosnia and Herzegovina are also donors to SALW programmes. However, the case study uncovered no examples of donors actively seeking to link mine action funding with SALW funding beyond a recognition that both issues are concerned with human security and therefore may come from the same funding stream. The exception is the NATO Partnership for Peace Trust Fund which has extended its original focus of providing financial support and technical assistance for the destruction of anti-personnel mines to include the destruction of SALW and stockpiled munitions.

Conclusion 2 | A number of project areas offer opportunities for synergy, particularly the disposal of SALW and ERW, and SALW awareness and mine risk education.

The area which would appear to have the most potential for future synergy between mine action and SALW programmes is the provision of technical expertise to manage the explosive threat through mine/ERW clearance, SALW collection programmes and ammunition stockpile reduction, including by destruction and demilitarisation. In Bosnia and Herzegovina, for example, within these three fields there is significant potential synergy but it will require the further development, recognition and implementation of common international standards and investment in further capacity-building for both the Army of Bosnia and Herzegovina and the Civil Protection Agencies to take on full responsibility for the explosive safety of these types of operations once the international community finally pulls out.

In Cambodia, a number of actors have begun to see the potential value of some joint “risk education” programming. In Bosnia, several projects have combined SALW awareness and mine risk education. For example, Handicap International is currently integrating MRE and SALW awareness in the Federal school curriculum, and is developing a joint-MRE/SALW awareness manual for teachers. MRE and SALW are addressed in the school curriculum as separate topics but under the same “reduction of risk from danger objects” programme. The two issues will be taught separately but with reference to each other. Genesis, a local non-governmental organisation (NGO) from Banja Luka, delivers a combination of MRE and SALW awareness to children through puppet shows.

However, when compared to MRE, the SALW awareness message is more nuanced, more politically and socially charged, and needs to be delivered as part of an integrated national SALW strategy to have any lasting effect. SEESAC commissioned a study to assess the compatibility of SALW awareness and MRE in educational programmes.²³⁸ It found that while there may be some degree of overlap between the two, further integration may prove difficult. SALW awareness is inherently more complex than MRE owing to the fact of legal weapon ownership. The challenge in SALW awareness is striking a balance between encouraging individuals to hand in illegal weapons whilst promoting safe behaviours that do not necessarily endorse gun ownership.

The study also found that there is a great deal of scope for SALW awareness interventions to learn from the field of MRE. It calls for coordination between mine action teams and SALW awareness initiatives so as to minimise the potential for mixed messages. Weapons holders, who are encouraged to hand in their illegal weapons, have been known to also hand in ERW and mines (possibly motivated by an incentive to do so), which has resulted in accidental injury and even death.

There is very little deliberate programming that addresses the needs of SALW survivors in joint efforts with the well-developed mines/UXO disability-focused sector (although their needs are not ignored in general programming on disability). Despite this, an observer in Cambodia has claimed that: “There is potentially a great deal of synergy between mine action and SALW victim assistance. Areas include, among others: medical personnel training and assistance, record keeping and data storage (injury surveillance); coordinated funding opportunities; community engagement; socio-economic reintegration of victims into communities; employment; rehabilitation. Both mine action and SALW victim assistance must be integrated into the overall health care system (and disability policies), while recognizing that the burden on health case systems in areas affected by either landmines or/and SALW often experience vastly increased resource demand.”²³⁹

Conclusion 3 | The management of SALW and mine action requires different skills, but may offer some opportunities for efficiencies.

The case study of Bosnia and Herzegovina suggests that there may be opportunities for cost savings in terms of coordination and programme management of SALW and mine action. Those with an international or regional overview of one or both issues are more likely to consider there to be potential for developing synergy between mine

²³⁸ SEESAC, SEESAC Activity Report – AR/060, Assessing the Compatibility of SALW Awareness and Mine Risk Education, Belgrade, November 2005.

²³⁹ Waszink, C., “Mine action and ‘small arms and light weapons action’”, unpublished working paper, Phnom Penh, 2004; Handicap International, “Lessons Learned Workshop: A review of assistance programs for war-wounded and other persons with disabilities living in mine-affected countries (Paris, 25–28 May 2004)”, Handicap International, Paris, 2004.

action and SALW programmes, particularly in terms of non-technical roles. Most of the nationally-focused actors, however, while acknowledging the theoretical advantages of combining efforts to address the humanitarian effects of mines, explosive remnants of war (ERW) and SALW in Bosnia, were concerned to point out that they are already operating at full capacity and struggling to reach agreed targets within one thematic area alone.

Mine action has an accepted international definition laid down by the International Mine Action Standards issued by the United Nations. Mine action comprises five complementary groups of activities or pillars:

- > Mine risk education;
- > Humanitarian demining, i.e. mine and UXO survey, mapping, marking and clearance;
- > Victim assistance, including rehabilitation and reintegration;
- > Stockpile destruction; and
- > Advocacy against the use of anti-personnel mines.

In contrast, there is no universally accepted framework for SALW mitigation. In response to the SALW problem in South-Eastern Europe, the UNDP South Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC) has developed a framework consisting of at least eight “pillars” deemed necessary for any disarmament effort to have a lasting impact on the problem of SALW. These pillars are reflected in the developing Regional Micro-Disarmament Standards and Guidelines as set out below:

- > Cross-border controls,
- > Survey,
- > Collection,
- > Destruction,
- > Stockpile management,
- > Awareness and communication strategy,
- > Legislation, and
- > Information management.

Thus, the established pillars of mine action and SALW programming being developed by SEESAC touch on many of the same issues: advocacy, programme management, legislative control, collection/clearance, destruction, information management, risk education and awareness, stockpile management. However, of the national and international organisations in Bosnia and Herzegovina engaged in both SALW programming and mine action, few, if any, are currently tackling the two issues in an integrated way at an operational level.

The rule of law is one area which is applicable to both mines and SALW. However, international and national legislation controlling the production, transfer, possession and use of mines and SALW is very different. Legislative control of landmines is relatively simple. In the case of states party to the Anti-Personnel Mine Ban Convention,

which includes both Bosnia and Herzegovina and Cambodia, anti-personnel mines are banned. Proscriptive domestic legislation on production, export and possession follows logically, even if the atypical political structure of Bosnia and Herzegovina has made this process more laborious than elsewhere. This is not the case for SALW, which are not illegal in Bosnia and which require a more complex and contextualised set of legislative controls.

However, export control legislation and the capacity needed to implement a tough export control regime is one area which applies to both mines and SALW. The export of anti-personnel mines is banned by the Anti-Personnel Mine Ban Convention. SALW are subject to several regional instruments, including the EU Code of Conduct on Arms Exports to which Bosnia adheres. The EU Code of Conduct also bans the export of landmines. It therefore follows that training of export control officials and capacity-building of national export control institutions should include reference to both landmines and SALW. If the training is funded by a donor primarily to build capacity for the export control of SALW but includes the skills necessary to control the export of landmines, it could be deemed an example of “synergy by default”.

Some organisations, such as UNDP and the European Force in Bosnia (EUFOR), have broad security portfolios which cover both SALW and mine action but when it comes to the actual survey, threat/risk assessment, advocacy, weapons collection, mine clearance, destruction and delivery of survivor/victim assistance the two issues are generally dealt with separately. Indeed, most interviewees in the case study of Bosnia felt that the significant differences in the political and social context in which the mine/UXO problem and SALW need to be addressed, combined with the different messages and types of expertise needed to conduct mine action and SALW programmes, negated the possibility of meaningful synergy in most cases in Bosnia.

For countries not party to the Convention the scenario is somewhat different. They may, for example, be party to Amended Protocol II to the Convention on Certain Conventional Weapons. This may mean legislation regulating or prohibiting the use of transfer of only *certain* anti-personnel mines. They may even be party to no legal instruments regarding landmines, with only limited restrictions or prohibitions imposed on the way the weapons can be used by virtue of customary international humanitarian law. These prohibitions would cover, for example, targeting civilians with landmines or their indiscriminate use. They would not, though, deal with issues of cross-border control or a prohibition on production or stockpiling on the part of the recipient State that chose to stay outside the international legal framework (though of course the State or other entity providing the weapons might itself have national or international legal restrictions on such provision).

OTHER SUPPORTING ANALYSIS

It is generally accepted that the mine action and SALW communities have been relatively slow to learn from each other. There have been few obvious attempts – particularly at the multilateral and strategic levels – to identify, much less bridge, the respective approaches of mine action and SALW programmes. Part of the reason for this is political. In order to promote norm development and focused interventions, proponents of both causes have focused on their own areas since the early 1990s.

Another reason for their relative isolation from each other is institutional and programmatic. Even before an agreement on a universally-binding landmine treaty in 1997, the mine action community was beginning to be guided by coherent and objective agreements and standards.²⁴⁰ By way of contrast, SALW, although informed by a politically-binding programme of action agreed in 2001, has been largely shaped by regional and national priorities and concerns since the mid-1990s.²⁴¹ As a result, mine action has evolved a comparatively more coherent and unified framework for action – in which actors draw from proscribed rules, while procedures for SALW programming tend to be more opportunistic, heterogeneous and responsive to local contexts on the ground.

In addition, individual, national and international perceptions of risk have also played an important role in the evolution of the two sectors. Landmines are commonly agreed to be a grave threat to the life and livelihood of individuals. This threat is acutely felt in the mine affected communities themselves. Thus, the dire circumstances suffered by certain mine-affected communities have been amplified by the international community that has subsequently built the mine action efforts around the impact of the weapons.

SALW, on the other hand, are not necessarily perceived as direct threats to individual communities and their members. Victimisation is not as random or “uncontrollable” as is the case with landmines and individuals must actively decide and act to cause an accident. In fact, in many instances SALW are perceived as a fundamental right and necessity to provide individual security. Thus, the impetus for SALW programmes has come more from the top down, as a politically generated process designed to alleviate a problem seen from a slightly different perspective.

Nonetheless, SALW mitigation practitioners have in some cases drawn explicitly from best practices in mine action programmes over the past decade – even if this is seldom acknowledged in diplomatic debates. In many regions where mines and arms constitute a chronic threat, UN and non-governmental practitioners have borrowed liberally from one another to elaborate operating procedures on the ground. Shared thematic priorities have converged around advocacy, programme management strategies, legislative controls, collection/clearance procedures, destruction activities, information management, risk education and awareness and stockpile management.

In some cases, convergence has been opportunistic and ad hoc. In others, SALW practitioners have established coherent protocols following lessons learned in mine action.²⁴² Donors, policy makers and advocates have noted the lack of synergies between the two fields. But as in other developmental and humanitarian sectors, it is the field-level practitioners in mine action and SALW that have guided and informed practice. It is only after they have initiated activities on the ground that guidelines and standards have been codified in Geneva and New York.

²⁴⁰ The first mine clearance standards were developed after discussions between major mine and UXO clearance agencies held in Copenhagen in 1997 before the Mine Ban Treaty. Mine Action itself consists of five pillars, including: (i) Mine risk education; (ii) humanitarian demining – mine and UXO survey, mapping, marking and clearance; (iii) victim/survivor assistance, including rehabilitation and reintegration; (iv) stockpile destruction; and (v) advocacy against the use of anti-personnel mines.

²⁴¹ See for example the OSCE Handbook of Best Practices on Small Arms and Light Weapons for a review of strategic guidance for government-level engagement on SALW. The Handbook is one of the most comprehensive manuals to date on some aspects of SALW, providing a set of best practice guides relating to all stages of a gun’s life starting with manufacture and finishing with destruction and disarmament, demobilisation and reintegration. Available at: www.osce.org/fsc/item_11_13550.html.

²⁴² For example, in South Eastern Europe, the ISO-based IMAS format has had a major influence on the design and structure of RMDG, MRE best practices were used to develop the SALW awareness concept, and General Mine Action Assessment and the Landmine Impact Survey have similar aims in terms of information gathering to SALW surveys.

In fact, mine action and SALW programming share a surprising range of objectives, strategies, and practices. For example, as Table 1 demonstrates, both mine action and SALW draw from normative guidelines established by the international community. At the most basic level, mine action and SALW practitioners have broadened their optic from an exclusive concern of dealing with hardware – whether anti-personnel mines, small arms and light weapons, unexploded ordnance or weapon and ammunition stockpiles – to an emphasis on impact reduction, positive transformations in real and perceived security, enhanced development opportunities and community-centred strategies.

MINE ACTION PILLARS (IMAS)	SALW PRIORITIES (UN Programme of Action and other Regional Agreements)
<ul style="list-style-type: none"> > Mine risk education (MRE);²⁴³ > Humanitarian demining, i.e. mine and UXO survey, mapping, marking and clearance; > Victim assistance, including rehabilitation and reintegration; > Stockpile destruction; and > Advocacy against the use of anti-personnel mines. 	<ul style="list-style-type: none"> > National focal points and coordination mechanisms > Reform of national legislation, regulations and administrative systems > Reform of penal and criminal codes > Stockpile management and security > Weapons control and disposal > Export, import and transfer controls > Brokering controls > Marking, tracing and record-keeping > Disarmament, demobilisation and reintegration > Assistance and international cooperation in addressing different aspects of the illicit trade

COMPARING MINE ACTION AND SALW PILLARS

Practitioners interviewed in the course of this Study are well aware that successful mine action and SALW initiatives require more than merely collecting and destroying hardware. Both are contingent on sound evidence-based analysis, effective communication, extensive outreach and sensitisation, efficient and competent technical inputs and quality rehabilitative services for survivors.

A cooperative approach to learning, sharing experiences and joined-up programming is in the mutual interest of both communities, and is already happening at the operational level in some cases. In addition to the valuable insights and practical dividends both stand to gain, it is clear that partnership should be also motivated by changing realities on the ground. Owing in part to successful mine action programmes around the world and decreasing numbers of survivors requiring support, there is anecdotal evidence that funding for mine action is stabilised or even waning. By way of contrast, investment in disarmament, demobilisation and reintegration (DDR) and SALW more generally, is clearly growing. Though prospects for a firm global legal framework for all SALW activities are far off, the issue is fast rising up the multilateral agenda, and there are already many regional legal and voluntary agreements guiding interventions on the ground.

Even while discussion persists at the conceptual level, donors are also beginning to

²⁴³ Certain weapons and ordnance – including light weapons ammunition and grenade launchers – are part of MRE training in a number of countries in South-east Asia and elsewhere.

link mine action and SALW programming, and exploring ways and means of effectively harnessing development assistance (ODA) for both activities. Since there are some demonstrated synergies between mine action and SALW activities, there are also potential dividends of joined-up operational planning and administrative outlays. Moreover, because both types of activities are not exclusively UN-led, there is ample space for creative and dynamic exchanges and interventions.

The impacts of mines and SALW are qualitatively comparable, and concrete interventions should acknowledge their common aim to promote human security and the importance of engaging Non-State Actors (NSAs). Landmines and SALW often affect males – particularly younger men – generate both lethal and non-fatal injuries, and contribute to reductions in refugee/IDP return and reintegration, reduced subsistence and economic productivity and constraints on mobility. Though small arms contribute to a significantly larger quantitative impact on mortality/morbidity and labour productivity, they nevertheless require similar types of survivor assistance and awareness strategies as is advocated by the mine action sector. Though there are also important differences in how mines and small arms affect human security and development during the conflict and post-conflict periods,²⁴⁴ these are outweighed by their common features. Moreover, because landmines and SALW are frequently deployed by common sets of NSAs – themselves frequently composed of young men – there are potential entry-points for engaging such groups in dialogue and training on safe storage, and norms associated with use and misuse.

Mine action and SALW programmes share a common interest in shaping interventions within a development framework – with due consideration of both supply and demand. Both constituencies emphasise impact reduction as a key marker of successful intervention. Moreover, they have each shifted from an instrumentalist concern with hardware to the intrinsic motivations, or preferences, that shape relative threats – whether mine tampering, exposure to contaminated sites, acquisition and detention of small arms and light weapons, or misuse. Though the specific derived preferences that shape exposure to mines and small arms and light weapons may subtly vary, there are nevertheless parallels that inform both mine action and SALW responses on the ground.

Though mine action and SALW interventions draw on different technical skill-sets, there are considerable opportunities for integrating management structures and improving cost-effectiveness and efficiency. Evidence from numerous mine action and SALW interventions around the world suggest that there are real dividends and cost savings from coordinating programme management structures – particularly in the management and awareness/outreach sectors (including curriculum design and campaigning). There are also potential synergies in relation to collaboration between technical specialists in both areas – particularly in relation to advocacy, stockpile management and destruction.

