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ACRONYMS AND ABBREVIATIONS

Armed groups  See non-state actors

ASEAN  Association of Southeast Asian Nations

ATT  Arms Trade Treaty (formal title: Draft Framework Convention on International Arms Transfers)

BMS  Biennial Meeting of States on small arms

Brokering  The facilitation of arms transfers for financial gain. Brokers are used widely by States and private companies for legal arms sales, but are also associated with a range of illicit activities.

EU  European Union

EUC  End user certificate

DDR/DD&R  Demobilisation, disarmament and reintegration

DFID  Department for International Development (UK)

DRC  Democratic Republic of the Congo

ECOMOG  ECOWAS Cease-Fire Monitoring Group

ECOWAS  Economic Community of West African States

HD Centre  Centre for Humanitarian Dialogue

IANSA  International Action Network on Small Arms

ICRC  International Committee of the Red Cross

IDP  Internally displaced person

IHL  International humanitarian law

IOM  International Organisation for Migration

IPPNW  International Physicians for the Prevention of Nuclear War

JSSR  Justice and security sector reform

MANPADS  Man-portable air defence systems

MERCOSUR  Mercado Commún Del Sur

NATO  North Atlantic Treaty Organisation

NGO  Non-governmental organisation

Non-state actors  Individuals or groups that do not represent State authority. Non-state actors can include civilians, armed opposition groups, insurgents, and private armies. They are typically not party to human rights law or multilateral agreements.

OAS  Organisation of American States

OCHA  Office for the Co-ordination for Humanitarian Affairs

ODA  Official Development Assistance

OECD  Organisation for Economic Co-operation and Development

OECD DAC  Development Assistance Committee of the OECD
OEWG  Open Ended Working Group
OSCE  Organisation for Security and Co-operation in Europe
PoA   Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects
PrepCom UN Preparatory Committee meeting, January 2006
2006 RevCon Review Conference, July 2006
SADC  South African Development Community
SALW  Small arms and light weapons
SSR   See JSSR
UK    United Kingdom
UN    United Nations
UN Conference The 2001 UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects
UNAMSIL United Nations Mission in Sierra Leone
UNDP  United Nations Development Programme
UNIDIR United Nations Institute for Disarmament Research
UNIFEM United Nations Development Fund for Women
US    United States of America
USA   See US
WHO   World Health Organisation
**HOW TO USE THIS PUBLICATION**

*Missing Pieces* can be read straight through from start to finish, its unique format also lends itself to quickly locating specific information—whether it is accessible thinking on the reduction of demand for small arms and policy implications for best practices on taking weapons out of circulation, or a snapshot of the issues related to assisting survivors of gun violence. The following notes are designed to help the reader navigate the publication for the greatest benefit.

**THEME STRUCTURE**

Each theme in *Missing Pieces* highlights a different aspect of the gun violence and the small arms control challenge. Each begins with a consideration of how the theme is addressed (or neglected) in the current Programme of Action; provides an analysis on the topic, including policy trends, challenges and paths of action drawing upon best practices and lessons learned. Each theme concludes with a set of recommendations for policy consideration and action at the national, regional, and international levels. Illustrative case studies appear throughout.

**CROSS-CUTTING ISSUES**

Many of the themes in *Missing Pieces* are related to one another, and to bring out the linkages across the themes, the publication utilises a system of visual icons (coloured, numbered puzzle pieces) in the outside and inside margins. For example, the following sentence appears in the theme on the demand for small arms, with a link to the discussion on justice and security sector reform.

*Key drivers include inadequate public safety and police corruption, lack of economic opportunity for youth, grievances arising out of the abuse of fundamental human rights, cultural attitudes towards guns, inadequate or disrupted conflict management practices, and the inadequacy or failure of post-conflict reintegration programmes for ex-combatants.*
CONTRIBUTORS/REVIEWERS

*Missing Pieces* benefited from inputs from many of the leading researchers, analysts, and advocates on small arms control, violence prevention, public health and gender equity as well as various governmental advisors. Each theme went through a rigorous review process. At the end of each theme an alphabetical list of contributors can be found, as well as reviewers who provided feedback and suggestions on the text at various stages.

ANNEXES

Many of the themes refer to annexes at the back of the publication. These are intended to provide supplementary information and include reference information on the *Putting People First* project, from which this publication emanates (Annex 1); an update on the state of ratification of the UN Firearms Protocol (Annex 2); a list of weapons reductions programmes categorised by type of programme and managing institution (Annex 3); a catalogue of international and regional instruments relevant to the themes in *Missing Pieces* (Annex 4); a calendar of relevant meetings through to 2006 (Annex 5); and a ‘food for thought’ section on human security indicators (Annex 6).
WHAT MORE IS NEEDED IN THE COMING DECADE TO REDUCE GUN VIOLENCE, CONTROL THE ARMS TRADE, AND END THE MISUSE OF SMALL ARMS AND LIGHT WEAPONS? THE UNITED NATIONS PROGRAMME OF ACTION AGREED IN 2001 HAS, UNTIL NOW, PROVIDED A USEFUL GUIDE FOR ACTION TO TACKLE THE SMALL ARMS CRISIS. ON SEVERAL IMPORTANT MATTERS, HOWEVER, THE 2001 PROGRAMME OF ACTION IS SILENT, AND ON OTHERS INSUFFICIENTLY PRECISE. AS THE INTERNATIONAL COMMUNITY MOVES TOWARDS THE 2006 REVIEW CONFERENCE TO ASSESS THE IMPLEMENTATION OF THE PROGRAMME OF ACTION, THERE IS A NEED TO ENSURE THESE GAPS ARE ADDRESSED AS WELL AS AGREEING TO STRATEGIES TO MEET THE CHALLENGES AHEAD.

THIS PUBLICATION, MISSING PIECES: DIRECTIONS FOR REDUCING GUN VIOLENCE THROUGH THE UN PROCESS ON SMALL ARMS CONTROL (MISSING PIECES) IDENTIFIES A NUMBER OF AREAS WHERE ADDITIONAL STEPS ARE NEEDED TO TACKLE THE AVAILABILITY AND MISUSE OF SMALL ARMS. IT POINTS TO PROMISING POLICY INITIATIVES, DRAWS ON LESSONS LEARNED, AND SETS OUT RECOMMENDATIONS FOR ACTION.

THE MAIN THEMES ADDRESSED ARE:

**PREVENTING MISUSE – REGULATION AT A NATIONAL LEVEL OF SMALL ARMS:** EFFORTS TO CONTROL GUNS AND AMMUNITION MUST ADDRESS THE FACT THAT THE BULK OF THE WORLD’S SMALL ARMS ARSENAL ARE IN THE HANDS OF CIVILIANS, AND THAT CIVILIAN MISUSE IS A PRIMARY SOURCE OF FIREARM-RELATED DEATH AND INSECURITY.

**CONTROLLING SUPPLY:** IN A WORLD WHERE THERE IS ALREADY AN OVERABUNDANCE OF CONVENTIONAL WEAPONS, THE LACK OF SUFFICIENT REGULATORY CONTROL OVER SMALL ARMS PRODUCTION AND TRADE, BOTH LEGAL AND OTHERWISE, CONTRIBUTES TO WIDESPREAD DEATH AND MISERY AND INHIBITS SUSTAINABLE DEVELOPMENT. GREATER ATTENTION MUST ALSO BE GIVEN TO CONTROLLING THE SUPPLY OF WEAPONS TO NON-STATE ARMED GROUPS.

**ASSISTANCE TO SURVIVORS OF GUN VIOLENCE:** SMALL ARMS MISUSE GENERATES IMMENSE HUMAN SUFFERING, YET TREATMENT, REHABILITATION, AND REINTEGRATION PROCESSES FOR THE MILLIONS OF VICTIMS ARE POORLY PRIORITISED. MUCH IS NEEDED TO BETTER UNDERSTAND THIS DIMENSION OF THE SMALL ARMS ISSUE, AND TO HELP US IDENTIFY POPULATIONS AT RISK, IN ORDER TO TARGET INTERVENTIONS TO PROTECT AND ASSIST SURVIVORS OF GUN VIOLENCE.

**FOCUSING ON GENDER:** AN UNDERSTANDING OF THE PARTICULAR EXPERIENCES OF MEN AND WOMEN—AS BOTH PERPETRATORS AND VICTIMS OF SMALL ARMS VIOLENCE—HAS MUCH TO TELL US ABOUT HOW TO BETTER BRING THE CRISIS UNDER CONTROL, INCLUDING ADDRESSING THOSE FACTORS THAT LEAD MEN AND YOUNG BOYS IN PARTICULAR TO ARM THEMSELVES.

**TAKING GUNS AND AMMUNITION OUT OF CIRCULATION:** STATE STOCKPILES AND SECONDARY MARKETS ARE COMMON
sources of guns that turn up illegally in war zones, or that end up in the hands of non-state actors and criminal elements. Reducing these supplies is essential to improving security and protecting human rights.

**Addressing the demand for small arms:** Though largely neglected to date, programmes that seek to reduce the demand for small arms have been building momentum, and a framework now exists for understanding this essential aspect of the small arms equation. It is time to integrate these efforts into global and regional action plans.

**Justice and security sector governance:** The evidence is clear that security and justice sector reform efforts must pay heed to a range of small arms control issues, including ensuring that guidelines on security sector firearm use are followed, that gun leakage from State sources is stemmed, and that small arms controls are a part of efforts to maintain or re-establish the rule of law.

Taking action on these issues within the framework of the UN process is logical for some and controversial for others. Without a comprehensive approach, however, it is clear that we cannot meet the challenge of reducing small arms availability and misuse. This challenge has inspired the development of *Missing Pieces*, and we hope this makes it a valuable resource for both policy makers and practitioners alike in the lead-up to the 2006 Review Conference and beyond.

The international community has shown its ability to come together and take quick action on other issues associated with conventional weapons, such as the agreement to control the proliferation of portable air defence systems. Yet overall, progress to tackle gun violence and tighten up the small arms trade has been inexcusably slow. The failure to take forceful action to end illicit brokering at a global level is one glaring example of an opportunity too-long delayed. Now is the time for the international community to commit to *reducing the terrible human toll from gun violence*. If we approach the next decade of work with the best lessons from previous efforts, the wisdom of other processes, and a focus on coherent objectives, this is an eminently achievable goal. One guidepost is already clear: ending the illicit trade in small arms and the more effective regulation of the legal possession and trade of small arms must go hand in hand.

This publication is designed specifically for government representatives, to provide a compelling people-centred agenda for the next phase of multilateral small arms activity. *Missing Pieces* is available in Arabic, English, French, and Spanish, and will be widely distributed in the lead-up to the 2006 UN Review Conference on small arms. We hope it spurs critical thought, debate, and action, and makes a contribution in the years ahead to turn the tide on gun violence.
ENDNOTES

1 In June 2003, at the G-8 Summit, there was agreement given to a US-initiated Action Plan to destroy excess MANPADS, as well as ‘adopting stringent national export controls on MANPADS and their essential components; banning transfers to non-state actors; exchanging information on uncooperative countries and entities; and examining for new MANPADS the feasibility of adding specific technical performance or launch control features that preclude their unauthorized use.’ See the US State Department website at www.state.gov/t/np/acw/c12759.htm. In addition, the Asia Pacific Economic Co-operation forum issued a similar statement, and the Wassenaar Arrangement agreed to ‘strengthened guidelines.’
A human security framework for global action on gun violence

OBJECTIVE 1 REGULATING THE USE OF SMALL ARMS
- Identifying international guidelines on regulating the civilian possession of guns
- Dissemination of international humanitarian law and human rights standards and approaches, including to armed groups
- Strengthening justice and security sectors, including the training of security forces in the appropriate use of force
- Prosecution of war criminals, including armed groups
- Prohibition of certain types of guns/ammunition deemed to be excessively injurious or inhumane

OBJECTIVE 2 DRAINING THE EXISTING POOL OF GUNS AND AMMUNITION
- Collecting and destroying surplus guns and ammunition in a transparent manner that includes public participation in the process where possible and appropriate
- Consolidating benchmarks of success on effective disarmament and demobilisation in war-affected nations
- States and private actors reaching the highest standards for managing stockpiles already in existence

OBJECTIVE 3 REGULATING THE TRANSFER OF SMALL ARMS
- The conclusion and enforcement of an international treaty to regulate arms transfers drawing upon humanitarian and human rights law, the promotion of peace and security, and respect for UN and regional arms embargoes and including provisions to ensure transparency and accountability by States
- Identifying international guidelines for regulating transfers to non-state armed groups
- Developing mechanisms to strengthen the UN embargoes regime, including secondary sanctions for embargo busters and a rapid-reaction investigation unit
- The agreement of an international treaty to regulate the activities of arms brokers, including transport agents
- The conclusion of an international treaty to mark and trace small arms, including ammunition
- Increased ratification and full implementation of the UN Firearms Protocol by all States

OBJECTIVE 4 REDUCING THE DEMAND FOR GUNS
- Paying attention to gender considerations that both influence gun (mis)use and action to end small arms violence. In particular, the issues associated with the use of guns by young men requires urgent policy focus
- Strengthening the rule of law, with particular attention to the efficient and fair administration of justice and security provision by the State
- Investigation of and investment in (re)integration activities that respond to local realities, informed by the priories of affected communities
- The inclusion of activities to tackle gun violence or small arms control into programming by development, human rights, health, and humanitarian agencies
- Valuing the role that awareness-raising initiatives can play in shifting and changing attitudes

OBJECTIVE 5 ASSISTANCE TO SURVIVORS
- Identification of best practices for meeting the needs of gun violence survivors
- Identifying linkages to existing disability support services and processes
- The conclusion and full implementation of the UN Disability Convention to enhance the rights of disabled people, as well as defining the responsibilities of States to meet the needs of disabled citizens
THEME 1
PREVENTING MISUSE: NATIONAL REGULATION OF SMALL ARMS
The majority of the global stockpile of small arms and light weapons is in the hands of private individuals. As these guns are routinely misused, or stolen or otherwise leaked into the illicit trade, it is imperative that gun ownership by ordinary citizens be adequately regulated and limited at the national level (referred to here as ‘civilian possession laws’ or ‘national arms control’).

In the last decade, several countries—including Australia, Brazil, Cambodia, Canada, Sierra Leone, South Africa, and the UK—have undertaken significant reforms to regulate and limit gun ownership by citizens. The prime minister of Thailand has put forward a proposal to make the country gun free in five to six years, and many other governments—including those of Argentina, Belgium, Benin, Botswana, Burkina Faso, El Salvador, Guatemala, Jamaica, Jordan, the Occupied Palestinian Territories, the Philippines, and Uruguay—are currently in the process of strengthening laws and policies.

Such reform is propelled mainly by local realities: massacres with small arms that provoked widespread public outrage in Australia, Canada, and the UK; alarming levels of random and/or organised armed violence in Brazil and Thailand; and post-war or democratic transitional processes in Cambodia, Sierra Leone, and South Africa. These efforts have also been informed and reinforced by work at the international and regional levels, which increasingly has implied or explicitly called for more careful regulation of civilian ownership of small arms and light weapons.

Relevance to UN Programme of Action
An early draft of the UN Programme of Action (PoA) explicitly called on States to regulate civilian possession and use of arms in order to curb illicit gun trafficking. These references were dropped in the final version of the consensus document at the insistence of the US. However, while direct reference to national arms regulation was dropped, the PoA calls on all participating States to implement legislative or other measures required to criminalise ‘the illegal manufacture, possession [emphasis added], stockpiling and trade’ in small arms. The PoA also calls on States to adopt ‘all the necessary measures to prevent the . . . possession of any unmarked or inadequately marked SALW’. Additionally, States are exhorted to ensure that comprehensive and accurate records are kept for as long as possible on the manufacture, holding [emphasis added] and transfer of SALW within their jurisdiction. These records should be organised and maintained in such a way as to ensure that accurate information can be promptly retrieved and collated by competent national authorities.

In practice, this commitment requires the establishment of a small arms registration system.
The discrepancy between progress at the national level and debates on this issue in the UN process on small arms is significant. The First Biennial Meeting of States to Consider the Implementation of the PoA in July 2003 (BMS 2003) threw this in to strong relief, with 69 out of 103 governments (67 per cent) voluntarily highlighting civilian possession policies in their national reports and statements. Several factors contributed to this relatively high level of focus on the issue. Firstly, many governments recognise a connection between armed violence and the uncontrolled, or loosely controlled, trade in and possession of small arms. There is also growing awareness that most of the problems posed by weapons availability and misuse are ‘civilian’—that is, most guns are owned by civilians, and most victims of gun violence are civilians. Finally, there remains widespread acknowledgement amongst governments that civilian-held firearms are an important contributor to the illicit trade in and

Medellín (Colombia), 2001. ‘La Chinga’, a 13-year-old gang member in Medellín, which has some 4,000 violent deaths every year. © Paul Smith/Panos Pictures
misuse of weapons through theft, careless storage, and deliberate private sale. At the 2006 UN Review Conference (RevCon), concerned nations should affirm the importance and centrality of national arms control. This theme highlights the human security issues and measures that countries are incorporating into their national legislation to combat gun violence, arms trafficking, or instability. It tracks the trend around the world toward greater restriction on civilian gun possession and identifies best principles for effective national regulation.

**HUMAN (IN)SECURITY: CIVILIANS AND GUN VIOLENCE**

The Small Arms Survey estimates that 60 per cent of the global stockpile of 640 million guns are in civilian hands—including those of farmers, sporting shooters, criminal gangs, armed insurgents, collectors, private security guards, and private citizens of all ages. The role of civilian-used guns to undermine human security is well documented.

- Civilians are the principal victims of gun violence, with an estimated 200,000–270,000 people losing their lives to gun homicide or suicide in countries ‘at peace’ each year—about twice as many than die directly in situations of war.
- Worldwide, there are four gun homicides for every gun suicide. In North America and Europe, however, gun suicide rates surpass those of firearm homicides (see Box 1).
- Injury, rape, robbery, and kidnapping committed with guns affect countless civilians around the world annually. Arming can escalate violence, which fuels fear, which can in turn lead to further arming.
- The majority of users and abusers of guns globally are men. They are also the primary victims of gun violence, particularly males between the ages of 14 and 44 years.
- While women account for a substantial proportion of victims (especially of intimate partner violence), they account for a relatively small percentage of users.
- Guns often fall into the hands of young people, contributing to suicides, interpersonal violence, and accidental deaths. This is particularly concerning as the World Health Organisation (WHO) reports an ‘alarming increase’ in suicide among young people aged 15 to 25 years worldwide.

### Table 1

**Reported firearm homicide, selected countries**

<table>
<thead>
<tr>
<th>COUNTRY</th>
<th>YEAR</th>
<th>POPULATION</th>
<th>FIREARM HOMICIDE Number</th>
<th>Rate per 100,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Colombia</td>
<td>2000</td>
<td>44,222,000</td>
<td>21,898</td>
<td>49.52</td>
</tr>
<tr>
<td>South Africa</td>
<td>2000</td>
<td>44,819,778</td>
<td>10,854</td>
<td>24.22</td>
</tr>
<tr>
<td>Venezuela</td>
<td>2000</td>
<td>25,299,000</td>
<td>5,408</td>
<td>21.04</td>
</tr>
<tr>
<td>Brazil</td>
<td>1998</td>
<td>178,470,000</td>
<td>25,663</td>
<td>14.38</td>
</tr>
<tr>
<td>Ecuador</td>
<td>2000</td>
<td>13,003,000</td>
<td>1,321</td>
<td>10.16</td>
</tr>
<tr>
<td>Mexico</td>
<td>2000</td>
<td>103,457,000</td>
<td>5,529</td>
<td>5.34</td>
</tr>
<tr>
<td>United States</td>
<td>2001</td>
<td>294,043,000</td>
<td>10,130</td>
<td>3.45</td>
</tr>
<tr>
<td>Belarus</td>
<td>2000</td>
<td>9,895,000</td>
<td>331</td>
<td>3.35</td>
</tr>
<tr>
<td>Canada</td>
<td>2003</td>
<td>31,629,700</td>
<td>161</td>
<td>0.51</td>
</tr>
<tr>
<td>Australia</td>
<td>2001</td>
<td>19,583,333</td>
<td>47</td>
<td>0.24</td>
</tr>
<tr>
<td>England &amp; Wales</td>
<td>2003/04</td>
<td>52,793,700</td>
<td>68</td>
<td>0.13</td>
</tr>
</tbody>
</table>
Some nations have high levels of civilian weapons possession and alarming rates of gun violence. For example, the public in South Africa owns six times as many guns as the police and military.\(^3\) In Brazil, while the number of legally registered firearms (including those privately held by military and police personnel) is estimated at about seven million, the actual number of guns in private hands is believed to be closer to 15.6 million.\(^4\) These countries have among the highest firearms homicide rates in the world (see Table 1).

**A USEFUL FRAMEWORK: THE PUBLIC HEALTH APPROACH**

A key aim of exercising greater control over civilian possession is to reduce the risks associated with small arms misuse and to prevent death and injury. A public health approach to gun violence includes isolating and controlling the cause of injury—in this case, small arms.

The relationship between gun ownership and gun death is complex. As with any social policy issue, proving a causal relationship between widespread gun availability and gun violence is difficult, hampered by a lack of complete and reliable data and an inability to screen out mitigating factors.\(^5\) On balance, however, empirical evidence supports the notion that making guns more difficult to obtain legally can help reduce certain types of violence, particularly those that are impulsive.\(^6\) In particular, the presence of guns in the home has been shown to influence rates of suicide, accidents, intimate partner violence, and family murders.\(^7\)

**RIGHTS-BASED ARGUMENTS: STATE RESPONSIBILITY**

A compelling human rights case for careful regulation of civilian-held guns has also been put forward by the UN Special Rapporteur on Human Rights and Small Arms, Barbara Frey. She has noted that under international human rights law, States are required to exercise due diligence to protect people within their territory from abuses, even when these are committed by private persons. It is not unreasonable to suggest that this would require that minimum safeguards and controls were in place on the ownership and use of guns.\(^8\) The State itself may be liable if it fails to investigate and prosecute massacres or take reasonable steps to regulate guns in order to protect citizens from homicides, suicides, accidents, a pattern of intimate partner or family violence, and/or organised crime (See Annex 4 for a list of instruments relating to civilian possession).

**THE ILICIT TRADE AND NATIONAL ARMS CONTROL**

Regulation of civilian access to small arms is central to efforts to curb international gun trafficking. There are two principal ways in which this connection can be demonstrated.

1. *Widespread theft of civilian firearms: Holding gun owners responsible*

   ‘Illicit’ firearms nearly always start out as legal weapons—that is, legally manufactured and legally sold. Worldwide, however, diversion of firearms from their legal owners to illegal purposes through loss or theft is a significant source of black market
arms. The Small Arms Survey estimates conservatively (due to the absence of data from most countries and many regions of the world) that at least 1,000,000 firearms are stolen each year, with the majority of these taken in small-scale burglaries from private homes.\(^{30}\) In South Africa, loss and theft from civilian owners is the single largest source of illegal arms: each year, 20,000 guns are stolen from civilian owners, most of which are handguns.\(^{31}\)

*All effective actions aiming to resolve the problem of arms trafficking implies the establishment of rigorous controls on . . . the possession of arms within the national territory.*

—Ambassador Jean Lint of Belgium at BMS 2003, 7 July\(^{32}\)

2. **Substitution and the need for harmonisation of laws**

Jurisdictions that do have strict (or relatively strict) controls over civilian possession of arms find those controls undermined if guns can be easily and illegally imported from nearby places with less strict controls. In Canada, for instance, a country with moderately strict laws, it is estimated that half of all handguns recovered in crime are illegally imported from the US, where laws are laxer.\(^{33}\) Guns originating in the US also account for approximately 80 per cent of the arms recovered in crime in Mexico and most of the illegal firearms recovered in the Caribbean.\(^{34}\) According to the Organisation of American States (OAS), Mexican territory is now a major conduit for gun trafficking from the US: ‘Criminal organisations located along the northern border maintain a flow of guns to the drug producing regions of South America.’\(^{35}\)

Limiting and controlling the acquisition and possession of arms on the part of civilians [is necessary], not only for combating the culture of violence but especially to prevent the extensive and lucrative illicit commerce in arms that were originally ‘licit’.

—Ambassador Adolfo Aguilar Zinser of Mexico at BMS 2003, 7 July\(^{36}\)

Similarly, in Southern Africa, Botswana’s restrictive gun policies (and low armed crime rate) have been compromised by neighbouring South Africa’s (previously) more permissive policies.\(^{37}\) The country’s police commissioner cited cross-border arms flows as contributing to a recent rise in armed crime: ‘We collect a lot of firearms at the South Africa–Botswana border. It doesn’t occur to some visitors to leave their gun behind when they visit our country. They don’t understand how you can live without carrying a firearm.’\(^{38}\)

**EMERGING STANDARDS**

Several multilateral processes have encouraged greater national arms control. Most significantly, in May 1997, 33 countries sponsored a resolution in the UN Commission on Crime Prevention and Criminal Justice that emphasised the importance of State responsibility for effective regulation of civilian possession of small arms, including licensing owners, record keeping for guns, safe storage requirements, and appropriate penalties for illegal possession.\(^{39}\) This effort culminated in 2001 in the adoption of a protocol on small arms trafficking—the *Firearms Protocol*. 
Despite some shortcomings, the *Firearms Protocol* criminalises illicit trafficking in small arms, and necessitates that guns be marked at the point of manufacture, import, and transfer from government into private hands. States are also required to consider establishing a system of regulating arms brokering. In April 2005, the 40th ratification triggered the process of the Protocol entering into force by mid–late 2005. It will be the first legally-binding international agreement on small arms control (see Annex 2).

**REGIONAL ACTION**

In growing recognition that the cross-border movement of arms is directly related to how well States regulate their internal stockpiles, regional security agreements increasingly include provisions calling for careful regulation of small arms in the hands of civilians. The most relevant agreements include the European Union (EU) *Joint Action* (1998), the *Bamako Declaration* (2000), the *Nadi Framework* (2000), the Southern African Development Community (SADC) *Firearms Protocol* (2001), the *Andean Plan* (2003), and the *Nairobi Protocol* (2004).

The *Nairobi Protocol* is one of the most specific on the regulation of civilian gun possession. One of its objectives is to ‘encourage accountability, law enforcement and efficient control and management of small arms held by States Parties and civilians’. Each of the 11 East African States that ratify it will be responsible for incorporating into their national law:

- prohibition of unrestricted civilian possession of small arms;
- total prohibition of civilian possession and use of all light weapons and automatic rifles, semi-automatic rifles, and machine guns;
- regulation and centralised registration of all civilian-owned small arms in their territories;
- provisions for effective storage and use of civilian-held firearms, including competency testing of prospective owners;
- monitoring and auditing of licences held and restriction of the number of guns that may be owned by individuals;
- prohibitions on pawning or pledging of small arms; and
- registration to ensure accountability and effective control of all guns owned by private security companies.

In addition, States Parties agree to encourage the surrender of illegal guns and to develop local, national, and regional public education programmes to promote responsible ownership and management of guns.

**POST-CONFLICT TRANSITION EFFORTS**

More generally, the UN, regional bodies, and various countries have actively promoted the regulation of civilian firearms possession as part of post-conflict transitions. Cambodia and Sierra Leone are prime examples of nations recovering from lengthy civil wars where a large number of civilians were armed; the governments of both have recognised that disarmament, demobilisation, and reintegration (DDR) programmes must be followed by and consolidated with strong gun control laws.
APPROACHES TO NATIONAL ARMS CONTROL

As noted, a number of countries have initiated and/or implemented significantly more restrictive gun control policies in the past decade. There is wide variation in the approaches being taken, but national arms control laws in most countries are based on a combination of the following: prohibiting/restricting certain uses of guns; prohibiting/restricting certain users of guns; and prohibiting/restricting certain guns.46

1. Prohibiting/restricting certain uses of guns

Definitions of ‘legitimate purposes’ for small arms possession vary depending on culture and context. Only a few countries, such as Brunei Darussalam, Luxembourg and Malaysia, have a total prohibition on civilian gun ownership; others—like Japan, China and Great Britain—severely restrict civilian possession. Most countries allow ownership for hunting or...
pest control on farms, and some allow possession of certain types of weapons for sport, target shooting or ‘collection’.

