

COMBATING ILLICIT LIGHT WEAPONS TRAFFICKING: DEVELOPMENTS AND OPPORTUNITIES

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The British American Security Information Council (BASIC) is an independent research organisation that analyses international security issues. BASIC works to promote public awareness of defence, disarmament, military strategy, and nuclear policies in order to foster informed debate on these issues. BASIC facilitates the exchange of information and analysis on both sides of the Atlantic.

BASIC's Project on Light Weapons is designed to create an international network of analysts and advocates working on light weapons issues. Members of this network are developing a research and policy agenda to assess the extent of light weapons transfers, as well as their political, military, sociological, and economic effects. BASIC gratefully acknowledges the generous support of the Ford Foundation for the Project on Light Weapons.

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Acronyms and Abbreviations

ASEAN	Association of South East Asian Nations
CCW	Convention on Conventional Weapons
CICAD	Inter-American Drug Abuse Control Commission
CIS	Commonwealth of Independent States
COARM	Conventional Arms Working Group, Council of Ministers (EU)
EAPC	Euro-Atlantic Partnership Council
ECOSOC	Economic and Social Council (UN)
ECOWAS	Economic Community of West African States
EU	European Union
G-8	Group of Eight Industrialised States (was G-7/P-8)
GAO	General Accounting Office (USA)
ICPO-INTERPOL	International Criminal Police Organisation
ICRC	International Committee of the Red Cross
IWETS	Interpol Weapons and Explosives Tracking System
NATO	North Atlantic Treaty Organisation
NGO	Non-governmental Organisation
NRA	National Rifle Association (USA)
OAS	Organization of American States
OAU	Organisation of African Unity
P-8	Political Eight (G-7 plus Russia)
PJC	Permanent Joint Council (NATO/Russia)
SADC	Southern Africa Development Community
UN	United Nations
UNGA	United Nations General Assembly
UNHCR	United Nations High Commissioner for Refugees
WCO	World Customs Organization

Executive Summary

Fuelled by both unrestrained supply and fervent demand, the proliferation of light weapons has a devastating impact on international peace and stability. These weapons are destabilising states and imperilling the lives and livelihoods of many, including civilians and peacekeepers. Unchecked, these weapons fuel crime, prolong conflicts and foster a culture of violence. While nuclear weapons and major conventional weapons have been addressed as central issues in international relations, until recently, light weapons proliferation was largely overlooked or regarded as a solely domestic issue. However, the explosion of research and analysis in this area has propelled light weapons to the top of the international agenda. In particular, illicit weapons trafficking has received considerable attention from governments and multilateral institutions. Illicit weapons transfers, which make up a vast proportion of all light weapons transfers, are carried out by circumventing traditional national, regional and international controls. For example, according to a UN estimate, nearly 60 percent of the weaponry flowing into Afghanistan enters the country by illicit means.¹ In response, states have begun tackling this problem, often within the context of larger efforts on terrorism, drug trafficking and crime control.

This report provides a comparative analysis of the ongoing efforts to control illicit light weapons trafficking being pursued at the regional level by the Organization of American States (OAS) and the European Union (EU) and internationally by the United Nations (UN) and the Group of Eight Industrialised States (G-8). These intergovernmental initiatives supplement efforts undertaken by individual governments and also complement other efforts to control licit light weapons transfers.

Policy recommendations

The report also recommends policies to integrate the various initiatives and provide a more coherent and comprehensive approach to light weapons proliferation. The complex dynamics of light weapons flows provide many avenues of control. Recommendations for directly stemming the 'recycling' of weapons from one conflict to the next, as well as

controlling overall trafficking include:

- prioritising destruction of weaponry, including surplus weapons and weapons collected during peace processes;
- improving national enforcement of existing laws;
- adopting codes of conduct to establish stricter criteria for weapons transfers;
- improving domestic legislation in post-conflict societies and strengthening overall domestic gun control.

The report suggests that these direct control efforts be supplemented by eliminating the "grey area" between legal and illegal transfers. Potential options to pursue include:

- registering and marking weapons;
- improving record-keeping.

In addition, the report argues that any policy proposals designed to stem light weapons trafficking must be pursued within an overall context of post-conflict reconstruction and long term development. Governments should provide states in conflict regions with practical security assistance by:

- developing a 'security first' approach;
- supporting capacity building.

Finally, the report recommends increased involvement of other sub-regional, regional and international institutions that are particularly well-placed to implement controls on light weapons. Possible avenues to pursue include:

- involving NATO in controlling illicit weapons trafficking;
- developing international legal mechanisms.

Test of political will

The governmental initiatives to target 'underground' trafficking examined in this report are a welcome development, but they require improvement and must be matched by efforts of equal vigilance on

the licit side.² While governments may gain popularity points by battling the 'evils' of 'illegal' weapons trafficking, their credibility and determination will be tested by their active support for controlling *both illicit and licit weapons transfers*. Ultimately, it is the presence of light weapons in situations of potential violence or instability, and not the legal or illegal means by which they arrived at their destination, which is at issue. The international community cannot allow governments to use controls on illicit trafficking as a smokescreen to divert attention away from their commitments and responsibilities as producers, suppliers and recipients of light weapons. Only by adopting a comprehensive approach to conflict, including exercising restraint on their own weapons transfers, can long term peace and sustainable development be achieved.

In addition, the term 'illicit' usually refers to transfers which violate specific national trade regulations. However, this term should be broadened to include certain principles defined in international law, especially human rights and humanitarian law. For example, authorised government arms transfers should be deemed illicit if they violate the human rights of the citizens in the recipient states. This issue, which is not fully explored in this report, requires further study and attention.

While some sceptics argue that the very 'underground' nature of illicit weapons transfers renders them beyond individual governmental or international control, this oversimplifies a very complex equation. In reality, the extensive interconnections that exist between licit and illicit light weapons transfers mean that the illicit side will rarely, if ever, operate entirely independently of national or international control mechanisms or wholly outside any legal framework. Thus, in most cases, governments have a point of leverage somewhere in the chain of events that makes up a weapon's history — be it the point of production, the original transfer, subsequent transfers, transport, or collection during disarmament. In response to these pressure points, there are numerous avenues for control. Initiating stronger border controls and developing better detection and interdiction technologies can have a direct impact on the cross-border flow of weapons. Other policies, such as strengthening import/export controls and eradicating covert transfers will help stem the flow indirectly by clarifying the lines

between legal and illegal. Efforts such as restraining licit transfers and implementing destruction of weaponry can have a vital impact on the overall number of weapons in circulation.

Developing effective control policies

Much like the war on drugs, government rhetoric in favour of eradicating illicit weapons trafficking has developed much more rapidly than the practical measures that will actually constitute control. While some progress is being made by governments to co-operatively develop more effective controls, these must be improved and implemented effectively. With policy proposals being developed at a rapid pace in this relatively new field, it is also important to avoid duplication. Increased dialogue and information-sharing among governments and institutions offer an opportunity to discuss the strengths and weaknesses of various initiatives while also highlighting the need for co-ordination.

There is also an urgent need for financial resources and expertise to be invested in these efforts. While the development of a comprehensive set of control policies depends first and foremost on the political will of governments, they will be rendered meaningless without the commitment of sufficient resources for their implementation.

Overview of Illicit Trafficking³

Light weapons are easy to operate and have a low rate of obsolescence.⁴ As a result, they are used by a wide range of armed groups and individuals, including national militaries, individual citizens, private security personnel and child soldiers. Lightweight and easy to conceal, these weapons are also attractive to smugglers. In addition, unlike most major conventional weapons, the lines of supply are very long. A single weapon often passes through many hands and is 'recycled' from one conflict to the next. These dynamics, together with the nature of the activities for which these weapons are used, lay the foundation for an extensive illegal market in light weapons. While the secretive nature of the transfers makes accurate assessment of illicit weapons trafficking extremely difficult, some estimate that the illegal trade in light weapons accounts for as much as 55 percent of all light weapons transfers.⁵

Light weapons are transferred illegally in a variety of ways in order to serve many different objectives. Weapons may be diverted from legal channels, stolen from storage facilities, or smuggled across borders. They may be transferred by one state to arm sub-state groups in another, or supplied to parties in a conflict to whom weapons transfers are barred as the result of a UN arms embargo. These weapons are also used by narco-traffickers, criminal syndicates, and private security firms to carry out clandestine activities. (See the box on page 14 describing various types of illicit transfers that have taken place and the diagram on page 10 demonstrating the complexities of light weapons flows.)

Regions of conflict provide fertile ground for illicit weapons trafficking. Once a conflict ends, it is often extremely difficult for authorities to regain control of weapons that have flooded the country. For former combatants with few marketable skills, weapons become a form of currency. In order to survive, they may use them for banditry or trade them in the civilian market for other goods.

A recent UN panel studying light weapons proliferation also highlighted the nexus of illicit weapons trafficking and other black market activities. According to the panel's report, "networks operating internationally and other modes of transfer used for

the illicit transfer of a variety of commodities are also used to transfer weapons. The techniques used involve smuggling, concealment, mislabelling and false documentation. To hide financial transactions, use is made of coded bank accounts protected by the secrecy laws of some financial institutions. To transport weapons, various methods are used, such as ships with bogus registration and flags of convenience".⁶

Consequences

As described in the aforementioned UN report, illicit weapons trafficking "plays a major role in the violence currently affecting some countries and regions, by supplying the instruments used to destabilize societies and Governments, encourage crime, and foster terrorism, drug trafficking, mercenary activity and the violation of human rights".⁷ While light weapons are not themselves the root cause of the violence, they are responsible for making crime more violent and conflict more lethal. Unrestrained light weapons flows can have serious consequences, including:

- **Introducing light weapons into civil society.** In regions of conflict, the market in illicit weapons often results in a dramatic increase in violence and crime in civil society. For example, the homicide rate in El Salvador has increased by 36 percent since the end of the civil war.⁸ The easy availability of AK-47s in Mozambique and Angola has flooded Southern Africa with illicit automatic weapons, and made South Africa one of the world's largest centres of illicit light weapons trafficking. In turn, more and more crimes in South Africa involve the threat or use of a firearm. In just the first six months of 1997, guns were used to commit 5,127 murders and 25,783 armed robberies in South Africa.⁹
- **Undermining peacekeeping operations.** Uncontrolled flows of light weapons can also seriously hinder peacekeeping and peace support operations. In a country flooded with weapons, such operations are much less effective, as well as more difficult and dangerous and expensive to execute. For example, at the onset of the civil war in Somalia, the United Nations

estimated that half a million light weapons were circulating in Mogadishu alone.¹⁰ This made the Somali situation so volatile and the demilitarisation task of the UN peacekeeping forces so daunting and dangerous that at one stage, UNOSOM troops were instructed to abandon the collection of weapons, a situation that virtually paralysed the operation.¹¹ Similarly, in Angola, where an estimated two million light weapons remain in circulation, the unrestricted flow of weapons to the warring factions has greatly increased the risks to peacekeepers, rendered weapons collection a near futile exercise and threatened the prospects for lasting peace. In November 1997, a UN spokesman in Angola admitted that there had been very little progress at all on demobilisation and disarmament.¹²

- **Diverting resources.** The trade in light weapons also diverts valuable resources from economic and social development assistance. In 1994, a UN Advisory Mission was dispatched to Mali to study the security situation and its relationship to light weapons proliferation. After an intensive investigation of national legislation, smuggling, theft and illegal sales, the mission concluded that, "The lack of security was fuelling the demand for weapons. The availability of weapons was fuelling the cycle of banditry and violence which in turn was virtually bringing structural development to a halt and preventing any progress on socio-economic problems".¹³

Emerging opportunities for control

1997 saw significant progress on regional and international efforts to control the illicit traffic in light weapons. Echoing concerns voiced at the United Nations over the last few years, regional institutions such as the OAS, the EU and the G-8 have begun developing concrete proposals to stem these transfers.