Furthermore, as mine action begins to shift activities to UXO clearance there are a host of new potential synergies with SALW programming. There is a growing investment in UXO awareness and clearance among mine action practitioners. This has coincided with a relative surge in new victims associated with UXO in a number of countries. The reduction in mine survivors can be attributed to, inter alia, improved

²⁴⁴ For example, while civilian victims of landmines may be comparatively modest during the conflict period, and are composed primarily of combatants and fighting forces, they tend to stay high in the post-conflict period – particularly among women and children. By way of contrast, civilian victims of SALW tend to be highest during conflict, though rates of fatal and non-fatal injury can remain high even in the post-conflict period – predominantly among young males. See Small Arms Survey (2005).

demining, improved risk education, renewed government involvement and community-based strategies. Nevertheless, a number of socio-economic factors are contributing to a surge in UXO victim rates – and the changing profile of survivors is also reflecting these trends. Mine action practitioners should therefore begin to explore potential collaboration with SALW control actors who have a comparative advantage in this area.

ACHIEVING GREATER SYNERGY BETWEEN MINE ACTION AND SALW

The conclusions and findings of the case studies and the supporting analysis of other relevant information have proposed several areas where common approaches to mine action and SALW might be valuable. Issues of storage and destruction, “risk education”, the “ammunition” component of explosive remnants of war all suggest more areas of possible synergy than is obvious from a traditional mine clearance perspective. This is also true of the perceived central role for the police in strategies based in integrated community action.

There are a number of other orientations, suggested by the author of the case study on Cambodia, which would appear to reveal additional insights into possible future synergies between mine action and SALW. These additional elements presented below emerge in some ways from what has already been said but are of a more general nature.

Linking programming into development strategies

The mine and ERW threat has come to be understood as a development issue as well as a humanitarian one. Greater development will reduce the numbers of people who now put themselves at risk because of economic hardship. Donor insistence on “integrated mine action” projects and programmes with equal parts of clearance and development can further push national efforts in this direction. In a similar manner, linking SALW programming and development is an approach that is increasingly seen as critical to progress on both.

In countries and regions scarred by the legacies of war, and in which ordnance- and weapons-related violence is a daily feature, there would seem to be value, from this development perspective, in seeking to bring mine action and SALW together more systematically. This will require greater efforts from both the development community and national authorities to see how the SALW problem may also be affecting development, as has become better understood in the case of mines and UXO. It will require a broader perspective from the national and international mine action community to see its work as part of a broader problem which also includes SALW. It will require a broader community of actors to be included in the development of such integrated approaches on SALW.

Adopting a demand optic

At an international level, the SALW problem has been addressed as an arms management issue, and the rather narrow “supply-side” approach of many governments on SALW is a reflection of this. Some have begun to argue, however, for more inclusive thinking about SALW that seeks to understand more fully the factors that drive individuals and groups to turn to the gun and the approaches which appear to reduce these motivations.

Joint analysis by the two communities (mine action and SALW) on how such

demand factors are influencing behaviour could yield more holistic, less fragmented approaches to the reduction of harm caused by mines, UXO and SALW (although demand factors affecting SALW will likely be far more situation-specific, complex and varied than those influencing mine and UXO behaviour).

Community-based programming

The orientation of mine action and SALW towards community-based assessments of needs and community-based ownership of programmes provides a solid basis for future activity. Providing an important foundation and legitimisation of this approach is the “Seila” approach adopted by the Cambodian government as part of its development programming. The aim of this initiative is to establish a national programme to promote local economic development activities through decentralised planning and decision-making.

This basic “bottom-up” approach to the emergence of national development plans is today a fundamental part of mine action programming and it has been shown here how community-based approaches have also been part of the emerging SALW sector. This reality, and its basis in a decentralised approach to development planning and ownership, would seem to provide a very strong foundation for future action in both spheres and opportunities for the development of complementary and mutually supportive approaches, including the development of common vocabularies.

Integrating mine action and SALW into DDR Strategies

Former combatants represent both a problem and an asset for post-war countries, and yet neither the mine action community nor the SALW community has integrated this issue systematically to any real extent into their work. To the extent that the needs of such a large component of society (either those already demobilised or those waiting to be demobilised) are not addressed, social stability can be threatened, as these people are all trained in the use of weapons. Equally, however, these elements represent a resource for dealing with ERW, for example, and peace-building.

The “village demining” analyses in Cambodia have shown that much of the informal demining that is taking place is conducted by ex-militia and ex-military. Yet Cambodia, it would appear, has been slower than a number of other countries in directly addressing this area. Potentially it is an area where the mine action and SALW communities could undertake analysis and strategic planning together.

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GLOSSARY OF ABBREVIATIONS AND ACRONYMS

AFBiH	Armed Forces of Bosnia and Herzegovina	MAC	mine action centre
AXO	abandoned explosive ordnance	MAG	Mines Advisory Group
BHMAC	Bosnia and Herzegovina Mine Action Centre	MAPU	Mine Action Planning Unit
BiH	Bosnia and Herzegovina	MRE	mine risk education
CMAA	Cambodian Mine Action and Victim Assistance Authority	NATO	North Atlantic Treaty Organisation
CMAC	Cambodian Mine Action Centre	NGO	non-governmental organisation
CMVIS	Cambodia Mine/UXO Victim Information System	NPA	Norwegian People’s Aid
CNVLD	Cambodian National Volleyball League (Disabled) Organization	OBOD	Open Burning and Open Demolition
CPA	Civil Protection Agency	OHR	Office of the High Representative of Bosnia and Herzegovina
CSS	Centre for Security Studies	OSCE	Organisation for Security and Cooperation in Europe
DDR	Disarmament, Demobilisation and Reintegration	PMAC	Provincial mine action Committee
DFID	UK Department for International Development	PoA	United Nations Programme of Action to Prevent, Combat, and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects
DPA	Dayton Peace Accords [The General Framework Agreement for Peace in Bosnia and Herzegovina]	PRIO	International Peace Research Institute, Oslo
EOD	explosive ordnance disposal	RCAF	Royal Cambodian Armed Forces
ERW	explosive remnants of war	SAC	Survey Action Center
EU	European Union	SALW	small arms and light weapons
EU ASAC	European Union Assistance on Curbing Small Arms and Light Weapons in Cambodia	SAS	Small Arms Survey
EUFOR	European Union Force	SEESAC	South Eastern Europe Clearinghouse for the Control of Small Arms
EUPM	European Union Police Mission	SFOR	Stabilisation Force (NATO Bosnia and Herzegovina)
HALO Trust	Hazardous Areas Life-Support Organization	SSR	Security Sector Reform
HIB	Handicap International - Belgium	TWG	Technical Working Group
ICBL	International Campaign to Ban Landmines	UN	United Nations
ICRC	International Committee of the Red Cross	UNDDA	United Nations Department for Disarmament Affairs
IDP	internally displaced person	UNDP	United Nations Development Programme
IMAS	International Mine Action Standards	UNDPKO	United Nations Department of Peacekeeping Operations
IMSMA	Information Management System for Mine Action	UNICEF	United Nations Children’s Fund
ITF	International Trust Fund for Demining and Mine Victims Assistance	UNMAS	United Nations Mine Action Service
JSAC	Japan Assistance Team for Small Arms Management in Cambodia	UNTAC	United Nations Transitional Authority in Cambodia
		US	United States of America
		UXO	unexploded ordnance
		WfD	Weapons for Development
		WGWR	Working Group for Weapons Reduction

APPENDIX 1. REFLECTIONS ON SALW MITIGATION

1. OVERVIEW

Small arms and light weapons have received increased prominence on the international policy agenda in recent years. Today's wars, which are overwhelmingly internal rather than between States, are fought primarily with small arms and light weapons rather than with heavy conventional weapons (or the threat of use of weapons of mass destruction) that characterise inter-state conflicts. The use of SALW has had a tremendous impact on the ways wars are waged and the consequences of these conflicts. Moreover, in many countries formally "at peace", such as Brazil or South Africa, SALW have perpetuated violence and crime and terrorised civilians.

Approximately 639 million SALW are in circulation around the world today.²⁴⁵ Hundreds of thousands of people are killed each year by SALW in conflicts, armed violence, suicides, murders, and accidents. In Rio de Janeiro, the gun violence death rate is comparable to that of some war zones. El Salvador has a firearm death rate of 30 per 100,000, and Colombia boasts 55 per 100,000 people killed by gun violence.²⁴⁶ In conflict situations, SALW are the weapons of choice of warring parties – government armies, paramilitaries, rebel forces, or even terrorists. In recent wars, SALW have accounted for between 60 and 90 per cent of direct conflict deaths, depending on the nature and intensity of the fighting.²⁴⁷

This Overview looks at the effects of the proliferation and misuse of SALW, their prominence in today's conflicts and at attempts to alleviate the resulting human suffering through SALW programming. Section 2 addresses the current normative framework for work on SALW. Section 3 focuses on the thematic priorities of the UN Programme of Action, which was the major outcome of the 2001 UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. Section 4 looks at other efforts to control SALW at the regional and international levels, and Section 5 reviews upcoming SALW conferences and likely developments related to SALW.

What are SALW?

While there is no universal definition of SALW, the international community uses the following definition proposed by the United Nations for practical purposes:

Small arms: revolvers and self-loading pistols, rifles and carbines, assault rifles, sub-machine guns, and light machine guns.

*Light weapons: heavy machine guns, hand-held under-barrel and mounted grenade launchers, portable anti-tank and anti-aircraft guns, recoilless rifles, portable launchers of anti-tank and anti-aircraft missile systems, and mortars of less than 100mm calibre.*²⁴⁸

Simply stated, SALW refers to any weapon that can be carried by one or two people or mounted to a vehicle or pack animal.²⁴⁹ The term includes military-style weapons as well as commercial firearms. They range from machine guns to Stinger missiles, and include rocket-propelled grenades and mortars.

²⁴⁵ Small Arms Survey (2002: 63).

²⁴⁶ Hillier and Wood (2003: 26).

²⁴⁷ Small Arms Survey (2005: 230).

²⁴⁸ UNGA (1997).

²⁴⁹ The South-Eastern Europe Small Arms Clearinghouse (SEESAC), for instance, uses this definition: "all lethal conventional munitions that can be carried by an individual combatant or a light vehicle, which also do not require a substantial logistic and maintenance capability".

Different types of SALW are used in various conflicts and countries. For example, assault rifles, particularly the AK-47, are ubiquitous in West Africa, while pistols are particularly prevalent in Latin America. In countries such as South Africa and Brazil, the weapons used in crime are often domestically manufactured. In South-East Asia and parts of West Africa, SALW are often locally made. Independently of their origin, all these weapons are lethal and plentiful.

Box 1. The threat from light weapons: MANPADS

Man-portable Air Defence Systems (MANPADS) are surface-to-air missile systems designed to be man-portable. They include systems that are carried and fired by a single individual or operated and fired by two or more individuals acting as a crew and portable by several individuals.

MANPADS are especially attractive to terrorists and other insurgents, because they can hit major targets travelling at altitude and can be fired from thousands of yards away. For example, the November 2002 near shoot-down of an Israeli airplane in Mombassa, Kenya, was reportedly due to a MANPADS missile. Groups like Sri Lanka's Tamil Tigers and the Kurdish Worker's Party are among the non-state armed groups believed to possess these weapons.²⁵⁰

The most common types of MANPADS are US Stinger missiles and the Soviet SA-7. At least 15 companies are producing MANPADS – in the US, states of the former Soviet Union, China, Western Europe, Egypt, North Korea, Pakistan, Singapore and Vietnam. Until recently, MANPADS were not covered in major arms control initiatives. Now, however, MANPADS are subject to specific control initiatives, such as in the OSCE (Organisation for Security and Cooperation in Europe) or the Wassenaar Arrangement, and are increasingly becoming the object of legislation and control at the national level.

Deadly tools of violence

SALW are ubiquitous tools of violence, with several advantages over their heavy conventional counterparts. SALW are low in cost, widely available, lethal, simple to use, durable, portable, easily concealed – and they have legitimate military, police and civilian uses.²⁵¹ They are effective tools of war and cause hundreds of thousands of deaths every year. SALW often remain at the end of conflicts and may allow conflicts to reignite or contribute to conflicts in neighbouring countries and regions. SALW can also become tools for criminal violence, disruption of development efforts and interference with delivery of humanitarian aid.

SALW have been used to kill, wound and forcibly displace civilians in conflicts as diverse as those in Afghanistan, the former Yugoslavia and Sudan. Development projects have been cancelled in Liberia, Niger and Sierra Leone due to SALW proliferation and misuse. The widespread availability of SALW can undermine peacekeeping and peace-building efforts: in both Afghanistan and Iraq, they have increased insecurity, undermined the rule of law and presented a major obstacle to the transition to peace.

²⁵⁰ For more information see SAWG (2003a) and Small Arms Survey (2004: chapter 3).

²⁵¹ Boutwell and Klare (2000: 30–35).

The proliferation and misuse of SALW have direct and indirect effects. In terms of direct effects, SALW contribute to deaths and injuries, killing hundreds of thousands and injuring many more every year. In conflict situations, the International Committee of the Red Cross (ICRC) estimates that civilian deaths make up between 30 and 65 per cent of all casualties.²⁵² SALW are also regularly used to commit human rights abuses – they are employed in extra-judicial executions, forced disappearances and torture.

Young men are particularly likely to become victims of gun violence: and more than 90 per cent of gun-related homicides occur among men.²⁵³ Women and girls are often forced to endure rape, violence, abductions, slavery and forced prostitution at the barrel of a gun. Children are also victims of SALW violence. For example, “in 1995 Red Cross workers in Chechnya found that the bodies of some children, who made up 40 per cent of the dead between February and May that year, bore the mark of systematic execution with a bullet through the temple.”²⁵⁴

The indirect costs of SALW proliferation and misuse

Beyond killing and injuring people, small arms and light weapons do damage by diminishing economic and social opportunities and contributing to environments of insecurity and crime. It is important to recognise that SALW proliferation and misuse can profoundly affect a country even after the violent phase of a conflict ends. As one analyst noted:

*“Once a war is formally over, major violence may continue. From the townships of Natal in South Africa to the shantytowns of El Salvador, violence, including domestic violence, can remain the normal way for dealing with tension. There may be cultural reasons for this, including the lack of positive role models for young men, and violence is encouraged by the widespread availability of small arms.”*²⁵⁵

There are several different “indirect” costs of SALW proliferation and misuse, including:

- > lack of access to basic health care,
- > food insecurity,
- > inadequate access to humanitarian relief,
- > psycho-social trauma,
- > diminished educational opportunities,
- > limited access to other basic services,
- > negative impact on foreign direct investment (FDI), and
- > negative impact on internal investment and economic growth.

Lack of access to basic health care

Civilian populations in conflict zones where small arms are widely used are vulnerable to the disruption of access to basic health care and services, either through forcible displacement or the closure of clinics and hospitals. As a result, individuals often die from preventable and treatable ailments, or from gun injuries. In Northern

Uganda, *“the insecure environment created by the various armed groups has made it difficult to access health services. Persistent insecurity has disrupted surveillance and monitoring of diseases, as well as organization and delivery of health care. Vaccination programmes have been interrupted by the presence of armed groups, leading to the prevalence of measles (a major killer) in the communities.”*²⁵⁶

In the Democratic Republic of Congo: *“Fragile health services, run down over the past ten years and starved by the war of the last two years, are now at breaking point. Eight out of 18 health districts in Ituri have no doctor, either for their hospitals or for their district management. Aru district, with a population of 298,628 has no doctor working in the hospital or for the health district. Most health districts have no vehicles, no fridges and no electricity as what little equipment they once had has been looted by armed groups.”*²⁵⁷

In some parts of the interior of Kenya, there are no health centres, clinics, or sub-district hospitals, which put at risk those already injured and jeopardises the long-term health of civilians. Where clinics are still open, they are often difficult to access due to a lack of endemic security.²⁵⁸ The result, in all such cases, is additional numbers of indirect deaths from SALW that may greatly exceed the number of direct victims of SALW violence.

Food insecurity

SALW proliferation and misuse can provoke or exacerbate food insecurity by contributing to breakdowns in the economic infrastructure. These leave markets closed and foodstuffs scarce as fields lay fallow and transportation links are cut. In countries in conflict, *“homes, land, livestock are all being demanded from civilians at gunpoint.”*²⁵⁹ Even after a conflict ends, the threat of SALW persists: *“like landmines, the mere threat of arms use affects land-use patterns and harvesting, livestock production and grazing and local investment in commercial activities. The disruption of entitlements has profound implications for the social and economic development of communities.”*²⁶⁰

Inadequate access to humanitarian relief

SALW proliferation and misuse can limit the ability of aid workers to provide for the needs of a desperate population. Armed groups and individuals often regard civilians and aid workers as legitimate targets for extortion, threat, theft, rape and brutality. Aid agencies are often forced to spend more on security than on delivery efforts. Armed groups often block transit routes, disrupt natural resource exploitation and attack key national industries. Projects can be halted or cancelled due to security concerns about increased gun violence and crime. Economic instability and lack of economic opportunity deny populations access to support services and skills training.