More controversial is the notion of self-defence as a legitimate reason for gun ownership. On the one hand, responsibility for protection against violence should rest with State authorities, and if everyone armed themselves for this purpose it is unlikely that societies as a whole would be safer. On the other hand, where violent crime is rampant, and State authorities weak or ineffective, many people do feel an acute need to arm themselves for protection. While an outright rejection of the self-defence rationale for ownership is problematic, so too is an assumption that such a rationale is acceptable in all or even a majority of cases.

Safe storage
Safe storage requirements are designed to reduce the risk that weapons will be stolen or used impulsively. Typical safe storage measures include unloading the gun, separating it from its ammunition, and the use of locked containers and trigger locks. In Indonesia, all guns licensed for shooting and hunting must be stored and used at a shooting club.47

Carrying guns in public
Some countries place restrictions on the conditions in which guns may be legally carried, such as the designated ‘Firearm Free Zones’ in South Africa.48 The cities of Bogotá and Cali in Colombia have both experimented with bans on the carrying of handguns on holidays and weekends with some success.49 Brazil’s disarmament law prohibits all civilians from carrying firearms in public (an exception is made for civilians who need to carry a weapon to perform their jobs, e.g. security officers or hunters).

2. Prohibiting/restricting certain users of guns
Most countries screen and license potential owners, impose age restrictions, and undertake background checks. However, there are significant differences in approach. Some nations require formal safety training, whereas others also require the provision of references and waiting periods before purchase. Different categories of users are singled out to be restricted or prohibited from acquiring guns.

Convicted criminals
In most countries, being found guilty of a serious crime, such as murder, drug trafficking, or acts of terrorism, disqualifies an individual from acquiring guns in the future. In Canada, the law provides broad grounds for refusal: ‘A person is not eligible to hold a licence if it is desirable, in the interests of the safety of that or any other person, that the person not possess a firearm . . . ammunition or prohibited ammunition’.50

Violence in the home
Given the particular role of legally owned guns in the murder, injury, and intimidation of women and children in the home,51 several countries have instituted screening mechanisms to prevent gun acquisition by those with a history of family violence, whether or not it resulted in a criminal conviction. Canada requires current and former spouses to be notified before a gun licence may be issued. South Africa and Australia have specific prohibitions on issuing licences to those with a history of family violence.
In the US, federal law makes it a criminal offence to possess a gun while subject to an intimate partner violence restraining order and 11 US states have laws that prevent individuals with a history of intimate partner violence from purchasing or possessing a firearm.\textsuperscript{52}

**Youth**

Most countries prohibit the acquisition and ownership of guns by young people, although the age restrictions and type of guns vary. Many countries prohibit ownership of firearms until the age of 18. In South Africa, firearm owners must be 21 years of age. However, a licence can be issued if there are compelling reasons, such as the youth being a dedicated hunter or sportsperson.\textsuperscript{53}

**Serious mental illness**

Because of the potential risks, particularly for suicide, many countries will refuse access to a small arms licence to individuals with a history of serious mental illness. However, given privacy and doctor–patient confidentiality, information about mental illness is often difficult to obtain. In Canada, applicants are asked questions that referees must verify. In Australia, health practitioners who have reason to believe that a patient should not be allowed to have a gun licence are required to report their concerns to police. In Austria, a psychological test is required before a handgun licence is issued.\textsuperscript{54}

3. Prohibiting/restricting certain guns

Most countries prohibit the civilian possession of firearms whose inherent risk outweighs their utility. **Military assault rifles**

A 2004 survey of 115 countries showed that of 81 respondents, 79 banned civilian possession of military assault rifles, although the definitions varied. Only Yemen and Kenya did not report specifically banning some or all military weapons.\textsuperscript{55} Some of the nations prohibiting civilian possession of automatic weapons include Austria, China, Colombia, Guatemala, Hungary, India, Indonesia, Laos, Latvia, Malaysia, and Peru.\textsuperscript{56}

Many important challenges, critical to ensuring people’s safety from gun violence, have yet to be addressed. Further attention must be given to the question of the civilian possession of arms, particularly those designed for military use.

—Robert McDougall of Canada, BMS 2003, 7 July\textsuperscript{57}

Some countries go farther and prohibit civilian possession of selective-fire military assault rifles, which can be converted from semi-automatic to fully automatic fire.\textsuperscript{58} Many also ban civilian possession of semi-automatic variants of fully automatic firearms because of their lethality and limited utility for civilian purposes. For example, Argentina, Australia, Bangladesh, Canada, the Czech Republic, France, Guyana, Lithuania, New Zealand, and the UK prohibit selective-fire and some semi-automatic military assault rifles, although definitions vary.

**Handguns**

Access to handguns is frequently banned or severely restricted, given their concealable nature and prevalence in criminal violence.\textsuperscript{59} Some countries, such as Botswana and the UK, have completely banned
civilian handgun ownership. Others, such as Australia and Canada, allow handguns only for professional security guards and for target shooters who can prove that they are regularly involved in pistol sports.

**Safety devices**

One US state (New Jersey) passed a law in December 2002 mandating that only handguns that are personalised (‘smart handguns’) will be available for purchase in the state. Personalised guns can use a range of technology, including unique biometric data, such as fingerprints and retina scans, to permit firing only by their authorised user.

**Record keeping and registration of firearms**

Record keeping and registration of small arms help prevent diversion to illegal markets. They also support the efforts of law enforcement to trace guns, investigate crime, and support criminal prosecution. Most nations have some method of registering guns in the hands of their citizens. Yet inconsistencies exist; for example, Austria and New Zealand require the registration of handguns, but not rifles and shotguns.

The level of information required and the tools used also vary considerably. Mexico requires that owners are licensed and all guns registered. Thailand provides a good standard by requiring that the gun itself should be marked to indicate the province of registration and a number. Some jurisdictions have even begun to introduce ballistics testing as part of the record-keeping process. For example, Maryland and New York State in the US have laws requiring all new guns to have ballistics tests before they can be sold.

**Regulating the sale and possession of ammunition**

Ammunition controls are an integral part of comprehensive control measures and play an important role in reducing the impulsive use of certain types of guns, particularly by young people. Most countries regulate the sale of ammunition and many require that it be securely stored, defining the conditions under which ammunition may be held, and often making its purchase conditional on possession of the appropriate licence. Some nations, such as South Africa and the Philippines, limit the amount and type of ammunition that an individual may purchase or possess.

The following examples demonstrate several approaches taken by societies regarded as ‘peaceful’ and those recovering from war.

**Cambodia**

On 27 April 2005, the Cambodian National Assembly passed the Arms Law prohibiting private possession of a firearm without a licence. While the details of implementation have still to be worked out, the government is aiming for a ‘gun free’ society, and obtaining a firearm licence will be extremely difficult. Self-defence will not be considered a legitimate reason to receive a gun licence, and there will be tough regulations on owning guns for ‘sporting’ purposes. For example, the government announced that the public shooting range in Phnom Penh will be closed under the law. The law will be followed by a three-month amnesty for weapons collection, advertised through a national awareness-raising campaign.
Australia
Prior to 1996, all eight Australian states licensed gun owners, but only five actually registered all guns. The murder of 35 people in Port Arthur, Tasmania in April 1996 was the catalyst for improved national arms control. Within weeks, prompted by public and media pressure, all state and territory governments committed to pass nationally uniform laws including:

- registration of all firearms;
- stronger licensing provisions, including proof of genuine reason to own any gun; uniform screening, including a five-year prohibition on owning firearms for anyone convicted of intimate partner or family violence or subject to a restraining order; a safety course requirement; a minimum age of 18; a 28-day waiting period on each purchase; and strict storage guidelines;
- a ban on semi-automatic rifles and shotguns;
- improved controls on the trading of firearms, including the requirement of a separate permit for each gun; and
- a ban on private and mail order sales of small arms.\textsuperscript{67}

The new laws were phased in between mid-1996 and mid-1998, and a one-time tax levy funded the government’s buy-back of newly banned guns from their owners. The law resulted in the world’s largest weapons collection and destruction exercise to date, with 700,000 guns taken out of circulation.\textsuperscript{68}

Following the Australian Government’s major firearms reforms in 1996, Australia’s firearms laws became among the strictest in the world. They are based on the fundamental condition that access to a firearm be based on ‘genuine need’. But the Government is fully aware of the need to continually evaluate and improve national controls.

—Ambassador Peter Tesch of Australia at BMS 2003, 7 July\textsuperscript{69}

RECOMMENDATIONS
There is a growing international tide of support for the strengthening of small arms control measures, including the regulation of civilian-held guns, in global efforts to address the *illicit trade in small arms in all its aspects*. As the international community moves toward the 2006 RevCon to assess the effectiveness of the PoA, a growing group of countries is well-placed—through experience and commitment—to move the debate forward. The following recommendations are areas where broad-based international agreement on best practices might be achieved.

1. States should place an emphasis on rigorously reviewing their national regulations on arms possession and use, as well as the implementation of existing laws. Laws and policies should be brought into conformity with the recommendations laid out in the 1997 Resolution of the UN Commission of Crime Prevention and Criminal Justice.\textsuperscript{70} These include licensing, registration, and safe storage requirements, among others—all of which would help reduce misuse and diversion of legal firearms to illegal markets. In addition, States should seriously consider the importance of passing federally uniform, rather than sub-national, arms control laws. Doing so would impede arms trafficking from lesser to more regulated provinces.
2. Promote gun owner responsibility by registering firearms. Individuals permitted to own firearms must be responsible for them. Development of systems of accountability should also be agreed, with losses reported and investigated quickly. States could agree to hold individuals accountable for weapon loss through serious disciplinary action. International support for safe storage facilities and awareness-raising campaigns could help societies move from a culture of ‘rights’ for gun owners to one of ‘responsibility’ for ensuring that society is not harmed with their weapons.

3. Define minimum criteria for private ownership of guns by introducing a national system of licensing. At a minimum, criteria for acquiring guns should include the capacity to handle a gun; age limit; proof of valid reason; and a security screening based on criminal records or history of violence, including intimate partner violence. Licences should also be required to acquire ammunition.

4. Prohibit civilian possession of military-style rifles, including semi-automatic firearms that can be converted to fully automatic fire and semi-automatic variants of military weapons. This measure has been effectively implemented in countries such as Canada and Cambodia, and in 2004, East African governments signed the Nairobi Protocol, which binds State Parties to ‘the total prohibition of the civilian possession and use of all light weapons and automatic and semi-automatic rifles and machine guns’.

5. Ensure that national measures are harmonised with other efforts to prevent violence against women. Women face particular risks from gun violence in their homes at the hands of their intimate partners, and access to guns is a major risk factor for femicide. National regimes should include specific clauses that prohibit access to guns if the person seeking to own a gun has a history of violence, particularly against intimate partners or family members.

6. Support the appointment of disarmament advisors to peace processes and UN missions to examine opportunities to improve national gun laws. There is little doubt that the success of peace processes is enhanced by effective DDR. Along with weapons collection, however, it is critically important that nations recovering from war examine national gun laws to update and harmonise as necessary to encourage norms of non-possession, and reinforce accountability and the rule of law.

Contributors to this theme included Cate Buchanan, Centre for Humanitarian Dialogue; Wendy Cukier, SAFER-Net Canada; Adele Kirsten, Institute for Security Studies; Emile LeBrun, consultant; and Lora Lumpe, Amnesty International USA. Comments and suggestions from reviewers were received from Peter Batchelor, UN Development Programme; Nicolas Florquin, Small Arms Survey; Keith Krause, Small Arms Survey; Dr David Meddings, World Health Organisation; Brian Parai, Government of Canada; Rebecca Peters, International Action Network on Small Arms; Daniel Prins, Government of the Netherlands; Dr Garen Wintermute, Violence Prevention Research Program, University of California.
ESSENTIAL READING


Mistry, Duxita et al. (2002), The Role of the Criminal Justice System in Excluding Unfit Persons from Firearms Ownership, Institute for Human Rights and Criminal Justice Studies, Available at: www.smallarmsnet.org/issues/regions/gunfreerep.pdf


ENDNOTES

1 ‘Small arms’ generally refers to grenades, assault rifles, handguns, revolvers, light machine guns. ‘Light weapons’ generally refers to anti-tank and anti-aircraft guns, heavy machine guns, recoilless rifles. The terms guns, firearms and small arms are used interchangeably throughout this publication

2 Small Arms Survey 2004: Rights at Risk, Oxford University Press, Oxford, p. 71

3 The UN Draft Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, version L4 Rev.1 called on States to undertake the following: ‘To put in place adequate laws, regulations and administrative procedures to exercise effective control over the legal manufacture, stockpiling, transfer and possession of small arms and light weapons within their areas of jurisdiction. To ensure that those engaged in illegal manufacture, stockpiling, transfer and possession, can and will be prosecuted under appropriate penal codes. . . . To seriously consider the prohibition of unrestricted trade and private ownership of small arms and light weapons specifically designed for military purposes’. 4 Prepared remarks of John Bolton (USA), 9 July 2001. Available at: www.un.int/usa/01_104.htm


8 This observation was made by Regehr, Ernie (2001), ‘The UN and a small arms Program of Action: Measuring success’, Ploughshares Monitor, December. Available at: www.ploughshares.ca/CONTENT/MONITOR/Monitor01list.html


21 See www.who.int/mental_health/prevention/suicide/suicide_prevent/en/

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11 See, for example, statement of Australia at BMS 2003. Available at: disarmament2.un.org/cab/salw-2003/statements/States/Australia.pdf
14 *Small Arms Survey 2004*, p. 175
15 *Small Arms Survey 2004*, p. 175
20 In the US, juveniles (age 9–17) committed nearly 10 per cent of all guns used in crimes that were investigated in 1999; youth (age 18–24) committed another 34 per cent. Together, these age groups accounted for 57 per cent of all gun homicides in the US

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26 MISSING PIECES
a lack of adequate data to either prove or disprove the efficacy of firearms laws—both permissive and restrictive ones.

26 Hemenway, David (2004), Private Guns, Public Health, University of Michigan Press, Ann Arbor, Michigan; Cukier, Wendy (2002), ‘More guns, more deaths,’ Medicine, Conflict and Survival, Vol. 8, pp. 367–379. As with most rules, exceptions might exist. For example, Yemen seems to have a high rate of firearm ownership but a moderate rate of reported gun deaths. It is possible, however, that this anomaly is due to incomplete information. See Small Arms Survey 2003:Development Denied, Oxford University Press, Oxford, pp. 169–189


28 Frey, Barbara (2002), The Question of the Trade, Carrying and Use of Small Arms and Light Weapons in the Context of Human Rights and Humanitarian Norms, Working Paper submitted in accordance with Sub-Commission decisions 2001/120, para. 46

29 The estimated figures for annual US gun theft alone are 500,000–1,820,000. Small Arms Survey 2004, pp. 60–61


31 Gould (2004), Hide and Seek, p. 200

32 Available at: disarmament2.un.org/cab/salw-2003/statements/States/Belgium.pdf


34 In the first eight months of 2003, Mexican officials reportedly asked the US government to trace more than 17,000 US-origin guns recovered from crimes in Mexico. Grillo, Ioan (2003), ‘Illegal arms pervasive in Mexico and most obtained from the US,’ Houston Chronicle, 12 October 2003


36 Available at: disarmament2.un.org/cab/salw-2003/statements/States/Mexico.pdf

37 Botswana does not issue handgun licences to individuals; the only people who can possess and carry firearms are serving members of the police and defence force. Hunters are subject to strict control, with only 400 licenses issued annually, by lottery—200 for shotguns and 200 for rifles.

38 Gun Control Alliance (South Africa), Facts and Figures—Botswana: A Lesson for South Africa. Available at: www.gca.org.za/facts/briefs/09botswana.htm

39 UN Commission on Crime Prevention and Criminal Justice, Sixth Session (1997). The resolution was sponsored by Angola, Australia, Botswana, Brazil, Brunei, Burundi, Canada, Colombia, Croatia, Fiji, France, Gambia, Germany, Greece, Haiti, Italy, Japan, Lesotho, Malaysia, Mexico, Morocco, the Netherlands, the Philippines, Poland, Qatar, South Korea, Romania, the Russian Federation, Saudi Arabia, Sweden, Tanzania, Thailand, and Tunisia.

40 Bamako Declaration on an African Common Position on the Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons. Available at: www.smallarmssurvey.org/source_documents/Regional


43 OAS (2003), Andean Plan to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, OAS Decision 552, 25 June 2003. Available at: www.comunidadandina.org/normativa/dec/D552.htm

44 The countries that negotiated the agreement are Burundi, the Democratic Republic of the Congo, Djibouti, Eritrea, Ethiopia, Kenya, Rwanda, Seychelles, Sudan, Tanzania, and Uganda. For the text of the agreement, see www.saferafrica.org/DocumentsCentre/NAIROBI-Protocol.asp

45 On Cambodia, see the European Union’s Assistance on Curbing Small Arms and Light Weapons in the Kingdom of Cambodia (EU ASAC) at: www.eu-asac.org/and_cambodia/cambodia_small_arms.html; on Sierra Leone, see www.undp.org/bcpr/smallarms/docs/proj_sierraleone.pdf


47 Cukier, Wendy et al. (2003), Emerging Global Norms in the Regulation of Civilian Possession of Small Arms, SAFER-Net, Toronto (updated in 2004)
48 South Africa, Firearms Control Act (No.60 of 2000), Section 140.
52 Richardson Vigdor, Elizabeth and James Mercy (2002), 'Disarming batterers: The impact of domestic violence firearm laws,' in: Jens, Ludwig and Philip Cook (eds.), Evaluating Gun Policy: Effects on Crime and Violence, Brookings Institution, Washington, DC. However, the commission of a violent misdemeanour does not always result in the abusers' guns being surrendered.
53 South Africa, Firearms Control Act, chap. 5: Competency Certificate, sec. 9 (5) (a) and (b)
54 Cukier et al. (2003), Emerging Global Norms
56 Cukier (2005), The Feasibility of a Global Ban
57 Available at: disarmament2.un.org/cab/salw-2003/statements/States/Canada.pdf
58 From a public safety perspective, there is little difference between fully automatic and semi-automatic military assault. A fully automatic AK-47 fires 20 rounds in 2.4 seconds, a semi-automatic Norinco AK-47 takes 4.6 seconds. See Cukier et al. (2003), Emerging Global Norms
59 UN (1998), International Study on Firearm Regulation, p. 33 Available at: www.uncjin.org/Statistics/firearms
60 UN (1998), International Study on Firearm Regulation
61 The law mandates that only personalised handguns will be available for purchase three years after they become commercially available. See State of New Jersey (2002), 'McGreevey Signs Law Requiring Childproof Handguns,' press release, December 22. Available at: www.njstatelib.org/NJLH/lh2002/govmess/ch130.gov.htm. See also Eisenberg, Anne (2005), 'Ready, aim, ID check: In wrong hands, gun won't fire,' New York Times, 6 January
62 This information was taken from SAFER-Net country profiles for Australia, Austria, Germany, India, and Japan. Available at: www.ryerson.ca/SAFER-Net
66 Email communication with David de Beer, project manager of the EU's Assistance on Curbing Small Arms and Light Weapons in the Kingdom of Cambodia (EU ASAC), 3 May 2005
67 Australasian Police Ministers' Council, 10 May 1996 and 17 July 1996, Consolidated Resolutions Relating to Legislative Issues
68 Small Arms Survey 2004, p. 184
69 Available at: disarmament2.un.org/cab/salw-2003/statements/States/Australia.pdf
72 Small Arms Survey 2004, p. 176
75 Small Arms Survey 2004, p. 176
77 WHO, Pan American Health Organisation, and Small Arms Survey (2004), 'Firearm-related violence in Brazil—Violência por armas de fogo no Brasil.' Available at: www.smallarmssurvey.org/copublications.htm
84 See, for example, the US Think First National Injury Prevention Foundation fact sheet on violence prevention. Available at: www.thinkfirst.org/teens/ViolencePrevention.asp
88 Telephone interview between Christian Ruge, FAFO and Brigadier Geir Anda, Commander, Norwegian Defence Staff Press and Information Office, Oslo. Communicated to the HD Centre, 18 May 2005.
Preventing suicide: Focusing on the gun

The social stigma often attached to self-directed violence means that gun suicides are largely neglected—or sidelined—in efforts to prevent armed violence. In fact, the magnitude and patterns of gun suicide provide a compelling supporting case for improved small arms controls.

Suicide—a global health burden

An estimated 815,000 people commit suicide each year,\(^71\) of which at least 50,000 (6 per cent) are completed with small arms,\(^72\) compared to about 200,000 global gun homicides.\(^73\) Gun suicides represent 1.4 per cent of the Global Burden of Disease,\(^74\) but this burden is distributed disproportionately across regions: almost half (48 per cent) of all suicides with small arms occur in Western Europe and North America. In the US, the gun suicide rate is ten times that of Africa and Southeast Asia.\(^75\) However, suicides are often under-reported in the global South for religious or cultural reasons, so the true firearm suicide rate may be much higher.\(^76\) In Brazil, for example, public health experts believe that many gun deaths ruled by coroners to be of ‘unknown cause or intent’ are actually suicides.\(^77\)

The suicidal urge is commonly impulsive and transitory, especially in youth, and many people who contemplate or attempt suicide eventually recover and lead healthy, fulfilled lives. But if a gun is available to use in a suicide attempt, the chances of survival are slim: 85 per cent of suicide attempts with a gun end in death, a higher completion rate than other methods, such as jumping, laceration, and poison.\(^78\) Those who do survive self-directed gunshots often face life-long head injuries that present a ‘formidable challenge to reconstructive surgeons’.\(^79\)

Unlike firearm homicides, which are primarily—but by no means exclusively—an urban and outdoor phenomenon, gun suicides routinely occur in the home and in rural settings.\(^80\) In the US, rural communities experience a 54 per cent higher firearm suicide rate than urban communities. In England and Wales, 36 per cent of suicides among farmers involve guns, whereas guns are used in only 4 per cent of suicides among non-farmers.\(^81\) Information from other settings is not available. The risk of suicide increases significantly with age; those over the age of 60 have three times the suicide rate of those 15–29 years old. While rates are similar for men and women early in life, by the age of 45, men commit suicide at twice the rate of women,\(^82\) although women are two to three times more likely than men to make an attempt. There are no global statistics available yet on suicide by method, but the gender discrepancy between attempts and completion rates could be partly due to men’s overwhelming access to and use of guns: in the US, men are almost eight times more likely than women to complete a suicide with a gun (the rates were 11.07 per 100,000 for men and 1.39 per 100,000 for women in 2002).\(^83\)

A primary risk factor: The presence of a gun

Because of the particular lethality of guns and the relative ease of using them compared to many other suicide methods, doctors and suicide counsellors recommend that guns be removed from the environments of individuals who are at risk of suicide—such as those suffering from depression or who have recently had a traumatic experience, such as the loss of a loved one.\(^84\) The WHO considers access to a firearm to be a significant independent risk factor for suicide.\(^85\) This is supported by research in the US indicating that the mere presence of a gun in the home increases by a factor of five the risk that a suicide will take place there.\(^86\) Even more compelling, suicide is the leading cause of death in the 12 months following a handgun purchase.\(^87\)

Measures to reduce gun suicide

While reducing access to guns might not reduce the number of attempted suicides, it can reduce the rate of completed suicides, and thus considerably reduce self-directed mortality. A number of steps can help achieve this goal.
1. **Institute mandatory waiting periods for gun licensing and/or gun purchase**
   Among the measures adopted by Canada in the 1990s to regulate gun ownership was a mandatory 28-day waiting period for a firearm certificate. Waiting periods can limit access to the most lethal tool to commit suicide by those who intend to kill themselves.

2. **Screen small arms purchasers for serious mental illness**
   Many countries restrict or prohibit small arms ownership for those with serious mental illnesses that are associated with violence or self-harm. For these screening mechanisms to be effective, however, background checks must be able to access/check certain kinds of medical records. This is not yet routine.

3. **Institute safe storage requirements**
   Requiring that guns be locked unloaded, with the ammunition locked away separately, can prevent some of the most tragic and preventable gun suicides—those committed by young people with guns kept by their parents. In 2002, the Norwegian Armed Forces changed their policy and removed a large number of small arms from the homes of military personnel. By the end of 2004, there had been no incidents of firearm suicide using army guns in the home guard.\(^8\)

4. **Encourage gun-free homes**
   Public education campaigns highlighting the links between guns in the home and suicide (as well as homicide) should be promoted, and citizens encouraged to remove small arms from settings where they are more likely to end in the death of a family member than to protect.
Bullets cannot be recalled. They cannot be uninvented. But they can be taken out of the gun.

—Martin Amis
Einstein’s Monsters, 1987
THEME 2
STEMMING THE FLOW OF SMALL ARMS: CONTROL ISSUES
We must now begin to make a real difference by ensuring better enforcement of arms embargoes, strengthening programmes for the disarmament of ex-combatants and negotiating a legally binding international instrument to regulate the marking and tracing of small arms and light weapons, as well as one to prevent, combat and eradicate illicit brokering.¹

—UN Secretary General Kofi Annan, 2005

Relatively few of the countries most affected by gun violence are major producers of small arms, so weapons are often sourced abroad.² Frequently, such foreign-supplied arms are repeatedly recycled within or across borders for years, amplifying the impact of the initial sale. Given the havoc they cause in some areas, an international response to prevent fresh arms supplies is required. This theme examines the most common ways that small arms are trafficked and provides key recommendations for policies to stop illicit transfers and those supplies—whether technically 'authorised' or not—that are particularly damaging to human security.

Global arms transfers take several forms: weapons may be sold, bartered, or given away free. Many governments concern themselves with illicit trafficking, where they consider legality to be based narrowly on whether a deal had government approval.³ Yet the illicit trade is intimately connected to the legal trade—and sometimes the two are hard to distinguish. In fact, the question of what is a legal arms deal, as opposed to an illegal one, hinges on the question of what is allowed under national and international law, and the absence of adequate national laws covering arms trading is one of the main challenges. A wilful lack of transparency on even the authorised trade by many States, including some major producers and exporters, further muddies the picture.⁴

Relevance to UN Programme of Action
Regulating the illicit trade in small arms is the core organising principle of the PoA, and is referenced explicitly and implicitly throughout the document. The agreement of States to pursue supplemental measures, legally binding instruments on marking and tracing, and brokering further bolsters this supply-side focus of the PoA. Nevertheless, the authorised trade in small arms—from which much of the illicit trade originates—was purposely excluded from the scope of the PoA.

Section 2, Article 11 of the PoA specifically calls on Member States to ‘assess applications for export authorisations according to strict national regulations and procedures that cover all small arms and light weapons and are consistent with the existing responsibilities of States under relevant international law’.
International arms transfers fall into three categories:

- **authorised arms transfers** that are explicitly approved by governments of both the export and import countries, as well as any transit countries with trans-shipment controls in place (as noted below, the fact that a transfer is authorised by a government does not preclude it from being in breach of international law and/or having grave consequences for human security);

- **grey market transactions** that involve arms shipments officially declared for one destination or client—and approved by a government on that basis—but that are then diverted to an unauthorised user, sometimes in violation of an international arms embargo; and

- ‘**black market’ or strictly illegal transactions**, in which neither the export nor import was approved by the relevant authorities and the entire deal is conducted in the shadows, taking advantage of lax controls and the extensive networks of criminal syndicates.