While these intergovernmental initiatives on illicit weapons are encouraging, the proposals address only one element of light weapons proliferation. Targeting illicit trafficking may allow governments to clamp down on the black market trade, but dealing with this aspect of light weapons transfers is not sufficient. It is not only the light weapons traded by criminals, bandits, and thieves that cause violence and suffering. Rather, governments themselves must re-examine their

own policies and practices that contribute to the perpetuation of violence. Effective control of light weapons necessitates a dual track approach that addresses both licit and illicit transfers. Only by controlling the whole range of light weapons transfers — licit, illicit, and the grey areas in between — can the ultimate objective of these efforts, reducing violence, be achieved.

United Nations

Over the last few years, the United Nations has begun addressing illicit weapons trafficking as an element of its overall concentration on the proliferation of small arms and light weapons in relation to conflict. During his tenure as UN Secretary-General, Boutros Boutros-Ghali played a leading role in increasing the attention and resources devoted to controlling light weapons. In his January 1995 report on the work of the United Nations, Boutros-Ghali observed that, "Competent authorities have estimated that billions of dollars are being spent yearly on light weapons, representing nearly one third of the world's total arms trade. Many of those weapons are being bought from developed countries, by developing countries that can least afford to dissipate their precious and finite assets for such purposes, and the volume of the trade in light weapons is far more alarming than the monetary cost might lead one to suspect".¹⁴ In the years that have followed, both individual governments and the UN Secretariat have kept light weapons on the UN agenda and incorporated it into UN dialogue on issues such as peacekeeping and disarmament.

In particular, illicit weapons trafficking has been addressed by the UN Panel of Governmental Experts on Small Arms, the Economic and Social Council (ECOSOC) Commission on Crime Prevention and Criminal Justice and the UN Disarmament Commission. It has also been the subject of various General Assembly resolutions. Individually, each group has reached consensus on important principles that are likely to substantially aid efforts to control of weapons trafficking. However, while these groups have dealt with different aspects of the light weapons problem, there is also considerable overlap among their recommendations.

UN Panel of Governmental Experts

Set out by the UN General Assembly in December 1995, part of the mandate of the UN Panel of Governmental Experts on Small Arms was to study the "nature and causes of the excessive and destabilising accumulation and transfer of small arms and light weapons, including their illicit production and trade". In the course of its work, the Panel identified a number of factors contributing to illicit trafficking, including:

- inadequate national controls on production, import and export;
- lack of harmonisation of national legislation and enforcement mechanisms;
- poorly-trained or corrupt border and customs officials;
- lack of an international convention restricting weapons transfers;
- inadequate international laws (currently, weapons transfers are declared clearly illegal only in the case of UN arms embargoes);
- lack of co-ordination and co-operation among states on information-sharing, weapons collection and seizure, and enforcement.¹⁵

In its final report issued in August 1997, the Panel made a number of recommendations to stem illicit traffic, including:

- strengthening regional and international co-operation and information-sharing among police, intelligence, customs and border control officials;
- improving laws, regulations and administrative procedures controlling legal weapons;
- improving security of storage facilities for surplus weapons;
- increasing co-operation among states and organisations such as the International Criminal Police Organization (Interpol) and the World Customs Organization (WCO) to identify those involved in illicit weapons trafficking;
- convening an international conference on illicit weapons trafficking;
- initiating UN feasibility studies on weapons marking, state authorisation of weapons manufacturers and dealers and the establishment of a database of such manufacturers and dealers.¹⁶

Confronting a very sensitive issue for many governments, the UN Panel also addressed the 'grey area' of legality surrounding covert government weapons transfers. While acknowledging that such secret transfers are not necessarily illegal, the report notes that, "Any transfer not approved by the competent authorities in the recipient State could, however, be classified by that State as interference in its internal affairs and therefore illegal".¹⁷

Economic and Social Council (ECOSOC)

The ECOSOC Commission on Crime Prevention and Criminal Justice, based in Vienna, has also identified illicit weapons as a priority in its work. The preliminary results of an extensive firearms survey released in May 1997 included recommendations designed to stem illicit weapons trafficking, including stiff penalties for smuggling.¹⁸ At its May meeting in Vienna, the Commission also adopted a resolution on "Firearm regulation for the purpose of crime prevention and public safety". An early draft of this resolution was submitted by the governments of Japan, Canada and Mexico. Eventually sponsored by more than 30 countries, the resolution recommended that member states institute measures on firearms safety, licensing of firearm businesses, and marking firearms at the point of manufacture and import. It also called on the International Criminal Police Organization (Interpol), the Customs Co-operation Council and other international bodies to help develop improved procedures for sharing information on illegal firearms.¹⁹

Following the resolution, ECOSOC organised four regional workshops on firearms regulation between September 1997 and January 1998 held in Slovenia, Tanzania, Brazil and India. The aim of the workshops was to investigate the possibility of developing a "declaration of principles" on firearms regulation which could be agreed by all participating states. Although priorities and agendas varied in each region, illicit weapons trafficking was identified as a common problem where considerable consensus and co-operation could be achieved. The workshop recommendations will form the basis of a declaration of principles to be presented at the annual ECOSOC Commission on Crime Prevention and Criminal Justice meeting in Vienna in April 1998.²⁰ It is expected that measures to combat illicit trafficking in firearms will form a core part of the declaration. Mexico is also planning to table a resolution in Vienna for a legally binding international instrument similar to the proposal being discussed in the G-8.²¹

UN Disarmament Commission

A set of guidelines for international arms transfers adopted by the UN Disarmament Commission in spring 1996 called on states to "ensure that they have an adequate system of national laws and/or regulations and administrative procedures to exercise effective control over armaments and the export and import of

arms in order, among other goals, to prevent illicit trafficking".²² The Disarmament Commission's recommendations for action included national measures such as improved licensing procedures and stronger national laws as well as international measures such as co-operative border control and compliance with UN arms embargoes.

General Assembly

A number of resolutions on illicit weapons trafficking have also been considered by the UN General Assembly. These resolutions outline proposals for gathering information on illicit trafficking, assisting states in controlling such transfers, and supporting international initiatives in this area in the context of establishing long-lasting peace and security.²³

Information gathering and sharing of views on possible means to control illicit trafficking is a crucial element in the development of effective control mechanisms. In December 1994, a UN resolution sought the views of member states on ways to collect illicit weapons, as well as on potential national, regional and international measures to stem illicit transfers. As a result, in June 1996, the United Nations published the responses received from seven countries: Argentina, Colombia, Ecuador, Germany, Namibia, Poland and Saudi Arabia. In addition to statistics on seized weapons, a number of the submissions outline concrete proposals for improving national and international controls.²⁴ However, the Saudi Arabian submission represents a less useful response, stating only that "There is no illicit transfer of arms through the territory of Saudi Arabia".²⁵

Practical measures

The United Nations has also undertaken practical measures to stem the flow of light weapons in conflict regions. For example, in March 1996, the United Nations set up an initiative to demilitarise the Sahara-Sahel region in Central Africa. The centrepiece of the effort was a bonfire in Timbuktu, Mali in which more than 2600 light weapons, including machine guns, grenade launchers, rifles, and pistols surrendered by Tuareg fighters were destroyed. Ninety-five percent of the weapons were in working condition, and many were in better condition than the Malian Army's weapons. Encouraged by the success of the Mali effort, follow-on work in the region is continuing under UN auspices.²⁶

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The United Nations Standing Advisory Committee on Security Questions in Central Africa established in May 1992, has also discussed illicit light weapons. Proposals have included a joint meeting of interior and defence ministers from the region to discuss measures to control illicit weapons trafficking and a joint meeting of the chiefs of staff of the armed forces and police forces to discuss concrete measures to control drug and weapons trafficking.²⁷

Pushing the control agenda

The United Nations has played a crucial role in increasing international attention to the dangers of unrestrained light weapons flows, and promoting more effective controls. As a result, its work will continue to support and encourage other efforts. As a global institution, it and keeps the issue on the international agenda and also provides a forum for continuing discussion among both supplier and recipient nations. Having developed extensive internal expertise in this area and initiated dialogue with a wide range of outside experts, the United Nations will also continue to provide useful data and proposals for control.

Shortage of resources

However, economics and politics will likely serve to limit the extent of practical UN efforts in this area. The United Nations' desperate shortage of resources provide it with very limited means to implement far-reaching practical disarmament without additional financial assistance from individual governments. In addition, with the exception of embargoes, UN efforts in this area are largely voluntary, and without a dramatic change in international attitudes about the UN's work, this is unlikely to change. While the United Nations has played a key role in developing work on illicit weapons trafficking, the support and political will of individual governments is required to make these efforts a success. However, efforts focused on limiting illicit weapons transfers will likely progress more rapidly since governments will likely be more inclined to lend support when their own export policies and licit transfers are not as directly in dispute.

Diagram of Light Weapons Flows

Organization of American States (OAS)²⁸

When approached head-on as a gun control problem, countries in the Americas have met with limited success in efforts to limit light weapons at the regional level. The United States is seen as the main source of weapons, through both legal and illegal channels, but politics has often proved an overwhelming obstacle to progress. In particular, efforts on the part of individual countries such as Mexico and Brazil to confront the United States over the effects of its lax domestic gun laws on gun-running and drug trafficking in Central and South America have largely been met with silence.