Fearing for the safety of their workers, many agencies have pulled out of conflict zones due to SALW proliferation and misuse. Indeed, in 2001 the *“firearm homicide rate’ for UN staff [was] 17-25 per 100,000 – homicide rates that are analogous to those experienced in the top ten most dangerous countries in the world.”*²⁶¹ Furthermore, *“although international humanitarian law requires that aid agencies have access to populations that need humanitarian*

²⁵² According to the ICRC, referring to the ICRC surgical database, an “analysis of the first 17,086 people admitted for weapon injuries reported that 35 per cent were females under 16, or males aged 50 and over. Clearly, this figure is a conservative indicator of the proportion of people injured by weapons who were probably non-combatants and who received care under the auspices of the ICRC. A study in Croatia used death certificates and employment records to examine the civilian proportion of conflict-related fatalities and found that civilians could at most have accounted for 64 per cent of the 4,339 fatalities studied.” (ICRC, 1999: 16).

²⁵³ Buchanan and Widmer (2004: 25).

²⁵⁴ Cairns (1997: 19).

²⁵⁵ Cairns (1997: 66).

²⁵⁶ Oxfam (2001a: 7).

²⁵⁷ *ibid.*

²⁵⁸ Berman and Muggah (2001: 33).

²⁵⁹ Oxfam (2001a: 6).

²⁶⁰ Berman and Muggah (2001: 8).

²⁶¹ Oxfam (2001a: 8).

assistance, approximately 50 per cent of populations in conflict regions live in areas that are not accessible to relief campaigns due to armed security threats.”²⁶² The proliferation and misuse of SALW are also costly for humanitarian actors, as both governments and aid agencies are forced to invest huge amounts in ensuring the security of their staff in humanitarian operations or the security of the people for whom they are providing assistance.²⁶⁵

Psycho-social trauma

The widespread use or presence of SALW can cause psycho-social trauma for individuals who have been exposed to arms and armed violence. For some, the traumas inflicted by SALW expose themselves immediately; for others, it may take years to come to grips with the horrors they have experienced or witnessed. Indirectly, SALW can have a tremendous effect on families and communities, by causing death or injury of a parent or forced separation of children, thus weakening traditional family structures and support system for children and young people.

SALW-fuelled conflict often causes massive population migration, uprooting millions from their homes. Some 27 million refugees and 23 million internally displaced persons (IDPs) have been forced to flee, largely due to conflicts in which SALW play a prominent part, in places such as Darfur or the eastern regions of the Democratic Republic of Congo.²⁶⁴ Even when a conflict has ended, the presence of arms continues to have a negative impact on these populations. Often, these groups are afraid to leave camps and return home because of the substantial numbers of weapons that remain in circulation in society, or in the areas through which they would travel.

Diminished educational opportunities

The presence of SALW, whether in a conflict or post-conflict situation, can diminish educational opportunities. After conflict ends and after the direct threat of SALW has been extinguished, it is often difficult for schools to reopen, as teachers may not be willing to return to schools after colleagues have been killed or because continued rampant insecurity makes them vulnerable targets. SALW proliferation and misuse also makes it difficult for students to attend schools even when they can stay open. In northern Uganda, for example: *“Education in Kitgum rural areas has been disrupted due to insecurity caused by the widespread proliferation of small arms. The relocation of the rural population into permanent camps has seen the closure of many rural schools. These schools have been amalgamated within the camps into what has come to be known as ‘displaced schools,’ catering for the displaced children and staffed by displaced teachers. Because of overcrowding in these schools, basic facilities are inadequate and inappropriate.”*²⁶⁵

In eastern DRC *“school attendance is irregular because of the frequent inter-ethnic cattle raids,”* an activity which has become all the more popular due to SALW proliferation and misuse.²⁶⁶ In Kenya, *“primary and secondary schools established in the interior some 20 years ago have been long-since abandoned. Literacy and school enrolment rates in arms-affected regions (particularly in rural areas) are far below the national average.”*²⁶⁷

²⁶² SAWG (2001).

²⁶³ Oxfam (2001a: 8).

²⁶⁴ SAWG (2001).

²⁶⁵ Oxfam (2001a: 8).

²⁶⁶ Oxfam (2001b: 28).

²⁶⁷ Berman and Muggah (2001: 33).

Limited access to other basic services

In addition to their poor access to health and education, people and communities in arms-affected zones often suffer from the lack of other public services. In Colombia, for example: *“public services for rural areas are in short supply – and the reliable provision of electricity, telecommunication services and potable water are limited. Educational and health-related services are also inadequate to meet the needs of rural populations. As a result of both inadequate resources and armed intimidation of teachers and doctors perceived to be collaborating with one side or another, many professionals are fleeing arms-affected areas. Predictably, there are large zones of the country where people have not access to healthcare or services as a result of armed insecurity.”*²⁶⁸

Box 2. Developing a culture of violence

The excessive proliferation and misuse of SALW can contribute to the development of a culture of violence in which weapons are viewed as symbols of power, dominance or value. Arms often become necessary tools for conflict resolution, which may turn non-violent conflict into violent disputes, and undermine the moral legitimacy of traditional community leaders, making it difficult to seek peaceful solutions to ordinary conflicts.

In Ethiopia, *“guns have considerably intensified the level of violence and thereby escalated the scale of killings. [...] the spiral of violence prompted by the culture of revenge was more rampant in Antsokia after the introduction of guns. Guns had become such a vital feature of the community that every growing male person makes it his foremost dream and achievement to have a gun and would frugally save any earnings to equip himself with one.”*

*“Though the essential motive of possessing a gun was for self-defence, its incorporation in a culture that celebrates heroism gave it another dimension. Carrying a gun became a symbol of masculinity and power. Guns became close to being sacred objects, revered by many as the essence of life. [...] Those most severely affected by the culture of revenge were the vulnerable groups, particularly children.”*²⁶⁹

The above list of indirect costs of arms proliferation and misuse highlights that the small arms problem is a multi-dimensional issue. SALW are present in all phases of the life cycle of a conflict – before, during and after violent episodes. For countries at peace, SALW can also be a tremendous problem. Solutions to addressing the SALW problem require input from the public health community, criminal justice and police institutions, the military and other aspects of society. All levels of government, civil society organisations, and individuals can be involved in addressing the proliferation and misuse of SALW, as can participants in other campaigns focusing on preventing the spread and use of deadly weapons.

²⁶⁸ *ibid.*: 34.

²⁶⁹ Eshete and O’Reilly-Calthrop (2000: 41).

The distribution and possession of arms

SALW are available on the open and black markets from a large number of suppliers. In the 1990s, many Cold-War-era weapons were made surplus or obsolete by new supplies and new suppliers, and could be purchased for cash or exchanged for various commodities. An estimated 639 million SALW and light weapons are in circulation today.²⁷⁰

Unlike heavy conventional weapons, almost all of which are held by government forces, most SALW are in the hands of civilians. Civilians are believed to possess at least 378 million – or 58 per cent of the SALW in circulation.²⁷¹ The US alone is believed to have between 238 and 276 million firearms in the country. In 2003, the 15 member states of the European Union had approximately 84 million firearms within their borders, 67 million of which were believed to be in civilian hands. The 44 countries of sub-Saharan Africa, often portrayed as having unending supplies of small arms, actually probably have no more than 30 million firearms.²⁷² Similarly, Afghanistan most likely has between 500,000 and 1.5 million weapons,²⁷³ not the total of at least ten million that is often cited by the United Nations and other sources.

While the quantities of weapons in circulation in a state or region are important, it is the specific nature of the proliferation and misuse of SALW that can lead to devastation and suffering. In some areas, a few hundred small arms can have an enormous effect, causing deaths and crime, whereas in other areas hundreds of thousands of weapons may have little or no impact on a society. There is no simple link between the availability and the misuse of SALW.

Regardless of whose hands they end up in, there is always a plentiful supply of SALW. Small arms are produced in more than 90 countries and more than 1,200 companies around the world are involved in some aspect of the SALW production process or trade, including weapons production, repair, manufacturing of parts, for example. While exact numbers for the SALW market are difficult to determine (because of a lack of transparency in data collection and national reporting), the legal global SALW market is estimated at approximately US\$4 billion a year and the illegal SALW trade market is estimated at several hundred million dollars a year.²⁷⁴ As of 2002, the largest SALW exporters were the US, Italy, Brazil, Germany, Belgium, the Russian Federation and China, while the largest SALW importers were the US, Cyprus, Saudi Arabia and South Korea.²⁷⁵

A transfer is legal if it fully conforms to international law and the national laws of both the exporting and importing states. An illicit transfer breaks either international or national laws. The line between the legal and illicit trades is often blurred, and weak national, regional and international controls and oversight over the legal trade contribute to the growing illicit market. Non-state actors – whether individuals or armed groups – primarily obtain their arms by diverting weapons from legal to illegal markets at some point in their life cycle. Diversion “can be authorized or unauthorized, intentional or unintentional, since in the broadest sense diversion is simply the movement of a weapon from legal origins to the illicit realm.”²⁷⁶

²⁷⁰ Small Arms Survey (2002: 63).

²⁷¹ *ibid*: 79.

²⁷² Small Arms Survey (2003: 57).

²⁷³ *ibid*: 74.

²⁷⁴ Small Arms Survey (2002: 109).

²⁷⁵ Small Arms Survey (2005: 97).

²⁷⁶ *ibid*.

Legal transfers can be diverted to the illicit market in a variety of ways, often with the complicity of government actors. Either through genuine corruption or through wilful neglect, millions of weapons enter the black market with the advice and support of government agents. There are at least nine distinct ways small arms can make their way from the legal to the illicit market:²⁷⁷

- > States, companies, or individuals may violate sanctions and embargoes to ship weapons to banned countries or parties;
- > Corrupt officials may allow weapon shipments from, through or to a country prohibited by national, regional, or international law: in some cases, officials accept bribes to provide illegal export licenses, or customs officials and other government agencies may accept bribes to allow weapons to be exported or imported;
- > Poor or non-existent weapon stockpile security and management facilitate the flow of SALW out of government stocks into the hands of arms brokers or organised criminal, terrorist, or insurgent groups;
- > National arsenals can be raided and weapons caches looted by criminals and insurgents;
- > SALW are often misplaced or lost from government and military stocks: an estimated one million SALW are stolen or lost around the world annually;
- > Unpaid or underpaid soldiers may sell weapons to acquire cash: and soldiers sympathetic to a specific cause or group may also channel weapons out of government stocks;
- > Weapons can be stolen from legal or illegal civilian owners of small arms: in the US alone, approximately half a million small arms enter the black market every year due to theft;
- > Weak domestic laws concerning purchasing of small arms allow legally purchased weapons to enter the black market: without limits on how many guns a person may legally own or buy at one time, “straw purchasers” can buy several weapons and resell them on the black market: the weapons can then be sold across international borders (as happens frequently between the United States, Mexico and Canada);
- > Illicit local production enables individuals or small organisations to make weapons that can be sold on the black market: craft production is a “*low-scale, relatively low-profile, informal (and illegal) economic activity, carried out in small private workshops, garages, huts or backyards.*”²⁸⁰

²⁷⁷ The discussion of the ways in which SALW flow from the legal to the illicit market is based on Stohl (2004).

²⁷⁸ Small Arms Survey (2004: 64).

²⁷⁹ *ibid*: 61.

²⁸⁰ Small Arms Survey (2003: 26).

Box 3. Sanctions and arms embargoes

SALW are often supplied in violation of national, regional or international arms embargoes. For example, both Angola and Liberia have received numerous shipments of arms, even though both have been under UN arms embargoes for several years. The UN sanctions panels on Angola and Liberia have described numerous examples in detail, naming specific countries and individuals that have flouted international standards and those that have allowed their countries to be used as trans-shipment points.²⁸¹

The United Nations Programme of Action (PoA) on small arms (*see below and Annex*) has three specific references to arms embargoes, all of which encourage States to adhere to their responsibility to ensure that weapons are not sent to embargoed parties. The Preamble recalls State obligations to comply with UN Security Council obligations (para. 12). Section II of the PoA requests that States undertake at the national level to ensure legal and administrative measures are taken against violators of arms embargoes (para. 15). At the global level, States are encouraged to cooperate with the United Nations to implement effectively arms embargoes proclaimed by the UN Security Council (para. 32).

States and non-State actors have been subject to UN Security Council arms embargoes, which often go hand in hand with other sanctions such as travel bans, restrictions on other commodity trades and controls on financial transactions. In the last 15 years, UN Security Council sanctions have been placed on countries ranging from Haiti to Somalia, non-state groups in Rwanda and Sierra Leone, and individuals participating in al Qaeda and the Taliban, among many others.²⁸² The use of arms embargoes to prevent the proliferation and misuse of small arms is one tool available to the international community. However, until national, regional and international arms embargoes are adhered to and closely monitored, and violators punished, SALW will continue to make their way into the hands of unscrupulous actors.

A brief history of international efforts to address SALW

While SALW have been killing hundreds of thousands of people for years, SALW did not make their way onto the international policy agenda until the early 1990s. Of course, a vast array of national measures and regulations dealing with small arms predated international efforts to control the proliferation and misuse of SALW, and a range of non-governmental organizations (NGOs) had in different ways addressed the threats posed by SALW.²⁸³ For example, the Brazilian NGO, Viva Rio, was founded in 1993 as a response to widespread gun violence and crime in Rio de Janeiro, and legislative campaigns were launched in the UK, Canada and Australia after outbreaks of gun violence in these countries. However, it was not until the success of the International Campaign to Ban Landmines (ICBL) that the NGO and policy communities stepped up international activities on SALW and began to work closely together to stem the proliferation and misuse of SALW in a coordinated way.

The United Nations became involved in the SALW issue after the 1995 publication of the Secretary-General's *Supplement to an Agenda for Peace*. In the section on arms control and disarmament UN Secretary-General Boutros-Boutros Ghali described

the area of “micro-disarmament” as: “*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. The contemporary significance of micro-disarmament is demonstrated by the enormous proliferation of automatic assault weapons, anti-personnel mines and the like.*”²⁸⁴

After the Supplement's release, the United Nations stepped up its discussion of SALW. A UN Panel of Governmental Experts (1996) began developing the UN agenda on SALW. The UN Panel recommended further UN action on SALW and suggested holding a conference on the issue. A follow-up UN Group of Governmental Experts (1999) furthered the conference idea, and their report to the UN General Assembly set forth the path to the UN small arms conference (*discussed in detail below*).

With a UN conference looming, academics, think-tanks, and activist organisations began to publish articles, analyses and policy suggestions on SALW issues. The International Action Network on Small Arms (IANSA), a network of more than 500 participating groups from more than 100 countries (as of 2005) was launched in 1998 to unite NGO action on the SALW issue. Some national governments also began to examine domestic SALW policies, and regional organisations such as the Organization of American States (OAS) or Organization of African Unity (OAU) started to put SALW on the agenda.

Several regional initiatives set the tone for the SALW agenda. In November 1997, the OAS adopted the Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and other Related Materials, aimed at increasing controls over, traceability of, and international cooperation regarding SALW trafficking in the western hemisphere. The Convention was supplemented in 1998 by the OAS Model Regulations on controlling the international movement of firearms.

In May 1998, the Southern Africa Regional Action Programme on Light Arms and Illicit Arms Trafficking was developed. In October 1998, the Economic Community of West African States (ECOWAS) signed a moratorium prohibiting the import, export, and manufacture of SALW. Also in 1998, the European Union enacted a Code of Conduct on Arms Exports, with specific export control criteria to supplement the 1997 EU Programme for Preventing and Combating Illicit Trafficking in Conventional Arms and the 1998 EU Joint Action on small arms. In 2000, the Organization for Security and Cooperation in Europe (OSCE) developed a Document on Small Arms and Light Weapons, containing common export criteria for SALW transfers. In 2001, the Stability Pact for South Eastern Europe developed their Regional Implementation Plan to address illicit possession and proliferation within South Eastern Europe, including the Balkans.

All of these regional initiatives paved the way for the 2001 UN Conference on the Illicit Trade in Small Arms and Light Weapons in all its Aspects. With no overarching treaty on SALW, the 2001 Conference served to consolidate global SALW and set forth an agenda for further national, regional and global SALW initiatives. The resulting Programme of Action has provided the framework for SALW work since 2001 and represents a sort of roadmap for future SALW mitigation. Throughout the rest of this primer, discussion of SALW will be organised around the different elements of the PoA.

²⁸¹ For specific information on the UN reports on Angola and Liberia, see UN documents S/2000/203 and S/2001/1015.