Governments often approve small arms deals with little, if any, consideration of the consequences, including basic questions such as who will receive the guns or ammunition, how they will use them, and what repercussions the inflow of weapons may have on the security environment for civilians—whether, for example, the (mis)use of the guns will fuel violence and human rights abuse. Grey market deals provide an easy cover for transfers to human rights abusers and those subject to arms embargoes. Moreover, where governments fail to crack down on illegal gun sales and the criminals that misuse them, the widespread availability of guns enables armed attacks against civilians. Gun trafficking threatens lives and livelihoods in myriad ways. Yet it appears that competition for markets and financial profits inhibit restraint, and unfortunately supplier countries commonly rationalise that ‘if we don’t sell it, someone else will’, a reasoning often inconsistent with their overall foreign, security and development policy objectives.

**EXISTING PROCESSES**

*An important element in moving forward against illicit trade in small arms and light weapons rests with the availability of credible and adequate national legislation that effectively exercises control over the production, export, import and transfer of such weapons.*

—Ambassador Makmur Widodo of Indonesia at BMS 2003, 7 July

A number of initiatives to regulate arms transfers have taken place, led by governments and NGOs. Approaches that offer some promise or lessons for the future are profiled below.

1. **Transfer criteria**

Governments have international legal responsibilities with respect to their decisions to permit small arms transfers. Under the PoA, Section 2, Article 11, States declared that they would ‘assess applications for export authorisations’ according to criteria ‘consistent
with the existing responsibilities of States under relevant international law. The *Agenda for Humanitarian Action*, agreed to in December 2003 by States party to the Geneva Conventions, calls on governments to ‘make respect for international humanitarian law one of the fundamental criteria on which arms transfers are assessed’. States are encouraged to incorporate such criteria into national laws or policies and into regional and global norms on arms transfers.  

States’ obligations go beyond the duty to respect arms embargoes and make them binding within their territories. Where supplying countries make weapons and ammunition available even though they have reason to believe these may be misused, they might become complicit in the resulting armed atrocities. As pointed out by the UN Special Rapporteur on the prevention of human rights violations committed with small arms and light weapons, international law ‘could be interpreted to prohibit [States] from transferring small arms knowing they will be used to violate human rights’. The reports of the Special Rapporteur have pointed out that small arms availability and misuse are intimately connected, and that international standards on arms transfers must be clarified and strengthened if arms-enabled abuses are to be prevented.

There are also important reasons for governments to adopt a prohibition of arms transfers to a ‘peaceful’ country where the local authorities are unable to rein in private individuals and groups who act with impunity. When exporting states realise that small arms provided legally are being diverted and used in deadly crime, they likewise should act to avoid complicity in bloodshed. In 1996, for example, the US barred gun exports to Paraguay when it was discovered that many guns used in violent crime in neighbouring Brazil were US-sourced, transferred legally to Paraguay and then illegally trafficked over the Brazil–Paraguay border. This policy seems to have led to changes: in 2000, after negotiations with the Brazilian government, Paraguay committed itself to a three-year moratorium on all firearm imports.

NGOs have taken the lead in pushing for international criteria to govern arms export. The Control Arms Campaign, launched in October 2003 by the International Action Network on Small Arms (IANSA), Oxfam, and Amnesty International, advocates for an ‘Arms Trade Treaty’ (ATT) prohibiting transfers when the guns and ammunition in question are indiscriminate, of a nature to cause superfluous injury or unnecessary suffering, or when there is knowledge that arms will be used for breaches of the UN Charter or for serious violations of human rights and international humanitarian law (IHL).

Encouragingly, sustained civil society campaigning is making a difference in generating political support for binding arms transfer criteria. At the 2003 BMS, several States emphasised the importance of stricter export control. As the German representative indicated in his statement, ‘[w]e are convinced that legal transfers governed by an unequivocal set of criteria need no hiding.’ To date, 11 governments, including the UK, have signalled their support for an international treaty regulating arms transfers, with 14 others positively engaged on this issue. Yet important challenges remain in convincing others to turn the concept of a global treaty regulating the arms trade into a reality (see Box 2).
The ‘Draft Framework Convention on International Arms Transfers’ (also known as the Arms Trade Treaty or ATT) has gathered growing international attention since the launch of a campaign to support its adoption began in October 2003. As the campaign moves forward, four issues will require consensus among States.

1. Clarifying the international legal basis for rules prohibiting transfers

As it currently stands, the ATT proposal attempts to codify existing international law with reference to the obligation of States under the law of State responsibility. This law prohibits States from aiding and assisting other States in the commission of an internationally wrongful act, which can include serious breaches of IHL or human rights law. What happens, however, when small arms are transferred to non-state armed groups that are not directly covered under the concept of State responsibility?

The emerging international criminal law notion of ‘complicity’ might assist, as it encompasses the positive obligation of State officials to investigate the end-use of the weapons they transfer, as they may incur responsibility for making violations possible by providing material assistance to the perpetrators. Rules against complicity are intended to ensure States do not become accomplices in the violent behaviour of others, whether other States, armed groups, corporations, or individuals.

In addition, there are clear positive obligations on States to ensure respect for IHL, and this is widely accepted as including obligations towards preventing or punishing breaches of IHL abroad. There is also a developing notion that States must co-operate in the protection and fulfilment of human rights beyond their borders. In both cases, these rules provide support for strict criteria to prohibit transfer where the guns are likely to be used to commit human rights or humanitarian law abuses.

2. Clarifying the precise criteria of prohibition

Existing proposals list very general criteria, such as ‘violations of human rights’. It is likely that when States sit down to negotiate criteria for arms transfers, there will need to be a good deal of discussion to give more precision to these general phrases. A firm basis can be found in existing international standards to list more serious types of abuses that would give rise to a prohibition on transfer.

Consideration should be given also to identifying situation-specific criteria that would address directly the types of cases in which transfers should always be prohibited. For example, criteria could prohibit transfer to any State or territory where the International Criminal Court is investigating or prosecuting war crimes or crimes against humanity, or to any state that has not met minimum international standards in regard to national use, control, and stockpiling of guns and ammunition.

3. Clarifying the standard of proof

A key question involves determining the standard of proof on the transferring state. It would seem insufficient to prohibit transfers only where the State had knowledge that doing so breached the criteria. At a minimum, a notion of ‘constructive knowledge’ should be used, whereby if certain factors were present knowledge or awareness could be imputed. Otherwise, there is a real risk that States that lack diligence or turn a blind eye to abusive behaviour on account of a lucrative deal will not be caught by the prohibition.

An alternative to constructive knowledge is the use of the ‘likelihood’ formulation. This is the standard chosen by the EU Code of Conduct. In order to be useful, this standard needs to be substantiated with indicators. It could be stipulated that the ‘likelihood’ of arms being used to perpetrate violations of international law will be assessed in light of statements made by UN bodies, or will depend on the adoption by the recipient State of certain key instruments on, for instance, use of force by law enforcement officials.
4. Identifying enforcement measures
Too little attention has been given to means to enforce international transfer criteria. In order to be effective, any international treaty in this area must include obligations on States to criminalise serious violations, such as the conduct of national officials who issue licences knowing that the transfer fails to meet the criteria or the conduct of an arms manufacturer that circumvents national export controls. Some kind of international monitoring body will be necessary, as States will often have divergent interpretations of the criteria. No matter how many indicators are codified in an eventual convention, there will always be room for disagreement.

An international body or agency would also be a way to guarantee that a State wanting to invoke its right to self-defence in order to import guns and ammunition despite its poor human rights record could argue its case before a neutral third party. The absence of this type of mechanism is currently one of the problems of the Economic Community of West African States Moratorium. 15 (see below)

At the national and regional levels, a number of arms supplying States have progressively adopted minimum arms transfer criteria. There have been further strides since 2001 to codify transfer criteria for small arms. In December 2002, the Wassenaar Arrangement16 adopted the Best Practice Guidelines for Exports of Small Arms and Light Weapons. The guidelines identify the circumstances under which exporters should avoid authorising arms transfers, including the risk of contributing to terrorism, prolonging or aggravating armed conflict, or diversion to unauthorised recipients. 17 In December 2003, the Wassenaar Arrangement also agreed to Elements for Export Controls of MANPADS, which calls on members to restrict exports of man-portable air defence systems (MANPADS) only to governments or their authorised agents and to take into account other factors, including the potential for misuse in the recipient country. 18 (See Annex 4 for more instruments of relevant to small arms transfers)

As of 2003, the UK has been working with regional partners to build support for agreement on global norms on small arms transfers by the 2006 RevCon.

The initiative aims to build support for transfer controls from the ground up by using regional workshops to identify areas of common concern. At workshops held in Latin America, the Caribbean, and East Africa, there was wide agreement on the components of a national transfer control regime and the need for effective implementation, co-operation and information sharing.

2. Embargoes
Arms embargoes represent a key instrument to prevent small arms from falling into the wrong hands. It is now common practice for the UN Security Council to impose arms embargoes on parties (State and non-state) to a conflict as a response to the existence or impending threat of violent conflict. 19 There are currently mandatory territorial arms embargoes in force against Côte d’Ivoire, Liberia, Somalia, and Sudan. Non-state actors are also subject to arms embargoes. Currently, every State in the international community is prohibited from transferring arms to non-state groups in the Democratic
Republic of Congo, Liberia, Rwanda, Sierra Leone and in Sudan, as well as to Al-Qaida and associated persons. Under article 41 of the UN Charter, States have a legal obligation to abide by embargoes enacted by the Security Council and a duty to implement measures to ensure that persons within their jurisdiction also comply with the embargoes.

Increasingly, regional instability, human rights and humanitarian law concerns motivate the imposition of arms embargoes but, for political reasons, the pattern of imposition is by no means consistent. Despite the difficulties that permeate their implementation and enforcement, the fact that arms embargoes are viewed as a necessary element of the international community’s reaction to violent conflict is significant. Even where the Security Council calls upon States to halt the flow of arms to a conflict zone without pronouncing a mandatory embargo, its action reinforces the idea that weapons transfers in violent circumstances are never innocent.\(^2^0\)
There has been some progress recently to improve the effectiveness of arms embargoes. The establishment of UN investigative panels to monitor different sanctions regimes has been a major development.\textsuperscript{21} The publication of hard-hitting panel reports documenting embargo violations has helped focus attention on the problem and pushed some arms suppliers, brokers, and private traffickers to re-evaluate the risks of engaging in such deals. The investigative panels have identified consistent problems that compromise the effectiveness of arms embargoes, such as:

- lax arms export controls in supplier countries;
- allies in the governments of other countries who provide cover and sometimes financing for embargoed parties; and
- uncontrolled arms brokers and transport agents who will supply arms to anyone for the right price.

Although UN arms embargoes are obligatory, governments and individuals that are caught in violation do not face real or punitive consequences. This is especially true of governments that serve on the Security Council, such as France during a mid-1990s scandal over arms sales to Rwanda, though a range of other countries provided arms to forces subsequently engaged in genocide.\textsuperscript{22} Individuals who facilitate sanctions busting, including corrupt government officials, arms brokers, and transport agents, operate with near-total impunity. National authorities often fail to implement UN sanctions into national legislation, so any violations become nearly impossible to prosecute, especially where gun control and justice systems are weak.

Another problem is that UN investigative panels have always been \textit{ad hoc}, time bound, and assigned to look at individual embargoes. This arrangement means that there are gaps in monitoring, institutional memory is lost as panels expire, opportunities for a more comprehensive analysis across several embargoed countries are missed, and follow-through does not happen. One solution to these problems would be for the UN to establish a permanent sanctions unit to receive and analyse reports of violations and ensure critical follow-up, complemented by experts who would conduct investigations as needed.

The High-level Panel on Threats, Challenges and Change, in its report to the UN Secretary-General in December 2004, appears aware of the need to strengthen the international sanctions regime, particularly with regard to arms embargoes. The report calls \textit{inter alia} for the establishment of monitoring mechanisms and reporting procedures, a review of the effectiveness of sanctions, and the strengthening of border controls. It also provides that ‘the Security Council should, in instances of verified, chronic violations, impose secondary sanctions against those involved in sanctions-busting.’\textsuperscript{23}

3. Moratoria
Voluntary and mandatory moratoria can often be effective ways to limit the proliferation of guns and ammunition. Unlike embargoes, moratoria do not necessarily imply punishment for actions or activities, and are preventive in nature. They can apply to a single country, to sub-regions, or entire regions; be initiated by importing or exporting states; and can cover only selected types of weapons: a number of
governments that are not party to the 1997 Mine Ban Treaty have moratoria on the export of anti-personnel mines.\textsuperscript{24}

In October 1998, the Economic Community of West African States (ECOWAS) led by the Government of Mali, declared the \textit{ECOWAS Moratorium}. Unfortunately, in its current form, while powerful on paper, it has not been effective enough in preventing new supplies of guns and ammunition from entering West Africa. Among the many examples of violations, Côte d’Ivoire has imported ‘considerable amounts of military hardware, notably from China.’\textsuperscript{25} Some arms exporters, in particular the participants in the Wassenaar Arrangement, have pledged to abide by the moratorium, but, like the moratorium itself, this commitment remains non-binding.\textsuperscript{26}

4. Marking and tracing

One challenge to the enforcement of arms controls is the difficulty of determining the origin of the guns that are misused in conflict and human rights crisis zones around the world. As part of the PoA, governments committed themselves to developing an international regime on the marking and tracing of small arms. An open-ended working group (OEWG) on tracing illicit small arms was established in 2003 to negotiate an international instrument, and 2004 saw some progress toward that goal,\textsuperscript{31} though ammunition has proven to be contentious and is likely to be excluded.\textsuperscript{32} However, the legal status of the ultimate instrument remains unclear. At the initial UN debates, some countries—namely some Latin American countries, West and Southern African countries,
### Table 2
Entry points for action on armed groups and small arms control

<table>
<thead>
<tr>
<th>PROBLEM</th>
<th>POSSIBLE RESPONSES</th>
</tr>
</thead>
<tbody>
<tr>
<td>‘Supply’ How do armed groups get weapons?</td>
<td></td>
</tr>
<tr>
<td>Legal/grey market transfers</td>
<td>Adopt human rights and IHL criteria for arms transfers</td>
</tr>
<tr>
<td>Ban transfers to groups known to commit egregious human rights violations</td>
<td></td>
</tr>
<tr>
<td>Through arms brokers</td>
<td>Introduce robust legislation on brokering and ensure prosecution of unscrupulous arms brokers and shipping agents</td>
</tr>
<tr>
<td>Embargo busting</td>
<td>Better equip the UN to monitor and enforce arms embargoes; establish a UN embargoes unit</td>
</tr>
<tr>
<td>Trafficking</td>
<td>Ratify and implement the UN Firearms Protocol</td>
</tr>
<tr>
<td></td>
<td>Tighten border controls</td>
</tr>
<tr>
<td>Weak stockpile management (e.g. looting of armouries)</td>
<td>Review the procedures and facilities for safe storage and registration of guns and ammunition</td>
</tr>
<tr>
<td>‘Demand’ How can the demand for weapons be reduced?</td>
<td></td>
</tr>
<tr>
<td>Addressing inequality and insecurity</td>
<td>Manifestations of inequality and insecurity need to be identified and addressed on a case-by-case basis (for example, unequal distribution of resources, access to power, trafficking in conflict goods)</td>
</tr>
<tr>
<td>Disarmament</td>
<td>Effective disarmament that goes beyond weapons collection related to cease-fires and peace agreements and includes ‘weapons for development’ projects, long-term arms control initiatives, regulation of all civilian users, and detailed reintegration strategies</td>
</tr>
<tr>
<td>‘Misuse’ How/why do armed groups misuse weapons?</td>
<td></td>
</tr>
<tr>
<td>Lack of respect for human rights and IHL norms</td>
<td>Engage with groups to increase awareness of and respect for international law, especially standards for civilian protection, for example, by facilitating training programmes and information exchange</td>
</tr>
<tr>
<td>Publicise abuses, to bring pressure to bear on the armed group</td>
<td></td>
</tr>
<tr>
<td>Lack of accountability</td>
<td>Find ways for non-state actors to agree to instruments on human rights and IHL; child soldiers protocol; landmines treaty</td>
</tr>
<tr>
<td>Bring the leaders of groups responsible for gross abuses of human rights and IHL to justice where appropriate and feasible through special tribunals and the International Criminal Court</td>
<td></td>
</tr>
<tr>
<td>Due or in response to abuses committed by government or opposing forces</td>
<td>Ensure impartiality in approach, by giving sufficient weight and attention to government abuses; UN Special Rapporteurs, independent commissions, or ombudsmen can play a useful role in identifying issues and options for action</td>
</tr>
</tbody>
</table>
and the EU and its Associated Members—were keen to see a legally binding instrument, while countries such as Japan and the Russian Federation favoured an agreement that would not be legally binding. Yet what is needed at this stage is not another unenforceable political declaration, but a strong, legally binding treaty that would include:

- high common standards for the adequate marking of all small arms and light weapons;
- detailed international standards for record keeping on arms transfers;
- provisions for marking and tracing ammunition;
- ways of strengthening the operational capacities of governments to implement the treaty’s measures;
- provisions that make it fully consistent with States’ existing responsibilities under international law; and
- mechanisms for future review and improvement of the agreed instrument.

In May 2005, much appears to depend on the outcome of the negotiations at the third session of the OEWG in June 2005.
5. Brokering controls

Recent studies have shown that arms brokering plays a significant role in illicit arms trade. The establishment of an effective international regime to control the practice has, therefore, become necessary. Member States should abide by their commitment to enhance international cooperation and exchange of information as a prelude to the establishment of such a regime.

—Minister Chuka Udedibia of Nigeria on behalf of the African Group at BMS 2003, 7 July

Arms brokers have been at the centre of many of the most troubling arms deals, including to areas of intense violence and gross human rights abuses and violations of the laws of war. Brokers help to arrange all types of transactions and are used to facilitate government-approved sales, as well as grey market and black market deals. Governments may use their services for legal or covert transactions.

Arms brokers, shipping agents, and other private actors effectively operate in a profitable legal vacuum. Only 25 countries regulate arms brokers, and even fewer have laws requiring transport agents and financiers of arms deals to get approvals. A number of these national-level controls have been adopted since 2001, signalling positive momentum, but there remains considerable room for concerted action.

More progress has been made at the regional level, with the issue of brokering meriting inclusion in instruments from Africa to Europe to the Americas, including:

- the SADC Firearms Protocol of August 2001;
- the EU Common Position on Brokering of June 2003;
- the guidelines on brokering—known as _Elements for Effective Legislation on Arms Brokering_—adopted by the Wassenaar Arrangement in 2003;
- the Organisation for Security and Co-operation in Europe (OSCE) _Best Practice Guide on National Control of Brokering Activities of 2003_;
- and
- the _Nairobi Protocol of April 2004._

The strongest criteria are offered by the regretfully non-binding model regulations on brokering promulgated in late 2003 by the Organisation of American States (OAS), which prohibit brokering activities that will or threaten to lead to genocide or crimes against humanity, violations of human rights or international law, war crimes, the violation of UN Security Council embargoes, or similar sanctions, among other criteria.

The Dutch and Norwegian governments launched an initiative on arms brokering in 2003, building on earlier joint efforts, and focused on developing a common understanding of the problem and sharing best practices about how to address it. After a series of consultations hosted by the UN Department for Disarmament Affairs, the UN General Assembly decided in late 2004 to continue such consultations with a view to establishing ‘by 2007’ a group of governmental experts to consider further steps to enhance international cooperation in preventing, combating and eradicating illicit brokering in small arms. In 2006, five years after agreeing that controlling brokers was a priority, the international community will still be years away from any tangible process to address this urgent issue. NGOs continue to call for a binding treaty on arms brokering that
would close the legal gaps and make brokered deals subject to scrutiny on the basis of human rights and IHL criteria.\textsuperscript{43}

6. End-user controls
A linchpin of well-functioning government arms export controls is the so-called end-user certificate (EUC). This is a document that identifies the purported client for an arms deal and contains certain commitments regarding how the requested guns will be used and/or whether they may be retransferred. Thorough end-use monitoring can ensure that weapons are only exported to appropriate destinations, that they are duly received by the authorised recipients, that they are used appropriately once delivered, and that they are not then forwarded to unauthorised parties.

Unfortunately, the widespread problem of falsified and fraudulent EUCs undermines the integrity of end-use controls. Illicit arms brokers commonly make or obtain improper EUCs that they use to arrange shipments to embargoed groups and other undesirable users. Yet the international community has made almost no progress to halt such fraudulent practices. From time to time, some governments have expressed interest in multilateral approaches to improve end-use controls, but to date no common approach has been forged on this basic issue.\textsuperscript{44} Sweden has proposed the establishment of an expert group within the UN framework to study the feasibility of developing an EUC system at the regional and global levels, including information exchange and verification, but the initiative has not met with much support.\textsuperscript{45}

7. UN Firearms Protocol
The UN Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components, and Ammunition stands as a centrepiece of international efforts to control small arms supply.\textsuperscript{46} The Firearms Protocol, also known as the Vienna Protocol, was adopted by the General Assembly on 31 May 2001 as one of three protocols attached to and supplementing the UN Convention against Transnational Organised Crime. Despite a slow ratification process—particularly compared to the two other protocols—the Firearms Protocol will finally enter into force in late 2005, and stands as the first global legally binding measure addressing international small arms transfers. (See Annex 2 for information on ratifications and signatures)

The Firearms Protocol criminalises illicit trafficking in firearms, provides that legal transfers of guns require agreements between the governments involved, and that guns must be marked at the point of manufacture, import, and transfer from government into private hands. States are also encouraged to establish a system of regulating arms brokering.

Yet the Firearms Protocol also embodies some of the weaknesses of efforts targeting only ‘illicit’ transfers: it only covers commercial transfers, thereby exempting state-to-state transactions, and it does not specify the criteria against which arms transfer decisions should be weighed. Further, it is limited to barrel firearms, which means that some weapons categorised by the 1997 UN Panel of Governmental Experts on Small Arms as ‘small arms and light weapons’, such as explosives and landmines, are not covered.
Box 4
Improving ammunition controls

...small arms and light weapons used in conflict require frequent supply of ammunition and therefore enhanced controls on ammunition and its explosive components and the manufacturing technology to produce them could be of particular value in dealing with the existing dissemination of small arms and light weapons and reducing the incidence of their use in conflict or post-conflict situations.
—Report of the Group of Experts on the problem of ammunition and explosives, 1999

Efforts to stem the human security crisis of armed violence undoubtedly warrant a focus not only on small arms transfers, but also on ammunition. Without ammunition, guns are non-functional. Ammunition comprises a sizable part of the global authorised trade in small arms, but it is poorly documented and illicit trafficking of ammunition is thought to be widespread.

Acknowledging the importance of better understanding the policy issues related to ammunition, in 1997 the UN General Assembly agreed to a study of the issue. An Experts Group reported in 1999 and little, if anything, has been done on the issue at a global level since then.

The word ‘ammunition’ does not appear in the text of the PoA. However, if the scope of the instrument’s coverage is guided by the 1997 UN Panel of Experts’ definition of ‘small arms and light weapons’, it may be construed to include ammunition. Ammunition is also explicitly or implicitly part of the scope of a number of regional instruments, including the ‘ECOWAS Moratorium’, the ‘EU Code of Conduct’, the ‘OAS Model Regulations’, and the ‘SADC Protocol’, among others. Nevertheless, States have rarely tightened ammunition supply controls, either because they believe it to be too difficult, or ancillary to the ‘main concern’: the weapons themselves. The discussions on a possible instrument on marking and tracing have as of early June 2005 failed to secure agreement that ammunition would be comprehensively included.

One recent important exception to this trend is Brazil’s Disarmament Statute, passed in December 2003, which requires that all Brazilian-produced ammunition for the military and police be stamped with its lot number, which should help prevent leakage to criminal elements, and provides for long prison sentences for violations.

A Small Arms Survey review suggests that clamping down on ammunition supply may present fewer challenges than previously thought: ammunition production is less diversified and easier to identify than small arms manufacture, and bullets are less durable than the guns that fire them.

In addition, some measures, such as marking, are well suited to control ammunition (ammunition markings cannot be tampered with, unlike gun markings). States should make use of these advantages to focus more closely on ammunition regulations, while increasing their transparency in reporting authorised ammunition transfers.

RECOMMENDATIONS

This theme has considered a wide variety of measures to prevent transfers that undermine human security, whether they are ‘authorised’, grey market or diverted transactions, or strictly illegal transactions. A number of the measures outlined here are well within existing PoA commitments. Others call attention to how limiting the scope of our efforts to strictly ‘illicit’ transfers is insufficient, given that all three types of transactions are intertwined, as are the actors that engage in them. Some recommendations for the next round of policymaking on transfer controls include:
1. **Adopt and enforce arms transfers criteria based on strong human rights and IHL principles.** To reduce the likelihood that small arms transfers will cause indiscriminate or unnecessary suffering or reach human rights abusers, States must adopt into national law strict arms export criteria, while at the same time endorsing the need for a binding international instrument on arms transfers. As international export criteria may be slow to develop, regions can develop their own codes of conduct for arms exports. Organisations such as the OAS, ECOWAS, and the OSCE already have regional agreements on arms transfers which provide possible models for other regions to follow.

2. **Strengthen and enforce arms embargoes and criminalise embargo busting.** The creation of UN arms embargo monitoring mechanisms, also recommended by the High-Level Panel on Threats, Challenges and Change, could provide the infrastructure to monitor embargo enforcement and suggest consequences for violations. In parallel, States should adopt into national law criminal prohibitions against arms transfers in violation of Security Council arms embargoes, and enforce those laws by prosecuting violators.

3. **Develop an international regime for the standardisation, authentication, verification, and continued monitoring of end-user commitments.** Strengthening national and international end-use monitoring must be a top priority for arms exporting States. Governments should begin efforts by developing a common end-user certificate that cannot be easily replicated or forged, and complementing it with a registry of authorised signatures. The Security Council, the UN Secretary-General, or the General Assembly could initiate such an effort by naming a UN working group to take the lead.

4. **Address arms brokering through legally binding measures, including by moving toward the negotiation of an international instrument on arms brokering.** Too few governments regulate the activities of arms intermediaries, and there are inconsistencies in national controls where they exist. Illicit brokers can readily avoid existing controls by working from other jurisdictions. Only through global efforts can governments clamp down on this truly transnational problem. Interested governments may choose to act through the UN or, failing that, create alternative forums to negotiate such a treaty.

Contributors to this theme included Lisa Misol, consultant; David Petrasek, Centre for Humanitarian Dialogue; and Rachel Stohl, Centre for Defence Information. Comments and suggestions were received from Michael Crowley, Omega Foundation; Heidi Grau, Government of Switzerland; Keith Krause, Small Arms Survey; Lora Lumpe, Amnesty International USA; and Guy Pollard, Government of the UK.
**ESSENTIAL READING**


**ENDNOTES**


2 The USA, the Russian Federation, and Brazil are some of the important exceptions.

3 While transfers not approved by governments are clearly illicit, the international community has already articulated a wider definition of illicit transfer. The *UN Disarmament Commission Guidelines on Conventional Arms Transfers* have defined illicit trafficking as ‘that international trade in conventional arms, which is contrary to the laws of States and/or international law’. The PoA and the 2001 Conference were concerned with the ‘Illicit Trade in Small Arms and Light Weapons in All Its Aspects’—a compromise wording that sought to encapsulate both definitions of ‘illicit’. Section 2, Article 11 of the PoA specifically calls on Member States to ‘assess applications for export authorisations according to strict national regulations and procedures that cover all small arms and light weapons and are consistent with the existing responsibilities of States under relevant international law’.