Apathy on illicit weapons trafficking prevailed throughout the US government under both the Bush and Clinton Administrations, despite figures pointing to the United States as the leading source of illegal weapons in the region. For example, according to Brazilian diplomats, in one instance, 99 out of 100 weapons captured in drug raids were illegally transferred from the United States.²⁹ In addition, a report from the Mexican Federal Attorney General's office reported that in 1994, Mexican police seized more than 16,000 pistols and 6,000 machine guns, rifles, and shotguns, the majority of them manufactured in the United States.³⁰

Ironically, while blasting Mexico as ineffective and inactive in efforts to stem the flow of drugs into the United States, Washington took an abrupt about-face when it came to gun control. As the Mexican ambassador to Washington Jesus Silva-Herzog described it, "When we talk about drugs they say it [the problem] is supply, and when we bring up arms they respond that it's the demand. In other words, we can never win".³¹

It was not until President Clinton's May 1997 visit to Mexico that the issue of gun trafficking was finally addressed publicly. Even then, there was only a vague reference to co-operation on stemming weapons trafficking buried in an agreement on other bilateral issues.³² Interestingly enough, the Caribbean/United States Summit Plan of Action agreed the same month contained a rare acknowledgement of the United States as "a significant country of origin for firearms illegally diverted to other nations". In the action plan,

the countries also pledged to "rid the Caribbean region of the scourge of this traffic" through regional and international mechanisms.³³

Regional convention agreed

A Mexican-led initiative for a hemisphere-wide convention on illicit weapons trafficking dating back to 1996 has met with much more success than bilateral efforts. Rather than targeting supply or demand in any particular country, the effort began by drawing a connection between illicit weapons trafficking and common regional concerns: narcotics trafficking and transnational crime. The United States has reacted favourably to the convention, not only acknowledging the problem, but even taking partial credit for the regional agreement on the convention. At the signing of the convention, President Clinton even appeared to support global action on illicit weapons, saying, "The illegal export of firearms is indeed not just a hemispheric but a world-wide problem, and demands an international response".³⁴ US Deputy Assistant Secretary of State for International Narcotics and Legal Affairs Jonathan Winer, who led the US negotiating team, has also acknowledged the urgency of the problem, noting that, "We have already intercepted enough weapons and ammunition to outfit a small army".³⁵

At the twenty-fourth special session of the OAS General Assembly convened in Washington on 13-14 November 1997, 29 OAS member states signed an "Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials".³⁶ OAS Secretary General Cesar Gaviria hailed the convention as "the first agreement of a regional nature that sets out clear responsibilities for States in combating these crimes through the courts, through the police and through legislation".³⁷ In just over a year, Mexico had taken the idea all the way from drawing board to a regionally agreed convention.

The stated purpose of the convention is: "To prevent, combat, and eradicate the illicit manufacturing of and trafficking in firearms, ammunition, explosives, and related materials" as well as to "promote and facilitate cooperation and exchange of information and experience among States

Parties...". The 30-article convention sets out a broad set of commitments, control mechanisms, legal requirements, and co-operation procedures, including:

- instituting legislative measures to criminalise illicit manufacturing and trafficking, as well as offences deemed to facilitate such activities;
- marking firearms at the time of manufacture and import to facilitate identification and tracing;
- establishing an effective system of export, import and international transit licenses;
- strengthening controls at export points;
- exchanging information in areas such as: producers, dealers, importers and exporters; routes and techniques used in illicit trafficking; and scientific and technological information for prevention, detection and investigation;
- exchanging experience and training in areas such as identification, detection, tracing and intelligence gathering;
- providing technical assistance in the above-mentioned training areas;
- providing mutual legal assistance to facilitate investigation and prosecution of illicit activities and establishing illicit weapons activities as extraditable offences;
- establishing a consultative committee consisting of one representative from each State Party to meet annually, with special meetings when necessary.³⁸

The convention is open for signature by all OAS member states, and is subject to ratification. In some countries, ratification requires changes in legislation and may take a long time due to limited resources and lengthy bureaucratic processes. The convention enters into force 30 days after two states have ratified it. The first meeting of the consultative committee will take place within three months after ratification by ten states, and a review conference will be held five years after the agreement enters into force.

Inter-American Drug Abuse Control Commission (CICAD)

In a related OAS effort, the Inter-American Drug Abuse Control Commission (CICAD) is developing a harmonised import/export system through "Model Regulations for the Control of the International Movement of Firearms, Their Parts and Components and Ammunition". The stated purpose of the model

regulations is to "set out for use on a multilateral basis, harmonised measures and a harmonised system of procedures for monitoring and controlling international movements" of these weapons "in order to prevent their illegal trafficking and diversion to illegal uses and purposes". The regulations apply only to commercial transactions and are "not intended to address state-to-state transactions or transfers for purposes of national security".³⁹ The CICAD model regulations make a key contribution by outlining clear practical measures for controlling imports and exports, as well as minimum standards. (See Appendix on page 30 for excerpts from the CICAD regulations.)

The next steps for implementation of these model regulations appear to be stalled, as both politics and resource constraints are impeding any final agreement. However, the aim of the Model Regulations was to develop a set of recommendations for common sense minimum standards. Therefore, the negotiations themselves, rather than any implementation mechanism, may bring governments around to improving their standards and licensing procedures on a unilateral basis.

OAS as a model

Agreement on a hemisphere-wide convention signals a willingness of the regional governments to increase dialogue on illicit trafficking. It also and keeps the issue on the regional security agenda, much like drug trafficking. Most importantly, the OAS convention provides an excellent regional model. The convention sets a precedent of agreement on minimum standards that are generally uncontroversial. This simplicity allowed the convention to be developed and negotiated by the OAS states in less than a year. Thus it likely could be adapted and agreed by other regional institutions quite quickly. As negotiations on the convention were nearing an end, OAS Secretary General Cesar Gaviria noted that, "I am certain that in light of the enthusiasm and political will the governments have demonstrated by moving so speedily on this issue, this convention will become the point of departure for citizen security-related matters to be taken up at the multilateral level, which are today not part of the international agenda".⁴⁰

With particularly strong support from the United States, Mexico, Canada, Uruguay, El Salvador and Brazil, it appears that there is considerable political commitment to the process, particularly the record-

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keeping aspects.⁴¹ The level of co-operation may be attributed in part to the fact that the convention was originally linked to anti-drug efforts, an area where significant political agreement and momentum already existed.

Limited objectives

However, in the simplicity of the convention also lies its weakness. The convention has a narrow focus, based on enforcing existing laws and better implementing import and export procedures. The convention focuses on co-operation, rather than any significant changes in attitudes or commitments to prioritise controls on light weapons as a whole. In addition, while the principles of co-operation are clearly emphasised, the convention text lacks any concrete measures to improve border control or enforcement.

The convention focuses solely on illicit weapons, placing the blame for endangering security and human lives wholly on those weapons which are manufactured or transferred illegally. Yielding to pressure from pro-gun elements, the convention also expressly states that national legislation related to firearms issues “of a wholly domestic nature” will not be affected by the convention. These artificial divisions contradict the realities of light weapons flows and place the commitment of certain governments in question for requiring such an escape clause.

The convention also does not address trafficking in terms of conflict and development. Rather, it is presented as a law enforcement issue, and it is the illicit side of light weapons, not the weapons themselves, that are seen as a shared regional problem. Possibly as a result of its limited objectives, destruction was not incorporated into the convention. Instead, the convention only specifies that illegal weapons will be confiscated, recorded, and marked, and are not to be resold. With no recommendations for destruction, the assumption is that seized weapons will be stored. Yet the convention also fails to offer any recommendations for safe storage of weaponry.

Insufficient resources may also limit the effectiveness of the convention in reducing illicit trafficking. According to a Canadian official involved in the negotiations, none of the OAS governments has committed any financial resources to implementation of the convention. Without ample resources, the

commitments made on information sharing and record-keeping are unlikely to be met.⁴² Resource constraints may also serve to limit other aspects of the convention’s implementation, such as the convening of the consultative committee.

Gun lobby pressure

While the United States has been vocal in its support of the convention’s objectives, the US view of the ultimate end goal is clearly more limited than that of other OAS states. US officials have clearly painted the agreement as a law enforcement issue, and not as an international weapons control effort. Much of the kow-towing to ‘national sovereignty’ may in fact be attributable to political judgements aimed at placating the powerful US gun lobby. The US National Rifle Association (NRA) has been particularly strident in its opposition to what it sees as international ‘anti-gun’ efforts. Since becoming a UN-accredited NGO, the NRA has actively lobbied against ongoing UN initiatives to study and control light weapons.⁴³

The NRA also lobbied the US Administration in an effort to weaken the OAS convention. Tom Mason, a lobbyist for the NRA, said that the gun lobby was pleased with the influence it had on the process.⁴⁴ In particular, he pointed to the inclusion of a paragraph in the preamble to the convention referencing the “different cultural and historical uses for firearms” and stating that the convention “is not intended to discourage or diminish lawful leisure or recreational activities...”. At the signing ceremony, President Clinton reiterated the US position clear, stating that the convention “will neither discourage nor diminish the lawful sale, ownership, or use of guns; but it will help us to fight the unlawful trade in guns that contributes to the violence associated here in America with drugs and gangs”.⁴⁵

While this nod to the gun lobby is flaunted under the banner of national sovereignty, in truth it only serves to limit the effectiveness of the convention to which the United States and others have expressed commitment. Clearly, lax US domestic gun laws and the easy availability of light weapons has made weapons trafficking both possible and profitable. Denying the connections between domestic gun controls and international weapons trafficking may win favour with pro-gun elements, but it contradicts the real facts of how this trade works.