²⁸² Small Arms Survey (2004: 265).

²⁸³ These primarily domestic measures are not discussed in this section.

²⁸⁴ UNSG, 1995.

Box 4. The ECOWAS Moratorium

The ECOWAS Moratorium was signed by the 16 Heads of State and Government on 31 October 1998. The signed declaration is a voluntary, politically binding moratorium on the import, export and manufacture of small arms and light weapons. It was initially intended for a period of three years and was renewed in 2001. A coordinating agency, the Programme for Coordination and Assistance for Security and Development (PCASED), was also established to assist in the implementation of the moratorium. Thus far, the moratorium has not, however, prevented weapons from entering West Africa and negotiations are currently under way to transform the moratorium into a legally binding agreement in order to stem the flow of weapons into that troubled region.

The OSCE Document on Small Arms and Light Weapons

The OSCE Document on Small Arms and light weapons aims to address excessive and destabilising accumulation of small arms through comprehensive strategies focused on implementing national controls, assisting the reduction and prevention of destabilising accumulations, and limiting transfers in accordance with stated criteria. The main chapters of the OSCE Document include:

- > **Manufacturing, Marking and Record-Keeping**, which includes national control over manufacture of small arms, marking small arms, record keeping, transparency measures;
- > **Common Export Criteria and Export Controls**, which contains common export criteria, import, export and transit procedures, import, export and transit documentation, control over international arms-brokering, improving cooperation in law enforcement, exchanges of information, and other transparency measures;
- > **Management of Stockpiles, Reduction of Surpluses and Destruction**, which provides information on indicators of a surplus, improving national stockpile management and security, destruction and deactivation, financial and technical assistance, and transparency measures; and
- > **Early Warning, Conflict Prevention, Crisis Management and Post-conflict Rehabilitation**, which offers strategies and techniques for early warning and conflict prevention, post-conflict rehabilitation, procedures for assessments and recommendations, and stockpile management and reduction in post-conflict rehabilitation.²⁸⁵

2. THE NORMATIVE FRAMEWORK

Unlike other weapons systems, SALW are neither controlled by a single international treaty, nor by customary law. However, international norms are emerging in a number of key areas for SALW. International norms can be thought of as “*standards of appropriate behaviour for actors*” or as a “*relatively stable collection of practices and rules defining appropriate behaviour for specific groups of actors in specific situations.*”²⁸⁶ Norms differ from behaviour, in that norms are what states and other actors “should” do, and not necessarily

²⁸⁵ OSCE (2000).

²⁸⁶ March and Olsen, 1998: 948.

a reflection of how states actually behave in practice. For SALW, many of these norms can be linked to state responsibilities in international humanitarian law and human rights law, as well as to national practices, such as legislation and regulation.

Norm development

The prominence of the SALW issue itself in various UN fora, and as part of the international policy agenda, is itself an indication that norms on SALW are slowly developing. From detailed national policy statements to the development of national legislation, efforts to address SALW have increased since the early 1990s. States now refer to their rights and responsibilities to address SALW, and the dialogue on developing legally binding conventions or treaties (in such areas as the marking and tracing of weapons) has received increased attention. At the most basic level, states have accepted a global norm requiring them to take action to prevent, combat and eradicate the illicit trade in SALW and light weapons in all its aspects.

The UN Conference on Small Arms and its Programme of Action has been a key source for the development of SALW norms. Before the Conference there was little consensus on global SALW problems and solutions. However, after the Conference, new criteria were set forward, which have guided global SALW policy. For example, “*the Preamble of the Programme established agreed causes and consequences of the problem, the basic existing norms and principles that should guide States, and the objectives of the conference itself... [It] ... restated the primacy of (some) international law,*”²⁸⁷ along with the norm that each state has the right to manufacture, import, and retain SALW for its self-defence and security needs.”²⁸⁸

During and after the 2001 Conference, the development of norms was and has been apparent, even if a consensus has not been reached on a particular issue within the POA. For example, it was widely agreed “*that states ‘should consider the prohibition of the unrestricted trade and private ownership of small arms and light weapons specifically designed for military purposes, such as automatic guns’ (e.g. assault rifles and machine-guns),*” as agreed to in the 1999 Group of Experts Report.²⁸⁹ Even if the US did not agree to codify such a norm in a global setting, in practice it does conform to this norm (as do most other States) by implementing laws restricting the possession of certain types of SALW by civilians.

Norms on SALW use

Some longstanding SALW norms address the use of the weapons, particularly by law enforcement officials. For example, *A Code of Conduct for Law Enforcement Officials* (adopted by the UN General Assembly in 1979) regulates the use and misuse of SALW by government officials. Emphasising the importance of protection of human rights, the Code of Conduct mandates that law enforcement officials “*may use force only when strictly necessary and to the extent required for the performance of their duty.*” (Art. 3).

Further, the 1990 *Basic Principles on the Use of Force and Firearms by Law Enforcement Officials*²⁹⁰ “*specify that force and firearms are to be used only as a last resort (Principle 4), and then only with restraint and in proportion to the objective being pursued (Principle 5a). More detailed provisions cover such things as the use of firearms against persons (Principles 9–10), [and] the policing of persons in custody or detention (Principles 15–17) ... States are also required*

²⁸⁷ This was done since reference to the applicability of human rights and international humanitarian law was specifically rejected as part of a consensus document.

²⁸⁸ Laurance and Stohl (2002: 37; original emphasis).

²⁸⁹ This passage had been contained in every draft of the Programme since February 2001. On 20 July 2001, the last day of the Conference, however, the US insisted that it be dropped (Laurance and Stohl, 2002: 37).

²⁹⁰ UNECOSOC (1990).

to 'ensure that arbitrary or abusive use of force and firearms by law enforcement officials is punished as a criminal offence under their law (Principle 7).'"²⁹¹

Norms on SALW transfers

There are few binding restrictions on the right of states to transfer arms internationally, with the obvious exception of weapons of mass destruction. Instead, states have chosen to abide by non-binding agreements. UN arms embargoes are binding on UN Member States, and although often violated, they represent important restrictions on legal arms transfers. Moreover, existing international humanitarian law also prohibits the stockpiling, transfer and use of some types of weapons that fall within the category of small arms and light weapons. For example, the 1997 Anti-Personnel Mine Ban Convention bans the use, stockpiling, production and transfer of anti-personnel mines, and Protocol IV to the Certain Conventional Weapons Convention bans the use and transfer of blinding laser weapons, both of which are technically small arms.

In addition, although there are few outright bans on small arms, other international rules and agreements can prohibit arms transfers in particular situations. For example, small arms transfers are limited by existing state obligations under the following standards:

- > prohibitions on the use of force (e.g. UN Charter Article 2(4));
- > prohibitions on interference in the internal affairs of another state;
- > prohibitions on the provision of assistance to terrorists;
- > international humanitarian law;
- > international human rights law; and
- > the prohibition of genocide.

Even in the absence of an overarching SALW treaty or framework convention, States are thus bound under existing international law to prohibit the transfers of weapons in situations where such transfers would violate state obligations and international rules and standards.

To address the lack of a single treaty that clearly delineates state requirements under international law with regards to arms transfers, an Arms Trade Treaty (ATT)²⁹² has been proposed by a group of NGOs (and States). Formerly known as the Nobel Laureate's Code of Conduct and the Framework Convention on International Arms Transfers, the ATT would "*establish a binding international agreement to control the arms trade according to established principles of human rights, humanitarian law, sustainable development and peaceful international relations.*"²⁹³ The ATT's core principles lay out state responsibilities and obligations with regards to arms exports and their management, and further emphasise the emergence of global SALW norms. Currently several countries, including Brazil, Cambodia, Costa Rica, Finland, Kenya, Mali, Mexico and the UK, have stated their potential support for the principles of the ATT contained within the Framework Convention.²⁹⁴

²⁹¹ Small Arms Survey (2003: 224) and UNECOSOC (1990).

²⁹² Arms Trade Treaty (2005a).

²⁹³ Arms Trade Treaty (2005b).

²⁹⁴ For the latest update, see www.controlarms.com/latest_news/steps-forward.htm.

The Treaty would be a legally binding agreement, supplemented with Protocols on related issues such as licensed production, end-use monitoring, and arms brokering. The Treaty would "*require States to adopt and implement national mechanisms for the explicit authorization of international transfers of arms... [It] would ban the transfer of arms that could be used to seriously violate internationally established standards of human rights, humanitarian law, and non-aggression... It would also require exporting states to avoid the sale of weapons that could have an adverse impact on sustainable development or regional peace and security, would facilitate the commission of violent crimes, or could be easily diverted.*"²⁹⁵

While such a framework convention is important to developing international standards and norms on SALW, the multi-dimensional nature of SALW does not lend itself to only one treaty, and such an endeavour would be only one part of the myriad efforts to control the proliferation and misuse of SALW.

Regional SALW norms

States have been possibly more effective at the regional level in tackling the SALW problem. Three regional agreements have been particularly noteworthy for the development of SALW norms with regards to information sharing and cooperation. The OAS Convention against illicit firearms manufacture and trafficking²⁹⁶ demonstrates a commitment to information exchange and control over SALW in the western hemisphere. The OSCE Document on Small Arms and Light Weapons²⁹⁷ includes information exchange on SALW imports, exports, destruction, surplus, seizures, and stockpile management and security procedures. Such exchanges occurred twice since the Document was adopted.

The third agreement, the EU Code of Conduct on Arms Exports,²⁹⁸ requires states to disclose national export practices, promoting greater transparency and oversight of the arms trade. In various sub-regions, including southern Africa, information sharing is becoming a key element of national and regional SALW efforts. Countries undertake joint exercises for border control, law enforcement and communication.²⁹⁹ Even though these, as well as other international agreements, have not been fully or adequately implemented in all cases, they are important confidence-building measures for their region and influence the global development of SALW norms.

²⁹⁵ Arms Trade Treaty (2005b).

²⁹⁶ OAS (1997).

²⁹⁷ OSCE (2000).

²⁹⁸ EU (1998).

²⁹⁹ For more information on regional initiatives, see Small Arms Survey (2003: 236–237).

Box 5. The European Union Code of Conduct

The EU Code of Conduct contains common export criteria and operative provisions for states to use when making determinations regarding arms exports. The EU Code is under review and changes to the users' guide on the implementation of the Code are regularly undertaken. The current criteria for the EU Code are:

- > Respect for the international commitments of EU Member States, in particular the sanctions decreed by the UN Security Council and those decreed by the EU, agreements on non-proliferation and other subjects, as well as other international obligations;
- > The respect of human rights in the country of final destination;
- > The internal situation in the country of final destination, as a function of the existence of tensions or armed conflicts;
- > Preservation of regional peace, security and stability;
- > The national security of the member states and of territories whose external relations are the responsibility of a Member State, as well as that of friendly and allied countries;
- > The behaviour of the recipient state with regard to the international community, as regards in particular to its attitude to terrorism, the nature of its alliances and respect for international law;
- > The existence of a risk that the equipment will be diverted within the recipient state or re-exported under undesirable conditions; and
- > The compatibility of the arms exports with the technical and economic capacity of the recipient country, taking into account with the desirability that states should achieve their legitimate needs of security and defence with the least diversion for armaments of human and economic resources.

National SALW norms

Despite the fact that no norm governing the civilian possession of weapons was included in the UN PoA, several norms can be identified that govern specific areas of SALW possession and use. Most states have some form of regulation of the civilian possession of weapons, either concerning the type of weapon, the authorised individuals who can possess them, or the use to which the weapons can be put.

Although there was no obligation to report on such national laws or standards, more than 60 States have reported within the UN PoA on some forms of national legislation and regulations, demonstrating the development of SALW norms in these areas. In the case of civilian possession, even though the development of this norm has been quite controversial due to the influence of the US, countries, particularly in Africa, have sought to develop basic standards with regards to civilian ownership of weapons. Such basic norms (which the US also uses) include the age of weapon holder, the types of weapons that can be possessed, and the reason for weapon possession.

In addition, weapons destruction – often seen as unproductive or unimportant in the past – has assumed a prominent position among key policy standards for governments to deal with surplus and obsolete weapons, as well as those left over from conflict situations. Regrettably, ammunition destruction has not received the same political momentum and support.⁵⁰⁰

⁵⁰⁰ See *Biting the Bullet 18 (Ammunition Stocks – Promoting Safe and Secure Storage and Disposal)*.

3. THEMATIC PRIORITIES

The UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (UN Conference) was held on 9–20 July 2001. The major outcome of this Conference was the politically binding PoA, which lays out State responsibility on SALW at the national, regional and global levels. The PoA provides a framework for state action on SALW. In addition, as part of the PoA, States agreed to meet biennially (the Biennial Meeting of States – BMS) to report on the implementation of the PoA.

The first BMS was held on 7–11 July 2003. The second BMS was held on 11–15 July 2005. The BMS meetings provide an important opportunity for the international community to assess progress, or the lack thereof, in combating the global proliferation and misuse of SALW. The BMS involves only reporting on implementation of the PoA. However, the 2006 Review Conference will provide a much more substantive review of progress towards combating the proliferation and misuse of SALW.

The PoA provides for the exchange of information by national governments and regional organisations on efforts to implement the PoA. However, because the PoA is a voluntary process, the number of national reports has fluctuated from year to year, depending on whether a BMS was held. According to the UN Department for Disarmament Affairs website, in 2002 only 19 States submitted national implementation reports.⁵⁰¹ In 2003, the number of States reporting on their efforts to implement the PoA was up to 103. However, in 2004, only 39 States submitted reports. These national reports provide one source of analysis of progress made on the SALW issue and provide specific examples of SALW activities undertaken by governments and, in some cases, civil society.⁵⁰²

The UN Programme of Action

Since there is no universal treaty or international norm for SALW, the Programme of Action has been the baseline for SALW programmes and actions intended to stem the proliferation and misuse of SALW at a global level.

Box 6. The Ten Pillars of the UN Programme of Action

The Programme of Action has ten pillars of action for States to pursue in developing SALW policies and developing practical steps to combat the proliferation and misuse of SALW. The ten pillars are:

- > Establishment of national points of contact and national coordination agencies;
- > Legislation, regulations and administrative procedures;
- > Criminalisation regimes;
- > Stockpile management and security;
- > Weapons collection and disposal;
- > Export, import, and transfer controls and regulations;
- > Brokering;
- > Marking, tracing and record-keeping;
- > Disarmament, demobilisation and reintegration of ex-combatants;
- > Assistance and international cooperation in tackling different aspects and consequences of the illicit SALW trade in all its aspects.

Source: UNDP (undated).

⁵⁰¹ UNDDA (2004).

⁵⁰² Operational research such as the SALW Surveys, Mapping, Small Arms Baseline Assessments or SEE SALW Monitor provide more detailed information on specific impact countries.

Establishment of national points of contact and national coordination agencies

Establishing national points of contact and national coordination agencies is the most basic obligation of the PoA. Both are essential to providing a framework for action by States in their implementation of the Plan and the resources committed to the SALW issue. Section II of the PoA encourages States to establish national coordination agencies and the “*institutional infrastructure responsible for policy guidance, research and monitoring of efforts*” on SALW. Moreover, States are asked “to establish or designate, as appropriate, a national point of contact to act as a liaison between states on matters relating to the implementation of the Programme of Action.”³⁰⁴

While 79 States submitted national reports prior to the 2003 BMS (the total of 103 was reached by the end of 2003), one third of all countries had failed to establish national points of contact, and only 37 countries had established commissions as of the July 2003 Conference.³⁰⁵ On 8 March 2005, 119 countries had established national points of contact.³⁰⁶

In some cases, States have worked with civil society to coordinate SALW strategies for the country. In East Africa, for example, civil society has worked with governments to develop national action plans and is part of national focal points on SALW. In Tanzania, Uganda and Kenya, NGOs are part of the development and implementation of the national action plans.³⁰⁷ Similar work has also taken place in South-Eastern Europe, (Bosnia and Herzegovina, FYR Macedonia, and Serbia and Montenegro).

Legislation, regulations and administrative procedures

Developing adequate SALW legislation, regulations and administrative procedures can facilitate efforts to stem the proliferation and misuse of SALW. Without such measures in place, SALW can easily flow from the legal to the illicit market and take advantage of loopholes or corruption within the existing system, making it difficult to adequately combat SALW proliferation and misuse.

Section II of the PoA obliges States to “*establish or maintain an effective national system of export and import licensing or authorisation, as well as measures on international transit, for the transfer of all small arms and light weapons, with a view to combating the illicit trade in small arms and light weapons.*”³⁰⁸ Furthermore, States agreed that they should “*put in place and implement adequate laws, regulations and administrative procedures to ensure the effective control over the export and transit of small arms and light weapons, including the use of authenticated end-user certificates and effective legal and enforcement measures.*”³⁰⁹ States are encouraged to provide information on legislation, regulations and administrative procedures with regards to production, export, import, transit and retransfer.