8 E-mail communication with Pablo Dreyfus, Viva Rio, 5 April 2005

9 See www.iansa.org/control_arms/index.htm or www.controlarms.org

10 Algeria, Belgium, Brazil, Bulgaria, Canada, Chile, Colombia, Czech Republic, France, Gabon, Ghana, Hungary, Italy (repre-
senting the EU), Kazakhstan, the Netherlands, Nicaragua, Romania, Sweden, South Korea, Turkey, the UK. Analysis of government statements performed by Nic Marsh, International Peace Research Institute, Oslo.


12 Control Arms (2005), ‘Great steps forward for an international arms trade treaty: UK Foreign Minister Jack Straw has added his support for an arms trade treaty’, Press release, 14 March. The UK also signalled its explicit support for a treaty in its 2005 Commission on Africa report, p. 156. Available at: www.commissionforafrica.org/english/report/thereport/12chap5.pdf

13 The text of the Draft Framework Convention is available at: www.iansa.org/documents/2004/att_0504.pdf. Information on the campaign to support the ATT can be found at: www.controlarms.org


16 The Wassenaar Arrangement is an organisation of 33 of the world’s largest arms exporters from five continents dedicated to promoting transparency and greater responsibility regarding the arms trade, including Argentina, Australia, Austria, Belgium, Bulgaria, Canada, the Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Luxembourg, the Netherlands, New Zealand, Norway, Portugal, Poland, Portugal, South Korea, Romania, the Russian Federation, Slovakia, Spain, Sweden, Switzerland, Turkey, Ukraine, the UK and the US.

17 Available at: www.wassenaar.org/docs/best_practice_salw.htm


19 Embargoes are also imposed by regional organisations, most notably by the EU and the OSCE.

20 In a recent resolution on the situation in Burundi, the Security Council expressed “its deep concern over the illicit flow of arms provided to armed groups and movements, in particular those which are not parties to the peace process under the Arusha Agreement” and called upon “all States to halt such flow” (S/RES/1545, 21 May 2004, para. 18).

21 The UN has established expert panels to investigate the violation of sanctions and embargoes in Liberia, the Democratic Republic of the Congo, and Angola, among others. See, for example, the announcement of the findings of the Expert Panel on Liberia at: www.un.org/News/Press/docs/2001/sc7196.doc.htm


24 These states include India, Israel, Kazakhstan, Pakistan, Poland, the Russian Federation, Singapore, South Korea, and the US.


26 See UN News Centre (2005), ‘Annan urges West Africa to make regional arms moratorium permanent’, 15 February.

27 Available at: disarmament2.un.org/cab/salw-2003/statements/States/Switzerland.pdf

28 Canadian Mission to the UN in New York (1998), ‘A proposed global convention prohibiting the international transfer of military small arms and light weapons to non-state actors’. Available at: www.nisat.org/export_laws-regs%20linked/canada/discusion_papera_proposed.htm

29 European Union (1998), Joint Action of 17 December 1998 Adopted by the Council of the European Union on the Basis of

30 For more detailed analysis and recommendations, see Capie, David (2004), Armed Groups, Weapons Availability and Misuse: An overview of the issues and options for action, Background Paper for the meeting organised by the Centre for Humanitarian Dialogue in Bamako (Mali), 25 May. Available at: www.hdcentre.org (small arms/Putting People First/Bamako meeting)


32 As it stands at 6 June 2005

33 E-mail from IANSA director Rebecca Peters, 22 June 2004

34 For more information, see Amnesty International, IANSA, and Oxfam (2005), Tracking Lethal Tools: Marking and Tracing Arms and Ammunition: A Central Piece of the Arms Control Puzzle. Available at: www.controlarms.org/documents/mtfinal jan05.pdf


39 Available at: www.usun-vienna.usia.co.at/wassenaar/public 03e.html

40 Available at: www.osce.org/fsc/documents/salw/


42 Organisation of American States (2003), Amendments to the Model Regulation for the Control of the International Movement of Firearms, their Parts and Components and Ammunition, Proposed by the Group of Experts—Broker Regulations, OEA/Ser.L/XIV.2.34 CICAD/doc1271/03, 13 November, art. 5 (Prohibitions). Available at: www.cicad.oas.org/en/AssembliesCICAD34/ENG/Day2/ModelRegArms_Brokers.htm

43 IANSA is promoting a model text produced in 2001 by the Fund for Peace. See www.iansa.org/issues/arms_brokers.htm

44 In December 2003, the OSCE adopted guidelines on arms exports that emphasised the importance of national-level end-user controls. The topic has been raised at the UN as well, including at the level of the Security Council, and some governments have argued for co-ordinated efforts. See www.osce.org/fsc/documents/salw/ and www.un.org/News/Press/docs/2004/sc7984.doc.htm

45 E-mail communication with Ambassador Steen Hohwü-Christensen, Department of Strategic Export Controls, Swedish Ministry of Foreign Affairs, April 2005


47 UN General Assembly (1999), Report of the Group of Experts on the problem of ammunition and explosive. A/54/155, 29 June, sec. 9, p. 4

48 Small Arms Survey 2005, pp. 97–121

49 Small Arms Survey 2005, pp. 31–32

50 Small Arms Survey 2005, pp. 31–32

51 ICRC (1999), Arms Availability and the Situation of Civilians in Armed Conflict

52 High-Level Panel on Threats, Challenges and Change (2005), A more secure world, para. 180 (a)
People who live after being shot often find themselves re-routed away from a normal path, always conscious that there is another road somewhere else, the one they should be on, the one that leads to safety.

—Gail Bell, shot in the back in 1968

*Shot: A personal response to guns and trauma*, 2003
THEME 3
CONSIDERING THE NEEDS OF
GUN VIOLENCE SURVIVORS
THEME 3
CONSIDERING THE NEEDS OF GUN VIOLENCE SURVIVORS

SINCE THE POA was negotiated in 2001, hundreds of thousands of people have been seriously injured with small arms or left grieving the death of family members, friends, colleagues and neighbours. Yet while the international community debates how control efforts should be strengthened, discussions consistently fail to acknowledge or address the needs of survivors of gun violence. As used here, the term ‘survivors’ describes two broad groupings of people: those who themselves have been physically injured, intimidated or brutalised through armed violence; and those who are related to, love, work with, care for or are otherwise negatively impacted upon by someone who has been a victim of gun violence.

_Missing Pieces_ takes the starting point that policy-making on small arms control can _and_ should be essentially _preventive_—with the primary goal of reducing gun violence and injury occurring in the first place. Yet despite best efforts at numerous levels, gun violence is likely to be a feature of human relations and landscapes for years to come. So in addition to preventive work, it is essential that the needs of the populations of existing and future survivors and the people who care for them are appropriately considered and addressed.

This theme provides an overview of what can be termed ‘victim assistance’ for survivors of small arms violence, and highlights ways to incorporate this overlooked issue into the next phase of multilateral small arms control efforts. Unlike many of the themes in _Missing Pieces_, victim assistance for gun violence survivors is in a sense ‘at square one,’ confounded by a significant absence of research and policy-relevant information and complicated by the variety of settings in which armed violence occurs. This theme therefore seeks to introduce broad areas for consideration by policymakers, advocates and researchers.

THE GROWING BURDEN OF GUN INJURIES

Violence, including homicide and suicide, and other injuries account for 9 per cent of global mortality and are a leading cause of disability. According to

Relevance to UN Programme of Action

 Victim assistance is not explicitly referred to in the PoA. It does, however, refer to some categories of people victimised by small arms misuse such as women, children and the elderly but does not elaborate beyond that. The implications of how this omission affects implementation remain unexplored.
the World Health Organisation (WHO), “[g]lobal data on the impact of small arms on the health of individuals are far from complete. What data is available, however, suggests that hundreds of thousands of people are killed each year by those weapons. Millions more survive their injuries but are left with permanent physical disabilities and mental health problems.”

Individuals who survive are often left with permanent injuries and disabilities that impede effective employment, well-being, and reintegration into community and family life. The long-term effects are not just physical, but include psychological impairment, depression, suicidal behaviour, and substance abuse. Victims of violence are also themselves at increased risk of committing violence against others. One recent study has found that exposure to small arms violence approximately doubles the probability that an adolescent will perpetrate serious violence over the two subsequent years.

The combined fatal and non-fatal injuries due to the (mis)use of small arms—in the hundreds of thousands per year—can impede or reverse hard-won development gains, and investments in education and health. Realising the value of such investment is critical to any nation’s future.

Violence is among the leading causes of death for people aged 15–44 years worldwide, accounting for 14% of deaths among males and 7% of deaths among females. As is explored in other themes, young men are particularly vulnerable to death and injury from small arms (mis)use in just about every setting: high-income and low-income, war-torn, peaceful or countries in transition, from intentional, accidental or self-directed gun violence.

It is estimated that in 50 years time, there will be six-million men missing from the Brazilian population as a result of dying from homicide – the vast majority of these deaths are gun-related homicide.

Women and girls require particular attention when thinking about assistance to survivors of gun violence, given their well-documented vulnerability to sexual violence in all settings at gun point. Assistance in this case implies that law enforcement agencies, emergency health services and social services must be alerted to their special needs and trauma, and respond quickly and appropriately. The stigmatisation of victims of sexual violence also needs to be addressed urgently.

**PUBLIC HEALTH AND THE SMALL ARMS ISSUE**

*Violence is a learned behaviour. It can be unlearned, as can many public health problems . . .*

One important reason for the lack of focus on victims and survivors is that the small arms issue has predominantly been located within an arms control framework and discourse. Conversely, a people-centred approach is premised by public health, providing considerable input for better understanding gun violence as a social phenomenon and designing and evaluating interventions. “Public health programmes also bring a focus on prevention, a scientific outlook, and the potential to coordinate multidisciplinary approaches.” The key features of a public health approach include defining and monitoring the effects; identifying the causes and influences; devising and
testing possible interventions and policies; and, widely implementing successful strategies.12

Public health also advances a useful schema for understanding the types and timing of prevention approaches. This is relevant for policy development and preparedness to care for and rehabilitate survivors of gun violence, including:

1. **Primary prevention**, which seeks to prevent a problem from occurring in the first place by building resilience in the populations and communities at large.

2. **Secondary prevention**, which focuses on groups and individuals particularly likely to commit violence and aims to “keep these individuals from engaging in violent activity.”13 Focus populations for secondary prevention might include, for example, young men in particularly violent settings.14

3. **Tertiary prevention**, which involves care of the disease or injury, and aims to minimise the worst aspects of the problem. For those surviving gun violence this often includes access to rehabilitation services, psychosocial support, trauma counselling, and access to employment.

A person with disability may belong to a wide grouping, including those with mental, visual, hearing, speech, or mobility disabilities.16 The UN estimates that approximately 10% of the population of the world—about 600 million people—are affected by disabilities.17 About 80% of the disabled live in low-income nations.18 What portion of that figure is due to interpersonal violence, or violence with small arms, is not clear—highlighting the need for reliable data collection to develop and monitor public policies.

There are three important elements relevant for policy making for disabled persons: prevention, rehabilitation, and the equalisation of opportunities. In the context of gun injury prevention, this means reducing the likelihood of impairment or, when it has occurred, preventing further negative physical, psychological and social consequences. Rehabilitation refers to efforts to enable individuals to reach an optimal level of functionality, providing them with tools to change their life. These can include infrastructure and devices to compensate for the disability, or facilitating (re)adjustment into communities and societies. Finally, the equalisation of opportunities is the process by which society makes health and social services, the environment, cultural life, leisure opportunities, and educational and work opportunities equal to all its members.19

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**DISABILITY**

*Mindful that the internationally agreed upon development goals as contained in the UN Millennium Declaration would not be achieved without addressing issues related to the health and rehabilitation of persons with disabilities.*15

—World Health Assembly resolution, May 2005

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**COUNTING THE COSTS**

In the long run it is far more cost-effective for States to invest in prevention efforts than to continually absorb the costs of treatment and rehabilitation, as well as the financial drain to society in years of lost
productivity that come with gun injuries. States must not only bear much of the direct costs of emergency medical treatment and care (which victims are often unable to afford); gun violence also drains health systems—which may already be thinly stretched in low-income countries—diverting essential health resources from other pressing health priorities. In the US the estimated the costs of gun-related violence including psychological costs and quality of life have been calculated at USD155 billion per year, or equivalent to 2.3% of the GDP. While these costs are very high, in poorer countries they can be even greater relative to national economic productivity. Brazil spends 10% of its annual GDP treating victims of violence, Venezuela consumes 11% and Colombia and El Salvador consume up to 25% each of their GDP.

The beneficial outcomes of assistance efforts can reach from the local level—in the positive impacts on lives of individuals, families and communities—to the national and global levels of policymaking and prevention activities—by informing sound policies, all of which reduce the social and economic costs of small arms misuse:

- Responding to the needs of survivors helps people cope with a range of physical, emotional, economic and social challenges associated with an injury, disability or trauma;
- Providing services for survivors of violence will assist in reducing disability, possible future fatalities, and the likelihood of victims themselves becoming perpetrators; and
- Delivering assistance, when implemented over the longer-term, can generate insights for preventive interventions by identifying trends, problems areas and issues with information and input from those directly affected.

THE PHYSICAL AND MENTAL IMPACTS OF A GUN INJURY

Immediate impacts from gunshots include soft tissue injuries, bone fractures, and vital organ damage. Injuries to the extremities often result in fractures, which if left untreated, may lead to haemorrhages and infections or to permanent disability due to joint or bone deformities. Brain and spinal cord injuries are more difficult to treat, leaving irreversible damage such as paralysis, sexual dysfunction, limited movement, seizure disorders, incontinence and severe facial disfigurations.

My body from the breast down, I couldn’t feel it. Imagine just seeing shit in your bed without having felt it . . . I wanted to kill myself . . . I promised myself that when I get discharged, I would drink everyday. It was living hell . . . I felt as if I’m alive above my tummy, downwards I felt dead. I even burned my legs with cigarettes.

—Erny, South Africa

Injuries and disabilities sustained through armed violence are also associated with psychological problems and can result in flashbacks, anxiety and fear, self-destructive behaviours, low self-esteem, depression, suicidal behaviour and action, and alienation from friends and family. As a result, “health care professionals face complex issues related to
acutely care and rehabilitation. Mental health professionals must be prepared to help gunshot wound survivors cope with the psychological repercussions of their injuries.”

Contrary to common belief, bullets do not typically travel in a straight line. Depending on the type of ammunition and other factors, the projectile usually “tumbles” into a body (known as “yaw”), resulting in a wound cavity that is much larger than the diametre of the bullet itself, and considerably more traumatic. If the bullet fragments, each fragment will follow a distinct path, thereby multiplying the effect of a single bullet.

Ammunition design and control are important but long neglected issues for consideration in small arms control processes, and as such should be the focus of attention in the lead up to the 2006 RevCon and beyond.

The severity of the injury—and the likelihood of permanent disability—are also affected by the technical specifications of the ammunition used, for example, the bullet size, the type of tip (e.g. hollow-tipped, round nose), material (e.g. fragmenting), velocity and ‘flight pattern’. These factors influence bullet trajectory through the body and the subsequent damage to tissue, organs and bones. Bullets produce damage through laceration and crushing of tissue and bones in the direct path of the projectile, and via cavitation. When a bullet enters the body, a temporary vacuum is opened for a few thousandths of seconds behind it, much like the vacuum created by a torpedo traveling under water. The greater the speed of the bullet, the larger the initial cavity: a large cavity may be 30 to 40 times the diameter of the bullet. After the bullet has gone through, a lasting cavity—or wound track—will remain. The pressure applied by the temporary cavity on surrounding tissues and organs provokes injuries far from the bullet path and therefore hard to detect, particularly to soft organs. It is also capable of fracturing bones several centimetres from the bullet track.

War-affected populations are particularly vulnerable to injuries and disabilities from small arms use and misuse from a variety of users: State forces, militias, armed groups, civilians, criminal gangs, child soldiers. Very little is known about the magnitude of debilitating injuries in conflict. This is not surprising given the difficulty of collecting information and undertaking population surveillance in conflict zones.
Periodically, however, focused data becomes available and a stark picture emerges. One study by the International Rescue Committee in one of the world’s largest refugee camps highlights the importance of focussing on war-affected populations. The single largest cause of physical disability was from gun shot injuries—32.4 per cent of all cases. This study highlights not only the need for better injury reporting in areas affected by armed conflict but the importance of focussing on populations at particularly high risk, such as refugees and internal displaced people.

The international community of donors, mediators and UN agencies can also be active in ensuring that the needs of the war wounded—combatants and civilians—are included in peace agreements, particularly that assistance to survivors is included in any post-conflict recovery needs assessments. National governments must also ensure that the aspirations of those disabled in war are adequately factored into DDR processes, particularly reintegration strategies. “[t]he difficulties of economic integration are also compounded by the fact that persons with disabilities in war-torn countries are often very poor and have had little to no education . . . Too little market research is done to ensure that the training given is rationally connected to job possibilities in the society at large.”

Given some of the challenges, an emphasis on quality over quantity—a tough proposition for donors and disarmament programme managers—needs to be consistently applied.

War can take a serious toll on health systems, including the flight of medical personnel. Numerous life threatening issues exist in such contexts, ranging from the security of staff and equipment to the availability of clean blood. In addition, few countries recovering from war have well developed psychosocial support services. The initial role of NGOs and IGOs in (re)building these services and local and national capacity cannot be understated. Ultimately, however, services must be supported and maintained by the States as part of the national health system.

MAINSTREAMING NOT ‘STOVE-PIPING’

A key lesson learned from the landmines process is that assistance strategies need to be part of the overall health system of a nation and not developed in isolation or competition with often limited resources. “In many contexts it will not be possible to achieve a comprehensive and integrated victim-services policy, but the coordination of policy development between the different sectors that interact with victims of violence is a reasonable policy strategy for strengthening victim services . . . It is equally important to identify institutional policies guiding service provision to victims of violence, for example in hospitals, specialised medical and forensic services, police stations and counselling centres.” Small arms violence victim assistance raises a similar challenge – identifying where services and support can be integrated into existing systems using approaches that would develop, strengthen or re-orient services, rather than creating vertical specialised services in resource-limited settings.

Studies in a number of low income countries note that low cost sustainable improvements can be made to health care through training of ‘first responders’ and existing medical staff, as well as better organi-
sation of existing resources and equipment. This is a critical policy response States can ensure exists or provide assistance for. The WHO notes that “... 50–80% of trauma deaths occur before arrival at hospital in both developed and developing countries, rapid and effective trauma care can substantially reduce death and disability following injury.” One study confirmed that improvements in the provision of pre-hospital trauma care are possible by training those most likely to be at the site of an accident first. As one example, long distance truck drivers in Ghana—often first on the scene of road-accidents—were trained in basic emergency trauma care to bolster weak formal emergency medical services with positive results. The same type of approach can be considered in many instances for trauma care related to gun violence.
Much of what low income countries need to do to prevent deaths occurring soon after injury is well within the reach of these economies—they are simple and relatively inexpensive interventions which are not being instituted yet. And most don't require surgeons—but first aiders, nurses, drivers . . .

—Dr. Olive Kobusingye, Ugandan trauma surgeon and prevention advocate

Another example from mine-affected areas in Kurdistan and Cambodia also noted the value of investing in training, and the provision or re-organisation of supplies and equipment. In these settings where ambulances still remained unavailable, death rates among injured people fell from 40 to 9 per cent due to training of first responders, and advanced training in trauma care to existing medical staff.

The value of examples such as these is examining them for appropriate applicability in other settings. The key theme of low cost training for first responders can help to reduce the level of disability and excessive injury an individual may bear from gunshot wounds.

### Box 5
**Patamule’s long journey back to health**

In September 2001, 17-year old Patamule Lampanya, from the Democratic Republic of Congo (DRC), was referred to the University of Nairobi Hospital for treatment of a gunshot injury to his face—which he sustained one year previously. The son of a Congolese diamond prospector, Patamule had been confronted by rebel soldiers demanding diamonds. When they failed to find any diamonds in his possession, the soldiers shot him in the face and left him for dead.

Patamule was fortunate to receive first aid treatment, but in order to acquire the necessary medical treatment to fully treat his injury, he had to travel to Nairobi—a journey of almost 3,000 kilometres by road through Uganda. It took him over a year to raise the money for travel and treatment from relatives and friends. During this time he kept his mouth, which was horrifically disfigured, covered with a handkerchief in public.

Doctors identified that his mandible and maxillary bones were shattered by the bullet. An implant was required to replace the lost jaw fragment. During nine long hours of surgery, a stainless steel bone plate was implanted.

The hospital surgery theatre time, drugs, reconstruction plate, surgeon and nurses, post-operative care, travel expenses from the DRC and pre-admission hotel expenses for this one gunshot wound are estimated to have cost USD6,000. This is compared to the average annual per capita total health expenditure in the DRC in 2002 of USD4. That same year the US spent USD5,274 per capita on health.

The psychological and social costs of the gunshot, such as the stress and humiliation that Patamule experienced, cannot be measured in dollars.

*Source: One Bullet Story, a project of ‘Aiming for Prevention’ from the International Physicians for the Prevention of Nuclear War USA and Kenya.*
cols, ensuring efficient emergency transportation and organising longer-term treatment once the patient is stabilised. Professional health and medical organisations can be instrumental in developing policy informed by a reliable evidence base to provide accessible and relevant services, appropriately trained providers and support to the numerous (often unpaid) care-givers who assist survivors. In some settings assistance measures also need to include security both for affected individuals and health care providers.40

Non-medical personnel—The fast and effective treatment of gun injuries relies not only on health professionals, but other professionals, such as police and transport workers. Particularly in settings with weak infrastructure or where medical professionals are scarce, basic training in first aid treatments and secondary prevention skills can be a very effective investment in improving survival rates.

Government and donor policymakers—While the ‘bottom up’ approach taken by hospitals and health facilities is a critical stop-gap, victim assistance simply will not improve overall without leadership from ministries of health and coordination across other agencies (for example, justice, interior, social services) and local governments.

Supporters and caregivers—The burden of providing the bulk of care to disabled and seriously injured victims often falls to the formal and informal network of family, friends, and other community members. A large proportion of care falls on women—mothers, wives, sisters, partners—often decreasing their opportunities to engage in economic activities, and contributing to the deterioration of their own health.41 Yet these actors are more often than not, overlooked and under-resourced in the life-long help they provide.

Survivors—Often voiceless in key decisions that affect their future, armed violence survivors can become more active in informing service options and efforts to raise awareness among government decision makers and communities. This means not only individual engagement at the local level but involvement in collective advocacy, including through civil society efforts to improve care.

RELEVANT DEVELOPMENTS AT THE GLOBAL LEVEL
The 2006 RevCon is a critical opportunity to consider the needs of survivors of gun violence with the care and dignity they deserve. While recognising resources are limited for detailed work on this issue, much can be learned and built from other processes (see Annex 4 for a list of relevant instruments).

It is also important to reduce the number of victims of small arms . . . The primary responsibility for tackling the problems associated with such weapons falls on the countries that are affected, but these countries require international cooperation and assistance in order to eliminate the very causes of possession by civilians of such weapons through the improvement of border controls, national laws and regulations, restoration of internal law and order, and like measures.

—Ambassador Yukiya Amano of Japan at BMS 2003, 7 July42
The UN Disability Convention process
Sweden, Italy and Ireland among other States advocated from the mid-80s for an international treaty to recognise and protect the rights of disabled people. However, it was not until December 2001, led largely by the efforts of Mexico, that the UN General Assembly adopted a resolution to establish an Ad Hoc Committee “to consider proposals . . . (for a convention) based on the holistic approach in the work done in the fields of social development, human rights and non-discrimination . . .”. The framework aims to be inclusive of social development and poverty reduction standards and objectives, as well as premise human rights principles. “(T)he Convention process is being framed within a larger picture of Kofi Annan’s goals for the organisation: mainstreaming human rights into development and mainstreaming development into peace”.

Article 12(1): The States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.
—International Covenant on Economic, Social and Cultural Rights, 1976
The relevance of this process for the small arms control community is that it provides a ‘work in motion’ at the global level to advocate the issues pertinent to gun violence survivors. Draft Article 12 recognises that people with disabilities are at higher risk of violence, injury, and abuse, and that States should take appropriate legal measures to ensure the safety of disabled persons by preventing violence or providing services for those who have been subjected to violence. Article 21 of the draft document asserts the need for adequate provision of services for the disabled.

Similar commitments are enshrined in the UN World Programme of Action concerning Disabled Persons (UN GA 37/52), and regional plans such as those embodied in the African Decade of Disabled Persons (2000–2009).

Another element relevant to the small arms process is the manner in which States and civil society are working together to develop the Convention. A Working Group has been established to prepare text for negotiation. strikingly it is composed of 27 government representatives, 12 NGO representatives—taking into account a diversity of disabilities and representation from various regions—and one representative from a national human rights institution. This stands in marked contrast to many of the formal small arms control processes where NGOs—whilst consistently acknowledged for their energy and expertise—often have either no seat, or an unstable one around the table.

The WHO Global Campaign for Violence Prevention
The WHO’s global campaign is based on the recommendations from the first ever World Report on Violence and Health (2002). It aims to “raise awareness about the problem of violence, highlight the crucial role that public health can play in addressing its causes and consequences and encourage action at every level of society.”

Several goals from this campaign are of significance for the small arms process and these are listed below.

1. Create, implement and monitor a national action plan for violence prevention
2. Enhance capacity for collecting data on violence
3. Define priorities for, and support research on, the causes, consequences, costs and prevention of violence.
4. Promote primary prevention responses
5. Strengthen responses for victims of violence
6. Integrate violence prevention into social and educational policies, and thereby promote gender and social equality
7. Increase collaboration and exchange of information on violence prevention
8. Promote and monitor adherence to international treaties, laws and other mechanisms to protect human rights
9. Seek practical, internationally agreed responses to the drugs trade and the global arms trade
RECOMMENDATIONS

Neglected for far too long in the debates on small arms, the time is overdue to build and strengthen policies that serve the needs and rights of survivors of armed violence. The WHO proposes four practical country-level recommendations to strengthen services for the victims of violence:

- advocate for the improvements in the quality of services;
- conduct a policy audit and situational analysis;
- improve emergency medical services and trauma care; and
- involve the community in the design of specialised services.  

In addition, we provide the following recommendations for policy development on minimum standards for victim assistance so that States can work to incorporate this neglected dimension of the small arms crisis into the next round of multilateral and national focus on small arms issues.

1. Assess where gaps may exist in service provision. Although the right to health recognises the primacy of prompt treatment for all injured persons, regardless of the context or the legal status of the actors, the reality sometimes falls considerably short of this. States have a responsibility to ensure that adequate health facilities and medical personnel are available to serve the medical needs of all victims of gun violence. This should include emergency response systems, trauma care, and rehabilitation services. Gaps can be identified as part of National Action Plans on small arms.

2. Invest in training in trauma care and violence issues. Prompt medical treatment cannot always rely on the availability and expertise of health professionals. Providing emergency first aid training for police officers and others most likely to be the first to find an injured person—first responders—can be a low cost and effective way to reduce fatalities and excessive injuries. Training could also be improved for medical professionals who ultimately deal with the results of violence. Taking a more inclusive approach to training, incorporating violence issues into health and medical curricula could also improve service provision.

3. Include gun violence survivors in programme design and intervention activities. Victims of non-fatal small arms (mis)use are a constituency that can help identify risk factors and contribute perspectives to interventions and policy development. Through health service providers, advocacy organisations and government agencies, their opinions and input can be gauged and may well provide insights not well understood, including how to reduce the demand for guns. Small arms control NGOs could also actively include gun violence survivors in their advocacy and policy efforts.

4. Strengthen the links between the UN small arms process and action around injury prevention and victim assistance, including people with disabilities. Greater engagement of diverse elements of the health communities would make a significant contribution to identifying clearer goals and approaches to tackling the small arms problem. In advance of the 2006 RevCon, the annual World Conference on Injury
Prevention and Safety Promotion (June 2006)\(^{10}\) could consider offering a statement to the world’s governments on the key issues associated with gun violence injury prevention.