Cases of Illicit Weapons Trafficking

Diversion from legal routes

In April 1997, approximately half of a shipment of weapons purchased from Israel disappeared en route to Costa Rica. The missing weapons included 75 Neguev machine guns, 1,500 triple action grenades, and 175 Jericho pistols.^a

Illicit weapons threaten fragile peace

Afghanistan: A recent UN report estimated that almost 60 per cent of the weapons flowing into Afghanistan are illicit imports involving a circuitous network of manufacturers, buyers, suppliers and distributors.^b

Albania: In September 1997, it was reported that less than 30,000, or just five percent, of the estimated 600,000 illegal weapons in Albania had been collected.^c

Central Africa: In July 1997, UN Secretary-General Kofi Annan expressed concern about the increase in weapons stockpiles in Central Africa. He called for the introduction of concrete measures to deal with the boom in illicit weapons trafficking, "particularly small arms and light weapons".^d

'Recycled' weapons

In March 1997, two sealed containers containing thousands of unassembled grenade launchers and parts for M2 automatic rifles destined for Mexico were seized at a 'left cargo' hold near San Diego. The containers had entered the United States at the port in Long Beach, California two months earlier. The weapons, left behind by US troops in Vietnam, were falsely labelled as hand tools and strap hangers.^e

Theft

The US General Accounting Office has reported on the consequences of inadequate security measures. One report highlighted the lack of oversight and record-keeping regarding man-portable missiles and the resulting risk of theft. In the course of its investigation, the GAO discovered

that US military forces could not account for 40 Stinger missiles supplied to the Middle East during the Persian Gulf War. According to the report, they were unable to accurately account for how many missiles they have in their possession, as there are no established systems to track the missiles produced, fired, destroyed, sold, and transferred by serial number.^f Another report detailed thefts of small arms parts from military bases and armouries as the result of inattentive management and inadequate internal controls. The majority of thefts involved military personnel who then sold the weapons to gun dealers.^g

Violating arms embargoes

In November 1996, a report prepared for the UN Security Council on violations of a 1994 arms embargo presented evidence of illicit arms supplies from Europe and South Africa to the Rwandan Hutu rebels in eastern Zaire. The trafficking was allegedly organised out of Kenya. The commission sought to trace the origin of weapons, the arms dealers, or the transit points through a number of countries including Bulgaria, the Czech Republic, France, Britain, Italy, Belgium, Spain and Malta. According to the report, "Reliable and highly reliable sources in Belgium, Kenya, Rwanda, South Africa, Tanzania and the United Kingdom painted a coherent picture of huge, loose, overlapping webs or more or less illicit arms deals, arms flights and arms deliveries spanning the continent from South Africa as far as Europe, particularly eastern Europe". It also said that Zaire's airport in Kinshasa, the capital, appeared to serve as a "hub for weapons shipments".^h

Drugs and guns

In September 1997, evidence of connections between Russian organised crime and Colombian drug traffickers surfaced in the media. According to US, European and Latin American law enforcement officials, the Russian criminal elements were supplying Latin American mafias with weapons in return for cocaine to supply the rising demand in the former Soviet republics and in Europe. The

officials said that Russian groups had already sold small arms and two Russian combat helicopters to Colombian drug traffickers, and that plans for selling a submarine, helicopters and surface-to-air missiles were also underway. They also reported the suspected delivery of AK-47 assault rifles and rocket-propelled grenades in exchange for narcotics at the northern Colombian port of Turbo. It had not been determined whether the weapons were bound for Marxist guerrillas, right-wing paramilitary organisations or the Cali drug cartel.ⁱ

In July 1997, US officials arrested two Lithuanian nationals in Miami who allegedly tried to sell Russian shoulder-fired surface-to-air missiles for \$330,000 to undercover agents posing as Colombian drug dealers. The weapons were to be routed through Bulgaria to Puerto Rico and then Miami.^j

Military connections

In October 1997, six US Marines and seven civilians were arrested for trafficking in illegal military weapons and plastic explosives. The arrests were made as part of a nine-month undercover investigation nicknamed 'Operation Longfuse' that focused on gun shows, military bases and dealers operating in the south-eastern United States. In the course of the operation, undercover agents with the US Federal Bureau of Investigations purchased over 150 pounds plastic explosives, more than 50 machine guns, and hundreds of grenades, along with shoulder-launched rockets, grenade launchers, antipersonnel mines, and other equipment. The weapons were stolen from a military installation in North Carolina.^k

In February 1997, a group of Russian servicemen responsible for guarding ammunition depots were on trial for allegedly selling grenade launchers. In a similar case, servicemen stood trial for the illegal sale of over 70 different firearms.^l

In September 1997, Panamanian police seized a shipment of weapons bound for South America, including 100 AK-47 rifles, rocket launchers, grenades and ammunition. A former officer of the defunct Defense Forces of the Republic of Panama was arrested in connection with the seizure.^m

Smuggling by extremist groups

In October 1997, Jordanian officials seized over 450 light weapons, including automatic rifles, machine guns, pistols and ammunition. According to Jordanian intelligence officials, the weapons were smuggled into Jordan by so-called "extreme political groups" and were understood to be bound for future illegal sale outside of Jordan. The officials said that "These groups have resorted to new techniques in weapon smuggling" and that, "The seizure of these weapons has aborted these groups' plans".ⁿ

National control efforts

Brazil: In November 1997, Brazil announced new registration requirements for firearms to try to combat illicit gun ownership. According to a Brazilian Justice minister, only one-third of the 21 million civilian guns owned in Brazil are registered. In 1996, Brazilians purchased 180,000 handguns, making it the second largest market for guns in the world.^o

Yemen: In October 1997, Yemen announced a national disarmament campaign designed to collect illegally owned civilian arms. Checkpoints were set up to search for unlicensed weapons which were then impounded. According to unofficial estimates, there are more than 3 guns for every person in Yemen.^p

Gun control backfires

In October 1997, the Australian Bureau of Statistics released figures showing that strict gun controls and the gun buyback scheme introduced after the Port Arthur massacre had caused the country's biggest boom in weapons imports since the 1970s. Many weapons were allegedly sold illegally because the black market offered higher prices than the government-organised buy-back programme.^q

Cases of Illicit Weapons Trafficking

European Union

1997 also saw increased recognition of the problems associated with light weapons trafficking within the European Union. As EU President during the first six months of 1997, the Netherlands drafted proposals on illicit weapons trafficking. The subsequent "Programme for Preventing and Combating Illicit Trafficking in Conventional Arms" was adopted by the EU Council of Ministers working group, COARM, on 26 June 1997.⁴⁶

The programme provides a broad framework for activities to tackle the problem of illicit trafficking from the viewpoint of both suppliers and recipients. Although the scope of the programme covers all conventional arms, according to Matthijs Schroeder, a member of the security policy department at the Dutch Foreign Ministry, initially it will "focus on small hand-held weaponry traded in Africa".⁴⁷ Member States have made commitments to address the problems in three ways.

Combating illicit trafficking on or through EU territories by:

- strengthening collective efforts to prevent and combat the illicit trafficking of arms (particularly small arms) through EU territories;
- fostering enhanced co-operation and co-ordination amongst intelligence, customs and other law enforcement agents at a national and international level;
- improving information exchange through the use of international databases.

Providing capacity building to other countries by:

- ensuring that there is an adequate number of appropriately trained police and customs officials for the enforcement of national arms export control legislation;
- promoting regional, sub-regional and national co-operation amongst police, customs authorities and intelligence services.

Developing measures to reduce the number of weapons in circulation by:

- ensuring close co-operation with the United Nations programmes;

- establishing weapons collection, buy-back and destruction programmes;
- funding education programmes to promote awareness of the negative consequences of illicit weapons trafficking;
- integrating former combatants into civilian life.

The United Kingdom is committed to further developing and implementing the programme during its Presidency of the EU from January through June 1998. Initially, the focus of activities will be on addressing the demand side of illicit weapons trafficking. The European Union has identified Southern Africa as the region for a pilot project of the programme. In July 1997, a Dutch official commented that:

*The west and southern regions of Africa are the logical places to start because most of the governments in those two regions support the idea and have taken preliminary steps to investigate how to combat the problem. They also offer a modicum of stability, which is not the case in the Balkans or Southeast Asia. You can't very well tackle withdrawal or blockage of [illegal arms shipments] if they are being used in a conflict.*⁴⁸

The United Kingdom has agreed to sponsor a seminar in May 1998 bringing together regional and EU representatives in Southern Africa to review the practical steps that can be taken to tackle the problem and assess where additional funding may be most effectively spent.⁴⁹

Weak mandate and limited scope

The EU programme provides a coherent framework for tackling illicit weapons trafficking. However, the programme only represents a statement of intent by Member States. In contrast to the OAS Convention and the accompanying CICAD regulations, the EU programme is a political declaration rather than a legally binding document. It makes no provisions for reviewing, reforming or harmonising regulations among EU Member States. In addition, deferring to national sovereignty, it requires "enhanced co-operation" among the national customs authorities rather than an EU-wide law. As one UK diplomat

commented, “Political co-operation [among EU countries] in the field of security and cross-border policing has only moved ahead at a glacial pace in the past and I don’t see it zooming forward very quickly”.⁵⁰

The EU programme’s mandate is “intentionally broad”.⁵¹ Although this provides ample scope for addressing the supply side of the problem, the programme’s focus remains squarely on tackling the demand for illicit weapons in developing countries. An official from the UK Foreign and Commonwealth Office explained that, “if the EU is looking out rather than in, the programme will be less controversial”.⁵² The need for measures within Europe is demonstrated by the fact that European ports have long been used as a transit point for arms shipments by EU brokers, non-EU nations and third countries. However, if illicit weapons trafficking within Europe is to be addressed, more political will is clearly required. The EU Council of Ministers will review the programme in June, offering member states an opportunity to translate an important political declaration into meaningful and effective measures to combat trafficking at the point of supply as well as demand. The EU could follow the lead taken by the OAS in adopting measures to harmonise import and export procedures for legal sales. At a minimum, EU states could agree to mark weapons at the point of manufacture and import which is fundamental to improving accountability of exporters.

Important precedents

The EU Programme does, however, set some very useful precedents for other organisations working to combat illicit weapons trafficking. In contrast to the OAS Convention, the EU programme addresses trafficking within the broader context conflict prevention and long term development.⁵³ The programme’s acknowledgement that “peace and security are inextricably interlinked with economic development and reconstruction” is an important departure from previous policy which made clear distinctions between development aid and security assistance.⁵⁴ Weapons collection, buy-back and destruction programmes as well as education programmes to create a norm of non-possession, are identified as key aspects of the programme. Thus the EU programme addresses illicit weapons trafficking within a more coherent and integrated framework than the OAS Convention. This approach, known as a 'Security First' approach to reconstruction and long

term development, has the potential to free up development funds for projects to combat light weapons proliferation.⁵⁵

Resource constraints

The framework for the EU programme suggests that technical assistance through the provision of human resources will be made available for the implementation of the initiative. However, as with the OAS Convention, scant financial resources have been committed to the implementation of the programme. Although funds could be made available through national development assistance budgets and the general 5.6 ECU (\$6.14 billion) EC development aid fund, it remains unclear whether any such funds will be assigned to this work. This depends in great part on whether EU countries, individually and collectively, acknowledge that security assistance is fundamental to long term structural stability and development.