States are also asked to provide information on national measures to “*prevent the manufacture, stockpiling, transfer and possession of any unmarked or inadequately marked small arms and light weapons,*”³¹⁰ and to report on how these procedures have been implemented. Also, states should detail the ways in which these national laws, regulations and procedures are made public. (section II, para. 23).

³⁰⁴ Section II, para. 5.

³⁰⁵ IANSA (2003b: 27).

³⁰⁶ UNDDA, 2005.

³⁰⁷ IANSA, 2003c.

³⁰⁸ Section II, para. 11.

³⁰⁹ Section II, para. 12.

³¹⁰ Section II, para. 8.

The US, for example, has developed a matrix – United States Support for the United Nations Program of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All its Aspects³¹¹ – that highlights all US Government action on SALW and how it fits into implementation of the PoA. This matrix has allowed the US to identify its strengths and areas of expertise, as well as the gaps in its implementation of the PoA. Moreover, since 2001 the US regularly reviews its assistance programmes, laws and enforcement of all laws related to SALW to reflect US policy.

Other countries have also developed mechanisms for reviewing laws and procedures. In South-Eastern Europe there is an annual “Arms Law Harmonization” conference that identifies possible loopholes that could be exploited by illicit arms traffickers. In the MERCOSUR region, States are undertaking action-oriented research on national gun laws, in partnership with NGOs. A study³¹² compares gun laws in the six MERCOSUR countries – Argentina, Bolivia, Brazil, Chile, Paraguay and Uruguay – and assesses them in relation to agreements under the auspices of the Organization of American States, such as *the Model Regulations for the Control of the International Movement of Firearms, Their Parts, Components and Ammunition*.

Among the key findings of the study was the fact that limitations with domestic gun laws have had a negative impact on regional efforts to stem gun crime and illicit trafficking. For example, in Paraguay foreign tourists may purchase weapons that would be illegal in their own countries. The “tourists” are actually often members of drug trafficking groups, who transport the weapons to their home countries for use in crime and other illegal activities. In Bolivia, existing national legislation contains no criteria for firearms exports. And “*the only requirements to buy, possess and carry firearms in Bolivia are: proof of physical and mental health, good conduct and legal age, and the accomplishment of compulsory military service.*”³¹³

Criminalisation regimes

Without adequate criminalisation regimes, those interested in proliferating and misusing SALW can act with impunity. Unscrupulous dealers, traffickers and users of SALW can easily bypass legal restrictions on SALW and act without fear of prosecution. Such attitudes make it difficult for States to stem SALW proliferation and misuse. Section II of the PoA requests States to provide information on steps taken to criminalise the practices of illegal manufacture, possession, stockpiling and trade of SALW, and to detail how violators of the laws can be prosecuted.³¹⁴ The PoA also asks States to identify groups and individuals involved in the illegal manufacture, trade, stockpiling, transfer, possession and financing of such illegal activities.³¹⁵ The PoA asks for examples of actual prosecutions and relevant laws. Moreover, states are encouraged to describe national measures undertaken against activities that violate UN arms embargoes.³¹⁶

In the Former Yugoslav Republic of Macedonia, for example, laws and procedures have been developed and strengthened to curb illicit possession and transfer of SALW. In December 2003, Macedonian law made it illegal to carry a weapon in

³¹¹ US Department of State (2003).

³¹² Iootty de Paiva Dias (2003).

³¹³ Iootty de Paiva Dias (2003: 15).

³¹⁴ Section II, para. 3.

³¹⁵ Section II, para. 6.

³¹⁶ Section II, para. 15.

³¹⁷ Macedonia, 2005.

public places. Steps have also been taken to increase the efficiency of control of those involved in illegal manufacture, trade, stockpiling, transfer and possession of SALW, as well as in uncovering the financing for such purchases. Criminal codes have been developed and penalties for violation of SALW laws have been established.³¹⁷

Stockpile management and security

Inadequately secured stockpiles and national arsenals are key targets of insurgents, criminals and rebel groups during times of instability or violence. In 1997, for example, Albanian government arsenals were looted and more than half a million weapons were taken. These weapons went to Albanian citizens, and then made their way throughout the Balkans (fuelling the conflicts in Kosovo (1999), FYR Macedonia (2001) and South Serbia (2002)), as well as into other regions. In the current conflict in Iraq, unsecured weapons caches are prime targets for insurgents, who then use the weapons against US soldiers, international forces and Iraqi civilians. Section II of the PoA contains measures *“to promote safe, effective stockpile management and security [...] and to implement, where appropriate, regional and sub-regional mechanisms in this regard.”*³¹⁸ States with the means and resources are encouraged to assist with capacity-building for stockpile management and security, and with developing *“regional and international programmes for specialist training on small arms stockpile management and security.”*³¹⁹

States are requested to provide information about the management and security of SALW stocks held by armed forces, police or other authorised bodies,³²⁰ and on how often those stocks are reviewed.³²¹ In terms of surplus weapons, the PoA did not reflect agreement of global criteria for surplus weapons. Instead, the PoA entrusts States *“to regularly review ... the stocks of small arms and light weapons held by armed forces, police and other authorized bodies and to ensure that such stocks declared by competent national authorities to be surplus to requirements are clearly identified.”*³²²

While widespread accounting of stockpile management programmes is difficult, some countries have quite sophisticated stockpile management and security programmes.

³¹⁷ Macedonia, 2005.

³¹⁸ Section II, para. 29.

³¹⁹ Section III, paras. 6, 8.

³²⁰ Section II, para. 17.

³²¹ Section II, para. 18.

³²² Section II, para. 18.

Box 7. Stockpile management and security: The case of the US

In the US, the Department of Defense (DoD) maintains a Small Arms Serialization Program (SASP) run by the Defense Logistic Agency (DLA). The SASP is responsible for stockpile management and the control of, and accounting for, small arms serial numbers from initial receipt to final disposition. All SALW are registered by individual serial number in the DoD central registry and an annual reconciliation of all SALW is performed. SALW with missing, obliterated, mutilated or illegible serial numbers are assigned a serial number for registry purposes, which allows accounting for all SALW, including those on hand, in transit, lost, stolen, demilitarised or shipped outside the control of DoD. US stockpile security measures also include electronic security systems, integration of physical security in wartime and demobilization plans, creating and sustaining physical security awareness, and identifying resources and requirements to apply adequate measures.

DoD undertakes physical security measures to reduce vulnerability and training of security forces at facilities to provide tactical defence against and in response to attempted penetrations. DoD also has access control measures to preclude or reduce the potential for sabotage, theft, trespass, terrorism, espionage or other criminal activity. During transit, SALW are transported in locked and sealed containers. If the seal appears to have been tampered with, an immediate inventory is performed. If the seal does not appear to have been tampered with, the inventory takes place within 48 hours of receipt. DoD manages the age and condition of the SALW inventory by screening weapons that are no longer needed by the armed forces for other potential uses, such as military sales, grants and federal requirements. Weapons that are not identified as meeting other requirements during screening are sent to destruction sites and accounted for through an electronic database.

Source: Stohl, undated.

States that maintain superior stockpile management and security programmes are also making their expertise and experience available, as requested in the PoA. For example, the OSCE, NATO, UNDP and the UN Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean (UN-LiREC) all have stockpile security assistance programmes. In particular, NATO's Partnership for Peace programme has established a segment *“to promote training in stockpile management and secure storage, disposal and destruction of surplus stocks, as well as weapons collection and destruction during peacekeeping operations,”* with assistance provided if requested by a recipient country.³²³

Weapons collection and disposal

Reducing surplus stocks has been recognised as a major tool to prevent and limit the negative effects caused by SALW proliferation and misuse. Once stockpiles are secured, countries must also begin to destroy surplus and obsolete weapons to ensure that these weapons are not diverted to the black market or to unscrupulous end-users. The PoA encourages States to provide details of national destruction programmes for disposal of surplus stocks of SALW held by armed forces, police and other authorized

³²³ Cited in IANSA/BTB (2003: 160).

bodies.³²⁴ The PoA asks states whether destruction is the means used to dispose of surplus stocks and to provide information on other forms of disposal undertaken by the State, as well as the specific methods undertaken to destroy surplus stocks.³²⁵ States are encouraged to establish and implement disposal programmes, “preferably through destruction,” and to ensure “that such stocks are adequately safeguarded until disposal.”³²⁶ In addition, States are encouraged to destroy or otherwise dispose of confiscated, seized or collected SALW.³²⁷

While the PoA does not state that destruction of surplus weapons should be the primary form of SALW disposition, the PoA does encourage voluntary information submission on SALW that were confiscated or destroyed by the State. Moreover, the PoA promotes provision of technical assistance for surplus stock destruction. It also mentions the importance of public destruction events and voluntary weapons-collection programmes undertaken in cooperation with civil society and NGOs.

Export, import, and transfer controls and regulations

Developing export, import, and transfer controls and regulations help prevent the diversion of weapons from the legal market to the illicit market. Major gaps in export criteria and end-use monitoring (making sure weapons end up where they are supposed to) allow weapons legally transferred to make their way into the hands of countries and groups that would otherwise not be eligible to receive them. National systems, laws, regulations, and administrative procedures of export and import licensing or authorization, as well as international transit measures, are requested in Section II of the PoA.³²⁸ States are asked about the use of authenticated end-user certificates³²⁹ and retransfer requirements as well.³³⁰ Although no global export control criteria were established, States did agree to “*assess applications for export authorizations according to strict national regulations and procedures [...] consistent with the existing responsibilities of States under relevant international law.*”³³¹

States have collectively taken steps on strengthening export controls. One example is the UK initiative on export controls, born out of a conference held at Lancaster House, London in January 2003. At the meeting, representatives from 49 countries, as well as international, regional and non-governmental organisations met to “*exchange ideas and build consensus on the need to increase controls on arms exports and brokering activities.*”³³² While the meeting focused on ways in which the PoA commitment efforts could be strengthened, States also agreed that it would be helpful to establish national guidelines for arms exports that would facilitate arms export decisions. Of the 15 guidelines developed at the meeting, two enjoyed consensus support (risk of diversion and consistency with existing responsibilities of States under relevant international law), and 13 others require additional discussion.³³³

In addition, the Wassenaar Arrangement, an organisation of 33 of the world’s arms exporters, which aims to promote transparency and greater responsibility of the arms trade, adopted a “Best Practice Guidelines for Exports of Small Arms and Light

³²⁴ Section II, para. 18.

³²⁵ Section II, para. 19.

³²⁶ Section II, para. 18.

³²⁷ Section II, para. 16.

³²⁸ Paras. 11 and 12.

³²⁹ Para. 12.

³³⁰ Para. 13.

³³¹ Para. 11.

³³² United Kingdom (2003: 3).

³³³ United Kingdom (2003: 5–6).

Weapons” in December 2002.³³⁴ The best practices reflect those criteria that exporting states should take into consideration when determining whether to approve or refuse a SALW sale. The guidelines identify the circumstances under which exporters should avoid authorizing arms transfers, including the risk of the transfer contributing to terrorism, prolonging or aggravating armed conflict, or of diversion to unauthorised recipients. In addition, the best practices contain language stating that recipient states should inform the original exporter before re-exporting any imported SALW.

Wassenaar took its work on SALW a step further in December 2003, when the member States agreed to “Elements for Export Controls of MANPADS” (Man-Portable Air Defence Systems).³³⁵ The Elements of Control calls on members to export MANPADS only to foreign governments or their authorised agents and to take into account other factors, including the potential for misuse of the weapons in the recipient country.

Even though many States recognised that enhancing transparency of the SALW trade is one of the most effective ways to tackle the SALW problem, States were unable to develop consensus on transparency. However, these discussions did pave the way for future development of this policy strategy.

Box 8. Nairobi Protocol for the Prevention, Control and Reduction of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa

The Nairobi Protocol for the Prevention, Control and Reduction of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa was signed by representatives of 11 African States on 21 April 2004 (Burundi, the Democratic Republic of Congo, Djibouti, Ethiopia, Kenya, Rwanda, Somalia, the Seychelles, Sudan, Tanzania and Uganda). The Protocol legally obliges States Parties to take steps to reduce the proliferation and misuse of small arms. The Protocol requires:

- > adopting of national legislative measures on illicit trafficking and SALW possession;
- > strengthening of operational capacity to combat the proliferation and misuse of SALW;
- > developing controls of civilian possession of SALW, improving control and accountability of state-owned SALW;
- > creating marking, tracking and record-keeping systems of SALW;
- > disposing state-owned SALW and confiscated or unlicensed SALW;
- > establishing and maintaining import, export, transfer and transit systems for SALW, regulating dealers, brokers and brokering of SALW;
- > implementing programmes for voluntary surrender of SALW;
- > developing public and community SALW education and awareness programmes;
- > engaging in mutual legal assistance to eliminate illegal trafficking in and control and possession of SALW;
- > cooperating through law enforcement channels;
- > participating in transparency, information exchange and law harmonization with regards to SALW; and
- > instituting effective anti-corruption measures.

Source: UNREC, 2004.

³³⁴ Wassenaar Arrangement (2002).

³³⁵ Wassenaar Arrangement (2003).

Brokering

Currently there is no uniform international law on arms brokering. Therefore, arms brokers are able to operate in an environment of impunity, using a lack of agreement in the international community and exploiting weak or non-existent national laws. To date, arms brokers can change locations to avoid prosecution under one country's laws by doing business in and through other, less regulated countries. Section II of the PoA reflects State recognition of the importance of addressing the problem of arms brokering by agreeing “to develop adequate national legislation or administrative procedures regulating the activities of those who engage in small arms and light weapons brokering. This legislation or procedures should include measures such as registration of brokers, licensing or authorization of brokering transactions as well as the appropriate penalties for all illicit brokering activities performed within the State's jurisdiction and control.”³³⁶

States are asked to report on this legislation and administrative procedures. States also agree to “develop common understandings of the basic issues and scope of the problems related to illicit brokering in small arms and light weapons.”³³⁷ In Section IV of the PoA, States agree to “consider further steps to enhance international cooperation in preventing, combating and eradicating illicit brokering in small arms and light weapons.”³³⁸

Although the PoA establishes a system for pursuing an international agreement on brokering, in practice the UN brokering process has basically been put on hold until after the marking and tracing process has run its course (*see below*). As a result, discussions about an international brokering agreement have been put off until some time after the 2006 Review Conference and before 2007.

Arms brokers are able to exploit the lack of an international system on brokering to maintain their business. They may fly planes originating in Belarus or South Africa, provide weapons made available by former Soviet states and transport them to purchasers in Africa and Asia. While many arms brokers operate covertly, some are easily identifiable to domestic and international law enforcement agencies. These weapons deals have been tracked by UN agencies, international law enforcement and NGOs alike. One such flight occurred on 5 February 2003, when an Antonov aircraft left Ouagadougou, Burkina Faso, at 3.58am and arrived at Robertsfield airstrip in Liberia at 12.32 am on 6 February loaded with a consignment of weapons.³³⁹ Similarly, in the early 1990s, an arms broker named Diego Palleros, a retired Army Colonel from Argentina, was involved in the shipment of 6,500 tons of SALW and ammunition to Croatia in violation of a UN arms embargo.³⁴⁰

Therefore, even without a process to pursue a legally binding agreement on brokering, States have moved forward on addressing the critical problem of arms brokering. For example, the Dutch-Norwegian initiative on brokering originated from a meeting held in Oslo on 22–24 April 2003 with 71 experts from 28 countries, including government, research institutes and NGO representatives, “to discuss possible common approaches towards ensuring effective controls on small arms and light weapons (SALW) brokering activities.”³⁴¹

The Conference resulted in discussions around the establishment of elements for model regulations on brokering, based on “exchanges of information on national and regio-

³³⁶ Para. 14.

³³⁷ Section II, Para. 39.

³³⁸ Para. 1(d).

³³⁹ Global Witness (2003: 26).

³⁴⁰ Small Arms Survey, (2001: 102). Additional examples of arms brokering activities can be found in Wood and Peleman (1999).

³⁴¹ The Netherlands and Norway (2003b: 4).

nal experiences, on the Report of the UN Group of Experts on brokering, and on emerging best practices.”³⁴² In addition, the Conference adopted the term “model regulation” and prioritised the development of “common international understandings on such elements of model regulation, and to promote adoption of effective and consistent national controls on brokering by the largest possible number of States across the world,” with a long-term possibility of adopting an international instrument on brokering.³⁴⁵

Regional organisations have taken steps to implement brokering legislation, policies and procedures into their action plans. The European Parliament passed a resolution on 15 November 2001 calling for an international treaty on arms brokering (as well as an international treaty on the transfer of arms) and agreed to appoint a contact group of States to facilitate a treaty process. Moreover, in June 2002, the EU adopted a common position on brokering requiring the development of legal controls on arms brokers and the establishment of penalties for violations of these controls.