5. *Promote support for programmes designed to prevent armed violence.* Working to end gun violence in the first place is the most cost-effective and obvious way to limit injuries and disabilities. There are many approaches that have been shown to be effective in preventing violence, particularly small arms violence, but these are often not prioritised or funded. There is an urgent need to develop and implement and monitor the effectiveness of these programmes in settings with high rates of gun violence. This also involves establishing firearm-related injury surveillance systems to better identify where interventions can be most effective, information on the scope and nature of non-fatal injuries arising from gun violence need to be further developed.

**Contributors to this chapter include Cate Buchanan, Centre for Humanitarian Dialogue; Emile LeBrun, consultant. Comments and suggestions were received from Dr. Olive Kobusingye, World Health Organisation Regional Office for Africa; Dr. Paul Kowal, World Health Organisation; Dr. David Meddings, World Health Organisation; Rebecca Peters, International Action Network on Small Arms; Paul Vermeulen, Handicap International; Dr. Andrés Villaveces, University Hospital Geneva; Camilla Waszink, International Committee of the Red Cross.**

**ESSENTIAL READING**


Injury Prevention Web (some 1400 links to violence and injury prevention web sites)
www.injuryprevention.org

ENDNOTES

1 The term ‘victim’ is contentious as it can be regarded as disempowering. This theme alternates between the term victim and survivor noting this debate.
2 It does not address compensation and issues related to legal recourse.
4 WHO (2001), Statement for the UN Conference on the Illicit Trade in Small Arms and Light Weapons in All its Aspects. Delivered 13 July 2001 by Dr. Etienne Krug
9 See www.womenwarpeace.org; www.irinnews.org/webspecials/GBV
12 WHO (2002), World Report on Violence and Health: Summary, p. 3
16 The WHO distinguishes between impairment, disability and handicap: an impairment is any loss or abnormality of psychological, physiological, or anatomical structure or function; a disability is any restriction or lack (resulting from an impairment) of ability to perform an activity in the manner or within the range considered normal for a human being; and, a handicap is a disadvantage for a given individual, resulting from an impairment or disability, that limits or prevents the fulfilment of a role that is normal, depending on age, sex social and cultural factors, for that individual and it is therefore a function of the relationship between disabled persons and their environment. See www3.who.int/icf/icftemplate.cfm for more information.
17 UN Statistics Division. Available at: unstats.un.org/unsd/disability/
Available at: whqlibdoc.who.int/hq/2001/WHO_NMH_VIP_01.1.pdf
28 Prokosch (1995), pp. 191–192 The tendency of a bullet to tumble early on entering the body is dependent on the angle and incidence on impact, the shape of the bullet nose, and the stability of the bullet.
29 Advertisement at: www.extremeshockusa.com/cgistore/store.cgi?page=/new/catalog.html&setup=0&ida=14&idp=0&his=0&cart_id=7968750.852
30 International Rescue Committee (2003), 'Report on the prevalence of disability among refugees at Kakuma refugee camp, Kenya'. Prepared by Victor Mung’ala Odera, 29 December. Unpublished. The survey was house-to-house in a population of 82,700 refugees from nine nations. Any person found to have a disability was surveyed. The number of people detected was 2846 with physical disability the most common type.
33 Butchart A et al (2004), *Preventing Violence*, p. 64
34 For example Mock, Charles et al (2003), 'Strengthening care for injured persons in less developed countries: a case study of Ghana and Mexico', *Injury Control and Safety Promotion*, 10, pp. 45–51
35 WHO (2001), *Small arms and global health*, p. 22. See also Mock, Charles (1998), 'Trauma mortality patterns in three nations at different economic levels: implications for global trauma system development', *Journal of Trauma*, 44, pp. 804–812
37 Email correspondence with HD Centre, 9 June 2005.
42 Available at: www.smallarmsurvey.org/source_documents/UN%20Documents/BMS%202003/Japan%202003.pdf
44 See: www.sinai.org/rehabilitation/outpatient/violence_prevention.asp
45 See: www.uic.edu/depts/idhd/empower/bullet.htm
47 Landmines Survivors Network (2005), *Background of the process of a convention on the rights of persons with disabilities*
48 Krug, E et al (2002), *World report on violence and health*
49 Butchart, A (2004), p. 65
50 The 8th World Conference on Injury Prevention and Safety Promotion will be held in Durban, South Africa from the 2nd to 5th April 2006. Information is available at: www.safety2006.info
Every gun that is made, every warship launched, every rocket fired, signifies in the final sense a theft from those who hunger and are not fed, those who are cold and are not clothed.

—Dwight D. Eisenhower, 1953
34th President of the United States (1953–1961)
THEME 4
WOMEN, MEN AND GUN VIOLENCE: OPTIONS FOR ACTION
THE TERM GENDER has become a synonym for women when gender actually refers to the socially constructed roles, behaviours, and attributes of men and women in a given society (as opposed to ‘sex’, which is biologically determined). Applying a gender perspective to the small arms issue—understanding the different ways that men, women, boys, and girls engage in, are affected by, and respond to gun violence—is key to developing effective solutions to the problem.

This theme explores two key concepts—gender equity and gender specificity—as they impact gun violence. A gender equity approach implies working with both men and women to reduce risks and bolster resilience to insecurity and violence. Gender specificity means examining the different impacts on men and women of armed violence—and then developing programmes that take into account these particular risks.

DIFFERENTIATED IMPACTS FOR WOMEN AND MEN

A growing global effort to collect information on gun violence that is broken down into age, ethnicity, and sex is helping challenge some over-generalisations that hinder more refined understanding of the impacts of small arms misuse. These include statements like ‘80% of the victims of armed violence are women and children.’ This claim may be true in some contexts, particularly recent wars in some African nations; but in general, it is primarily men—young, poor, socially marginalised men most of all—who are killed or injured from gun violence. Men are also more likely to commit gun violence: in almost every country, a disproportionate percentage of gun owners and users are men. Statistics from situations of war and peace show that:

- over 90 per cent of gun-related homicides occur among men;
• boys are involved in 80 per cent of the accidental shootings that kill about 400 children and injure another 3,000 in the US each year; and
• of those who commit suicide with a gun, 88 per cent are men and 12 per cent are women.

Although women are not the majority of homicide victims, when they are killed—and it is overwhelmingly men who kill them—guns are often a preferred weapon. Studies on the murder of women (referred to here as ‘femicide’, or ‘intimate femicide’ if the perpetrator is a current or ex-partner, or a rejected would-be lover) show that guns can be a lethal element in displays of men’s power over women. In South Africa, one murdered woman in five is killed with a legally owned gun. Some 50 per cent of women murdered each year are killed by men known intimately to them—four women a day, or one every six hours. The intimate femicide rate was estimated at 8.8 per 100,000 female population 14 years and older, the highest ever reported on the murder of women anywhere in the world where it has been studied.

UNDERSTANDING GENDERED EFFECTS

The misuse of small arms affects communities on many levels, making it challenging to quantify who is worst harmed by the ready availability and misuse of guns. Improved data collection is one part of bridging this knowledge gap. Small arms researchers and analysts can play a more active part in the collection of sex-disaggregated data on who is killed and injured by firearms and under what circumstances. As gun violence does not always result in death, but generates a range of indirect impacts, it is important that research be complemented with qualitative analysis to provide a fuller picture of the breadth of the effects of gun violence on women and girls, men and boys.

It is critical to note that women are subject to a disproportionate range of non-fatal threats due to the misuse of small arms, often commensurate with their low status or lack of legal protection in many contexts: peace or war, developed or developing nations. Accounts from both war zones and ‘peaceful’ communities illustrate the risks to women and girls from gun violence or the threat of it: ‘They took K.M. who is 12 years old, in the open air. Her father was killed by the Janjawid in Um Baru, the rest of the family ran away and she was captured . . . more than six people used her as a wife (raped her); she stayed with the Janjawid and the military for more than 10 days.’

Small arms and light weapons do not necessarily have to be fired to pose a serious security threat and are often used to threaten and intimidate. Gun ‘brandishing’ (prominently displaying, waving, or otherwise drawing attention to the weapon) is a common form of intimidation, especially against women: ‘He would take the gun out of his pocket and put it over there. It would be right in front of me. He didn’t point it at me, he just let me know it was there.’ Globally, multiple, or ‘family’ murders (including of women and children) appear to be more common where guns are used in the home to intimidate and perpetrate intimate partner violence. A high percentage of these murders conclude with the suicide of the perpetrator.
CHOICES AND ACTION

A common but unhelpful stereotype in analysis of armed violence identifies women as victims (often with children), while men are seen as violent perpetrators. Clearly, not all men are violent or pro-gun (just as not all women are naturally suited for conflict resolution), and research and policy attention is needed to better understand why many men and boys choose not to engage in gun violence. In order to improve the effectiveness of policies and programmes to prevent gun misuse, additional research is needed on those who seek to ‘do the right thing’ and avoid violent behaviours, as well as on the ways that women and girls may sustain, encourage, or commit gun violence.

1. Men, masculinities, and guns

Across cultures, the largest number of acts of violence are committed by men. This behaviour appears to be the product of society and history rather than biology: men’s near monopoly of gun use can be seen as a manifestation of a lifetime’s socialisation into violent expressions of manhood and cultures in which male gun use is regarded as the norm. Even in peacetime, boys may be socialised into a familiarity and fascination with guns, or gun-like toys. In the US, where boys are the most frequent victims of accidental shootings, studies show they neither learn to distinguish toy guns from real ones, nor can resist touching a gun if they find it by accident. Research among young men involved in organised armed violence in ten countries finds that carrying guns is seen as an effective means of gaining status and respect. Soldiers, snipers, other gun users, and armed male role models in television, film, and violent computer games are often cult heroes, with guns routinely glorified in the popular media.

Men dominate both the formal security sectors of States, such as the military and police, as well as non-state armed groups, gangs, and militias. It is also important to think about which men are most vulnerable to taking up arms. It is usually poor, marginalised men who take up badly paid and unprotected jobs in the informal security sector, end up in armed gangs, and are recruited or volunteer to fight wars. From Boston to Bangkok, men are using guns ‘in order to prove their masculinity, or to defend their masculine honour, or to challenge others.’

In wartime, many men make significant efforts to stay out of the fighting and go to great lengths to protect their families. The number of combatants and people involved in violence has in fact been relatively low in recent conflicts. Even in settings where gang involvement by young people may be prevalent, the vast majority of young men do not participate in gang activities, and when interviewed,
A Liberian aid worker sits next to an educational poster aimed at preventing rape and violence against women, Monrovia (Liberia), 8 August 2003. © AP Photo/Ben Curtis
most young men in these settings say that they fear gangs and gang-related violence. It is important to understand why and how large numbers of young men do not use arms and violence, and actively oppose such violence.

A number of promising programmes are being implemented to shift rigid and sometimes violent attitudes about being a man. ‘Men As Partners’ in South Africa works in collaboration with the military, unions, and schools to engage men in alternative views about manhood, as does the Conscientizing Male Adolescents’ project in Nigeria and the ‘Program H’ initiative in Latin America and India. Another striking example is the ‘White Ribbon Campaign’, started in Canada in the early 1990s after a man who had not been accepted into a graduate programme in Montreal entered a classroom and killed fourteen female students. The campaign—of men speaking out against violence against women—is now active in some 30 countries worldwide.

2. Women’s multiple roles
Although much of their work goes unrecognised, women play multiple roles in times of war and unique roles in the aftermath. Though women have been largely excluded from formal security policy making, there are many examples of women working at the local level to build peace, prevent violence, and encourage disarmament all over the world. The US Million Mom March, the Israeli Women in Black, the Sierra Leonean Mano River Women’s Peace Network, and the Bougainvilean Inter-Church Women’s Forum are just a few examples.

“I realized how dangerous it was to have a gun in my home [after nearly pulling the trigger during a fight with her husband]. I hid it in the house and told my husband it was stolen from my car. This was before I heard about the Arms Exchange Programme – I heard about the weapons exchange and decided to get rid of it once and for all. Now I am not so scared”.

In Brazil, by contrast, interviews with young women reveal how they can facilitate men's use of violence by hiding or transporting guns, drugs and money, ferrying messages to criminals in prison, or acting as a lookout for police or rival gangs. They also subscribe to the image that a gun-toting man is sexy and desirable: ‘Sometimes guys will even borrow guns, just to walk around with them, to show off for the girls. . . . They use them because they know that pretty girls will go out with them’. This is significant, given that in 2001, 24 young men in Rio de Janeiro city were killed with a gun for every one woman who died the same way. One highly effective civil society effort to address the problem in the country resulted in the 2001 “Choose Gun Free! Its Your Weapon or Me” campaign, which aimed to encourage women not to condone male violence.

3. National gun laws and consequences for safety
Improving national gun laws can have important and positive consequences when analysed from a gender perspective. Following the world’s largest peacetime massacre by a single gunman in May
1996, Australia’s laws were harmonised and improved by mid-1998. The resulting laws included a ban on the ownership of semi-automatic and pump-action rifles and shotguns, and clauses prohibiting civilians from owning a range of weapons. There was also a five-year minimum prohibition against owning guns for those who are subject to restraining orders or have been convicted of any violent offence. In some states, prohibitions of up to ten years are being issued. Registration of small arms was regarded as essential for police to be able to effectively remove weapons in situations of intimate partner violence and enforce prohibition orders.

The new law included a buy-back component that resulted in the collection and destruction of one-fifth of the entire national gun stockpile. As tools to murder both men and women, guns are now simply less available, a phenomenon that may also be contributing to a reduction in the overall homicide rates, as would-be killers substitute guns with other, less lethal, weapons. From 1996 to 2001, the gun homicide rate for women dropped 65 per cent, compared to a 54 per cent drop for men. During the same period, the overall gun death rate for women (including suicides) dropped 56 per cent, compared to a 40 per cent reduction for men.

Researchers and planners (who are themselves mainly men) often fail to consider the implications of both men and women’s roles in fighting forces, do not design consultation processes to involve women, or do not recognise existing anti-violence activities usually led by women. The gender-blind approach has entrenched the misconceived notion that women have no interest in, knowledge about, or influence over attitudes to gun use and possession, or disarmament.

I know some [organisations] that deal with former combatant boys. They help to rehabilitate them, send them to school, help them to be engineers, teachers, whatever [they] want to be. They provide food, clothing, [and] medical facilities. But I don’t know of any kind of rehabilitation centres for women. Most of the women only tell their friends [that they were combatants]. You hardly find women combatants saying that the government should try to help them.

—Agnes from Liberia

Sierra Leone provides an example of the impacts of this failure. While the UN Mission in Sierra Leone (UNAMSIL) was initially praised as ‘a success and a model for [a] robust and successful mandate that moved from peacekeeping to sustainable peace building’, for ‘a successful disarmament and demobilization programme’, and for its ongoing work in reintegration, the mission is now known to have initially failed women and girls involved in fighting forces. Determining who qualified to join the programme was a complex process, which UNAMSIL

4. Building gender-aware programmes

Policy analysts, researchers and programme planners often speak exclusively to men about finding solutions to security problems, from how to undertake disarmament, demobilisation, and reintegration (DDR) to the need to find alternatives to oppressive policing.
tackled by collecting basic information from combatants that included identifying the person’s commander, a test in which a weapon was dismantled and reassembled, and strict guidelines on what qualified as a weapon. Eligibility requirements almost guaranteed the exclusion of females, especially girls, who were rarely eligible for the ‘one person, one weapon’ approach. The results of this approach are difficult to assess because reliable figures are unavailable, but one estimate suggests that while at least 10,000 women are thought to have been associated with armed groups, of the 72,490 demobilised adult combatants, only 4,751 were women; and of the 6,787 children, a mere 506 (7.46 per cent) were girls.37

*I felt powerful when I had a gun. As long as you are holding a gun, you have power over those who don’t. It gave me more status and power.*

—Girl who was a part of an armed group in Sierra Leone38

As in other places, Sierra Leonean women and girls associated with fighting forces report being forced to hand over their guns to their commanders and claim that these guns were then sold on to civilians who reaped the benefits, which included material support, retraining, and placement in reintegration programmes. The ease with which girls and women were intimidated was compounded by the fact that first-hand information often did not reach them. For the most part, the girls are now living on the streets in Freetown, and report high levels of drug and alcohol addiction, depression, frustration, and violent rage, which have also been directed at the authorities.39

In 2002, UN Secretary-General Kofi Annan observed:

*In order to be successful, DDR initiatives must be based on a concrete understanding of which combatants are women, men, girls, and boys. Recent analyses of DDR processes from a gender perspective have highlighted that women combatants are often invisible and their needs are overlooked.*40

The Secretary-General has offered regular updates on how the UN is implementing its commitment to gender mainstreaming. Areas of progress include the appointment of ten full-time gender adviser positions in 17 peacekeeping operations and in the Department of Peacekeeping Operations (DPKO), new standard operating procedures on DDR in which gender issues are taken into account, the development of more gender-sensitive approaches to early warning efforts, and a proposal to further advance gender-equitable participation in all aspects of the elections process.41 Investment in training and institutional support would further help advance these processes.

*The Department for Disarmament Affairs gender mainstreaming plan defines gender balance as ‘a strategy for making women’s as well as men’s concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programs . . . ’*

—UN Department for Disarmament Affairs Gender Mainstreaming Plan42
RECOMMENDATIONS

Adopting a gender perspective to our understanding of the phenomenon of gun violence is crucial to designing and implementing strategies to reduce the widespread human security impacts it produces. We can no longer afford to remain in the dark about the complexities of how men and women view, use, and misuse guns, and how those attitudes and behaviours translate into risks and vulnerabilities. As the international community approaches the 2006 RevCon, States should make a number of bold and essential steps to mainstream gender considerations into small arms policymaking:

1. **Fully meet existing international norms relating to gender and gun violence.** There are numerous international standards that protect women’s rights to equality, non-discrimination, and to protection against gender-based violence. International law places obligations on States to prevent and punish violence against women, and, where they fail to take adequate steps to do so, it may amount to a human rights violation, even when such violence is perpetrated by private actors. The prohibition of discrimination implies that women must be treated equally in all realms of social, political and economic life, and women’s equal and full participation in decision-making concerning protection against gun violence is the surest means to ensure their concerns are addressed. (See Annex 4 for relevant instruments of international law)

2. **DDR programmers and planners should give particular attention to Article 13 of Security Council Resolution 1325.** It calls on ‘all those involved in the planning for disarmament, demobilization and reintegration to consider the different needs of female and male ex-combatants and to take into account the needs of their dependants’. This call to action ranges from those who study DDR programmes to those who implement them, and additionally can include greater consideration of the gender composition of teams working on DDR processes for the UN and governments.

3. **Direct attention to young men as a group particularly vulnerable to gun violence.** Evidence clearly suggests that young men are exposed to a range of risks that can be mitigated at different levels by governments and NGO activity through targeted programming and early intervention to tap into positive, non-violent models of manhood. A small number of interventions have begun to work with young men to question some of the traditional norms related to manhood that may encourage various forms of violence, including use/ownership of firearms. In addition to educational opportunities and meaningful employment opportunities for low-income young men, there is also a need for gender-specific attention to how boys are raised and comprehensive efforts—involving governments, civil society, families, and communities—to promote non-violent models of manhood.

4. **Restrict the acquisition of guns and ammunition by those who commit intimate partner or family violence.** Standards are required to ensure that perpetrators of intimate partner violence—and those particularly at risk of perpetrating it—do not have access to guns. That means legal prohibitions on
gun ownership for abusers and that record keeping and other supporting mechanisms should be in place to enforce them. Law enforcement should have the authority and mandate to confiscate guns on the basis of likely threat, not prior conviction of intimate partner violence. International standards should be agreed to encourage such laws at a national level.

5. Train law enforcement officials to better understand the small arms issues related to the prevention of gender-based violence. Local law enforcement officers are often the first to respond to, and intervene in, instances of gender-based violence (including homophobic attacks). Police must therefore be trained to enforce laws such as prohibitions on the ownership of firearms. Law enforcement officers also need to be accountable for the safety and appropriate use of their own guns, particularly if such guns are not stored between shifts in police stations.

6. Include the perspectives of men and women in the development of policies to prevent gun violence. Male decision makers dominate research and policy on small arms control and violence prevention. States can develop mechanisms, such as panels, consultative committees, and recruitment processes to ensure that women (the suggested international minimum is 30 per cent) are involved in decision-making and other activities that inform security policies, such as changes to national gun laws, or disarmament and development activities. In addition, gauging the opinions of civil society actors, particularly women's organisations, is important given the low priority often accorded to their views and expertise.

7. Consolidate what is already known, identify gaps, and generate more information. Increasing our knowledge of the impacts of small arms (mis)use on men and women, and girls and boys and making it accessible is the most effective way to inform better policy. It is critical that this information be disaggregated by sex in order to develop the most accurate picture possible of quantitative impacts. Countries can include appropriate categories into existing information collection efforts. In addition, qualitative studies are also important to further investigate the roles of men and women in war, cultural norms about the demand for guns, and issues related to intimate partner violence. Those countries with capacity can consider supporting this type of action-oriented research and policy development.

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**ESSENTIAL READING**


UN Development Fund for Women (2004), *Getting It Right, Doing It Right: Gender and Disarmament, Demobilization and Reintegration*. Available at: www.womenwarpeace.org/issues/ddr/gettingitright.pdf


**ENDNOTES**

1 See, for example, UN (1997), *Report of the UN Panel of Governmental Experts on Small Arms in pursuance of GA Resolution 50/70B, A/52/298*, 27 August, p. 2


3 In terms of gender, this trend is generally reflective of other forms of interpersonal violence as well. For example, studies show that boys are more likely than girls to carry guns to school, to have been in a fight, and to have witnessed violence outside the home. See WHO (2002), *World Report on Violence and Health*.


6 *Small Arms Survey 2004*, p. 178

7 Mathews, S. et al. (2004), ‘Every six hours a woman is killed by her intimate partner’: *A National Study of Female Homicide in South Africa*, Medical Research Council Policy Brief, Medical Research Council, Cape Town, pp. 1–4

8 Mathews, S. et al. (2004), ‘Every six hours a woman is killed by her intimate partner’; See also ‘South African spouse killings epidemic.’ May 24, 2005. Available at: www.cnn.com/2005/WORLD/africa/05/24/wife.killings.reut/?section=cnn_world

9 See, for example, Hemenway, David et al (2002), ‘Firearm availability and female homicide victimization rates across 25 populous high-income countries’, *Journal of the American Medical Women’s Association*, Vol. 57, pp. 100–104; See also the WHO Multi-Country Study on Women’s Health and Domestic Violence against Women. Available at: www.who.int/gender/violence/multicountry/en/


13 The literature suggests that the biological differences between boys and girls affect their health and development in a more


16 Jackman, G A et al (2001), ‘Seeing is believing: What do boys do when they find a real gun?’


22 Barker, Gary (2005), *Dying to Be Men*.

23 See www.engenderhealth.org/ia/www/pdf/map-sa.pdf

24 See www.promundo.org.br

25 See www.whiteribbon.ca

26 See www.millionmommarch.org

27 See www.womeninblack.net

28 See www.marwopnet.org


31 Data from DATASUS (2000), Brazilian Ministry of Health database, analysed by ISER for ‘Choose Gun Free! It’s Your Weapon or Me’ campaign documents.

32 One man killed 35 people and wounded another 17 with two high-powered semi-automatic rifles—a .223 calibre AR-15 and a .308 calibre FN-FAL.

33 A 1999 study of intimate femicide in Australia between 1989 and 1998 shows that guns were used in 23.3 per cent of cases, with knives and sharp objects being used 36.6 per cent of the time. Mouzos, Jenny (1999), *Femicide: The Killing of Women in Australia, 1989–1998*, Australian Institute of Criminology, Canberra.


37 These figures are reported in Mazurana, D et al (2002), ‘Girls in fighting forces and groups: Their recruitment, participation, demobilization and reintegration’, *Peace and Conflict*, Vol. 8, Issue 2, pp. 97–123. A more recent study notes that ‘the number of women combatants has not been tallied’ and these figures could not be supplied by the National Commission on DDR. See Miller, Derek and Daniel Ladouceur (2005), *From Research to Roadmap: Learning from the Arms for Development Initiative in Sierra Leone*, UNDP and UNIDIR, Geneva, draft copy.

38 Denov, Myriam and Richard Maclure, ‘Girls in Armed Conflict in Sierra Leone: Victimization, Participation and Resistance’, in the forthcoming UN University and Swisspeace book on gender perspectives on small arms and light weapons availability and misuse; See also Mazurana, Dyan and Christopher Carlson (2004), *From Combat to Community: Women and Girls of Sierra...*

39 Denov and Maclure,(forthcoming UNU and Swisspeace), ‘Girls in Armed Conflict in Sierra Leone’


41 UN News Centre, New York, 20 October 2004

THEME 5
TAKING WEAPONS OUT OF CIRCULATION
SIMPLY STRENGTHENING CONTROLS ON THE supply of guns will be of limited value in locations already saturated with guns: it is important to simultaneously reduce the number of weapons in circulation. This is especially the case in nations recovering from violent conflicts, where there are a great many risks associated with small arms circulation. Guns can be quickly turned back into weapons of war and end up on the illegal market, where they are easily available for criminal or political purposes, and government-owned weapons not adequately managed and secured may be looted or sold by authorities illegally. It is now widely accepted in these circumstances that unless they are confiscated and collected—and preferably destroyed—guns will often end up back on the streets.

Much has been researched and written about taking weapons out of circulation in the last decade. This theme does not seek to re-invent the wheel, rather aims to identify some key lessons learned and policy options for consideration given the significant focus this particular aspect of the small arms issue receives.

Governments have contributed considerable financial support to this policy area since UN 2001. Weapons destruction is an established policy priority for several countries. Is ‘taking weapons out of circulation’ a fad, or are governments developing longer-term and sustainable management regimes? What are some of the main lessons emerging from practice so far? This theme aims to investigate this issue and provides some suggestions for future priorities.

ELEMENTS FOR SUCCESSFUL DISARMAMENT

Efforts to remove weapons from circulation have been part of strategies to prevent armed violence and reduce insecurity in different contexts, including:

- disarmament at the end of an armed conflict, usually as part of a formal DDR process or to mop up guns remaining after the formal disarmament;
- voluntary weapons collection as a crime prevention tactic;

Relevance to UN Programme of Action

The PoA places significant emphasis on stockpile management and the collection and destruction of weapons. It recognises that restricting the number of weapons in circulation is necessary to prevent the illicit trade in small arms and light weapons in all its aspects.
• gun amnesties due to legal reforms on private possession of firearms; and
• forcible confiscation of illegal weapons.

Some illustrative examples of the methods used and the types of actors involved are listed in Annex 3.

Past and on-going efforts provide a growing body of experience from which to learn and improve future programmes. Part of the reason why our knowledge of what works and what does not work is still far from complete is that there is no systematic method to make such assessments. However, since the PoA was agreed, there has been recognition of some key principles associated with taking weapons out of circulation. Taken together, they create a body of necessary elements for success. Some of these are highlighted below.

1. The establishment of clear objectives and impact indicators
It is crucial to establish clear and concrete objectives, both in terms of process (number of weapons to be collected and timelines) and impact. Crucially, it must be recognised that the numbers of weapons collected is not necessarily indicative of an impact on human security:

*Despite the development sector’s growing involvement in promoting DDR and weapons reduction, the number of weapons collected continues to serve as a benchmark of the success of an intervention rather than the extent to which it has improved security, much less redressed gender imbalances or advanced poverty reduction.*

Many donors and governments continue to prioritize the gathering of hardware.