Group of Eight Industrialised States (G-8)

A significant opportunity for developing and extending regional and international initiatives on illicit weapons trafficking will be discussed during the G-8 Summit in Birmingham in May 1998. A proposed “international instrument” designed to combat firearms trafficking will be considered at the summit.⁵⁶

Illicit firearms trafficking first appeared on the G-7 agenda during the 1994 Economic Summit in Halifax, when leaders highlighted the economic and social costs of crime. A subsequent meeting on Transnational Organized Crime in Lyon identified firearms trafficking as an area requiring further study and consultation. A group known as the G-7/P-8 Experts on Transnational Organized Crime was appointed to develop policy proposals. At a meeting in Virginia in January 1997, the group outlined the following recommendations:

- to recognise the operational support activities of Interpol in firearms laws and regulations;
- to promote close operational co-operation among G-8 countries and relevant law enforcement agencies in other states, including prompt responses to firearms trace requests and other calls for assistance;
- to actively exchange scientific and technological information;
- to provide opportunities for joint training and exchange programs.⁵⁷

These proposals require G-8 countries to engage in limited co-operation among the privileged few. However, other issues “considered” at the meeting, including harmonisation of export/import documentation and marking of firearms at manufacture and import, implied that the G-8’s involvement in illicit weapons trafficking could be more far reaching.⁵⁸ By the time of the Denver Summit of the Eight in June 1997, illicit weapons trafficking had become a G-8 priority. In addition to “encouraging” the work of the UN Panel of Governmental Experts on Small Arms, the Final Communiqué stated that:

....we will combat illegal firearms trafficking, by considering a new international instrument. We will seek to adopt standard systems for firearms

*identification and a stronger international regime for import and export licensing of firearms.*⁵⁹

US-led initiative

In order to determine the scope and purpose of the proposed international instrument, a questionnaire was distributed to all G-8 states. Although the questionnaire was technically pursued by Japan in its capacity as Chair of the Firearms Subcommittee, the US State Department drafted its contents.⁶⁰ The key elements suggested for inclusion in the international instrument bear a strong resemblance to the central tenets of the OAS Convention. These include: firearms identification; confiscation or forfeiture and disposal of firearms; export/import/transit licenses and authorisations; exchange of information through a crime database (Interpol); and record-keeping.⁶¹

The bias of the questionnaire lends further credence to the idea that the United States will propose that the OAS Convention, which requires no changes to its own legislation, is adopted as a model for consideration by G-8 states and their relevant regional organisations. Following a meeting of the Firearms Subcommittee in January 1998, and apparently at the urging of the United States, it was agreed that the OAS principles would be adopted as the framework for the development of a legally binding international instrument. Emphasis will be placed on controlling diversion and ensuring safe storage. Further discussion will take place in London in March.⁶²

European resistance

Pressure on G-8 countries from the United States and Canada to follow the OAS model may meet with some resistance from European countries in the run-up to the Birmingham Summit. The United Kingdom, which holds both the Chair of the G-8 and Presidency of the EU during the first six months of 1998, is reluctant to commit to key aspects of the OAS Convention. Both harmonisation of import/export certificates and marking weapons at the point of manufacture and import are conspicuously absent from the EU Programme on illicit weapons trafficking. A UK Foreign Office official claimed that compliance

from all fifteen EU Member States on these issues would be impossible, but admitted that the costs incurred by such changes were also a consideration.⁶³ However, as four of the fifteen EU Member States - France, Germany, Italy and the United Kingdom - are also G-8 members, concessions reached in Birmingham may potentially influence the scope of the EU programme when it is reviewed in June. If consensus is reached, it is expected that the G-8 countries will collectively sponsor a UN Resolution calling for the adoption of the instrument in treaty or convention form. However, it is vital that the G-8 countries also encourage their own regional organisations (e.g. ASEAN, CIS, EU, OAS) to endorse these proposals.

Opportunity to engage Russia

Although G-8 discussions on non-proliferation issues are still at a formative stage, the show of political will among key Member States, most notably Canada, Japan and the United States, improve the prospects for developing an effective international instrument to control the illegal trade in firearms. As a forum representing most of the world's major arms exporters, continued progress within the G-8 is crucial.

The scope of the international instrument is restricted to illicit firearms trafficking in relation to criminal activities. However, as one Canadian official described it, the initiative is "a small slice that goes right to the heart of small arms proliferation issues".⁶⁴ The G-8 involvement also represents a crucial engagement with Russia on the issue of illicit weapons trafficking. It is vital that those G-8 states already developing work in this area use every opportunity to provide Russia with the financial and technical support required to meaningfully involve them in this process.

Co-ordinating the Initiatives

Simply by addressing the problem of illicit light weapons proliferation, each of the institutional efforts described in this report is contributing to progress on light weapons control. However, the policy prescriptions are relatively new and generally untested, and there is much work still to be done. To begin, while each effort is responding to a unique angle on the problem, each institution would benefit significantly from analysing the other efforts in order to determine which elements it might be able to 'borrow' in order to strengthen its own policy proposal.

Avoiding duplication

Combating illicit weapons transfers is now receiving unprecedented attention and support amongst policy makers and the initiatives outlined above represent important progress towards controlling trafficking. While this momentum exists, it is vital that the scant resources available are not wasted through unnecessary duplication. With numerous countries and institutions confronting this problem in many different ways, it is crucial that each initiative not reinvent the wheel. Instead, each effort should draw on the data, expertise, and specific policy proposals generated by the others, as well as the lessons learned in the course of their development.

Increasing co-operation

Close examination of the work carried out within ECOSOC, the OAS and the G-8 suggests that there has been considerable dialogue and information exchange between the individuals and governments involved in these initiatives. Consequently, progress has been rapid and these initiatives often contain cross-references to each other. However, this co-operation could benefit from more concrete mechanisms for co-ordination and more formal dialogue. Co-operation must also be expanded to include other institutions. In particular, the EU states should be engaged in this co-operation during the implementation phase of their programme. Efforts should also be made to introduce the various proposals to other regional organisations such as the OAU and ASEAN.

The United Nations may be able to facilitate this increased co-ordination. The UN Panel of

Governmental Experts on Small Arms recommended that the United Nations convene an international conference on illicit weapons trafficking. This conference could be used as an opportunity to establish dialogue between governments and regional organisations and to secure commitments for practical measures. For instance, the UN, OAS, EU and G-8 proposals all identify the need for Interpol to play a more central role in stopping illicit weapons trafficking but none specifies how this would be supported. The United Nations could initiate dialogue on this issue and also co-ordinate the financial and technical resources required for Interpol to play a meaningful role in these initiatives.

Determining the most effective approaches

Increasing co-operation with other organisations and institutions could also play a positive role in broadening the framework of illicit weapons trafficking initiatives. While they share the same overall objective of stopping illicit weapons trafficking, even the existing measures described in the report approach the problem using different frameworks. The ECOSOC, OAS and G-8 initiatives focus on firearms trafficking as a crime related issue. In contrast, the premise of the recommendations of the UN Panel of Governmental Experts on Small Arms and the EU programme is that light weapons trafficking undermines peace, structural stability and long term development. Conceptually, the latter approach offers a more coherent and progressive framework for addressing the supply and demand for illicit weapons. In particular, the practical measures advocated by the EU programme, such as reducing the number of weapons in circulation, offer more lasting solutions to the problem. However, without sufficient resources and implementation mechanisms, the broader framework risks being regarded merely as a laudable but unattainable ideal.

ECOSOC, the G-8 and most notably the OAS convention, all seek solutions to illicit weapons trafficking problems through legislative changes. In an attempt to harmonise, the OAS began with the assumption that while all Members States had legislation, none was ideal, and thus there was a need

for developing guidelines for best practice. The proposed CICAD regulations, unanimously endorsed by OAS states, translate political commitments into practical measures which harmonise import/export procedures. In contrast, the EU programme advocates enhanced co-operation rather than developing any sort of harmonised policy or procedures. Without clearly identifying minimum standards, the EU approach risks lowering all country policies to the lowest common denominator.

Continuing progress

Individual states, regional bodies and global institutions should all be making active efforts to address illicit light weapons trafficking. This will involve analysing and improving the existing control mechanisms as well as developing new proposals. While there are considerable obstacles to global implementation of many of the proposals developed with UN expertise, many of these could easily be taken on by individual governments and regional bodies.

The recommendations outlined below are intended to provide specific proposals to enhance these ongoing institutional efforts. However, like the existing initiatives they seek to supplement, these policies will be rendered meaningless unless participating states invest the financial resources and political will necessary to ensure their implementation.

Recommendations

Stem 'recycling' and trafficking

Direct measures designed to prevent and interdict illicit light weapons trafficking are the first element in a comprehensive control programme. Governments need to develop more international laws in this area, and institute stiffer penalties for smuggling and illegal possession. They must also improve border control through co-operation and technological improvements. Organising amnesties to collect and destroy illegal weapons and overseeing financial elements of the transactions such as brokering and banking can also support control. In addition, more resources need to be dedicated to intercepting and uncovering illicit weapons and ammunition stockpiles, and facilitating improved policing, border control, information exchange and technological development. Governments and regional bodies should also:

Prioritise destruction

Weapons seized or collected after a conflict or through civilian amnesties are seldom destroyed.⁶⁵ They later return to circulation as the result of poor stockpile management, theft, or discrepancies between domestic control efforts and export policies. In times of tension, warehouses can be broken into and weapons stolen, as occurred recently in Albania.⁶⁶ During peacekeeping missions, the continued flow of weaponry can severely hamper the success of operations. The most effective way to reduce the number of weapons in circulation, in both conflicts and civil society, is to destroy all illicit weapons after they are seized.

Recommendations:

- Incorporate mandatory and public destruction of weapons and ammunition as an element in all weapons collection efforts (e.g. gun amnesties, seizures of illegal weapons).
- Address destruction as a priority in demobilisation processes and peacekeeping mandates to prevent military weapons from entering civil society.
- Provide training, technical assistance, and an international support fund for destruction efforts.
- Institute verifiable record-keeping of

collections and seizures as well as losses and destructions.

- Develop better co-ordination between short-term disarmament programs and long term peace-building programs.⁶⁷
- Support related efforts, such as destruction of surplus weapons, to prevent possible theft from storage facilities and recirculation.⁶⁸

Improve national enforcement

Although most supplier regimes incorporate end-use certification into national export controls, light weapons exports are not monitored as stringently as heavy weapons systems. For instance, between 1989 and 1993, the Office of Defense Trade Controls at the US Department of State verified end-user certificates for only 21 out of 1632 applications for small arms transfers to eight Latin American states.⁶⁹ There is also much more tolerance of supply to third-party traders, and thus possible circumvention of end-use statement and grey or black market trading.⁷⁰

Recommendations:

- Enforce existing laws governing sales of weapons and ammunition.
- Review existing end-use systems in supplier states and identify and adopt best practice through regional organisations and arms control regimes such as the Wassenaar Arrangement.
- Condition arms exports on the supplier state having the right to request, receive and check information on end-use delivery, and to be consulted if the recipient state is considering re-export or change of use.
- Exchange information on sensitive end-users and deny exports to countries with a history of systematic diversion.⁷¹

Adopt codes of conduct

In addition to enforcing existing legislation and regulations, governments need to develop new laws and more stringent criteria to govern weapons exports. Codes of conduct outlining such criteria are currently being discussed in the US Congress and the European Union.⁷² An initiative to develop an international code of conduct is also underway, led by former Costa

Rican President Dr. Oscar Arias and a Commission of Nobel Peace Prize Laureates.⁷³ In addition to addressing important issues such as human rights, these codes will also lower the risks of diversion by creating a clearer, more comprehensive arms export system.