In August 2001, the Southern African Development Community (SADC) agreed to regulate brokering activities within their territories as part of their Firearms Protocol. The Wassenaar Arrangement (Elements for Effective Legislation on Arms Brokering) and the OSCE (Best Practice Guide on National Control of Brokering a Activities) developed guidelines and best practices on arms brokering in 2003. The OAS developed Model Regulations for the Control of Brokers of Firearms, their Parts and Components and Ammunition in November 2003. The regulations provide criteria for developing national legislation and suggest mechanisms for establishing criteria by which to allow brokering activities.

National governments have also moved forward on the development of arms brokering legislation. However, only 25 countries have arms brokering legislation.³⁴⁴ While still at a relatively low level, the development of brokering legislation has been spurred by regional agreements and the obligations under the PoA. However, the lack of consistent national legislation represents a real problem for those interested in stemming the proliferation and misuse of SALW. Each national law has different standards for licensing systems, extraterritoriality (application of the law to a state's nationals when they operate abroad), broker registration requirements, broker reporting requirements and penalties for brokering laws. The inconsistencies allow brokers to operate in multiple jurisdictions, not to disclose their transfers and to violate state laws.

NGOs have also pushed the issue of a convention on arms brokering, The US “NGO Fund for Peace” drafted a Model Convention on Arms Brokering.³⁴⁵ The model convention contains “provisions for a registration and licensing scheme, incentives for compliance, criminal penalties for offenders, and mechanisms for improved international cooperation.”³⁴⁶ The model convention also includes measures to enlist the help of banking, insurance and manufacturing industries.

Marking, tracing and record-keeping

Current international law allows States to adopt different systems for marking weapons, making identification of the origin of the weapons difficult. Effective and standardised marking and tracing of weapons allows law enforcement agencies quickly to identify sources and routes of weapons in case of diversion or criminal use, to punish those responsible and to enforce accountability.

³⁴² The Netherlands and Norway (2003a: 1–2).

³⁴³ The Netherlands and Norway (2003a: 2).

³⁴⁴ Small Arms Survey (2004: 151).

³⁴⁵ Fund for Peace (2001).

³⁴⁶ Bondi (2001).

The PoA contains language calling for a unique, appropriate and reliable marking on each small arm as part of the production process³⁴⁷ in order to facilitate the tracing of the diversion of such weapons by authorities. States also agreed to implement measures for accurate record-keeping and for strengthening cooperation in identifying and tracing illicit SALW in a timely and reliable manner.³⁴⁸ States are requested to provide information on the requirements and types of marking as part of the manufacturing process and how such markings assist in the tracing of weapons, including the length of time records are kept, as well as national measures to trace state-owned and issued SALW.

Section III of the PoA calls for States as well as regional and international organisations to provide assistance to enhance State capacity, examine new technologies, facilitate technology transfer and cooperate with each other in tracing illicit SALW, particularly by strengthening mechanisms based on the exchange of relevant information such as their national marking systems.³⁴⁹ Section IV of the PoA calls for convening a feasibility study to examine the development of an international instrument on the marking and tracing of weapons.³⁵⁰

Pursuant to this provision of the PoA, the United Nations convened a Group of Governmental Experts on Tracing Illicit Small Arms and Light Weapons in 2002. The Group met in 2002 and 2003 and delivered its report to the 58th session of the UN General Assembly, recommending the negotiation of an international tracing instrument under UN auspices. The UN General Assembly subsequently established an Open-Ended Working Group (OEWG) for this purpose. The OEWG met during 2004 and 2005. At its last session, in June 2005, it finalised the text of an *International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons* and recommended that the General Assembly adopt it at its next session. This instrument, like the Programme of Action, is politically, not legally, binding.

In 2000 and 2001, France and Switzerland conducted a joint initiative for an international marking and tracing regime, but they suspended their efforts once the UN Programme of Action, adopted in July 2001, took up the issue with its provision for the feasibility study mentioned above.

NGOs have presented key components of a marking and tracing regime as well as a model convention. The Belgian NGO GRIP (Groupe de Recherche et d'Information sur la Paix et la Sécurité) has been at the forefront of these efforts and has developed a Draft Convention on Marking, Registration and Tracing. Moreover, as part of the NGO Control Arms Campaign, a comprehensive report advocating certain essential elements of a marking and tracing regime called "Tracking Lethal Tools" was released to coincide with the OEWG's second session in January–February 2005.

Disarmament, demobilisation and reintegration of ex-combatants

Disarmament, demobilisation and reintegration (DDR) programmes are essential to limiting proliferation and misuse of SALW. Providing incentives to ex-combatants, such as cash, goods, services or even skills training, have encouraged ex-combatants to surrender their weapons. While there is not a "one-size-fits-all" approach, establishing DDR programmes that fit the needs and requirements of a particular situation can make an enormous contribution to fighting the devastating effects of SALW.

³⁴⁷ Section II, para. 7.

³⁴⁸ Section II, para. 36.

³⁴⁹ Para. 11.

³⁵⁰ Para. 1(c).

The PoA encourages States to develop and implement DDR programmes, which include collection, control, storage and destruction of SALW.³⁵¹ In addition, States are asked to describe how the situation of children in armed conflict is addressed, including family reunification, reintegration and rehabilitation.³⁵² States that have the ability to do so are encouraged to support DDR programmes in other countries.³⁵³

DDR has been recognised as a key component to promoting and establishing peace. We have to look at each step of the process individually. Disarmament is the first step: this is the time when combatants are brought to assembly areas where they turn in their weapons. Second is a period of demobilisation that is meant to mark the dissolution of a military structure and the formal release of soldiers from military service. During this period, combatants are provided with a number of services such as health care, counselling and resettlement packages that are intended to enhance the recovery process. Last is reintegration, the longer-term process of introducing combatants back into general society while providing assistance or support to achieve sustainable economic and social viability.

National governments have pledged assistance to DDR programmes. For example, several governments, including Japan, have pledged millions of dollars for DDR programmes in Afghanistan to ensure that crime and renewed violence do not resume. The US has provided support for DDR programmes in Kosovo, Sierra Leone, East Timor, Philippines and Colombia (child soldiers) among other countries, through its Agency for International Development (USAID).

Regional organisations have also adopted DDR work as part of their SALW work. For example, The World Bank has created multinational programmes to coordinate DDR across the Great Lakes region, which allows for the development of a comprehensive DDR programme for up to 350,000 ex-combatants across nine countries.

Assistance and international cooperation in tackling different aspects and consequences of the illicit SALW trade in all its aspects

To facilitate the apprehension and prosecution of illicit arms brokers, recovery of illicit weapons and improvement of national, regional and government efforts, governments and national, regional and multilateral institutions are required by the PoA to enhance their cooperation and information exchange. Rather than competing against each other, government and international agencies must cooperate to identify and eliminate trafficking routes, confiscate weapons and apprehend illicit arms brokers.

The PoA in its entirety discusses enhancing cooperation. In Section II of the PoA, States agree to provide relevant information on the illicit trade and various national practices. In addition, regions were singled out as mechanisms for adopting cooperative and coordinated measures. Other types of technical assistance were also encouraged, including specific procedures and processes. Section III specifically establishes areas in which information exchanges, best practices and lessons learned should be shared and coordinated.³⁵⁴

Regional approaches to cooperation have been led by "regional organisations taking a comprehensive approach in dealing with issues of mutual concern, including ways and means to combat terrorism, transnational crime and trafficking in drugs."³⁵⁵

³⁵¹ Section II, para. 21.

³⁵² Section II, para. 22.

³⁵³ Section II, paras. 30, 34.

³⁵⁴ Paras. 1–18.

³⁵⁵ UNGA (2003: Annex, para. 14).

Regional organisations are also reporting on progress made on combating the proliferation and misuse of SALW. In particular, the OSCE, which adopted its own SALW document in 2000, is now concerned with implementing its own document, as well as helping States fulfil obligations under the UN PoA. The OSCE has been involved in:

- > information exchange on national legislation, marking systems, manufacture control, export and brokering policies, destruction techniques and stockpile management;
- > capacity-building activities through training and workshops on small arms and light weapons control, including border security, in the five Central Asian republics;
- > the development of eight OSCE Best Practice Guides and the decision to compile them into a Handbook; and
- > cooperation with the European Atlantic Partnership Council, the United Nations and related organs, UNDP, the Stability Pact, and the South-Eastern Europe Small Arms Clearinghouse (SEESAC).³⁵⁶

SEESAC has developed a complete range of operational support tools to support interventions at the operational level, including practical “standards and guidelines” (RMDS/G), SALW survey protocols,³⁵⁷ the SALW awareness Support Pack (SASP), collection and destruction, accounting software packages, etc. (www.seesac.org).

Member States have also undertaken national assistance programmes. Canada, for example, funded a “train the trainers” course at the UN University of Peace, which provided information on improving technical knowledge for investigations of legal and illegal trades in weapons.³⁵⁸ New Zealand is working with countries in its region to develop better security, storage, maintenance and management of weapons for police and defence forces.³⁵⁹

The US coordinates its export control assistance for 25 countries and is seeking to expand to another 17 under the Export Control and Related Border Security Assistance (EXBS) Program. The US also provides specialised law enforcement training such as customs inspection and maritime interdiction through the EXBS Program. Law enforcement-related training, including firearms identification, tracing and forensics related to illicit trafficking are also available both through bilateral programmes and the US-sponsored International Law Enforcement Academies (ILEAs) in Gaborone, Bangkok and Budapest.³⁶⁰

4. OPERATIONAL FOCUS

States have realised that the deleterious effects of SALW cannot be addressed by the PoA alone. Therefore, several initiatives that attempt to control SALW at the regional and international level have been undertaken outside the PoA. States have understood that even if all States fully implemented the PoA, SALW proliferation and misuse would not end, and thus further steps to control the spread of SALW are required. In the two years since the UN Conference, the UN system has adopted

³⁵⁶ UNGA (2003: Annex, para. 28).

³⁵⁷ Developed with the Small Arms Survey.

³⁵⁸ Canada (2004).

³⁵⁹ New Zealand (2002).

³⁶⁰ Interview by Rachel Stohl with US policy officials.

SALW programmes and the commitments of the PoA into its own work. The UN Security Council has taken up the issue of SALW, including Resolution 1467 on SALW proliferation and mercenary activity in West Africa, and Resolutions 1379 and 1460 addressing the impact of SALW on children.

UN agencies have also developed action plans to address SALW and the PoA in their work. For example, the United Nations Development Programme has provided technical assistance for reporting to the Conference and technical assistance and funding for weapons collection and destruction efforts through the “Weapons Collection, Management and Destruction Initiative.”³⁶¹ In addition, the United Nations Children’s Fund (UNICEF) and the World Health Organization (WHO) have been carrying out pilot initiatives on SALW. UNICEF’s programme “Disarming Children and Youth: Raising Awareness and Addressing the Impact of Small Arms” evaluates the impact of SALW on youth and develops conflict resolution techniques for youth.³⁶² WHO’s programme is generating a public health profile on SALW violence.³⁶³

DDR and SALW programmes

DDR and SALW programmes (i.e. those not specifically linked to demobilisation) have become essential parts of the post-conflict process. Taking weapons out of circulation is incredibly important in re-establishing peace, increasing security and for crime prevention. These programmes have several benefits. They may raise awareness and serve as confidence-building measures. Weapon destruction programmes also have a symbolic aspect: bonfires of burning weapons can mark the end of a conflict. In Mozambique and Montenegro, sculptors have turned guns into pieces of art that travel around the country, region and world.³⁶⁴

Although formal disarmament and demobilisation programmes are often implemented, voluntary disarmament programmes may complement official efforts, using incentives in exchange for the turning-in of weapons. In the Republic of Congo, for example, vocational training and employment were offered as reintegration assistance to former combatants in exchange for handing in weapons. In Central America, as part of a SALW programme, guns have been turned in for food and other consumer goods.³⁶⁵ In some cases, community-based projects such as building roads, necessary infrastructure, or agricultural advancements, rather than individual incentives are offered.

Monitoring

Because the PoA is a politically binding document, there is no legal framework to ensure that states adhere to or implement the commitments in the PoA. Moreover, there are no official monitoring mechanisms for the PoA other than voluntary submissions by national governments and regional organisations. The UN Department for Disarmament Affairs simply collects the information provided by States, but provides no analysis or data aggregation. Therefore, the task of providing a more complete picture of PoA implementation has thus far fallen to NGOs.

The most comprehensive of these efforts so far has been the Biting the Bullet Project (BTB) (International Alert, Saferworld and the University of Bradford), which joined forces with the International Action Network on Small Arms (IANSA – *see below*) to

³⁶¹ See UNDP (2003).

³⁶² See CASA (2003a: 6).

³⁶³ See WHO (2003).

³⁶⁴ SAWG (2003b).

³⁶⁵ SAWG (2003b).

produce a report on the efforts of States to implement the PoA. The IANSA/BTB report “Implementing the Programme of Action by States and Civil Society” was arguably the most important contribution of NGOs to the UN BMS in 2003. It was an important resource to governments, the United Nations, civil society and the media.

In putting together the report, *“IANSA drew on its extensive network and gathered data from 156 countries, analysing relevant national, regional and international processes. The result is a set of achievable recommendations to promote and facilitate the implementation of the PoA. These range from the establishment of national points of contact to the inclusion of arms availability as a factor in the design and implementation of aid and development programmes and greater transparency in arms production and transfers.”*³⁶⁶ A similar report was prepared for the 2005 BMS.

In addition, the *SEE SALW Monitor* is by far the most detailed independent analysis of the SALW situation within countries. It is similar to the Landmine Monitor in design and research methodology.³⁶⁷

Additional roles of civil society

Although States have the primary responsibility for implementing the PoA, civil society plays an extremely important role in practical implementation of the PoA and in addressing SALW proliferation and misuse at the local level. IANSA has served as a coordinating entity for organisations working on SALW, and is made up of more than 500 NGOs in 100 countries. Each year, IANSA holds a “Global Week of Action” in which small and large NGOs carry out activities to increase awareness of the SALW issue and to implement programmes that assist in combating SALW proliferation and misuse. These activities range from press conferences to public demonstrations and symposiums.³⁶⁸ In 2003, for example, more than 120 SALW-themed activities were held in 43 countries.³⁶⁹ In 2004, events were held in 45 countries.³⁷⁰

Beyond awareness-raising and monitoring PoA implementation, civil society has other key roles in the SALW issue. In many cases, IANSA participants partner with governments, regional organisations or UN agencies to implement aspects of the PoA. IANSA has long argued that *“the effects of SALW are felt at the community level and solutions must also engage communities.”*³⁷¹

IANSA produced a document entitled “Partners in Peace: NGO Contributions to the Implementation of the UN’s PoA on Small Arms” for the 2003 BMS. The document highlights 20 specific examples of civil society action in support of the PoA and draws attention to the many others that are ongoing around the world. Examples of NGO action at the community level include: South African NGOs working with the government to develop gun-free zones and strengthen gun laws; weapons collection programmes in Albania, Argentina, Cambodia, FYR Macedonia, Mali, Mozambique, Papua New Guinea, Serbia and Montenegro, Sierra Leone, the Philippines, and Uganda; and conflict resolution programmes in Kenya and Uganda, among many others.³⁷² Indeed, in many countries, NGOs are far ahead of governments in their efforts to stem the proliferation and misuse of SALW.

³⁶⁶ IANSA (2003b: 2).

³⁶⁷ Information provided by Adrian Wilkinson, SEESAC.

³⁶⁸ IANSA (2005a).

³⁶⁹ IANSA (2003a).

³⁷⁰ IANSA (2004).

³⁷¹ IANSA (2003b: 8).

³⁷² IANSA (2003b: 8).