In fact, measuring impact is often much more difficult than assessing programme execution. While the ultimate goal is usually to reduce armed violence and improve human security, only local experiences of security can determine appropriate impact indicators. Also, baseline data must be available for evaluation purposes. In contexts where data is scarce and/or unreliable, this requires enhancing the national capacity for data collection.

Efforts to measure impact will also enable practitioners and researchers to document and clarify the value of weapons collection. More analysis is needed to examine the impact and value added of weapons collection compared to alternative violence reduction measures.

Further impacts and social changes must also be considered. Collection initiatives can, for example, promote collaboration and dialogue between different actors in the community, which in turn can prevent or reduce violence. By placing gun control on the public agenda, disarmament programmes often spur discussion about the role of small arms in society and may lead to a questioning of the issues.

2. The provision of appropriate incentives
The earliest efforts at weapons collection were often ‘buy-back programmes’ offering cash in return for guns. There is ample evidence demonstrating how cash rewards can have undesirable consequences. They have encouraged holders and owners to take advantage of such programmes to make a profit on
their guns, only to replace them by cheaper or better guns available on the illegal market. Testimonies from Afghanistan also illustrate how ex-fighters have been forced into sharing their cash rewards with former commanders. Where several DDR processes occur in parallel in the same region, and the cash rewards vary, ex-combatants are encouraged to cross the border to find ‘the best deal’. This dilemma is clearly illustrated in the cases of Liberia and Côte d’Ivoire, two neighbouring countries where ex-combatants who turned in a weapon were offered USD 300 and USD 900 respectively. Even when cash is used as a reinsertion payment for ex-combatants and not intended as a direct payment for their guns, this distinction may not always be apparent to the ex-combatants. The international community’s learning curve seems to be particularly flat on this point.

It is, therefore, a positive development that processes treating disarmament and reintegration separately are being replaced by programmes linking the social and economic reintegration of ex-combatants directly to disarmament by offering a comprehensive assistance package to those who turn in guns. The UN Development Programme (UNDP) and the International Organisation of Migration (IOM) pioneered this approach in Congo-Brazzaville in 2000. This is also the model used by the on-going Afghan New Beginnings Programme, which aims to demobilise over 100,000 ex-combatants and to reintegrate mujahedin into civilian life by offering them jobs and educational opportunities. A particularly innovative example is a scheme offering individuals training and jobs in de-mining agencies.

Collective incentives benefiting a whole group or community are also increasingly used. The risk of commercialising guns is lower when offering collective benefits. After violent conflict, it may also avoid the impression that ex-combatants are rewarded for their participation and behaviour during the war and reduce the risk of resentment by the local community. The most frequently used collective benefits have been those that either contribute to social and economic welfare, such as schools or roads in so-called ‘weapons for development’ schemes, or those that can reduce public insecurity, for instance by providing equipment for the local police.

The ‘weapons for development’ approach underscores the acknowledgement on the part of implementing agencies of the links between security on the one hand and socio-economic development on the other. It is also illustrative that the international agency pioneering this approach and the main implementer of weapons collection projects since the adoption of the PoA has been UNDP.

When providing collective benefits, one of the challenges is to determine the type and number of guns that must be collected in order for the community to achieve the reward. Interestingly, a survey conducted in one Cambodian district where a weapons for development programme was carried out showed that for many people, improved community security was considered a sufficient reward and in fact valued more than the development projects they ‘received’.

As illustrated by the changes in the incentive schemes, the concept of weapons collection has, at least among the large implementing agencies, evolved
significantly over the last five to ten years. What was first conceived as *ad hoc*, stand-alone measures—appealing to donors due to their tangible and measurable results—have now become an element of broader peace-building or crime and violence prevention strategies. In other words, ‘cash for guns’ has been replaced by ‘weapons for development’, and most recently this notion is evolving further into the area of ‘poverty reduction through armed violence prevention’.10

3. The inclusion of ammunition
The issue of small arms control cannot be adequately addressed without a specific focus on ammunition. (See Box 4 for more detail) The absence of matching ammunition to weapon type renders a gun non-functional. Taking ammunition out of circulation will have a more immediate impact on reducing gun violence than collecting and destroying weapons. Anecdotal evidence suggest that ammunition ‘shortages’ are a real phenomenon and could perhaps be induced with international and co-ordinated effort. Enhanced efforts to collect and destroy ammunition should be undertaken as part as of a more comprehensive strategy to control its availability.

In addition, ammunition stockpiles, often stored alongside explosives, have proven to have fatal consequences for civilians if left poorly managed. In January 2002, a military ammunitions storage facility caught fire in Lagos, Nigeria, setting off explosions that resulted in the death of over 1,000 people.11 In April 2003, a flare gun was reportedly used to intentionally ignite an ammunitions dump in Baghdad. The resulting explosion killed up to 40 people.12 In May 2005, a hidden ammunitions and weapons storage facility in Bashgah, Afghanistan exploded, killing 28 and injuring more than 70.13

4. Integrated approaches

*But [disarmament and demobilisation] programmes will be ineffective without the provision of resources for reintegration and rehabilitation. Failure to successfully implement such programmes will result in youth unemployment and fuel the development of criminal gangs and violence and ultimately a relapse into conflict.*

—Report of the High-level Panel on Threats, Challenges and Change Para. 228

Weapons collection is only one aspect of the transitional process aimed at establishing security after armed conflict. Other issues to be addressed include restructuring the armed forces, security sector reform, democratisation and transitional justice, repatriation of refugees and the internally displaced, economic recovery, and longer-term socio-economic development. All these elements are to some degree mutually dependent and vary in form across contexts. Unless some disarmament and weapons control measures are in place, the environment will often remain too insecure to pursue these other aims or they are likely to be undermined.

Lessons learned in Sierra Leone demonstrated that disarmament should be conceptualised as ‘an integral and extended process of national recovery through security-building rather than as a technical process of post-conflict weapons collection and demobilisation’.15 (See Box 7) The design and imple-
existing weapons from circulation and control supply must go hand in hand. This is partly a question of preventing new arms transfers into an area. However, guns leaked, stolen, or sold from government stocks are another key source of supply in many contexts. Enhancing national capacity in the area of stockpile management can prevent theft and losses from government arsenals. Regular assessments to identify and destroy confiscated and surplus stocks will also reduce the risk that excess stocks will be diverted and enter the illicit market. The same concerns

5. Comprehensive weapons security and control
If the aim is to prevent or reduce an excessive spread of guns in a community, efforts to remove...
apply to the storage and disposal of weapons collected as part of a disarmament programme.

*It would appear that weapons that pass from the legal to the grey and black market are not required for legitimate defence and security purposes of a state. Legitimate stocks need to be guarded effectively and surplus stocks should be destroyed. We, therefore actively support the destruction of surplus weapons in various places . . .*
—Dr. Gunter Pleuger of Germany at BMS 2003, 7 July

Cambodia provides an unprecedented example of how to approach the challenge of arms control after war in a comprehensive manner. The government, with the support of the EU, is attempting to reduce weapons availability and misuse through a wide-ranging strategy, which includes the introduction of strict legislation on gun ownership, a registration and safe storage scheme for military and police firearms stocks, weapons collection and destruction, ‘weapons for development’ schemes, and public awareness programmes.

6. Destroying guns

*The South African Government maintains its position that all surplus, redundant, obsolete and confiscated small arms of a calibre 12,7 mm and below should be destroyed in order to prevent these from ending up in the illicit small arms trade.*
—Statement by South Africa, BMS 2003, 7 July

To ensure that collected weapons are permanently removed from circulation, the preferred method is destruction—usually in a public way that aids verification and confidence building. This has been acknowledged by many governments, and by the OSCE in its *Document on Small Arms and Light Weapons.* In Sierra Leone, destroyed guns were recycled into agricultural tools, which were then provided to ex-combatants as reintegration assistance. This programme cleverly combined efficiency, utility, symbolism, and environmental concerns.

Many States also provide significant financial and technical support to countries that need assistance with stockpile security and destruction of surplus weapons, either bilaterally or channelled through other organisations or mechanisms including the OSCE, the South Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons, and North Atlantic Treaty Organisation’s (NATO) Partnership for Peace (PfP) Trust Fund. For example, NATO PfP small arms destruction projects have been completed or are in progress in a number of countries in Eastern Europe and the Caucasus, including Albania, Georgia, Ukraine, and Serbia and Montenegro.

7. Confidence-building measures

Weapons collection and DDR are often implemented in highly charged political environments. It is therefore important to be as transparent as possible about the objectives of these exercises and the procedures involved. Common questions include: Will they *really* be destroyed? Will they be kept safely if not? Will they fall into the wrong hands? Providing infor-
mation and communicating with the public through media and other means, including the organisation of public destruction ceremonies, have proven successful in increasing confidence and accountability. Civil society organisations, including NGOs, churches, and the private sector, have all participated actively in weapons collection programmes around the world and constitute a key channel of communication. If handled well, a disarmament programme may in fact contribute to confidence building.

8. Take stock – Learn lessons
Even very basic lessons learned are continually, if not consistently, ignored. The gun buy-back scheme in Iraq provides a good illustration of a lack of institutional absorption of lessons learned. In May 2004, US forces in Iraq launched a gun buy-back programme in Baghdad, offering people large cash sums in exchange for guns. It was these cash payments that attracted participants rather than a genuine wish to disarm, and the money has been used in some
A six-year disarmament effort ended in Sierra Leone in January 2004. During the three formal phases of DDR that took place between February 1998 and January 2002, more than 72,000 combatants were disarmed and demobilised, and 42,500 weapons were collected and destroyed. This programme can be ‘considered as the best practice example throughout the world of a successful disarmament, demobilisation and reintegration programme’. Although lessons learned from a particular experience are not always universally applicable to other contexts, the Sierra Leone experience benefited from, as well as reaffirmed, some key lessons discovered the hard way in previous DDR exercises. Some creative strategies to deal with challenges were devised, which could prove effective elsewhere.

Local ownership
The National Committee for Disarmament, Demobilisation and Reintegration (NCDDR), chaired by the president of Sierra Leone was responsible for managing the process, assisted by UNAMSIL and in the earlier phases by ECOMOG. The NCDDR ensured a high degree of ownership by national authorities and provided valuable local knowledge and connections to international actors, as did the incorporation of the national police and local government in community weapons collection programmes after the formal disarmament. The possibility to improve future efforts by designing more locally valid strategies and making better use of past experience runs like a thread through most assessments of the disarmament process in Sierra Leone.

Consistent support from the international community
After disarmament was aborted twice due to renewed fighting, the third phase of disarmament benefited from robust military support. The intervention by British troops and the establishment and expansion of UNAMSIL to the largest UN military peacekeeping mission were critical in both convincing armed groups to abandon the fighting and maintaining control in a volatile security environment. Consistent international backing led by the UK ensured continued political pressure and adequate funding at critical junctures. A challenge is to avoid a security vacuum as the international presence scales down in late 2005.

A variety of difficulties were encountered related to funding. Mostly funding was channelled through the Multi-Donor Trust Fund managed by the World Bank. Parallel funding from various other sources compensated for the significant shortfalls and delays associated with the trust fund. This was, according to UNAMSIL, critical to ensuring sufficient flexibility and responsiveness to challenges on the ground, and in particular to keeping the reintegration process on track.

Rooting disarmament in the peace process
As stated by UNAMSIL in a lessons learned report, ‘DDR follows the political process; it does not lead’. The disastrous consequences of ignoring this lesson are evident from other DDR exercises, including the earlier disarmament phases in Sierra Leone. The basis for DDR is created during the peace negotiations, and provisions should be incorporated in the settlement. Postponing the discussions on disarmament to a later stage in order not to jeopardise an agreement has proved to be a strategy that easily backfires. While political will to make peace must be a precondition to begin disarmament, long-term political commitment and support by the external actors involved is often required for its implementation.

Gradual implementation and confidence building
The formal disarmament process in Sierra Leone employed a phased strategy referred to as ‘paired rolling disarmament’, in which two districts with prevalent opposing factions disarmed at a time. This approach allowed flexibility in tackling local difficulties and proved more conducive to incremental confidence building than traditional countrywide approaches.
Eligibility criteria
Determining who is eligible for entry into the DDR process is crucial. Entry should not be limited to those in possession of a gun, but rather based on participation in an armed group. In Sierra Leone, while many women and girls actively took part in combat as front-line soldiers, many others performed different roles, including as ‘bush wives’ for commanders. Women were nevertheless significantly under-represented in the DDR process. This was partly due to many women and girls not being in the possession of a weapon by the time of demobilisation, in some cases because they had been ordered to hand them over to their male commanders. The weak security in the assembly centres is considered another reason why many chose not to enter the process or to leave it.

Clarity on arms covered
The importance of establishing clear criteria for disarmament also includes the types of guns to be accepted and the number of arms that individuals or groups must surrender to enter the process. In Sierra Leone, the exclusion of shotguns from the DDR programme created mistrust and a need for follow-up weapons collection, because shotguns were the predominant weapon held by the Civil Defence Forces.

Reintegration
Sustainable disarmament largely depends on effective reintegration, and viewing these as separate and independent processes is unrealistic. In Sierra Leone, for example, so-called ‘stopgap projects’—short-term employment for ex-combatants that were waiting to enter formal reintegration—were critical in preventing violent flare-ups among discontented ex-combatants in volatile areas. They also assisted in building confidence and improving social relations, as ex-combatants were employed in communities to help restore destroyed infrastructure. A comprehensive reintegration strategy is essential to ensure that the benefits of a successful process are not lost or reversed. Unfortunately, it is usually far easier to ensure support and funding for the more immediate and tangible disarmament and demobilisation phase than for long-term reintegration activities.

Disarmament goes beyond DDR
Acknowledging that many weapons necessarily remained in the hands of ex-combatants and civilians after the formal disarmament process, the Sierra Leone Police and UNDP launched complementary weapons collection efforts to mop up remaining guns, in parallel with the government’s development of new legislation to regulate civilian arms possession. These efforts targeted communities, rather than individuals, with development projects as incentives. The Community Arms Collection for Development programmes recognised that disarmament is more than collecting small arms, aiming to also address the demand for guns, with an objective of establishing gun-free communities.

Cases to buy new guns. It appears unlikely that the programme had any noticeable impact in terms of reducing the vast number of military weapons in various hands in Iraq—let alone increasing human security.

‘We sell [the Americans] the old ones and buy new ones on the black market’, said Ali Mohsin [an Iraqi citizen]. ‘I sold one AK-47 that I did not need, but what I am really good at is firing a rocket-propelled grenade launcher.’

Efforts are nevertheless being undertaken to improve methodologies, perhaps most notably by key actors like UNDP. The Arms for Development project of UNDP in Sierra Leone teamed up with the
UN Institute for Disarmament Research (UNIDIR) to produce an assessment of their early successes and errors in research and project design, partly to refine ongoing implementation.\textsuperscript{27} This is a positive step and such evaluations are an area that practitioners, policy makers, and donor governments could include as a systematic requirement of projects in the future. The UN as a whole is also attempting to develop guidelines for an integrated approach to DDR implementation across UN agencies.\textsuperscript{28}

9. Transfer of knowledge and communication

A related lesson is the importance of transferring experience and knowledge between agencies and actors. At present there is woefully insufficient communication between personnel working on similar programmes in different locations, as well as a lack of connection between the central policy makers of different agencies and the practitioners on the ground. Whilst comparative analysis and lessons learned from various experiences take place mainly between policy makers and researchers, the input from and to the operational actors is often limited or non-existent.

**GUN AMNESTIES AND LEGAL REFORM IN ‘PEACEFUL’ SETTINGS**

Efforts to remove guns from circulation through weapons collection, management and disposal are also taking place in many ‘peaceful’ settings, as a crime prevention strategy. From Australia to Brazil, Thailand, and South Africa, gun amnesty programmes have been regularly used by governments in recent years as a tool to get small arms out of circulation, usually prompted by an overhaul of national gun laws. Such programmes aim to encourage gun holders and owners to hand in their firearms voluntarily during the amnesty period, after which the new legislation will be enforced. As an incentive, there is usually a ‘no questions asked’ policy and participants are offered financial compensation for their guns.

> **After I purchased the gun it seemed pointless having it and I needed somewhere to get rid of it. That’s why a gun amnesty would have been good for me.**
> —Asher D of rap group So Solid Crew, previously convicted for gun possession\textsuperscript{29}

It is difficult to draw any conclusions on the direct impact that amnesty programmes have had on gun violence, whether criminal, self-directed or between intimate partners. This is primarily because it is hard to isolate the impact of one measure from other variables affecting gun violence (for example, youth employment schemes, city planning schemes, or restrictions on alcohol sales). The incidence of firearm-related deaths in countries like Australia and the UK is also low relative to that of many other countries, and even a small change can have a strong impact on statistics. The trends in data so far are not uniform. However, the Australian example does indicate that the introduction of stricter gun laws, combined with the removal of a portion of civilian-held weapons from circulation, have led to a significant decrease in firearm-related deaths. The current Brazilian process may with time offer some more
conclusive evidence with regard to the effects of amnesty programmes and legal reform.

A significant contribution of weapons collection programmes in ‘peaceful’ settings might also be their impact on attitudes towards guns and public awareness of gun violence: “the popular appeal and social significance of gun buy-back programmes is mostly normative and ideological, part of a system of soft controls. Success is measured via strengthening community bonds, mobilising support for community leadership and calling attention to other forms of social control capable of reducing gun violence against traditional crime control methods.”

**RECOMMENDATIONS**

As the issues related to gun violence and small arms control evolve, it is worth noting the move towards more comprehensive, long-term, and sustainable programmes where weapons collection is a part of the process rather than an end goal. A more systematic approach to developing appropriate solutions and transferring that knowledge is needed to ensure a positive impact on the security and well-being of people and communities. In the lead up to the 2006 RevCon and beyond, States can take a number of actions to increase the effectiveness of weapons reduction programmes, and to help institutionalise best practices to avoid repeating the mistakes of the past:

1. **Undertake weapons collection—in particular DDR programmes—in conjunction with other measures.** These could include the establishment of adequate procedures for stockpile management and security; destruction of surplus, seized, confiscated, and collected small arms; the establishment of adequate regulations on gun possession; and efforts to prevent illicit arms supplies to the country or region in question.

2. **Exchange information and harmonise efforts both regionally and among agencies.** The design, planning, implementation, monitoring, and evaluation of weapons collection programmes, including DDR programmes, should take into account both local and regional dynamics, as well as other national or regional disarmament efforts that may affect the programme’s execution. The exchange of knowledge and experience should be promoted among and between projects and programmes, including among States, regional and international organisations, the UN system, international financial institutions, research centres, civil society, and other concerned actors.

3. **Ammunition control is critical.** Noting that small arms are dependent on available and functional ammunition to be effective, particular efforts should be made to effectively and safely collect, control, store, and destroy ammunition, particularly in post-conflict situations, and to include specific provisions for these programmes in peace agreements and security-building initiatives.

4. **Ensure weapons collection—including DDR programmes—are responsive to local needs.** Recognising the need for enhanced local participation in the design, planning, implementation, monitoring, and evaluation of collection and destruction programmes,
co-operation among local stakeholders, personnel implementing the programmes, and researchers with relevant expertise must be increased as a means to generate more legitimate, verifiable, and applicable local solutions to problems. This also includes the identification of appropriate incentives for disarmament.

5. *Widen the net.* The eligibility for entry into a DDR programme should be flexible, based on evidence of participation in an armed group in any function, and not limited to those individuals carrying military weapons or who actively participated in combat. Particular effort is required to ensure that women and girls are not unduly left out of the process.

ESSENTIAL READING


Small Arms Survey 2002, Small Arms Survey 2003 and Small Arms Survey 2005 chapters on weapons collection and DDR. Available at: www.smallarmssurvey.org


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ENDNOTES

1 See PoA, sec. II, arts. 16–21, 29–30, 34–35; and sec. III, arts. 6, 8, 14, and 16
2 Small Arms Survey 2003, pp. 243–245
3 Small Arms Survey 2005, p. 283
4 See Annex 6 for further discussion of human security indicators
5 Godnick, William (2004), Voluntary Weapons Collection and Social Capital, Presentation to the International Relations and Security Studies Research Group, 10 March
7 Small Arms Survey 2003, pp. 269–272
11 IRIN (2002), ‘Nigeria: IRIN Focus on emergency and disaster response’, 12 February. Available at: 66.102.9.104/search?q=cache:qUV3Do1YVpkJ:www.reliefweb.int/w/rwb.nsf/o/bo0083b16562c15485256b5e0069874c%3FOpenDocument+%22ammunition+dump+explosion%22+hl=en
14 UN High-level Panel on Threats, Challenges and Change (2004), A more secure world
15 Miller and Ladouceur (2005), p. 43

16 Available at: www.smallarmssurvey.org/source_documents/UN%20Documents/BMS%202003/Germany%2007072003.pdf
17 Available at: disarmament2.un.org/cab/salw-2003/statements/States/South%20Africa.pdf
19 This was undertaken by the German technical co-operation agency Gesellschaft für Technische Zusammenarbeit (GTZ) and the Sierra Leonean NGO Movement for Assistance and Promotion of Rural Communities Development (MAPCO).
20 IRIN (2004), ‘Sierra Leone: Disarmament and rehabilitation completed after five years’, 4 February.
22 In late 2005, the Centre for Humanitarian Dialogue will be commencing a project entitled ‘Negotiating Disarmament’. It aims to produce analysis and materials for mediators and negotiators in peace processes, as well as armed groups on the spectrum of disarmament and weapons control issues relevant to peace agreements and processes.
23 Mazurana and Carlson (2004), From Combat to Community, pp. 17–27
26 Hauser, Christine (2004)
27 Miller and Ladouceur (2005)
28 Inter-Agency Disarmament, Demobilisation and Reintegration Working Group, Towards a UN Approach to Disarmament, Demobilization and Reintegration Workshop, 28–30 October, 2004, draft document
29 BBC News (2003), Police defend gun amnesty’s success’. 30 April. Available at: news.bbc.co.uk/2/hi/uk_news/2986179.stm
THEME 6
MOTIVATIONS AND MEANS: ADDRESSING THE DEMAND FOR SMALL ARMS
Our children look at guns as power . . . because in the minds of youth, the gun is the way to instant money, an opportunity for them, where there is no other opportunity.
—Participant, workshop on demand, Durban, 1999

Supply and demand have become shorthand terms for describing broad factors affecting the spread, use, and misuse of guns; approaches to managing them; and means for reducing their negative effects. Most international policy initiatives, such as the PoA, have so far tended to focus on supply—that is, steps to control the flows of arms into, and their availability within, certain settings. However, understanding what drives individuals and groups to possess and use small arms—the demand side of the equation—is equally important for efforts to reduce availability and misuse. In fact, all sides of the equation must be taken into account simultaneously if the international community is to respond adequately to the problem of gun violence.

There has only been physical disarmament, not disarmament in the mind. The gun is something these people use to live. It is their tool to survive.
—Man in Mazar e-Sharif, Afghanistan, September 2004

Guns can change hands several times—from manufacture to stockpile; to broker, trader, and exporter—before they reach their first user. Factors can be identified at each step in the life cycle of a weapon to explain why guns are acquired, opening

Relevance to UN Programme of Action
The word demand is only mentioned once in the PoA. In paragraph 7 of the Preamble, the States note their concern for the ‘close link between terrorism, organized crime, trafficking in drugs and precious minerals and the illicit trade in small arms and light weapons’, and stress ‘the urgency of international efforts and co-operation aimed at combating this trade simultaneously from both a supply and demand perspective’ (emphasis added).

Indirect references to a demand perspective are nevertheless found in a number of other places in the PoA. For example, the document acknowledges concern for the ‘implications that poverty and underdevelopment may have for the illicit trade in small arms and light weapons’; while many areas in the PoA imply the need to understand and address demand, including the focus on disarmament, demobilisation, and reintegration of ex-combatants; the emphasis on the special needs of children; the recognition of the need to ‘promote dialogue and a culture of peace by encouraging . . . education and public awareness programmes’; the recognition of the need to make ‘greater efforts to address problems related to human and sustainable development’; and the references to elements for which the shorthand is ‘security sector reform’.
up a new set of interventions to control their flow. This theme looks at factors affecting demand by civilians, communities, and non-state armed groups as end-users of guns; offers an explanatory framework for thinking about demand; identifies possible responses to the factors driving acquisition of guns at the individual and group levels; illustrates demand interventions that have taken place in Papua New Guinea, South Africa, and the US; and discusses the relevance of this analysis for the UN process on small arms.

DEMAND IN THEORY
According to economic theory, demand for a commodity (e.g. guns) is a function of individual and group preference, price (monetary and non-monetary), and resource availability. While preferences determine the motivation to acquire (or not) a gun, prices and resources constrain the means to do so. The diagram below illustrates a demand framework; all three dimensions of demand provide crucial elements and opportunities for interventions.

Preference refers to overlapping social, cultural, economic, and political motivations. This category could include, for example, socially constructed ideas about masculinity, a perceived need for self-protection, or a desire to carry out a livelihood option, requiring a gun, whether legitimate or criminal. Multiple preferences can operate at the same time.

A further distinction needs to be made between deep preferences (universal and immutable needs, such as the need for personal security or identity) and derived preferences (or coping strategies for dealing with a challenge to a deep preference—for example, the acquisition of a firearm in reaction to a need for personal security). Importantly, acquiring a gun will probably be only one of several options for satisfying a deep preference. The extent to which one option is preferred over others will be influenced by such factors as cultural patterns and the degree to which there are available substitutes. For example, the derived preference for small arms might be stimulated by the familiarisation with, or normalisation of, guns in a particular society.

Derived preferences are dynamic across time and space. For example, a homeowner’s preference for regarding a gun as necessary for family protection may change if he/she feels community-watch schemes or changes to policing begin to provide sufficient security, even as his/her deep preference—for security for his/her family—remains an important motivating concern. It is also important to recognise that preferences are not necessarily confined to the individual, but can also be collectively realised.

I have many guns, which we bought to empower our leader. If we don’t have heavy weapons we
can’t get a share in the political power. I would give it up depending on what I get from the government in return.

—Hussein Siad Gomei, Somalia, driver of a ‘technical’ (a pick-up truck with machine guns mounted on the back), commander of 12 men

While unpacking individual and collective preferences is key to comprehending demand for guns in any particular situation, this alone is insufficient.

The extent to which the desire for acquiring a gun can be fulfilled will also be a function of the perceived, real, and relative price of small arms in a given setting and the availability and price of acceptable substitutes. Where gun prices are relatively high, they can be a function both of a strong preference for small arms and limited supply. Prices can be reflected in non-monetary ways. For example, the price of an AK-47 in a particular setting may be high due to well-enforced penalties for illegal possession (in this case, the price is the high personal cost of incarceration).

Preferences and price are also related to resource availability, or affordability. One may have a high preference for obtaining a weapon, and the price may be low, but if personal or group resources are lacking, demand cannot be fulfilled. Resources may be monetary, but also exchangeable commodities (e.g. animals, timber, and even women), as well as such resources as organisational capacity, access to enabling networks (e.g. arms brokers), and even guns themselves (as tools for obtaining income or for stealing other guns).

Addressing the demand for small arms and light weapons is a complex issue that requires further in-depth analysis and research into the dynamics of conflict, crime and violence . . . Reducing demand or the perceived need for guns will require a commitment to long-term, sustainable development and poverty reduction, improving public security in communities, public awareness and education activities, and projects to provide alternative livelihood opportunities, including those for former combatants. Resolving the
structural problems that underpin insecurity and gun violence is essential. This in turn requires the integration of small arms control and reduction measures into development programmes, ranging from police reform to community development, public health and education work.