Recommendations:

- Support codes of conduct under consideration at the national, regional, and international levels.
- Adapt codes to other national and regional arrangements.
- Initiate dialogue among supplier and recipient nations to discuss the need for codes of conduct.

Improve domestic legislation in post-conflict societies

In post-conflict societies, it is often the case that domestic legislation controlling the possession of weapons is either too lax or that 'leftover' weapons from areas of conflict are not subject to adequate enforcement of existing laws. For example, the United States left an estimated 1.8 million small arms in Vietnam, including nearly 800,000 M-16 rifles. These weapons are now recirculating around the world. A recent weapons seizure in California consisted of weapons and weapons parts initially shipped from US stockpiles left in Vietnam.⁷⁴

Recommendations:

- Review domestic legislation governing weapons possession in conflict regions.
- Impose or enforce existing licensing requirements on civilian possession of small arms and light weapons as part of the post-conflict reconstruction process.

Strengthen domestic gun control

The global nature of weapons trafficking makes it essential that control measures address the domestic element of the trade. While active gun lobbies in countries such as the United States and Australia have been vocal in their opposition to both domestic and international measures, the connections cannot be ignored.⁷⁵ Much like narcotics, the light weight and high dollar value of light weapons make them an attractive commodity to smuggle. Even with well-policed borders, a country cannot guarantee that weapons will not seep across into another country.

Lax domestic legislation can clearly encourage international light weapons trafficking. National

legislation on light weapons ranges from very lax to extremely stringent. Such inconsistencies can lead to situations in which lax laws in one country may fuel illegal trade into a neighbouring country with stricter gun laws. Gun-running operations responsible for smuggling weapons from the United States into Mexico and Canada are particularly renowned. The reduction of international violence will require international co-operation and will require governments to acknowledge that the nature of light weapons, including their portability, value on the black market, and difficult traceability is such that each country's domestic situation cannot be viewed in isolation.

Recommendations:

- Develop more stringent domestic controls. Domestic measures, such as the proposed one-gun-a-month law under consideration in the United States, could considerably reduce the incentives for large-scale trafficking.
- Support bans on particular weapons or categories of weapons. Measures such as the UK ban on handguns have resulted in massive collections of civilian weapons. Such measures should be accompanied by plans for destruction of collected weapons.

Investigate links between military and civilian weapons

To date, military and civilian light weapons issues have largely been viewed as independent phenomena. Even though the distinction between arms control and firearms control has become increasingly blurred, national laws have paid little attention to the international consequences of light weapons transfers. However, as military weapons are diffused into civil society, their lethality is a cause for grave concern. Military-style weaponry, which has a far higher potential for violence, is now widely available on the international market. For example, a semi-automatic civilian version of an M-16 can easily be converted into a fully automatic military-style weapon by installing a component available from US magazines and spare part shops.

Recommendations:

- Centralise information collection on military and civilian issues.
- Address links between military and civilian light weapons issues in international fora and

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develop control measures that deal with the blurring of the two categories.

- Re-evaluate civilian possession and develop better national legislation to define which weapons are legitimate for civilians to possess.

Eliminate 'grey area' between legal and illegal

The lack of clear definitions for what is legal and what is illegal under various circumstances makes efforts to stop trafficking much more difficult. Governments can help clarify these divisions by eliminating covert transfers, enforcing UN embargoes, and developing and enforcing international laws on trafficking and brokering. Governments and regional bodies should also:

Register and mark weapons

Improving the traceability of light weapons is a vital way to combat illicit trafficking by enabling governments to “impose accountability of every link in the chain”.⁷⁶ Marking weapons at the points of manufacture and import represents a policy option which will require co-operation and political will from both supplier and recipient states.

EU Member States are exploring the possibility of marking weapons but remain non-committal, claiming that the current mark at manufacture is adequate and a further mark at the point of import may devalue weapons. However, the claim that all weapons are marked at manufacture is greatly exaggerated. Frequently, markings that appear unique could have come from a number of manufacturing locations and current markings are easily deleted. Furthermore, the effectiveness of the current marking system has not been fully tested because the tracing of weapons has not been prioritised.⁷⁷

Weapons can be marked at manufacture at minimal cost, and the costs can be passed on to the purchaser. However, there is an urgent need for further research to ensure that marking of weapons is unique and, more importantly, consistent with marking at the point of import. An effective marking system that enables a weapon to be traced through many transit countries may represent a technological challenge. During discussions on the CICAD model regulations, OAS countries discussed randomly inserting microchips “the size of a pinhead” into weapons at the point of

manufacture.⁷⁸ All weapons would subsequently be imported via designated border posts where customs officials would have the technological capacity to scan weapons to ensure they tallied with the import license.

Recommendations:

- Incorporate measures endorsed by the OAS Convention to mark weapons at the point of manufacture and the point of import into other regional initiatives, especially in the European Union.
- Allocate resources to research and implement marking systems at manufacture and import.
- Provide customs officials with adequate training and resources to effectively trace imported weapons.
- Promote marking systems at the United Nations and other regional organisations.
- Investigate the feasibility of tagging ammunition.

Improve record-keeping

Better control over the legal weapons trade, including licensed production, will enable governments to ascertain what is legal and what is illegal. Technical improvements in tracing weaponry needs to be reinforced by a comprehensive database at the regional or, ideally, at the international level. Various offices of the United Nations, regional bodies such as the OAS, and governments all maintain statistics and databases on light weapons issues. However this information is not collated in a central location for easy access by governments or the general public.

Intelligence is also crucial in order to track down illegal brokering and transporting of weapons. With 179 Member States, Interpol is second only to the United Nations in terms of membership and therefore seems the best placed for developing a database of illicit weapons seizures. The Interpol Weapons and Explosives Tracking System database (IWETS), covering weapons from small arms to anti-tank missiles, is the only existing international database for stolen and recovered weapons. However, the IWETS database has not been used to its full capacity. The vast majority of participation in the database, around 85 percent, is from European countries, whilst information and co-operation from countries in the Americas is less than 5 percent.⁷⁹ Interpol plans to provide developing countries with computers, software packages and training, but remains under-resourced.

Recommendations:

- Appropriate additional resources to Interpol for further development and implementation of the IWETS database in developing countries.
- Develop a system for centralised information collection and dissemination to provide accessible data on national legislation, international agreements and statistics on firearms-related issues, such as gun deaths, seizures and control efforts (e.g. public destruction, amnesties).
- Promote transparency of light weapons flows through the development of international and regional registers or databases on the import, export and national production of light weapons. These might include regional organisations such as the OAS, OAU, and ASEAN as well as sub-regional organisations such as the Economic Community of West African States (ECOWAS) and the Southern Africa Development Community (SADC).
- Register all arms brokering agents and require them to be subject to licensing procedures. All brokers should be registered on a centralised database.⁸⁰
- Promote development of regional and/or global databases of authorised manufacturers, importers, exporters and carriers of firearms, as discussed in OAS negotiations.⁸¹
- Make statistics on seizures publicly available to facilitate research and policy development.
- Provide the United Nations with country reports on illicit trafficking, as directed by UNGA resolution 49/75M in 1994.⁸²

Provide practical security assistance

Develop a 'security first' approach

Although the link between development and security is increasingly being recognised, programmes to facilitate internal security and arms control in conflict-prone regions remain poorly funded. Countries with high levels of insecurity and violence typically cannot make effective use of economic and social development assistance.⁸³ A security first approach to development incorporating support for police training, demobilisation and reintegration of combatants into civil society would offer a coherent approach to reconstruction and sustainable development.

Recommendations:

- Encourage regional organisations and institutions to institute and fund measures designed to address illicit weapons trafficking within the broader framework of development and reconstruction.
- Allocate a specific percentage of bilateral and multilateral overseas aid to security assistance.

Support capacity building

Effectively combating illicit weapons trafficking requires close regional and international co-operation. However, many countries with illicit weapons trafficking problems lack the capacity and infrastructure to implement international control agreements. Where recipient countries lack the capacity to implement regional and international control programmes without outside assistance, practical support should be provided.

Recommendations:

- Increase co-operation among existing regional structures and mechanisms concerned with light weapons proliferation.
- Provide training and resources to strengthen border controls, customs and excise, police and national communications systems, particularly in areas where significant cross-border weapons traffic has been identified.
- Provide resources for the establishment of local NGOs to independently monitor and bring attention to the impact of light weapons, especially in countries where little work has been done on this issue.
- Develop and fund community education programmes to reverse the culture of weapons possession, educating the police and the military on relations with civil society.

Increase involvement of other institutions

Involving NATO in controlling illicit weapons trafficking

NATO's influence and capacity to monitor and control illicit weapons trafficking has been overlooked in the existing control initiatives. In many parts of Europe where NATO has established strong bilateral military relations through the Partnership for Peace, illicit weapons trafficking represents a serious threat to security. Yet despite its role as the world's pre-

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eminent security institution, NATO has largely ignored the proliferation of light weapons, even in conflict situations such as the former Yugoslavia. It is crucial that countries supportive of controls on light weapons trafficking begin to raise the issue within the Alliance. The 1998-2000 action plan for the Euro-Atlantic Partnership Council (EAPC) contains provisions for consultations, meetings and joint activities on arms control, disarmament and non-proliferation issues among the NATO members and non-members. Arms control is also a prominent issue for consultations between NATO and Russia within the NATO-Russia Permanent Joint Council (PJC).

Recommendations:

- Develop a NATO programme on controlling illicit weapons transfers. This could involve states which greatly value their links to the Alliance, such as South-East Europe and the Caucasus.
- Add controlling illicit weapons transfers as a separate item on the agenda of the EAPC and PJC.
- Incorporate light weapons control into existing NATO policy and practice, especially in the area of peacekeeping.