Box 9. Mapping SALW

In Africa, Saferworld and SaferAfrica have worked in Southern and Eastern Africa to undertake national assessments of the SALW problem in several countries, including Kenya Mozambique, Tanzania, and Uganda. Developing the national assessment and mapping the problem of SALW facilitate the development of National Action Plans, which “identify the extent of the small arms problem in each country, identify priority areas for action, and estimate the local and external capacity needed to implement plans effectively.”³⁷³

Box 10. Collecting and destroying SALW

Organisations such as Viva Rio in Rio de Janeiro have been working in partnership with Brazilian government officials to collect and destroy SALW. In June 2001, 100,000 guns were publicly destroyed, the largest simultaneous gun destruction ever held. In July 2002, 10,000 guns seized by Rio police were destroyed.³⁷⁴ In 2003, 5,000 guns were destroyed at another Rio public event. These efforts have served as confidence-building measures, have raised awareness of the impacts of gun violence, and have led to pressure on the Brazilian Congress to implement strong legislation to minimise the impacts of gun violence in Brazil.³⁷⁵ These public achievements led to the success of the nationwide National Voluntary Firearms Handover campaign in 2004, which recovered nearly 250,000 weapons in six months. The weapons collected exceeded by three times the target of 80,000 guns. In response, the President of Brazil has decided to extend the programme for another six months.³⁷⁶

Box 11. Raising awareness

In the Philippines, the Philippines Action Network on Small Arms (PHILANSA) has developed a public education and awareness campaign in three districts hit particularly hard by SALW violence and crime. As part of their efforts, PHILANSA has produced films, photo exhibits and other educational materials to demonstrate the human cost of SALW in the Philippines and to develop tools for society to respond to these costs.³⁷⁷ Similar efforts have begun in the Middle East and the Balkans,³⁷⁸ with campaigns under way to combat the practice of celebratory shootings.

NGOs have also played a role in norm- and consensus-building, in developing and implementing SALW awareness, education and removal programmes, and in pushing national governments and regional organisations to take their commitments in the PoA seriously. Including civil society in the Conference and PoA process is key as

³⁷³ IANSA, Partners in Peace: NGO contributions to the implementation of the UN’s POA on Small Arms UN Biennial Meeting of States, 7-11 July 2003.

³⁷⁴ AI (2005).

³⁷⁵ IANSA, Partners in Peace: NGO contributions to the implementation of the UN’s POA on Small Arms UN Biennial Meeting of States, 7-11 July 2003.

³⁷⁶ IANSA (2005b).

³⁷⁷ IANSA, Partners in Peace: NGO contributions to the implementation of the UN’s POA on Small Arms UN Biennial Meeting of States, 7-11 July 2003.

³⁷⁸ Using the SALW Awareness Support Pack (SASP) – a set of guidelines for developing and implementing SALW Awareness initiatives designed to support national strategies.

*“experience demonstrates that engagement with civil society as a legitimate partner in the change process helps to ensure that change is sustainable and that links between authority and community are more effective. Civil society organisations also play an important role as a driver for change: developing and promoting new and progressive policy recommendations that often enter into the official arms control discourse; and as an independent monitor, holding governments to account for the implementation of enforcement of laws, policies and guidelines.”*³⁷⁹

Governments have recognised the clear and important contribution of NGOs. Several countries – such as Burundi, Hungary, and Canada – included the importance of NGOs in their BMS statements. However, the government-NGO partnership on SALW must be carefully thought through. On this particular issue, NGOs are pushing governments to go further than they are perhaps ready to go on an international level. NGOs will continue to push the United Nations, regional organisations and national governments to think strategically and creatively in pursuing new programmes to stop SALW proliferation and misuse.

Judged in terms of implementing the PoA, many countries, such as the US, have fulfilled most of their obligations and responsibilities. But implementing the PoA is not enough. States must look for opportunities to push the SALW debate forward. They should partner with NGOs to take such steps sooner rather than later. Among these are: the creation of legally binding international treaties on arms brokering, marking and tracing, and arms export criteria; development of transparent mechanisms for SALW exports and imports; and expansion of assistance programmes to states seeking more effective implementation and enforcement of arms export laws, regulations and procedures, including providing increased law enforcement and export control training.

5. WHERE DO WE GO FROM HERE?

The various aspects of the SALW issue will not be adequately addressed in the short term. Therefore, states must look to develop SALW policies through a multi-disciplinary, multi-level approach over the long term, with short-term steps along the way. The United Nations will be an important venue for continued SALW mitigation but, both at policy and operational levels, SALW mitigation will also take place using local and community structures, national measures and regional organisations. Moreover, SALW mitigation will likely see a further push beyond policy development towards practical measures to combat the proliferation and misuse of SALW.

The UN process

In July 2005, UN States were again coming together at the Biennial Meeting of States. The BMS serves as an opportunity for states to report on the implementation of the UN Programme of Action and allows the international community to assess progress made on combating SALW on the global level. The January 2006 Preparatory Committee meeting and the summer 2006 UN Small Arms Review Conference will again allow the international community to push the SALW agenda forward.

There are also other ongoing UN initiatives. As noted above, the Open-Ended Working Group (OEWG) finalised the text of an international tracing instrument in June 2005. It remains for the UN General Assembly to adopt the instrument formally and to follow up on two further OEWG recommendations: to consider the applicability

³⁷⁹ IANSA (2003b: 30-31).

of the tracing instrument to UN peacekeeping operations and to address the issue of small arms and light weapons ammunition as part of a separate UN process. The latter would be “comprehensive” in scope, not necessarily limited to the marking and tracing issue. Following the completion of the marking and tracing initiative, the UN is also slated to turn its attention to an international instrument on arms brokering. Clearly, the UN role in the small arms issue is far from over.

Other UN agencies, UNICEF, UNDP and WHO among others, remain committed to a SALW mitigation agenda for years to come with respect to direct programming and policy work. For example, the Coordinating Action on Small Arms (CASA)³⁸⁰ was developed in order to allow the UN to “bring a holistic and multidisciplinary approach” to SALW. CASA is made up of 16 UN Departments and agencies³⁸¹ and facilitates information exchange between UN agencies. UNDP has developed an assistance package for States to help with reporting on implementation of the PoA.³⁸² Beyond UNDP’s traditional SALW weapons management collection and destruction programmes, this assistance package demonstrates the commitment of the UN system to ensuring the success of the PoA and other related initiatives.

These and other UN processes in the area of small arms should not mark the end of global SALW nor should they mark the continuation of the status quo for national or regional action. States must work together to develop sound policies and systems to avoid continued destruction and devastation.

Beyond the United Nations

In looking to the future of work on SALW, it is important to be realistic. The United Nations is not now, nor is it going to be, the only venue for SALW work in the coming years. While it will still remain an important venue for global consensus on SALW, other regional and global venues may take hold as leaders of SALW work. Indeed, it is possible that the SALW issue will be primarily dealt with at the regional, national and even local levels.

An excellent example of such a framework can be found in the landmine issue, which promotes a “new multilateralism” in which problems are tackled at appropriate levels of governance, few of which are “global” per se, but all of which come under a “global framework.” This view emphasises that the international community is not exempt from SALW work. On the contrary, the UN and other international settings will remain important strategic targets. And work done at other levels will require significant international cooperation in terms of financial, logistical and technical support – and the exchange of information on best practices, information sharing and law enforcement tactics.

This new global framework recognises that there are still many SALW issues which have yet to be addressed. Some of these issues have thus far been ignored because of

³⁸⁰ CASA (2003a).

³⁸¹ Participants in CASA include: the United Nations Department for Disarmament Affairs (UNDDA), the United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), the United Nations Department of Economic and Social Affairs (UNDESA), the United Nations Department for Political Affairs (UNDPA), the United Nations Department for Peacekeeping Operations (UNDPKO), the United Nations Department of Public Information (DPI), the United Nations Children’s Fund (UNICEF), the United Nations Development Programme (UNDP), the United Nations Office of the Special Representative of the Secretary-General for Children and Armed Conflict (UNOSRSG/CAAC), the New York Office of the United Nations High Commissioner for Human Rights (UNHCHR), the New York Office of the United Nations High Commissioner for Refugees (UNHCR), the Geneva-based United Nations Institute for Disarmament Research (UNIDIR), the Vienna-based Centre for International Crime Prevention of the Office for Drug Control and Crime Prevention (UNODC/CICP), the United Nations Development Fund for Women (UNIFEM), the World Bank, the World Health Organization (WHO), and the United Nations Environmental Programme (UNEP). CASA (2003b).

³⁸² UNDP (undated).

a full policy agenda; others have simply been too controversial for major steps forward. For example, at the 2001 UN Conference, there were a series of issues that were “redlined” by the US as unacceptable for inclusion, even though the majority of States were eager to see them included in the final PoA. Then-Undersecretary of State John Bolton stated on the Conference’s opening day that the US would not allow mention of any restrictions on ownership of weapons by civilians; restrictions on the legal trade and manufacture of SALW and light weapons; or restrictions on the sale of SALW and light weapons to entities other than governments.⁵⁸⁵

Outstanding issues

Therefore, while near global consensus on many of these issues continues, concrete global actions remains elusive. For example, while norms on civilian possession of arms continue to develop (see above, section 2), actual global policy work at the international level remains weak. The ban on weapons sales to Non State Actors has also been a non-starter since the terrorist attacks of 11 September 2001, with then-Secretary of State Colin Powell specifically stating that the US would provide arms to groups such as the Northern Alliance and Iraqi opposition groups in order to achieve military goals. Therefore, little has been done on pursuing such a ban.

Governments have also been hesitant to address the legal aspects of the SALW trade. Whether because of government complicity, wilful neglect, or inadequate controls, legal SALW make their way onto the black market. Governments are not eager to have blame hoisted on them for illegal arms sales or SALW misuse. Moreover, SALW exports provide revenue. States do not want their market opportunities limited or their ability to use weapons sales as a tool of foreign policy hindered.

Demand for SALW has also been neglected. This hesitancy is due in part because there is not a one-size-fits-all explanation for understanding why states or individuals seek SALW. The reasons for demanding weapons will vary from conflict to conflict, and some conflicts may have several rationales: from protecting personal security and expressing the holding of power to providing the means to acquire needed goods. Without a clear understanding of the myriad intricacies of demand, policymakers often ignore addressing the issue at all or are forced to examine the complexities of conflict situations and involve local communities and non-governmental organisations in developing potential solutions – something they are often loath to do.

Unlike landmines victims, survivors of SALW often do not receive attention and support from the international community. There are hundreds of thousands of silent SALW survivors every year. Standardised and consistent victim assistance programmes are lacking, and in areas with large numbers of SALW victims it is often difficult to provide adequate medical care and regular health services.

Tackling the SALW issue is a long-term endeavour. Small steps must be made at the local, national, regional and global levels. Comprehensive, multilateral regimes must be tempered with the development of local initiatives, national legislation and regional agreements. Bi-lateral agreements may be just as important as regional ones to ensure that SALW are being addressed across many aspects of society, in many different fora. Without multi-dimensional approaches on all levels and a clear international strategy, SALW mitigation will be stalled and limited to unimaginative results.

⁵⁸⁵ For more information on this issue see Stohl (2001).

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APPENDIX 2. LESSONS FROM MINE ACTION

INTRODUCTION

This issues paper focuses mainly on some of the key lessons learned in the mine action community over the past 15 years. It was intended to serve as a starting point for discussion at the GICHD Study Advisory Group meeting of key actors from the field of SALW, which was convened by the GICHD on 25 October 2004.

Layout

This issues paper has seven sections in addition to the introduction. The first section details the efforts of the mine action community to better define the problems inflicted on the civilian population by the presence of anti-personnel and anti-tank mines, abandoned ordnance (AXO, i.e. grenades, shells and other ordnance that has been stored, but not used, and then abandoned) and unexploded ordnance (UXO – ordnance that has been used but which has failed to function as designed and has therefore not exploded). Defining the problem clearly and accurately is an essential step in designing appropriate strategies and programmes in response.

The second section sets out the typical mine action response to contamination. It includes a discussion of the definition of mine action that is now generally accepted, including the goals, main activities, and enabling activities for mine action. The third section describes the key actors that have been involved in mine action programmes worldwide, both governmental and non-governmental. One of the characteristics of mine action has been the diversity of actors that have been engaged in programming. This leads into the fourth section and a discussion of the structure of mine action programmes and their management.

The fifth section looks at some of the programming challenges that mine action is still grappling with, in particular how to develop programmes that do not stand alone, but are effectively integrated into the wider development effort. The sixth and final section sets out a few basic questions that need to be addressed in seeking to determine whether synergies between mine action and SALW would likely be beneficial and effective.

1. DEFINING THE PROBLEM

As any development expert will readily relate, determining the necessary and appropriate response demands first a careful definition of the problem. In earlier days, within affected countries and mine action programmes, an order of magnitude of the problem was often based on an estimate of the number of mines present on a given territory. Although attractive to the media, typically these figures would become discredited subsequently, and in any event gave little indication as to the extent of the impact on civilians. For example, significant levels of contamination is still present in Egypt (explosive remnants from the 1939-1945 War), but with little resultant human or social impact.

In addition, and perhaps as a result of the largely military background of the many of the individuals engaged by mine action programmes, survey efforts focused largely on gathering technical data: what ordnance was present (AXO, UXO or mines) and of what types. The mine action sector has grown to understand that although this infor-

mation is necessary and valuable, it did not sufficiently encapsulate the problem in a way that could lead to meaningful planning and priority setting. More information is needed.

Accordingly, within mine action, there has been a significant – and ongoing – evolution in the way the sector defines and refers to the problems caused by the various explosive remnants of war. One of the principal ways that mine action now defines the problem is through landmine impact surveys. These surveys are systematic study of community impact on a national or sub-national level. In theory, every affected community within the survey's geographical purview should be visited and surveyed. A community survey will typically take around three hours. It will result in a scoring of community impact and consequent ranking into one of four categories: high impact, medium impact, low impact and nil impact. This gives a national picture of impact that can then be used for planning and priority selection. This focus on the *impact* of the contamination, rather than the contamination itself, has marked a major shift in mine action planning. This shift surely has resonance within the SALW world – it is not the quantity of weapons in any given scenario but the impact on the civilian population that will be critical.

Yet a full landmine impact survey approach can be both time-consuming and expensive. Depending on the size of the country, the infrastructure and the extent of the contamination, a survey can take one to six years to complete. As a very rough rule of thumb, each year of operations in a full impact survey that follows established protocols laid down by the Survey Working Group (the group of agencies and organisations that oversees many of the surveys) costs around \$1 million.

Of course, knowing who is more or less affected does not in and of itself resolve a critical information uncertainty. In the case of mine action, once a heavily impacted community has been identified, it is still necessary to determine exactly where the problem lies – where precisely are the minefields and other hazardous areas, i.e. where do they begin and where do they end. This challenge continues to plague mine action, despite the commitment of tens, possibly even hundreds, of millions of dollars in research and development (R&D) into new mine detection technologies. One of the main criticisms of full landmine impact surveys is that they fail to define the location and extent of contamination accurately. Its reliance on information from the community is both its strength and its inherent weakness.

A further complaint is that the survey is nothing more than a snapshot of the impact of contamination – it does not represent an ongoing assessment. This is all the more significant in the case of SALW, where the location and owners of the weapons – and hence the potential impact – will be far more fluid than is the case with mines and UXO.

Technical survey, which aims to determine the nature, location and boundaries of mine and UXO contamination, uses written documents, discussions with key stakeholders (e.g. these same communities, as well as military forces and groups), and the use of mechanical demining equipment, manual deminers and mine detection dogs, is both expensive and time-consuming. And without physical confirmation of the threat, reports by soldiers, commanders as well as communities have often proved to be inaccurate. The sad and costly reality is that still today most of the land “cleared” by demining operations is often found to have had no or very little contamination on it.

2. THE MINE ACTION RESPONSE

From its early beginnings in Afghanistan and Cambodia in the late 1980s and early 1990s, mine action has developed rapidly. Originally called demining (to distinguish it from the military task of breaching minefields for operational purposes), the main focus was on clearing land so that it could be returned to safe civilian use. This focus, although still the backbone of mine action programmes in terms of resources, has since been complemented by other core activities.

Although there remain differences of opinion as to the precise definition of mine action, the term is widely used and generally accepted and understood. It is a valuable common frame of reference for the community as a whole, and helps to shape the programmatic responses. A useful definition, which could perhaps be adapted in the case of small arms, is included in the International Mine Action Standards (IMAS), issued by the UN (*see below for a brief discussion of the IMAS*):

Mine Action refers to “activities which aim to reduce the social, economic and environmental impact of mines and UXO... Mine action comprises five complementary groups of activities:

- a) Mine risk education;
- b) Humanitarian demining, i.e. mine and UXO survey, mapping, marking and (if necessary) clearance;
- c) Victim assistance, including rehabilitation and reintegration;
- d) Stockpile destruction; and
- e) Advocacy against the use of anti-personnel mines.”

The definition also notes that “other enabling activities are required to support these five components of mine action, including: assessment and planning, the mobilisation and prioritisation of resources, information management, human skills development and management training, quality management and the application of effective, appropriate and safe equipment.”

Mine risk education

Mine risk education, or MRE as it is often known, has evolved significantly since the early days of mine action and continues to do so. For many years, there was little specialist involvement from the communication or development spheres and as a result programmes relied heavily on one-way communication channels, such as the mass media, distribution of small media, particularly posters and leaflets, and “presentations” or “briefings” to convey the danger of mines and UXO and to recommend action by local communities. The utility and effectiveness of these interventions is still a matter of debate.