—Ambassador David Broucher of the UK at BMS 2003, 8 July

A constellation of relationships are at work in shaping demand in any particular setting. The framework also suggests that particular policy choices or interventions, if uninformed by an understanding of all three factors, can produce results that may be the opposite of what was intended. For example, economic incentive schemes aimed at providing alternatives to criminality may merely increase the resources available for the purchase of guns (the relative price will fall), possibly driving up demand, if preferences—for example, the ‘macho’ symbolism of high-powered guns in some cultural settings—are not simultaneously addressed. Moreover, in some communities, the choice to acquire a gun is not necessarily taken individually, but influenced by a series of collective decision-making processes and cultural influences.

It also suggests that policy choices may be equally enriched by examining why some societies ultimately do not choose to acquire small arms:

‘... generating a more sophisticated understanding of the preferences, resources and prices influencing the demand for firearms could usefully inform both disarmament and development interventions’.  

THE VARIOUS DIMENSIONS OF DEMAND

The framework presented above can be applied equally to different types of actors.

Demand by armed forces and State institutions:
Traditional approaches to arms control and disarmament of conventional weapons take into account this dimension of demand. It remains a key element in understanding the forces affecting weapons production, provision, and transfer. The demand for small arms by national armed forces depends on such factors as levels of threat, national defence postures, procurement cycles, budgetary constraints, force structure, mobilisation strategy, and historical precedents. Increasing transparency in national arms stockpiles will allow further light to be shed on this dimension of demand.

Desire for weapons by armed groups:
Non-state armed groups—often called rebel groups, terrorists, militias, liberation forces—are important targets of analysis, as they are a central feature of most contemporary armed conflicts. This dimension of demand reveals that acquisition of guns is in part a function of available financial resources; choices made in command and control structures; and, in particular, access to conflict goods or informal alliances between groups. Demand by armed groups is also driven by the availability of arms within a region.

Factors affecting acquisition and ownership patterns among civilians and communities:
These likely include community safety, respect for human rights, gender equality, livelihood options, and corruption in the justice and security sector.
Greater understanding at this level opens up a whole range of approaches for reducing gun violence, including efforts to remove arms from communities and to prevent their reacquisition and misuse.

**UNPACKING MICRO-LEVEL DEMAND**

In recent years, increasing attention has been paid to understanding the factors driving demand for small arms at the micro—or personal and community—level. This work is revealing existing interventions by community-based organisations and others aimed at reducing levels of violence by addressing demand (although programmes are rarely labelled as such). Key drivers include inadequate public safety and police corruption, lack of economic opportunity for youth, grievances arising out of the abuse of fundamental human rights, cultural attitudes towards guns, inadequate or disrupted conflict management practices, and the inadequacy or failure of post-conflict reintegration programmes for ex-combatants.

On the demand side, the Programme of Action gives us some instruction, urging us to develop and implement educational and awareness activities aimed at promoting a culture of peace and life, through, among other things, the involvement of different protagonists in civil society.

—Archbishop Celestino Migliore of the Holy See at BMS 2003, 8 July

A series of workshops have highlighted a number of common approaches understood by the participants as contributing to violence reduction and lessening the demand for guns. These included:

- initiatives aimed at strengthening self-worth, identity, and positive social roles for individuals, especially children and youth—and particularly boys, as guns are often culturally associated with particular and narrow conceptions of masculinity;
- programmes focused on community economic and social development, with broad participation in creating jobs, housing, recreation opportunities, and schooling;
- approaches to improve the capacity to resolve conflict non-violently, including conflict management training and direct inter-group peacemaking, taking note of traditional processes;
- policies to strengthen governance by establishing community policing; reforming and training the police; and working towards an honest, independent judiciary; and,
- broad efforts to improve public access to government, increase public participation in government, and end the marginalisation of some groups and women.

It is critical to start identifying which of these approaches are effective and which are not. Focusing on youth violence, the WHO has identified a spectrum of prevention strategies, ranging from social development programmes to incentives to complete secondary schooling and pursue higher education, mentoring programmes, family therapy, public information campaigns, or promoting the safe and secure storage of firearms. Some approaches, however, have already been proven ineffective in isolation, including gun buy-backs, trying young offenders in adult courts, or individual counselling. Central to the next phase of multilateral progress on small arms control will
be the results of action-oriented research to identify which strategies may offer the most promise.

**DEMAND REDUCTION IN PRACTICE**
The past decade has witnessed a marked increase in initiatives around the world aimed at reducing armed violence and small arms availability. The World Bank, for example, has financed and overseen dozens of violence prevention activities and in the recent past has ventured into DDR projects. NGOs have initiated hundreds of projects and programmes addressing gun availability in order to contribute to the improvement of community safety and well-being. While not explicitly using the term ‘demand reduction’, many of these programmes have nevertheless been directed at addressing the needs and motivations of individuals and groups taking up arms. Three examples presented here illustrate such interventions, with attention drawn to how these efforts affected preferences, price and resource availability.

1. Papua New Guinea
Though often popularly perceived as a heavily armed society, there are comparatively few commercially manufactured firearms in Papua New Guinea.\(^*\) A wide variety of guns are nevertheless available, and they are being used to devastating effect.\(^*\) Violence in the capital of the Southern Highlands, Mendi, peaked to unprecedented levels between 2001 and 2002. At least 120 men and women, primarily from two tribes, were shot and killed and hundreds more were intentionally wounded. During previous inter-communal conflicts waged with bows and arrows or bladed weapons, as few as one or two people were seriously or fatally injured. In the absence of government support, a process of reconciliation was organised in 2002 by a number of faith-based organisations. An informal peace agreement brokered by May 2002 offered closure to three...
years of violence. Commitments were signed to—among other things—‘dismiss’ mercenary gunmen, entrust all firearms to local leaders, cease the public display of offensive guns, and co-operate with police to restrict alcohol and marijuana abuse. Widely perceived as dealing with catalysts that influence individual and collective preferences for gun violence, these provisions might have diminished demand by increasing public safety, encouraging social controls over rogue elements, and stigmatising guns. More than two years after its signature during a public ceremony attended by more than 10,000 people, the Mendi Peace Agreement has survived without serious breach.

2. South Africa
The NGO Gun Free South Africa launched the Gun Free Zone (GFZ) project in 1996 in order to reduce one of the world’s highest firearm homicide rates. Recognising that gun violence was at epidemic levels in South Africa, and that formal policing approaches were not working effectively, the project’s explicit objective was to transform attitudes toward guns by creating a space in which small arms were stigmatised. In other words, it sought to raise the social price of guns and thereby reduce the preference for guns as a means of achieving personal security and status. Some of these GFZs involve strict enforcement (as in the case of businesses and government offices), with coercive deterrents (e.g. police), while others rely on voluntary compulsion (as in the cases of many neighbourhoods and communities). In the groundbreaking Firearm Control Act of 2000, ‘Firearm Free Zones’ (FFZs) were authorised, formally building on this work. Gun Free South Africa has since worked to develop FFZs in 27 schools in five provinces. The gun-free school project gathered school governing bodies, teachers, administrators, students, and police in a dialogue to identify key problems and establish ‘Safety Teams’ to implement appropriate policies.¹³

3. United States
In 1995, the Boston Police Department, the National Institute of Justice, and Harvard University initiated the Boston Gun Project to confront spiralling youth homicide and to serve as a test case for other inner city areas of the country.¹⁴ This partnership analysed the dynamics driving the city’s youth homicide problem and developed an intervention its members believed would have a substantial near-term impact on the problem.¹⁵ Operation Ceasefire was launched the following year and employed a deterrence strategy that focused criminal justice attention (e.g. increased policing and enforcement, and improved legal processing) on a small number of chronically offending gang-involved youth. The deterrent effect of focused policing rapidly increased the price of gun acquisition while simultaneously reducing preferences through perceived improvements in community safety and security. An impact evaluation undertaken following Operation Ceasefire indicated that the project was associated with significant reductions in indicators of violence, such as youth homicide, reports to the police of shots having been fired, and incidence of gun assaults in Boston.¹⁶
### Table 3
Possible responses to the key factors influencing gun acquisition

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<th>MOTIVATIONS</th>
<th>Possible responses</th>
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| **Personal security** | • Institute or strengthen community policing  
• Reform justice (courts, penal) and security (police, military) sectors  
• Take guns out of circulation  
• Improve street lighting and public infrastructures (such as paved roads)  
• Promote gun-free zones in schools, workplaces, churches, market/shopping places, and sporting facilities |
| **Social and economic stability** | • Provide education and employment opportunities, particularly for youth  
• Stigmatise corruption  

Particularly in war-affected nations:  
• Support reintegration of ex-combatants and ex-criminals  
• Reform war economies; crack down on trafficking in conflict goods (timber, diamonds, etc.) |
| **Individual status, identity, and belonging** | • Challenge images of violent masculinity and offer alternatives  
• Look at the role of art, sport, media, and entertainment in normalising and condoning gun possession and misuse  
• Encourage social customs dissociating guns from power, pride, and manhood |
| **Violent conflict, political identity, and group status** | • Increase capacity for non-violent conflict resolution  
• Improve public participation in government  
• Acknowledge and act to redress inequalities and injustice that influence recourse to violence and human rights abuses |

<table>
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<tr>
<th>MEANS</th>
<th>Possible responses</th>
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| **Price** | Monetary value of guns (relative to other goods, particularly substitutes)  
• Restrict supply, leading to an increase in the prices of small arms |
| **Increasing the cost(s) of illegal possession and misuse** | • Strengthen national gun laws to ensure small arms ownership is subject to criteria (e.g. age, proof of need, safe storage), all owners require a renewable licence, and all guns are registered  
• Improve response and efficiency rates of police to requests for assistance from citizens |
Table 3 identifies some of the variables affecting the acquisition of guns and the responses that can tackle those motivations directly (either by seeking to remedy the challenge to a particular preference or by finding substitutes for its expression), or can try to influence means, whether prices or resources.

### RECOMMENDATIONS

Local efforts to address the demand side of the small arms equation have generated an institutional knowledge base that is overdue for assimilation into the international policy discussion on small arms. The 2005 BMS provides an opportunity to build momentum for action on demand-side reduction at the 2006 RevCon and beyond. Some recommendations to consider in this regard include the following:

1. **Action-oriented research is needed to identify successful approaches and linkages.** There are currently strong signals from a number of bilateral and multilateral agencies that the issue of the demand for guns is moving to the top of their respective agendas. This trend is encouraging, and now the research community must rise to the challenge and generate compelling, robust, and programmatically relevant insights into how the demand for arms is constructed; the dynamic interplay of factors relating to supply, misuse, and demand; and entry points for demand-reduction activities. Funding is needed to test approaches and determine which ones are successful in reducing armed violence.

2. **Donors and multilateral agencies should integrate thinking about small arms demand factors into their...**
practical responses to violence and arms reduction. For example, the Organisation for Economic Co-operation and Development’s Development Assistance Committee Guidelines (OECD DAC) and Official Development Assistance (ODA) prescriptions for bilateral donors should put forward a holistic perspective in their consideration of the reduction of armed violence. This perspective should focus on the supply of, demand for, and misuse of guns and should be adopted in the planning, implementation, and evaluation of justice and security sector reform, DDR, weapons reduction programmes, and other types of micro-disarmament initiatives. There are compelling reasons to do so: misguided development investments can actually increase, rather than decrease, demand for guns.

3. Set clear, unambiguous and attainable targets, including in the short term. Though changing attitudes and behaviours is a long-term incremental process, it is vital to establish short-term objectives to generate demonstration effects and ways to multiply progress. Moreover, objectives must be clear and indicators measurable, while surveillance and evaluation systems should be adequately installed, functional, and financed.

4. Adopt a genuinely participatory process and establish local ownership. Most demand reduction occurs at the local level. As such, successful efforts must at the very least be responsive to locally determined values, norms, and indicators. The cases profiled demonstrate how key objectives were defined, target groups identified, and interventions undertaken in a participatory fashion. This approach promotes the embedding of initiatives in contexts—local and national—that are sustainable and encourage ownership at various levels.

5. Demand can be influenced by interventions that adopt a combination of coercive punitive interventions and approaches that capitalise on voluntary normative compliance. Coercive initiatives (e.g. the implementation of a functioning rule of law) and voluntary compliance (e.g. amnesties, reinforcement of customary controls, stigmatisation, etc.) imply a range of potentially competing philosophies, investment requirements, and logistical opportunities and constraints instead of adopting either/or approaches. A reflection on efforts to date suggests that approaches operating simultaneously are especially effective.

6. Participatory, multi-sector, and multi-disciplinary approaches to demand reduction tend to be most successful. Demand reduction initiatives have gathered together a broad range of stakeholders—from representatives of municipal government and police to civil society and affected groups. Symbiosis among these different actors appears to be a prerequisite for sustained and meaningful demand-side intervention. Approaches that adopt strategies from the public health, community development, and criminal justice sectors (as opposed to a single sector approach) also appear to contribute to successful outcomes. In addition, there may be programming needs that go beyond the scope of existing national and sub-regional organisations, so governments and civil society should be prepared to create a range of arrangements and institutions that can facilitate practical co-operation.
7. Demand reduction initiatives must embrace flexible and dynamic approaches. Successful initiatives have implemented and adapted interventions to meet changing circumstances. Fixed ‘blue-print’ approaches are unhelpful and prone to problems, while innovative and adaptive, or ‘learning’, approaches offer greater flexibility and accountability.

Contributors to this theme include David Atwood, Quaker United Nations Office, Geneva; Robert Muggah, Small Arms Survey; and Mireille Widmer, Centre for Humanitarian Dialogue. Comments and suggestions were received from David Jackman, Quaker United Nations Office; Benjamin Lessing, Viva Rio; Daniel Prins, Government of the Netherlands, Geneva; and Hugo Slim and Tina Thorne, Centre for Humanitarian Dialogue.

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THEME 7
JUSTICE AND SECURITY SECTOR GOVERNANCE

In the ideal society functioning under the rule of law, the armed forces and police carry guns so that the rest of the population doesn't have to. The opposite case is one in which no enforcement of the rule of the law leads to vigilantism and high levels of firearm violence and death.¹

The relationship between dysfunctional justice and security sectors and the demand for guns in the population is not yet clearly understood. Intuitively, corrupt police—whether themselves misusing their small arms or failing to prevent misuse by civilians—will leave people with a sense of injustice and insecurity that will in turn drive them to take the law (and the gun) into their own hands. While more research is needed to better understand this relationship, in recent years it has been acknowledged that justice and security sector reform (JSSR) is closely linked to violence prevention and peace building.⁵ The international community has recognised that bringing the security sector under civilian control and establishing equitable justice are essential to rebuilding post-conflict societies.⁶ Conversely, a failure to engage in reform of the justice and security sector can aggravate social and political tensions and lead to increased risk of armed violence and the demand for guns.

This theme constitutes a brief overview of how efforts to address the availability and misuse of small arms and JSSR processes can and must be integrated, to reduce both the misuse of and demand for guns among a variety of actors. These considerations are particularly germane to post-conflict settings, but apply equally to ‘peaceful’ societies where the security sector has often become militarised or where underdevelopment has delayed justice and security sector evolution.

WHAT IS THE JUSTICE AND SECURITY SECTOR?
The institutions of the justice and security sector are principally composed of the judiciary/courts,
corrections, police, military, ancillary security services, and the civilian authorities and organisations—elected, appointed, and civil society—that are responsible for the management and oversight of the sector’s institutions. Taken together, these bodies are responsible for the overall provision of an accountable, equitable, effective, and rights-respecting public service for a nation and the people living within its borders. JSSR is the process of improving the functioning of the justice and security institutions, including bringing these agents of these sectors in line with international law. While JSSR processes are generally referred to in relation to post-conflict situations, this theme also addresses efforts at improving practices in ‘peaceful’ situations. The phrase ‘justice and security governance’ encapsulates both.

Although not covered in this theme, private security companies raise similar challenges to official law enforcement agencies when they misuse their guns. Worryingly, they are rarely subjected to the same rules, training procedures, and oversight mechanisms as official agencies. The UK Department for International Development (DFID) recommends that all private, non-statutory forces be brought within the national legal and security framework, to ensure that they have a stake in co-operating with the national security forces.

A VICIOUS CYCLE OF INSECURITY

Parts of the [Kenyan] security forces have traditionally been acting on their own, not subject to any effective control from their own organisation and not at all from the communities within which they are operating. Consequently, there is a lot of distrust on both sides, which does not help efforts to improve the security situation.

Although ideally the State would be responsible for the maintenance of law and order, the reality is that the State is often a primary source of insecurity for citizens. Insecurity at the hands of the security sector can take the form of a variety of threats, often involving guns.

1. Undisciplined policing

Poor training and lack of oversight of police officers can result in significant insecurity for citizens. Under-training of police forces in high-crime areas can lead to the excessive use of force—such as ‘shoot first’ responses when a lesser use of force would suffice—and avoidable deaths and injuries can result.

2. Militarised, repressive policing

Elsewhere, police and security actors repeatedly misuse guns due to a systematic lack of accountability or are acting as enforcers for deliberately repressive regimes or government. Repressive actions run the gamut of coercive and abusive tactics, from systematic harassment and threats, the use of excessive force, firing into peaceful assemblies, abduction, torture and summary execution. An Amnesty International survey found incidents of torture inflicted by national officials in 150 countries over the period 1997–2000, whether in isolated incidents or systematically. Practices may be based on prejudice or racism, as was the policing of apartheid-era South
Africa, or the result of an over-militarised police force, as is the case in many nations transitioning from periods of dictatorships.

3. Breakdown of the rule of law
When the frequency of abuses becomes routine and there is little or no recourse for civilians to legal remedies because the justice and security sector is corrupt, an atmosphere of impunity can reign. The power structures designed to make and enforce the law are no longer bound by those laws themselves, and operate according to other principles.  

4. Weak institutions
Lawlessness may also result where police and other national security agents are absent, either through complexo da Mare, Rio de Janeiro, Brazil, May 2000. Police and suspected drug traffickers exchange intense shooting. © Felipe Varanda
neglect, indifference, or incapacity—as when the State cannot afford to equip, train, and deploy police to all areas and communities.

The boundaries between these levels of insecurity are not always clear and can overlap—what can appear to be poor oversight of police conduct can turn out to be internally directed policy against particular populations. Clearly, the more systemic the problems in the justice and security sector, the more challenging they are to address, and the more resources—strategic, political, and financial—are required to overcome them.

**BREAKING THE CYCLE OF VIOLENCE**

...we must not forget that the tendency of citizens to possess a legal or illegal arm is inversely proportional to their confidence in the capacity of the state to exercise its sovereign functions and to guarantee the security of persons and property.

—Jean Francis Zinsou of Bénin at BMS 2003, July

Crippled and corrupt justice and security sector institutions are challenging to repair, and this can take years of effort from governments and NGOs. Reform requires financial investment and dedicated political will, but also participative and locally owned processes. To be successful in reducing the armed violence associated with the shortcomings and failures of these sectors, a number of remedies should be applied. Measures discussed here include the adoption and enforcement of clear guidelines on the use of force, including the integration of international human rights law into national law; the training of police and other agents of the security sector in these standards; and making the security sector accountable to democratically elected bodies, the courts, and the communities themselves.

A number of international instruments and standards provide mechanisms that can decrease firearm-related insecurity caused by police and other justice and security sector actors. Most prominent among them are the *UN Code of Conduct for Law Enforcement Officials* (*UN Code of Conduct*), and the *UN Basic Principles on the Use of Force and Firearms* (*UN Basic Principles*) (see Annex 4 for other relevant provisions of international law).

The *UN Code of Conduct for Law Enforcement Officials* Adopted in 1979, the *UN Code of Conduct* outlines two key concepts that should govern the use of force and small arms by law enforcement officers: *necessity* and *proportionality*. It states that ‘[l]aw enforcement officials may use force only when strictly necessary and to the extent required for the performance of their duty’. The supporting commentary to the *UN Code of Conduct* indicates that such force should never be ‘disproportionate to the legitimate objective to be achieved’.

*UN Basic Principles on the Use of Force and Firearms* Adopted in 1990, the voluntary *UN Basic Principles* were the product of distilled best practices and civil society input, especially from human rights advocates.
Among the provisions of the *UN Basic Principles* are requirements for law enforcement to:

- resort to force and the use of guns only when non-violent means are ineffective or without promise of achieving intended results;
- exercise restraint in the use of force and firearms and act in proportion to the seriousness of the offence;
- minimise damage and injury, and respect and preserve human life; and
- report any incidents where injury or death is caused by the use of force and small arms by law enforcement officials.

In addition, the *UN Basic Principles* state that governments must ensure that arbitrary or abusive use of force and firearms by law enforcement officials is punished as a criminal offence under their law, and that exceptional circumstances, such as internal instability or public emergency, may not be invoked to justify departure from the *UN Basic Principles*.

Whether the standards are also implemented in a way that is actually felt on the ground is unfortunately not self-evident. Few systematic reviews of adherence to the instruments have taken place. The most detailed was a 1996 questionnaire to states from the UN Commission on Crime Prevention, which indicated a wide variety of practices. The final compiled report found that, while most States reported that they applied the principles, some were clearly not in compliance with *UN Code of Conduct* guidelines on police training in the use of force. Similarly, some nations only applied the *UN Basic Principles* in certain cases, or left their application to the discretion of police supervisors. Given that this survey was based on self-reporting, it is likely that it understates the level of non-compliance.

A more recent informal review by the Small Arms Survey found that the *UN Code of Conduct* and *UN Basic Principles* are imperfectly and partially reflected in national legislation around the world. It found that laws and practices on the use of force by police in many African, Asian, and Caribbean countries 'derive from quasi-militaristic approaches to policing' that have their origins in previous colonial practices. It also highlighted the fact that some recent regional codes of conducts do not specifically refer to the use of firearms. However, a more comprehensive examination of the implementation of both the *UN Basic Principles* and the *UN Code of Conduct* is needed and is an area for strengthening commitment in the coming period of multilateral small arms action.

**TRAINING**

Training is an essential element of increasing police respect for international norms and standards. Indeed, Principles 18, 19, and 20 of the *UN Basic Principles* require governments and law enforcement agencies to provide continuous and thorough professional training, and that law enforcement officers are tested in accordance with standards in the use of force. Principle 19 stipulates that law enforcement officers who are required to carry a gun should only be authorised to do so after completing a special training course. The fact is, however, that training is not a priority in many countries. Many police forces are taught how to fire
a gun, but not how to assess whether it should be fired in the first place. Technical proficiency is often more highly valued than adherence to norms governing the use of force.

ACCOUNTABLE POLICING

In working towards the goal of creating safer communities . . . an effective agenda must address the misuse of small arms by agents of the state including the military, the policy and paramilitary forces. In particular, we must press for the full implementation of the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials – a milestone achievement in the efforts to end the misuse of small arms.

—Robert McDougall of Canada at BMS 2003, 7 July

If the cycle of violence is also fuelled by a sense that the population is not getting a fair deal from the justice and security sector, then it appears essential to ensure that the justice sector is fair and impartial, and that the security sector is accountable to the people it has to serve. Police and other security actors should be responsive to the needs and preoccupations of the community, they should operate in accordance with law and be held accountable for breaches, and they should ultimately be subjected to the control of democratic institutions.

The importance of subjecting all security actors to democratic control has been recognised by the OSCE, which in 1994 promulgated a Code of Conduct on Politico-Military Aspects of Security (OSCE Code of Conduct). It provides that:

Each participating State will at all times provide for and maintain effective guidance to and control of its military, paramilitary and security forces by constitutionally established authorities vested with democratic legitimacy. Each participating State will provide controls to ensure that such authorities fulfil their constitutional and legal responsibilities.

Thought should also be given as to the ministry in which the different justice and security actors are housed. In Afghanistan, where the police come under the responsibility of the Ministry of Interior, oversight of prisons was subsequently moved from the Ministry of Interior to the Ministry of Justice, in order to ensure that the authority overseeing arrests was different from the one responsible for detention.

Regarding the relations of the police with the communities, there are a few examples of reform that seem to hold out the prospect of bringing about a new form of service provision, one that is more open and that balances a role for local communities. As the police invite co-operation from their ‘clients’ in resolving security issues, confidence can be raised and tensions quelled.

Such changes to policing style can alter levels of insecurity and strengthen human security and rights. There was an attempt to introduce a form of community policing in the favelas of Brazil, but after a promising trial, no real attempt was made to develop it further. Critical to that failure was the inability or unwillingness of the State and national government to support reform.
The WHO finds that criminal justice approaches to interpersonal violence, while necessary to deter potentially violent behaviour at the individual level, are not sufficient to effectively prevent such violence. The *World Report on Violence and Health* calls for broader approaches that would also consider underlying societal, community and relationships factor, insisting that such prevention strategies will often be more cost-effective than policing and correctional responses. A number of criminal justice interventions are nevertheless reviewed, as ‘the policing models and types of intervention involved will strongly determine whether or not they are effective’.

Their principal recommendations are reproduced below in Box 8.

**JSSR IN WAR-AFFECTED SETTINGS**

The months and years following the end of war are a precarious time in which violent insecurity often increases. Crime rates can remain at much higher levels in the initial, insecure phases of peace, and not return to lower, pre-conflict levels for years. Furthermore, unresolved issues linked to the war, including crimes committed during the conflict, will sustain an atmosphere of mistrust and discontent likely to fuel further violence and demand for guns. If handled correctly, war tribunals, special trials, and reconciliation programmes—which are collectively referred to as transitional justice—can be mechanisms for societies to come to terms with the atrocities of war and violence, and to address cultures of violence within a context of renewal and learning from past experiences. By holding the perpetrators of past abuses to account, transitional justice mechanisms allow the passage from a culture of impunity to that of a rule of law.

*I don’t have much confidence in the police and the courts because they all want bribes. This is not justice.*

—Afghan citizen (unknown gender), 2004

Undertaking such efforts will obviously pose tremendous challenges in situations where the institutions of the State are severely disorganised and under-resourced, with often little confidence in the State’s ability to restore law and order. Every context will require tailor-made approaches and interventions, bearing in mind that reform processes, to be sustainable, must be locally owned. Donors and international agencies must resist the temptation to impose their own views of a functioning justice and security sector, even at a time when local capacity is most limited.

JSSR initiatives in war-torn societies are particularly important to define the role of a civilian police force (and down-sized militaries) and avoid the emergence of militarised and repressive policing. This was noted as a problem in Afghanistan:

*While receiving significant short and longer-term training inputs from the US and Germany, the police force still construes itself narrowly as an extension of the security forces, in a way that does not differentiate its role significantly from that which it held in prior eras. Thus, its critical role in the establishment of the Rule of Law is not defined as clearly separate from those security...*
Box 8
Criminal justice and the prevention of interpersonal violence

Policing will not reduce rates of victimisation by:
- increasing budgets, even by large amounts. Instead, this will divert scarce financial resources away from public health and educational programmes that have been shown to significantly reduce crime and victimisation;
- continuing the current policing models based upon patrols, response to calls for service, and investigation—all of which become less and less effective in reducing crime as fewer victims report incidents to the police; and
- using popular programmes such as neighbourhood watch, boot camps, and drug resistance education, all of which have been shown to be ineffective in reducing crime and interpersonal violence.

Policing will reduce rates of victimisation by:
- deploying police officers strategically and holding them accountable to target specific problems;
- adopting models for policing such as the Strategic Approaches to Community Safety, where joint police and university teams analyse the causes of violence, particularly for youth homicides;
- providing data and collaborating in multi-sectoral partnerships (for example, with schools, welfare, and housing) that aim to tackle persistent offending by men who are high risk because of dropping out of school or having dysfunctional families;
- targeting repeat victimisation—where the same person or address is victimised more than once—through a combination of enforcement, situational crime prevention, and social prevention;
- empowering victims to protect themselves, for instance, by creating police stations where female victims of violence know they can talk to female police officers; and
- holding young first offenders accountable through reparation to victims and ensuring they get assistance with life goals through counselling and school participation.