Develop international legal mechanisms

As the United Nations has pointed out, in addition to the lack of consistency and co-operation among states on controlling light weapons imports and exports, "There is also no international convention or agreement that restricts such trade, or a body of rules by which a given transfer can be declared illegal under international law other than the arms embargoes adopted by the Security Council".⁸⁴ This dearth of international legal mechanisms means that, with the exception of UN arms embargoes, there is no legal recourse available to deem a transfer illegal and no mechanism under which to pursue prosecution. Since light weapons are often used to carry out human rights abuses and war crimes, it seems appropriate for their transfer to be addressed in a similar legal fashion.

Recommendations:

- Establish international legal mechanisms to govern weapons transfers.
- Clarify the circumstances under which a state can be considered responsible for facilitating human rights violations in another country under the Universal Declaration of Human Rights or the Geneva Conventions and Protocols as the

result of its direct or indirect involvement in illicit weapons trafficking activities.⁸⁵

Capitalise on links with narcotics trafficking

There are clear links between narcotics trafficking and the light weapons trade, including shared supply and transit routes, use of light weapons for 'protection' among drug traffickers, and funding gun-running through the drug trade and vice versa. The political will of governments is much stronger on the issue of controlling narcotics trafficking. However, if governments are serious about stopping the drug trade, they need to begin to address the light weapons trade and commit the resources necessary for control. Some drug control efforts, such as CICAD, have begun to collect information on related firearms offences and seizures. Yet, to date, most governments have dealt with drug trafficking and weapons trafficking as two separate and unrelated phenomena. Recognising and utilising the connections would improve the effectiveness of both control efforts by increasing communication among those involved in interdiction, and making more efficient use of resources dedicated to stopping these flows. The war on drugs can also provide valuable lessons for controlling gun-running.

Recommendations:

- Investigate the feasibility of incorporating light weapons control into existing international drug control efforts.
- Encourage data collection and information-sharing on weapons seized as part of drug raids and vice-versa. For example, the OAS has a comprehensive programme on narcotics control which also includes country statistics on related seizures of firearms.
- Utilise drug co-operation as a model for international co-operation in controlling light weapons.

Conclusion

The level of importance accorded to illicit light weapons trafficking by various governments and institutions represents an important step forward in the effort to stem these weapons flows and to ensure that light weapons control remains a priority on the international agenda. However, achieving the end goal of controlling these weapons and the violence and suffering they inflict will demand much more.

Governments must follow up their rhetoric with a comprehensive set of practical measures designed to have a definitive impact on light weapons trafficking. The policy recommendations described above illustrate the vast number of diverse options available to stem these weapons flows. While some, such as weapons marking, have already gained support from various states, other avenues, such as improving domestic legislation in post-conflict societies, remain largely unexplored. In many cases, these less conventional options will require states to take more political risks. Therefore the international community must maintain pressure on states to pursue not only those policies which are politically convenient, but also those which force them as suppliers and recipients to accept responsibility for the global flood of light weapons.

It is crucial that governments acknowledge the fact that the 'legal' trade in weapons cannot be divorced from the illegal. By emphasising the 'illegal' side of light weapons flows, governments divert attention from their own export policies which are greatly exacerbating the problem. Isolating illicit trafficking as the sole source of the problem might allow certain governments to save face politically, but the realities of the trade prove that they cannot be absolved so quickly. On the contrary, stronger and more far reaching controls on legal transfers must be pursued if efforts to stem illicit trafficking are to succeed.

With so many governments and institutions addressing the light weapons problem in various ways at the local, national, regional and international levels, there is also a need for increased dialogue and co-ordination. To maintain momentum on the issue it is crucial to avoid duplication. Enhanced co-operation will also benefit the strategy-building process

by providing lines of communication for cross-institution learning.

Individual states and institutions must also begin committing significant resources to these efforts. Just as rhetoric becomes meaningless unless it is reinforced by concrete measures, so too do policy proposals ring hollow when not accompanied by the necessary commitment of resources. Some may argue that developing and implementing effective control measures is cost prohibitive. However, the continuing violence and devastation caused by light weapons is a stark reminder that failing to act will exact an even greater price.

Endnotes

Executive Summary

¹ “Call upon Afghanistan, issued at the conclusion of the third regional workshop of the Panel of Governmental Experts on Small Arms, held at Kathmandu on 22 and 23 May 1997”, reprinted as Appendix III in “Report of Governmental Experts on Small Arms”, A/52/298, United Nations, 27 August 1997.

² For additional information on proposals for controlling licit light weapons transfers, see Susannah L. Dyer and Dr. Natalie J. Goldring, “Controlling Global Light Weapons Transfers: Working Toward Policy Options”, British American Security Information Council, prepared for the Annual Meeting of the International Studies Association, San Diego, 16-20 April 1996.

Overview of Illicit Trafficking

³ This report focuses solely on illicit trafficking of small arms and light weapons, not heavy weapons or nuclear materials. In this context, the United Nations has defined illicit weapons trafficking as “that international trade in conventional arms, which is contrary to the laws of States and/or international law”. See “Guidelines for international arms transfers in the context of General Assembly resolution 46/36H of 6 December 1991”, reprinted in “Review of the Implementation of the Recommendations and Decisions Adopted by the General Assembly at its Tenth Special Session: Report of the Disarmament Commission”, A/51/182, United Nations, 1 July 1996, pp. 64-69. However, this report also recommends that the definition of “illicit” be broadened in order to take into account weapons transferred in contravention of humanitarian law.

⁴ There are many working definitions for small arms and light weapons, ranging from technical definitions to descriptive definitions categorising small arms and light weapons as those which can be operated by one or two persons and can be carried by one or two persons or by a pack animal or light vehicle. A recent United Nations report provided the following definitions: **small arms** includes revolvers and self-loading pistols, rifles and carbines, sub-machine

guns, assault rifles and light machine guns; **light weapons** includes heavy machine guns, hand-held under-barrel and mounted grenade launchers, portable anti-aircraft guns, portable anti-tank guns, recoilless rifles (sometimes mounted), portable launchers of anti-aircraft missile systems (sometimes mounted) and mortars of calibres less than 100 mm; **ammunition and explosives includes** cartridges (rounds) from small arms, shells and missiles for light weapons, mobile containers with missiles or shells for single-action anti-aircraft and anti-tank systems, anti-personnel and anti-tank hand grenades, landmines and explosives. From “Report of Governmental Experts on Small Arms”, A/52/298, United Nations, 27 August 1997. For the purpose of this report, the term light weapons is used as a general term referring to all of the aforementioned weapons and ammunition.

⁵ Edmund Cairns, *A Safer Future: Reducing the Human Cost of War* (Oxford: Oxfam, 1997) p. 35.

⁶ “Report of the Panel of Governmental Experts on Small Arms”, A/52/298, United Nations, 27 August 1997, p. 17.

⁷ Ibid.

⁸ The Attorney General’s office recorded 7,877 violent deaths in 1995 in El Salvador, indicating 21 homicides per day. According to the Office, the annual average in the last two years exceeds 8,506 murders, meaning that the number of deaths has increased 36 percent compared with the twelve years of war during which over 75 thousand people were killed (an annual average of 6,250 deaths or a daily average of 17.) Data obtained from Coordinating Committee, University of Central America San Jose Simeon Canas, March 21, 1996, quoted in Adam Isaacson, *Altered States: Security and Demilitarization in Central America* (Washington, DC: Center for International Policy; San Jose: Arias Foundation for Peace and Human Progress, 1997) p. 122.

⁹ “S. Africa reports 5,127 gun murders in six months”, Reuters, November 10, 1997.

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¹⁰ M. Sahnoun, "Prevention in Conflict Resolution: The Case of Somalia", *Irish Studies in International Affairs*, Vol. 5, 1995.

¹¹ A-F Musah et al., "Africa: The Challenge of Light Weapons Destruction During Peacekeeping Operations", BASIC Paper No. 23, British American Security Information Council, December 1997, p.4.

¹² *Ibid.*, p.5.

¹³ "The Mali Mission", Remarks by Mr. Goulding, Undersecretary-General for Political Affairs to the First Committee, United Nations, 26 October 1994.

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¹⁴ Secretary-General Boutros Boutros-Ghali, *Supplement to An Agenda For Peace* (New York: United Nations, 3 January 1995).

¹⁵ "Report of the Panel of Governmental Experts on Small Arms", A/52/298, United Nations, 27 August 1997, p. 18.

¹⁶ *Ibid.*, pp. 22-23.

¹⁷ *Ibid.*, p. 17.

¹⁸ "Draft United Nations International Study on Firearm Regulation", E/CN.15/1997/L.19, Economic and Social Council, Crime Prevention and Criminal Justice Division, United Nations Office at Vienna, 30 April 1997.

¹⁹ "Firearm regulation for the purpose of crime prevention and public safety", E/CN.15/1997/L.19, Economic and Social Council, United Nations, 30 April 1997.

²⁰ Geraldine O'Callaghan interview with an ECOSOC official, 7 January 1998.

²¹ Geraldine O'Callaghan interview with James Hayes, Co-ordinator of the UN (ECOSOC) Firearms Panel, 22 January 1998.

²² "Guidelines for international arms transfers in the context of General Assembly resolution 46/36H of 6 December 1991", reprinted in "Review of the Implementation of the Recommendations and Decisions Adopted by the General Assembly at its

Tenth Special Session: Report of the Disarmament Commission", A/51/182, United Nations, 1 July 1996, pp. 64-69.

²³ In addition to the resolutions discussed below, see "Measures to curb the illicit transfer and use of conventional arms", A/52/229, United Nations, 28 July 1997.

²⁴ "General and Complete Disarmament: Measures to Curb the Illicit Transfer and Use of Conventional Arms, Report of the Secretary-General", A/51/181, United Nations, 27 June 1996.

²⁵ *Ibid.*

²⁶ For the most recent UNGA resolution on these efforts, see "Assistance to States for curbing the illicit traffic in small arms and collecting them", A/52/264, United Nations, 31 July 1997.

²⁷ "United Nations Standing Advisory Committee on Security Question [sic] in Central Africa", United Nations, no date. Obtained on the internet at: <http://www.un.org/Depts/dpa/cda/stadcom/stadcom.htm>.

Organization of American States (OAS)

²⁸ The OAS currently includes all 35 countries in the Americas. However, Cuba was barred from participation in the organisation by a resolution passed in 1962.

²⁹ "Brazil-US Counternarcotics Cooperation: Fighting the Illegal Trade of Weapons", statement of Brazilian embassy officials at a roundtable discussion hosted by the British American Security Information Council, Washington DC, 20 March 1996.

³⁰ "Mexico Asks US to Track Guns Being Imported by Drug Cartels", *Washington Post*, 5 November 1996, p. A13.

³¹ Howard LaFranchi, "Mexicans Too Have a Problem Border: Awash in US Guns", *Christian Science Monitor*, April 11, 1997, p. 7. See also Lora Lumpe, "The US Arms Both Sides of Mexico's Drug War", *Covert Action Quarterly*, Number 61, Summer 1997, pp. 39-46.