Further, programmes tended to assume ignorance of the threat on the part of the local population, a reckless and often misguided assumption. There are several reasons for individuals to be killed or injured by mines and UXO, apart from displaced populations, ignorance of the threat is rarely a major cause. More prevalent is intentional tampering with ordnance – to extract the explosives for fishing, to sell as scrap metal, or even to sell as live weapons – or forced entry into mined areas for survival reasons.

Given these realities, the discipline of MRE is increasingly moving towards a “community liaison” approach, in which teams work with the community to identify local solutions and to liaise with other aspects of mine action (especially clearance and marking teams and victim assistance facilities) to find temporary or long-term solutions to the impact of contamination and to prioritise interventions.

Yet, although MRE programmes in some countries have shifted focus to adapt to better understanding of local realities, concerns about focus and methodology still remain in others. Moreover, in the future liaison with development organisations to find developmental solutions to problems needs to be much more effectively pursued by MRE programmes than is currently the case. This may involve, for example, persuading an organisation to drill a new well in a safe area for an affected community, rather than seeking to clear contamination around an existing water point.

Humanitarian demining

Humanitarian demining covers the range of activities which lead to the removal of mine and unexploded ordnance hazards. These include technical survey, mapping, clearance, marking, post-clearance documentation, and the handover of cleared land.

Clearance operations are only one part of the humanitarian demining process, but they are the most costly part. Mine action has developed a toolkit approach to clearance, using and combining, as appropriate, manual deminers, mine detection dogs and mechanical demining equipment, such as vegetation cutters, tillers and flails. Explosive ordnance disposal and battle area clearance rely primarily on specialist personnel to remove and/or destroy the UXO hazard.

Clearance operations are slow and costly. One of the possible consequences of this is that in some countries, local communities have come to rely on so-called village deminers, unlicensed and often untrained people, sometimes former soldiers, to clear contamination from their land. Concerns about the level of safety in, and reliability of, village demining have not been resolved, although it is believed that in at least certain contexts, more mines and items of UXO have been removed by this informal demining than by official deminers.

To date, mine action programmes have largely tended to ignore village demining, although there have been a small number of studies that have addressed the issue. The dynamics of village demining remain to be fully understood, however. In light of the progress of village demining, another issue starting to be addressed is whether the current, accepted aim of 100 per cent clearance of contaminated areas is still appropriate. Some experts are advocating a move towards a risk management approach, where the level of risk would be set locally based on the context. This is extremely controversial.

More widely accepted is the move from setting the goal of making a country or region mine-free to making it mine-impact free. This shift, which was first enunciated by the UN programme in Kosovo, is gradually becoming an industry standard. The baseline that was used by the Kosovo programme was the level of threat in Europe, decades after the end of the 1914-1918 and 1939-1945 Wars. Although significant contamination remains, its impact is negligible. It should be noted, however, that the Anti-Personnel Mine Ban Convention, which formally binds three-quarters of the world's States, requires that each State Party clear *all* anti-personnel mines from mined areas under its jurisdiction or control.

Beyond clearing known contamination, one of the primary challenges is to identify suspected areas that are actually safe. Much land that is cleared is found to have contained no explosive contamination at all and original estimates of contamination tend to vastly overstate the problem. For example, in Kosovo, of the more than 300 square kilometres of land that was originally suspected to be contaminated, only a little over 10 per cent was actually deemed necessary to be cleared. As techniques are perfected, for instance using a combination of machines, mine detection dogs or electronic sensors, area reduction, as this is known, could return land quickly to the community.

Stockpile destruction

Stockpile destruction is a relatively recent core component of mine action (it was introduced as the fifth component in 2000). Each State Party to the Anti-Personnel Mine Ban Convention is required to destroy all its stockpiled anti-personnel mines within four years of becoming a party to it, and those States Parties in a position to do so must assist others to fulfil this obligation. Physical destruction techniques available range from the relatively simple “open burning and open detonation” techniques to highly sophisticated industrial processes. The decision to opt for any particular technique tends to be based on cost, safety and environmental considerations.

Generally, open detonation is likely to be the cheapest means to destroy stockpiles of up to one million anti-personnel landmines. But it requires significant knowledge of explosives engineering as the shock wave caused by detonation may not destroy all the mines but throw some out and arm them. There are potentially considerable cost-savings in simultaneously destroying landmines and other explosive ordnance and SALW. Whether or not these are realised in practice may depend on significant SALW and mine/UXO contamination being generally in the same geographical area.

But identifying and localising the weapons is a problem. In some contexts, considerable stockpiles of weapons fall outside the control or knowledge of the governmental authorities. They may lie in abandoned stockpiles, be controlled by armed opposition groups, or even held by civilians in their homes. Locating these weapons is a major challenge.

In some countries (Bosnia and Herzegovina and Iraq for example), amnesties or buy-back schemes have been able to secure thousands of landmines and SALW, but overall many such programmes have met with mixed success. Offering money for weapons may actually create a new market, as weapons can be bought cheaply at markets within or outside the country and then sold on to the government at a profit. Moreover, there are obviously significant dangers in civilians transporting live ordnance to police stations or other collection points.

Victim assistance

Survivors of explosions of landmines and other explosive remnants of war require a range of assistance. This includes emergency and continuing medical care; physical rehabilitation, including prostheses and assistive devices; psychological and social support; economic reintegration; and laws and policies designed to eliminate discrimination and equalise opportunities.

The issue of to what extent mine action is responsible for mine victim assistance remains controversial. Indeed, in most cases, field-based mine action programmes have done relatively little to *directly* provide rehabilitation and reintegration to mine and UXO victims. Instead, this has been largely undertaken by the ministries of health and/or social welfare, the International Committee of the Red Cross and a

number of NGOs. For this is a broader public health problem situated within assistance to people with disabilities or war-wounded in general rather than one directly and solely related to landmines.

In some instances, it can even be argued that mine action has exploited victims, especially for fundraising or awareness purposes. Whether SALW work decides to intervene, directly or indirectly, to assist victims of these weapons has programmatic and funding implications. Such intervention could be, for example, to identify and raise the profile of the needs of victims of SALW publicly and politically; to promote the allocation of resources to meeting those needs; and conducting limited monitoring to ensure that their needs were practically being met.

Advocacy against the use of anti-personnel mines

Advocacy in favour of a total ban on anti-personnel mines has been an enormous success, leading to the adoption of the Anti-Personnel Mine Ban Convention in 1997 and formal adherence from 143 States. Governments adopted the Anti-Personnel Mine Ban Convention after a widely perceived failure to respond effectively to an anti-personnel mine crisis under UN auspices.

Key actors in this process have been the International Campaign to Ban Landmines (ICBL), a loose network of more than 1,400 NGOs worldwide, and the International Committee of the Red Cross, which led the Red Cross movement in publicly campaigning against landmines.

Some of these same organisations were also instrumental in promoting the adoption under UN auspices of a new protocol on explosive remnants of war in November 2003. This instrument, which allocates responsibility for clearance and information exchange about UXO and AXO, has not yet entered into force. Discussions on further regulation of anti-vehicle mines are continuing.

Existing networks such as the Small Arms Survey and IANSA have drawn international attention to the problems caused by SALW. But in general the profile of the issue does not seem to be commensurate with the extent of the problem. To make matters more difficult, the legal regulation of SALW is far more complex than has been the control of landmines. (A total ban is a simple message that it is relatively easy to promote.) But different forms of international, as well as national, legal regulation will obviously give focus and momentum to broader initiatives to tackle the problems caused by SALW.

Assessment and planning

The question of assessment has been covered above. The GICHD is currently conducting a study of the role of survey in mine action, the findings of which will be available to draw upon in the current scoping study.

There is an increasing focus within the mine action community on the developmental approaches to planning, especially strategic planning, which has been a major weakness in mine action. Typically, resources are carved up in a strategic plan so that mine action “keeps busy”. Development-oriented planning demands that planning starts with a genuine assessment of needs and that planning is based on needs and not resources. Once the needs are identified, resources can be allocated and prioritised as efficiently and effectively as possible to meet those needs.

Some limited use has also been made of cost-benefit analysis to assist in determining planning and resource allocation priorities. An understanding of the value of cleared land to communities and societies compared with the costs in clearing that land helps

to determine whether clearance can be justified on economic (and potentially social and political grounds). It can also enable the comparison of the benefits accruing from clearing different types of land (e.g. cropland, pasture, roads, schools, etc.).

Information management

Information management remains a major challenge in mine action. In 1998, the GICHD commissioned the development of a software system specific to mine action – the result has been the IMSMA database (Information Management for Mine Action). IMSMA has become the industry standard, and has undergone several versions to adapt to feedback from the field. It is a Geographic Information System (GIS)-based database, which combines spatial representation of contamination, cleared areas, etc., with a database of other information (e.g. on victims). Perhaps this database could be broadened to involve spatial representation and analysis of the SALW problem?

Human skills development and management training

A number of bodies have been engaged in the training of mine action management, notably Cranfield Mine Action, the mine action Information Center of James Madison University in Virginia, and the GICHD itself. Perhaps some of these courses could be amended or broadened to address SALW.

At country level, UNDP has provided considerable numbers of technical advisers to national authorities or MACs in affected countries, but it is generally agreed that this approach has not always been successful. Giving advice is distinct from building capacity, and experience suggests that mine action has been far better at the former than the latter. Indeed, UNDP is generally moving away from the approach of supplying technical advisers to governments. Nonetheless, it is an approach that is likely to be replicated to some extent at least in the area of SALW.

Quality management

Quality management is a major concern in mine action. At an international level, the International mine action Standards (IMAS), drafted by the GICHD on behalf of the UN have had a considerable impact on mine action quality. They have helped to set basic standards for safety in programmes, and have been used to draft national standards and, in some instances, standard operating procedures (SOPs) for mine clearance and survey. Perhaps the IMAS approach could be replicated so as to give consistency to SALW programming around the world.

Resource mobilisation

According to the ICBL, currently around US\$250 million a year is devoted to mine action, mainly from governments and regional organisations – a significant achievement for resource mobilisation. This level of funding has been maintained for a few years now, although resources are likely to diminish somewhat over years to come.

Support comes largely from specific mine action or emergency funds, and is therefore typically short-term funding on an annual cycle, rather than multi-year development funding.

It is clear that funding has been high because of a concerted communication push with governments, and because of the high profile of the issue of landmines. A similar global movement of NGOs, the Red Cross movement, UN agencies and governments will be needed to make sure resources for SALW work increase significantly in line with the huge needs.

3. KEY ACTORS

The number of different bodies and organisations involved in one way or another in mine action is sometimes bewildering. Below is a brief review of some of the main actors.

Governments

The primary responsibility for mine action falls to the government of the affected territory. This is the case even if the State in question was not wholly or partly responsible for the explosive contamination on its soil. This allocation of responsibility is generally accepted even though some countries complain that it is unfair, and protest that the “polluter pays” principle should apply.

A number of States, for example the US, have also provided assistance to set up national mine action centres in affected countries. The US Department of State has recently combined mine action and SALW work within a single unit.

The military

Although opinions differ as to the extent to which the military is appropriate for certain mine action activities, armed forces in many countries play a significant role in mine action. Their main contribution is with respect to demining (especially marking and clearance) and stockpile destruction, but they have also been involved in mine risk education and, though to a lesser extent, victim assistance.

NGOs

NGOs have formed the backbone of civilian mine action since its beginnings in Afghanistan in the late 1980s. Certain NGOs, both local and international, have specialised in mine action, and do nothing else; some come from the relief and development fields and continue their other work in addition to involvement in mine action. NGOs have been involved in all aspects of mine action, though with minimal involvement in stockpile destruction.

The United Nations

More than a dozen UN bodies are involved in mine action in one form or another. The UN policy on mine action, adopted in June 2005, has incorporated changes to existing roles and responsibilities in this regard. Efforts are being made to involve the World Bank more, which, to date, has largely been on the periphery of mine action.

UN Mine Action Service

UNMAS is the UN focal point for all mine-related activities. It is a specialised department created within the Department for Peacekeeping Operations (DPKO) in 1997 (it does nothing but mine and ERW-related work); previously mine-related activities were coordinated within the now defunct Department for Humanitarian Affairs.

UNMAS also manages a number of mine action programmes in countries in emergency situations. The definition of an emergency is not always clear, however.

On occasion, suggestions have been floated informally over the past few years that the mandate of UNMAS could be expanded to cover coordination of work on small arms and light weapons.

UN Development Programme

One of the principal roles of the mine action assistance provided by the UN Development Programme (UNDP) is to support national and local capacity building,

particularly within national mine action authorities and mine action centres (see Section 4 below). This is done largely through the provision of technical advisors on six or 12-month contracts. These may be renewed for several years. In addition, the UNDP supports training, the procurement of equipment as well as development exchange programmes with mine affected countries.

UNDP has a small unit – the mine action Team – within the Bureau for Crisis Prevention and Recovery in its New York headquarters. SALW work is organised within a separate unit within the same Bureau.

UN Children’s Fund

UNICEF is the focal point for mine risk education and is also responsible for supporting victim assistance in concert with the World Health Organisation. It has also played an important role in advocacy for a ban on anti-personnel mines.

The unit responsible for mine action within the organisation’s emergency division in New York is also responsible for UNICEF involvement in SALW work.

UN Office of Project Services

UNOPS is the contracting arm of the UN for mine action, mainly for UNMAS and UNDP, but also, on occasion, for UNICEF. Previously it had operated a mine action programme in Northern Iraq on behalf of the Oil-For-Food Programme, but since the end of the Programme, this has been handed over to the authorities in Iraq.

UN Department for Disarmament Affairs

The UNDDA administratively supports and is the official custodian of the Anti-Personnel Mine Ban Convention, even though the treaty was negotiated outside UN auspices. It has a website dedicated to treaties addressing mines and UXO and receives the Article 7 reports of the Treaty.

Regional organisations

Regional organisations, notably the Organization of American States, the Southern African Development Community, the South Eastern European Mine Action Coordination Committee (SEEMAC), and the Slovenia-based International Trust Fund for Demining and Mine Victims Assistance, have focused on a regional approach to humanitarian demining and the coordination of mine action activities in the Americas.

The European Union is not involved in programme implementation but has become a major donor to mine action.

4. THE COORDINATION OF A NATIONAL MINE ACTION PROGRAMME

The two key national coordination mechanisms are the national mine action authority and the mine action centre (although the terminology may differ from country to country).

The national mine action authority is the governmental institution in each mine-affected country charged with the regulation, management and coordination of mine action policy and strategy. It is typically an interministerial body.

Where there is no functioning government, the UN, or some other recognised international body, may assume some or all of the responsibilities of a national mine action

authority. This occurred, for example, in Kosovo during the emergency and transition phases of mine action that followed the peace agreement between the North Atlantic Treaty Organisation and the Federal Republic of Yugoslavia in June 1999.

The mine action centre (MAC) is an organisation – typically a para-statal – that carries out operational coordination of mine action (and sometimes, more controversially, acts also as an implementer). For national mine action programmes, the MAC usually acts as the operational office of the national mine action authority.

The MAC is normally responsible for drafting national mine action standards and accrediting mine action operators. It may also play a greater or lesser role in direct service provision, depending on the context, and would normally be responsible for drafting the national mine action plan, determining national priorities and tasking mine action interventions.

Mine action centres have typically been established by a governmental decree or decision, or by the UN. In a number of cases, national mine action legislation has subsequently formalised the role, responsibility and structure of the MAC. There may also be technical committees or working groups set up, either under the Authority or the Centre, to which certain responsibilities are devolved.

The costs of setting up these centres and allied facilities (e.g. for training deminers) are extremely significant – typically hundreds and thousands or even millions of dollars. Thus there may be considerable cost savings in housing or integrating work on SALW within the same buildings.

5. MINE ACTION CHALLENGES

Mine action has shown great willingness to learn from both its failures and its successes. It has made great advances in technical aspects of mine action, and is making progress in some of the broader planning and management challenges that it faces. Below are listed just a few of the current challenges that mine action is tackling:

- > How to return land quickly and safely to the civilian population, in particular by reducing suspected areas and confirming that land is either contaminated or free of contamination.
- > Learning to understand better the dynamics of so-called “village” or “spontaneous” demining, which has cleared very significant numbers of mines and items of UXO in certain countries.
- > How to link mine action more effectively to local and national reconstruction and development.
- > How to prioritise mine action tasks quickly and effectively, based on a consistent and transparent system based on objective socio-economic criteria.
- > How to ensure financial transparency of operations.
- > How to strengthen strategic planning for mine action.
- > How to build national capacity to manage mine action in the long term.

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