³² "Clinton Gains Pledge from Mexico", *San Francisco Examiner*, 6 May 1997, p. A2.

³³ "Caribbean/United States Summit Plan of Action", Bridgetown, Barbados, 10 May 1997. Obtained on the internet at: <http://usiahq.usis.usemb.se/regional/ar/carib/action.htm>.

³⁴ "Remarks by Presidents Clinton and Zedillo at Signing of Hemispheric Arms Trafficking Convention", White House, Office of the Press Secretary, November 14, 1997.

³⁵ Anthony Boadle, "Americas adopt convention against arms smuggling", Reuters, 14 November 1997.

³⁶ The history of the OAS convention goes back to a Mexican-led effort in 1996. At the Tenth Summit of Heads of State and Government of the Mechanism for Political Consultation and Consensus (or "Rio Group") in Cochabamba, Bolivia, in September 1996, Mexico submitted a proposal for controlling illicit arms trafficking in Latin America and the Caribbean. A draft convention was then prepared by a working group and submitted to the OAS in March 1997 with a view to negotiating a hemispheric agreement. The convention was then referred to a working group chaired by Mexican Ambassador to the OAS Carmen Moreno de Del Cueto for further drafting. In June 1997, the OAS directed member states to begin negotiations on the convention. The negotiating group signed the convention on 13 October 1997 and 29 OAS member states signed it on 13 November 1997. For the final text of the convention, see OEA/Ser.P, AG/RES. 1 (XXIV-E/97), Organization of American States, 13 November 1997.

³⁷ Address by the Secretary General of the OAS Cesar Gaviria Trujillo at the opening ceremonies of the Twenty-Fourth Special Session of the [OAS] General Assembly, Washington DC, November 13, 1997. Obtained on the internet at: <http://www.oas.org/EN/PINFO/SG/1113ase.htm>.

³⁸ "Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials", OEA/Ser.G, GT/CIFTA-18/97, Organization of American States, 17 October 1997.

³⁹ "Model Regulations for the Control of the International Movement of Firearms, Their Parts and Components and Ammunition", Inter-American Drug Abuse Control Commission, September 15, 1997.

⁴⁰ "OAS Steps Up Fight Against Arms in the Hemisphere", Organization of American States News Release, October 15, 1997. Obtained on the internet at: <http://www.oas.org/EN/PINFO/WEEK/101597ae.htm>.

⁴¹ Geraldine O'Callaghan interview with Jeanette Ackroyd, Senior Policy Analyst, Canadian Firearms Centre, Canadian Department of Justice, 17 October 1997.

⁴² Geraldine O'Callaghan interview with a Canadian Department of Justice official, 20 November 1997.

⁴³ For additional information on the lobbying activities of pro-gun organisations, see Dr. Natalie J. Goldring, "Overcoming Domestic Obstacles to Light Weapons Control", British American Security Information Council, presented to the Sandia National Laboratories Annual Arms Control Conference, Albuquerque, New Mexico, 18-20 April 1997.

⁴⁴ Geraldine O'Callaghan interview with Tom Mason, National Rifle Association, 22 October 1997.

⁴⁵ "Remarks by Presidents Clinton and Zedillo at Signing of Hemispheric Arms Trafficking Convention", White House, Office of the Press Secretary, November 14, 1997.

European Union

⁴⁶ "The Programme for Preventing and Combating Illicit Trafficking in Conventional Arms", A Council Declaration, 9057/97, 26 June 1997.

⁴⁷ "Dutch Push Antismuggling Plan", *Defense News*, July 28-August 3 1997, p. 17.

⁴⁸ Ibid.

⁴⁹ The seminar will be jointly organised two NGOs, Saferworld in the United Kingdom and the Institute of Security Studies in South Africa.

⁵⁰ "Dutch Push Antismuggling Plan", *Defense News*, July 28-August 3 1997, p. 17.

⁵¹ Geraldine O'Callaghan interview with a UK Foreign and Commonwealth Office official, 26 November 1997.

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⁵² Ibid.

⁵³ See also "The European Union and the Issue of Conflicts in Africa: Peace Building, Conflict Prevention and Beyond", SEC(96) 332 final, Communication from the Commission to the Council, Commission of the European Communities, Brussels, 6 March 1996.

⁵⁴ "The Programme for Preventing and Combating Illicit Trafficking in Conventional Arms", A Council Declaration, 9057/97, 26 June 1997.

⁵⁵ The term "Security First" was first used in UN arms management policy in January 1995. It was introduced during a UN advisory mission to Mali to investigate the causes and effects of the proliferation of small arms in the region. The concept emerged from a key conclusion of the mission that, "the lack of security was fuelling the demand for weapons. The availability of weapons was fuelling the cycle of banditry and violence which in turn was bringing structural development virtually to a halt and preventing any progress on socioeconomic problems". The recommended solution was "a proportional and integrated approach to disarmament and (socioeconomic) security". "Security First" is used as a shorthand term for the recommendation. For further information, see UN Press Briefing by Director of Centre for Disarmament Affairs, Mr. Prvoslav Davinic, 3 April 1996 and "Practical Disarmament, Demobilisation and Reintegration Measures for Peacebuilding", Government of Canada, April 1997, p.37.

⁵⁶ Geraldine O'Callaghan interview with a US State Department official, 19 September 1997.

Group of Eight Industrialised States (G-8)

⁵⁷ Chairman's Report on the Interim Conclusions of Subgroup III: Firearms, G-7/P-8 Experts on Transnational Organized Crime (Lyon Group), Chantilly, Virginia, January 23, 1997.

⁵⁸ Ibid. p. 1, paras 10-13.

⁵⁹ "Final Communique of the Denver Summit of the Eight", para 41, 22 June 1997. Obtained on the internet at: <http://summit8.gov/g8final.htm>.

⁶⁰ Geraldine O'Callaghan interview with a US State Department official, 11 December 1997.

⁶¹ "Denver Communique (G-8)", questionnaire obtained from UK Home Office, Operational Policing Unit, 28 November 1997.

⁶² Geraldine O'Callaghan interview with a US State Department official, 21 January 1998.

⁶³ Geraldine O'Callaghan interview with a UK Foreign and Commonwealth Office official, 26 November 1997.

⁶⁴ Geraldine O'Callaghan interview with a Canadian Department of Justice official, 28 November 1997.

Recommendations

⁶⁵ For more information on destruction efforts in Africa and Central America, see Abdel-Fatau Musah et al., "Africa: The Challenge of Light Weapons Destruction During Peacekeeping Operations", BASIC Paper No. 23, British American Security Information Council, December 1997 and Alexander Chloros et al., "Breaking the Cycle of Violence: Light Weapons Destruction in Central America", BASIC Paper No. 24, British American Security Information Council, December 1997.

⁶⁶ See Christine Spolar, "Many Guns, Few Solutions in Albania: Looting of Armories Litters Chaotic Country With Weapons", *Washington Post*, 12 March 1997 and Mike O'Conner, "Albanians Struggling to Survive, Sell Stolen Rifles", *New York Times*, 24 April 1997.

⁶⁷ Recommendation from Saferworld/Kristna Fredsrorelsen International Conference on European Arms Export Control, Stockholm, 13-14 November 1997.

⁶⁸ Surplus weapons are understood to be "those no longer considered essential in the armed forces of a nation". From *Conversion Survey 1996, Global Disarmament, Demilitarization and Demobilization*, Bonn International Center for Conversion (Oxford: Oxford University Press, 1996), p. 216.

⁶⁹ "A Review of Arms Export Licensing", Senate Committee on Governmental Affairs, cited in Michael

Klare and David Andersen, *A Scourge of Guns* (Washington, DC: Federation of American Scientists, 1997) p. 66.

⁷⁰ Owen Greene, "Tackling light weapons proliferation: Issues and priorities for the EU", *Saferworld*, April 1997, p. 9.

⁷¹ Recommendations from Saferworld/Kristna Fredsroelsen International Conference on European Arms Export Control, Stockholm, 13-14 November 1997.

⁷² The Organization on Security and Cooperation in Europe (OSCE) also passed a similar code in December 1993. The EU Code of Conduct was developed by BASIC, Saferworld and the World Development Movement, in co-operation with Marc Weller (University of Cambridge) and Professor Françoise Hampson (University of Essex). The EU Code of Conduct is based on the eight arms export criteria agreed by EU Member States in 1991 and 1992.

⁷³ More information on these efforts can be found on BASIC's World Wide Web site at: <http://www.basicint.org/codeindx.htm>.

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⁷⁶ Milos Vasic, "Small Arms Flows in the Balkans 1990-1995", research note prepared for an international workshop organised by the British American Security Information Council Project on Light Weapons on "Light Weapons Proliferation and Opportunities for Control", London, July 1996.

⁷⁷ Owen Greene, "What the EU can do to stem the flow of light weapons into regions of conflict", presented at the Saferworld/Kristna Fredsroelsen International

Conference of European Arms Export Controls, Stockholm, 13-14 November 1997.

⁷⁸ Geraldine O'Callaghan interview with a Canadian Department of Justice official, 19 September 1997.

⁷⁹ Geraldine O'Callaghan interview with Victoria L. Lester, Senior Crime Analyst, Firearms and Explosives, IWETS Program, Interpol, 4 December 1997.

⁸⁰ Recommendation from Saferworld/Kristna Fredsroelsen International Conference on European Arms Export Control, Stockholm, 13-14 November 1997.

⁸¹ This point was included in earlier drafts of the convention, but was dropped from the final text.

⁸² Adopted on 15 December 1994, UNGA resolution 49/75M, "Measures to curb the illicit transfer and use of conventional arms" requested member states' views on effective methods for collecting illicit weapons as well as concrete proposals for curbing illicit weapons trafficking at the national, regional, and international levels.

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⁸⁴ "Report of the Panel of Governmental Experts on Small Arms", A/52/298, United Nations, 27 August 1997. p.18.

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^e Valerie Alvord, “2 Truckloads of Illegal Arms Found”, *San Diego Union-Tribune*, March 14, 1997 and Valerie Alvord, “Illegal weapons were well traveled”, *San Diego Union-Tribune*, March 21, 1997.

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ⁱ Douglas Farah, “Russian Mob, Drug Cartels Joining Forces; Money-Laundering, Arms Sales Spreading Across Caribbean”, *Washington Post*, September 29, 1997.

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^k Dana Priest and Robert Suro, “Probe of Black Market in Weapons Widens; More Arrests, Charges Are Seen by FBI and Defense Department”, *Washington Post*, October 18, 1997.

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