Correctional approaches will contribute to reduced crime and victimisation through:
- investment in programmes that divert offenders from prison to community programmes that are adequately resourced and known to tackle successfully the causes of interpersonal violence and alcohol use;
- massive increases in the number of persons incarcerated, which can achieve decreases in crime rates at a very high cost—in the US, increasing the incarceration rate by 250 per cent from 1974 to 2004 is estimated to have decreased the crime rate by 35 per cent, but at costs exceeding USD 20 billion (enough to provide a job to every unemployed youth or child care for the poor, both of which have been shown to have a much larger impact on crime rates); and
- investment in correctional programme models that have been shown to reduce recidivism. However, these models are few and reduce recidivism by only small proportions.


concerns that come under the remit of the Army or international assistance forces.33

What gets lost in such cases is the sense that the police force is responsible for the protection of the civilian community, and is hence a service provided to that community, not a means for somehow holding that community in check. Members of the armed forces, by contrast, are responsible for issues of national security, which, in peacetime at least, should involve minimal contact between them and the general public in the latter’s daily lives.
Post-conflict societies will also generally undergo processes of DDR. Both DDR and JSSR processes are closely linked. Sustainable reintegration of former combatants depends to a large extent on there being a culture of rule of law, and JSSR initiatives can and must enhance the perception of security so that former fighters agree to be disarmed, communities accept their return, and sustainable reintegration opportunities are created.

Given the importance of JSSR in fostering peace and security, and contributing to the conditions necessary for sustainable development, assistance to JSSR should not be considered as part of military assistance, but rather as a priority for development. This step was recently taken by the OECD, which decided in March 2005 to allow ODA to be used inter alia for ‘security system reform to improve democratic governance and civilian control’ and ‘enhancing civil society’s role in the security system to help ensure that it is managed in accordance with democratic norms and principles of accountability, transparency and good governance’.

Specifically, creating more equitable, accessible justice systems is a necessary prerequisite for long-term violence prevention and peacebuilding. The UNDP has made justice sector reform a major component of its overall global poverty reduction strategy, and is teaming up with the UK, the EU, and other donors to implement reform projects to encourage accountable, transparent, and equitable justice systems. Restoring effective mechanisms to maintain public security and regulate gun ownership are essential, including within the security sector.

**RECOMMENDATIONS**

To date, justice and security sector reform efforts have generally not been informed by current thinking and best practices on small arms controls—and vice versa. It is clear, however, that dysfunctional justice and security sectors contribute to various demands for guns and play an important role in perpetuating the cycle of armed violence in a variety of contexts. As the multilateral policy debate on small arms develops at the 2005 BMS and the 2006 RevCon, it must include measures to improve the provision of equitable justice and security. The following recommendations go a long way towards common minimal standards for fair and efficient justice and security sectors.

1. Codify in national laws the definition and limits of force that can be deployed by law enforcement officials. The basis of the use of legitimate force by law enforcement officials (including all officials of the law, whether appointed or elected, who exercise police powers) must be specified in national legislation and in operational guidelines. National law on the use of force should be consistent with the UN Code of Conduct and the UN Basic Principles. Law enforcement officials must also be trained in assessing threat levels, the correct level of force needed in actual incidents, and how to carry out armed operations with minimum risk.

2. Provide transparency in law enforcement practices. Lack of openness in law enforcement planning, decision making, and implementation of programmes can breed community suspicion and distrust, and lead to resistance and antipathy. States should therefore
require that their security sectors operate transparently, and that the law is uniformly applied. Oversight mechanisms should also be established, including internal disciplinary boards to conduct proceedings against accused police officers. Parliamentary control should be exercised over all security agencies.

3. **Build and maintain community–law enforcement relationships.** In order to build co-operation between communities and the security sector, and increase the chances for success, there should be regular open channels of communications to discuss safety and security with local community representatives. In addition, police selection, recruitment, and career structures should be representative of and responsive and accountable to the community. This should specifically include the recruitment of women and under-represented groups, as well as the establishment of mechanisms for the community to provide consent for and help guide police practices.

4. **Address justice and security issues holistically in post-war situations.** Justice and security sector reform, rule of law assistance and disarmament, demobilisation and reintegration programmes, and national arms control are closely linked and should be designed and implemented in an integrated manner. Development assistance should be made more readily available to justice and security sector governance and transition efforts.

Contributors to this theme included Emile LeBrun, consultant; David de Beer, European Union Assistance Programme on Curbing Small Arms and Light Weapons in the Kingdom of Cambodia; Jennifer Hambleton, independent researcher; Colin Roberts, consultant. Comments and suggestions were received from David Atwood, Quaker United Nations Office, Geneva; Hänggi Heiner, Geneva Centre for the Democratic Control of Armed Forces; Antonia Potter and Tina Thorne, Centre for Humanitarian Dialogue; and Camilla Waszink, International Committee of the Red Cross.
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CONCLUSION: A WAY FORWARD IN 2006 AND BEYOND

ANNEXES
CONCLUSION: A WAY FORWARD IN 2006 AND BEYOND

The POA has stimulated an important global process and there is no doubt that efforts to address small arms availability and misuse are increasing, as is public awareness of the problem. Yet, the extent to which our efforts reduce deaths and debilitating injuries, fear, and suffering must be the ultimate measure of success or failure. As the international community begins to consider how current initiatives could be extended, revised, or replaced, it is time to ensure that ending the human suffering caused by gun violence is the motivating force behind our efforts.

*Missing Pieces* provides recommendations for action in a number of areas, all of which must be part of the next phase of global policy making on small arms control. This phase should be guided by the need to enhance human security in all contexts—in war zones as well in countries suffering from widespread gun crime—whether the threats come from civilians, armed forces, rogue groups, or repressive security sector actors. This is a wide agenda, but all of the policy recommendations presented in this volume can be summarised into five overarching priorities:

1. Regulating the use of small arms
2. Draining the existing pool of guns and ammunition
3. Regulating the transfer of small arms
4. Reducing the demand for guns
5. Assistance to survivors

(See the Human Security Framework on page 12)

At the time of writing (early June 2005), it is not yet clear what form the process or document(s) to be adopted at the 2006 RevCon will take. Regardless, it is a critical opportunity to reflect on progress and lessons learned from the previous five years, and commit to another period of multilateral action. Given the scale of human suffering, there is not enough time to repeat mistakes, or to capitulate on important points of policy. Looking ahead, the key issues to factor into our discussions, debates and processes are as follows.

1. Clear commitments and follow-up. There has been too much timidity and obfuscation in international agreements on small arms control, and too little accountability for following up even on weak commitments. It will be critical in the years ahead for States to both agree on a comprehensive and clear agenda, and then take the action required to implement it.

2. Licit and illicit guns. It is time for States to abandon the artificial distinction drawn between the legal and illicit trade, as it remains conceptually and practically misleading. As emphasised in this publication, ‘illicit’ small arms nearly always find their origin in the legal trade, and regulating civilian possession, brokering activities, and country-to-country transfers are essential components of the equation.
3. National action—global progress. ‘Affected states’ are not limited to Southern, war-torn societies: the human cost of gun violence is high in so-called ‘peaceful’ or developed nations, where crime, homicides, intimate partner violence, and suicides are facilitated by the easy availability of these guns. As a first step, all States need to set their own houses in order with transparent, accountable, and effective national policies. Ultimately, most of the recommendations that have been outlined can only be incorporated into national policies and legislation.

4. Initiative and creativity. The multi-faceted nature of gun violence calls for innovation and creativity in responses. Of particular importance is the exchange of information, including lessons learned and best practices, so that institutions working at different levels and in different regional settings can integrate the experiences of others. Multi-disciplinary approaches are key to making better progress on this issue.

5. NGO–government partnership. The existing PoA explicitly promotes NGO and government co-operation and collaboration. Joint efforts have been one of the ‘success stories’ of the small arms process to date. These collaborations should be expanded and deepened wherever possible.

If we succeed in rising to the challenge, the dividends reaped will reach beyond lives spared from gun violence, into the areas of collective and individual violence prevention, poverty reduction, and sustainable development. It is well worth the effort.
**ANNEXES**

**ANNEX 1: PROJECT OVERVIEW**

This publication is a part of the HD Centre’s ‘Putting People First’ project, launched in 2001 to identify and advance human security priorities related to small arms availability and misuse. There have been two phases to date.

*2001–mid 2003:* Involved a series of meetings with governments of the Human Security Network, UN agencies and NGOs on human security perspectives on the crisis of small arms violence and the arms trade. It culminated in the publication, *Putting People First: Human Security Perspectives on Small Arms Availability and Misuse,* which was released at BMS 2003 in five languages. This phase was supported by the governments of Canada, Mali and Switzerland.

*Late 2003–mid 2005:* Aimed to build on the first effort by expanding the group of States invited to participate in meetings and focussing on three specific issues – policy issues related to the effective regulation of small arms in the hands of civilians; weapons transfers to armed groups; and legal challenges and opportunities for action.

Four meetings were held over this period, including:

- A consultation in Geneva on 8 December 2003 to gauge feedback on the project’s themes and approaches. In addition wider discussion was facilitated on people-centred goals for the UN process.
- A workshop in Cape Town, South Africa, in March 2004 bringing together some of the contributors to the publication for input on the parameters of the publication, style and tone.
- An international meeting in Bamako, Mali, on 25 May 2004 in collaboration with the Government of Mali on the issue of weapons transfers to non-state armed groups. Experts were invited to participate to foster an exchange of ideas between government representatives and civil society. A briefing paper was prepared by Dr. David Capie of the Armed Groups Project, University of British Columbia, to serve as a basis for discussion.
- An international meeting in Rio de Janeiro, Brazil, on 16–18 March 2005 in collaboration with the Government of Brazil, Sou da Paz and Viva Rio, the HD Centre on the issue of effective regulation of small arms in the hands of civilians. A number of papers on standards at a country and regional level were generated (focussing on South Africa, Sierra Leone, Australia, the UK, South America and Eastern and Southern Africa), along with a briefing paper on the policy issues related to regulating civilian possession of small arms prepared by Lora Lumpe.
• The final focus theme of legal issues was developed into a working paper with policy issues discussed at the International Workshop on Global Principles for Arms Transfers held in Dar Es Salaam, Tanzania, on 20–22 February 2005.

This phase was supported by the governments of Canada, Mali, Norway and Switzerland. All meeting summaries, briefing papers and other documents are available at www.hdcentre.org (policy/small arms/ Putting People First)
ANNEX 2: THE UN FIREARMS PROTOCOL

The UN Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, also known as the ‘Vienna Protocol’ or the ‘Firearms Protocol’, was adopted by the General Assembly on 31 May 2001. On 25 April 2005 the UN Office on Drugs and Crime announced that the necessary 40 ratifications had been recorded for it to enter into force.

Entry into force is an important step forward for greater regulation and accountability of the small arms trade, yet more is required to fully tackle both the legal and practical challenges.

States that have not signed or ratified the Protocol should do so, to demonstrate widespread support for its principles and enhance the harmonisation of rules at the global level.

A list of ratifications is available and regularly updated at www.iansa.org/un/firearms-protocol.htm.

In addition, States could consider linking reporting on the implementation of the Firearms Protocol to the reporting regime that is to be logically agreed at the 2006 RevCon of future multilateral efforts to control the trade in small arms and light weapons in all its aspects.

<table>
<thead>
<tr>
<th>STATES WHICH HAVE SIGNED THE FIREARMS PROTOCOL</th>
<th>STATES WHICH HAVE RATIFIED THE FIREARMS PROTOCOL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Argentina; Australia; Austria; Barbados; Brazil; Canada; China; Denmark; Dominican Republic; Ecuador; European Community; Finland; Germany; Greece; Iceland; India; Italy; Japan; Korea, Republic of; Lebanon; Luxemburg; Madagascar; Monaco; Nauru; Nigeria; Portugal; Senegal; Seychelles; Sierra Leone; Sweden; Tunisia; United Kingdom of Great Britain &amp; NI</td>
<td>Algeria; Azerbaijan; Belarus; Belgium; Benin; Bulgaria; Burkina Faso; Cape Verde; Costa Rica; Croatia; Cyprus; El Salvador; Estonia; Grenada; Guatemala; Jamaica; Kenya; Lao People’s Democratic Republic; Latvia; Lesotho; Liberia; Libyan Arab Jamahiriya; Lithuania; Malawi; Mali; Mauritius; Mexico; Netherlands; Norway; Panama; Peru; Poland; Romania; Saint Kitts &amp; Nevis; Slovakia; Slovenia; South Africa; Turkey; Turkmenistan; Uganda; Zambia</td>
</tr>
</tbody>
</table>
### ANNEX 3: A SAMPLE OF RECENT WEAPONS REDUCTION INITIATIVES

<table>
<thead>
<tr>
<th>ACTORS AND METHODS</th>
<th>Foreign governments</th>
<th>National governments</th>
<th>Peacekeeping/enforcement (UN, NATO, ECOMOG*)</th>
<th>International organisations</th>
<th>NGOs</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Voluntary gun buy-back programmes (cash payments)</strong></td>
<td>United States (Panama) 1990&lt;br&gt;United States (Iraq) 2004–ongoing</td>
<td>United States 1999</td>
<td>Croatia (Eastern Slovenia) 1996–97</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Amnesties (sometimes a component of programmes in the other categories/usually offer cash or other incentive succeeded by coercive measures)</td>
<td>United States 1968</td>
<td>Bosnia &amp; Herzegovina 1998–2003</td>
<td>Bosnia &amp; Herzegovina 2003 (UNDP)</td>
<td>Brazil (NGO participation in government campaign) 2004–ongoing</td>
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</tbody>
</table>

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<table>
<thead>
<tr>
<th>Public destruction ceremonies</th>
<th>X</th>
<th>Brazil 2001</th>
<th>Mali 1996</th>
<th>Brazil 2001</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Venezuela 2004</td>
<td>Niger 2002</td>
<td>Philippines 2004</td>
</tr>
</tbody>
</table>

* ECOWAS Cease-fire Monitoring Group
### ANNEX 4: SELECTED INSTRUMENTS AND OBSERVATIONS

#### REGULATION OF CIVILIAN-HELD FIREARMS

**Global level**

<table>
<thead>
<tr>
<th>Instrument</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>‘Due diligence’ standard (responsibility of States to take action to prevent and punish violations of human rights by private persons)</td>
<td>Principle supported by various regional human rights bodies, including the Inter-American Court of Human Rights and the European Court of Human Rights. Also, Article 4(c) of the UN Declaration on the Elimination of Violence against Women explicitly requires States to exercise ‘due diligence’ to prevent and punish violence against women.</td>
</tr>
<tr>
<td>Universal Declaration of Human Rights (UDHR), 1948</td>
<td>Article 3: “Everyone has the right to life, liberty and security of person.”</td>
</tr>
<tr>
<td>International Covenant on Civil and Political Rights (ICCPR), 1976</td>
<td>Article 6: “Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.”</td>
</tr>
<tr>
<td>“The Manufacture, Use and Control of Firearms”, Interpol General Assembly Resolution, 1997</td>
<td>Outlines recommendations including the adoption of effective registering, marking and tracing systems, and encourages member countries to “adopt legislation and regulations relating to the use of firearms by civilians.”</td>
</tr>
<tr>
<td>UN Commission on Crime Prevention and Criminal Justice, resolution, 1997</td>
<td>Emphasised the importance of State responsibility for effective regulation of civilian possession of firearms, including licensing owners, registration of guns, safe storage, and appropriate penalties for illegal possession. Sponsored by 33 States.</td>
</tr>
<tr>
<td>UN Protocol Against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organised Crime, 2001 (known as the Firearms Protocol or Vienna Protocol)</td>
<td>Provides that guns must be marked at the point of manufacture, import, and transfer from government into private hands.</td>
</tr>
<tr>
<td>Agenda for Humanitarian Action, adopted by the 28th International Conference of the Red Cross and Red Crescent, 2003</td>
<td>Calls for strengthened controls on arms and ammunition. States should “urgently enhance efforts to prevent the uncontrolled availability and misuse of small arms and light weapons” (Action 2.3.2)</td>
</tr>
</tbody>
</table>

**Regional level**

<table>
<thead>
<tr>
<th>Instrument</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>EU Joint Action on Small Arms and Light Weapons, 1998 (amended in 2002)</td>
<td>Commits the EU to seek to build consensus on the establishment of restrictive national weapons legislation for small arms including penal sanctions and effective administrative control (Article 3d)</td>
</tr>
</tbody>
</table>
### Bamako Declaration on an African Common Position on the Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons, 2000

Recommends that Member States criminalise in their national legislation the illegal possession and use of small arms and light weapons.

### Legal Framework for a Common Approach to Weapons Control in the Pacific region (Nadi Framework), 2000

Recommends that the possession and use of firearms and ammunition be strictly controlled, including through licensing and registration.

### Protocol on the Control of Firearms, Ammunition, and Other Related Material in the Southern African Development Community (SADC) Region, 2001

Both instruments – nearly identical – provide for the total prohibition of civilian possession and use of all light weapons, automatic and semi-automatic rifles and machine guns; registration and licensing; provisions on safe storage; and a provision to ensure accountability and effective control of small arms owned by private security companies.

### Nairobi Protocol for the prevention, control and reduction of small arms and light weapons in the Great Lakes region and the Horn of Africa, 2004

Recommends the adoption, as soon as possible, of legislative measures to criminalise illegal possession and use of small arms and light weapons.

### Andean Plan to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, 2003

Recommends the adoption, as soon as possible, of legislative measures to criminalise illegal possession and use of small arms and light weapons.

### STEMMING THE FLOW OF SMALL ARMS: CONTROL ISSUES

#### Global level

- **United Nations Charter**
  
  If the Security Council determines the existence of the threat to peace or a breach of peace, it may decide to impose a legally-binding arms embargo.

- **Four Geneva Conventions of 1949**
  
  Common Article 1 provides a customary obligation for States not only to respect rules of IHL, but also to ensure their respect. This may constrain arms transfers to a State violating IHL.

- **Articles on the Responsibility of States for Internationally Wrongful Acts, 2001**
  
  Prohibit aiding and assisting States in violating international law.

- **UN Protocol Against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organised Crime, 2001 (Firearms Protocol or Vienna Protocol)**
  
  Criminalises illicit trafficking in firearms, provides that legal transfers of guns require agreements between the governments involved, and that guns must be marked at the point of manufacture, import, and transfer from government into private hands. It also calls for the regulation of arms brokering.

- **Agenda for Humanitarian Action, adopted by the 28th International Conference of the Red Cross and Red Crescent, 2003**
  
  Calls for IHL to be one of the fundamental criteria on which arms transfer decisions are assessed (Action 2.3.1); and for strengthened controls on arms and ammunition (Action 2.3.2).

#### Regional level

- **Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies, 1996**
  
  Mechanism of information exchanges and export control to promote transparency and greater responsibility in transfers of conventional arms.
<table>
<thead>
<tr>
<th><strong>Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Material, 1997 (OAS Convention)</strong></th>
<th>Outlines measures to improve the control and monitoring of legal manufacture and transfers of firearms (e.g. marking, record-keeping, strict licence systems) and to improve exchange of information among member states regarding the illicit trade in firearms.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ASEAN Declaration on Transnational Crime, 1997</strong></td>
<td>Framework for regional cooperation on transnational crime, including trafficking in small arms.</td>
</tr>
<tr>
<td><strong>OAS Model Regulations for the Control of International Movement of Firearms, their Parts, Components, and Ammunition, 1998</strong></td>
<td>Non legally binding document designed to assist with the implementation of the OAS Convention, and outlining a set of practical measures and procedures.</td>
</tr>
<tr>
<td><strong>EU Code of Conduct on Arms Exports, 1998</strong></td>
<td>Sets up criteria and operational provisions that should guide the granting of conventional export licenses, including human rights and IHL criteria.</td>
</tr>
<tr>
<td><strong>Mercado Commun del Sur (MERCOSUR) Joint Mechanism, 1998</strong></td>
<td>Mechanism for sharing information on individuals and organisations involved in the trade of firearms and related materials.</td>
</tr>
<tr>
<td><strong>ECOWAS Moratorium on the Importation, Exportation, and Manufacture of Small Arms and Light Weapons, 1998</strong></td>
<td>The first regional moratorium on small arms. It was complemented in 1999 by the Plan of Action for the Implementation of the Programme and Assistance for Security Development (PCASED), and the Code of Conduct for the Implementation of the Moratorium on the Importation, Exportation, and Manufacture of Small Arms and Light Weapons.</td>
</tr>
<tr>
<td><strong>ASEAN Plan of Action to Combat Transnational Crime, 1999</strong></td>
<td>Outlines a cohesive regional strategy to prevent, control and neutralise transnational crime.</td>
</tr>
<tr>
<td><strong>Bamako Declaration on an African Common Position on the Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons, 2000</strong></td>
<td>Common position prepared by the African Union for the 2001 UN Conference on Small Arms.</td>
</tr>
<tr>
<td><strong>OSCE Document on Small Arms and Light Weapons, 2000</strong></td>
<td>Non legally binding document including measures to control export, import, and transit; identifying criteria to guide arms exports; and calling for regulations on brokering.</td>
</tr>
<tr>
<td><strong>Stability Pact Regional Implementation Plan for combating the proliferation of Small Arms and Light Weapons in South East Europe, 2001</strong></td>
<td>Presents a ‘roadmap’ for enhancing regional cooperation in combating small arms-related instability in South East Europe through information sharing and local standard setting on a variety of strategies, including preventing illicit trafficking, small arms reduction, security sector weapons management, transparency, and public education.</td>
</tr>
<tr>
<td><strong>ASEAN Work Programme on Terrorism to Implement the ASEAN Plan of Action to Combat Transnational Crime, 2002</strong></td>
<td>Includes provisions on information exchange, harmonisation of marking system of ammunition, weapons and their components; border and customs intelligence and co-operation.</td>
</tr>
<tr>
<td>Document</td>
<td></td>
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<td>------------------</td>
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</tr>
<tr>
<td><strong>Wassenaar Best Practice Guidelines for Exports of Small Arms and Light Weapons, 2002</strong></td>
<td>Outlines criteria for the export of small arms, including the recipient country’s respect for human rights and IHL.</td>
</tr>
<tr>
<td><strong>EU Common Position on the Control of Arms Brokering, 2003</strong></td>
<td>Sets out brokering controls EU States shall adopt to avoid circumnavigation of arms embargoes and export laws. Controls include the establishment of a clear legal framework, broker licensing and record-keeping requirements, registration and authorisation, information exchange and enforcement.</td>
</tr>
<tr>
<td><strong>OAS Model Regulations for the Control of Brokers of Firearms, their Parts and Components and Ammunition, 2003</strong></td>
<td>Provide that a national authority must be named responsible for registering and licensing arms brokers, and sets criteria for issuing licenses.</td>
</tr>
<tr>
<td><strong>Wassenaar Arrangement Elements for Export Controls of Man-Portable Air Defence Systems (MANPADS), 2003</strong></td>
<td>Agreement by Wassenaar participating States to apply strict national controls on the export of MANPADS. States agree not to use brokers for MANPADS sales, and to weigh the possibility of diversion or un-authorised re-transfer, the recipient State’s level of stockpile security, and other criteria, prior to sale.</td>
</tr>
<tr>
<td><strong>Wassenaar Elements for Effective Legislation on Arms Brokering, 2003</strong></td>
<td>States “agree to strictly control the activities of those who engage in the brokering of conventional arms” including through licensing of brokers and transactions.</td>
</tr>
<tr>
<td><strong>OSCE Principles on the Control of Brokering in Small Arms and Light Weapons, 2004</strong></td>
<td>Provides a set of core principles to form the basis of arms brokering controls, drawing significantly from the EU Common Position on the Control of Arms Brokering (see above).</td>
</tr>
<tr>
<td><strong>Nairobi Protocol for the prevention, control and reduction of small arms and light weapons in the Great Lakes region and the Horn of Africa, 2004</strong></td>
<td>Provides for the regulation of brokering, and includes a definition of brokers and brokering.</td>
</tr>
</tbody>
</table>

**BREAKING THE DEADLOCK: GUNS AND ARMED GROUPS**

**Global level**

| **Geneva Conventions of 12 August 1949** | Common Article 3 provides minimum standards to be respected in the case of armed conflicts “not of an international character.” |
| **Convention on the Prevention and Punishment of the Crime of Genocide, 1951** | Provides for the punishment of the crime of genocide whether committed by “constitutionally responsible rulers, public officials or private individuals.” |
| **Protocol Additional to the Geneva Conventions, and Relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), 1979** | Subjects organised armed groups to some basic principles of IHL. |
| **Rome Statute of the International Criminal Court, 2002** | Gives the Court jurisdiction for the prosecution of serious violations of IHL in the case of protracted armed conflict between governmental authorities and armed groups or between such groups (article 2f). |
| **Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, 2002** | Includes a prohibition on the recruitment of child soldiers by armed groups. |
| **Agenda for Humanitarian Action, adopted by the 28th International Conference of the Red Cross and Red Crescent, 2003** | Calls for training in IHL and human rights law to be encouraged for armed groups, where appropriate (Action 2.3.3) |

**Regional level**

| **EU Joint Action on Small Arms and Light Weapons, 1998 (amended in 2002)** | Provides that the EU shall “aim at building consensus” on a commitment by exporting countries to supply small arms only to governments (either directly or through duly licensed entities authorised to procure weapons on their behalf). In 2002 the Joint Action was amended to include ammunition. |

**MOTIVATIONS AND MEANS: ADDRESSING THE DEMAND FOR SMALL ARMS**

**Global level**

| **Universal Declaration of Human Rights, 1948** | Article 28: “Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.” |
| **UN Millennium Development Goals, 2000** | Development goals set for 2015 in the areas of poverty, hunger, education, gender equality, child mortality and maternal health, HIV/AIDS and other diseases, environmental sustainability, and development cooperation. |
| **Agenda for Humanitarian Action, adopted by the 28th International Conference of the Red Cross and Red Crescent, 2003** | Calls for States to strive to reduce the demand for weapons by promoting a culture of tolerance and establishing educational programmes or similar initiatives among the civilian population (Action 2.3.4) |

**Regional level**

| **EU Joint Action on Small Arms and Light Weapons, 1998 (amended in 2002)** | Includes a commitment to challenge and reverse ‘cultures of violence’ by enhancing public involvement through public education and awareness programmes (Article 3g) |

**WOMEN, MEN AND GUN VIOLENCE: OPTIONS FOR ACTION**

**Global level**

<p>| <strong>Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), 1979</strong> | Defines what constitutes discrimination against women and sets up an agenda for national action to end such discrimination. |</p>
<table>
<thead>
<tr>
<th><strong>UN Declaration on the Elimination of Violence against women, 1994</strong></th>
<th>Establishes clear obligations on States to prevent and punish gender-based violence, including when carried out by private actors.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1995 Beijing Platform for Action</strong></td>
<td>Emerged from the UN Fourth World Conference on Women and contains a chapter specifically on women and armed conflict.</td>
</tr>
<tr>
<td><strong>Windhoek Declaration: The Namibia Plan of Action on Mainstreaming a Gender Perspective in Multidimensional Peace Support Operations, 2000</strong></td>
<td>Calls on women to be involved in all levels and in all aspects of peace processes, including peacekeeping, reconciliation and peacebuilding.</td>
</tr>
<tr>
<td><strong>UN Security Council Resolution 1325 on Women, Peace and Security, October 2000</strong></td>
<td>A landmark document on women’s rights and roles in peace-building processes, including conflict resolution and peace processes, and disarmament, demobilisation and reintegration programmes.</td>
</tr>
<tr>
<td><strong>Rome Statute of the International Criminal Court, 2002</strong></td>
<td>Includes in its definition of war crimes “committing rape, sexual slavery, enforced prostitution, forced pregnancy, as defined in article 7, paragraph 2(f), enforced sterilization, or any other form of sexual violence also constituting a grave breach of the Geneva Conventions.”</td>
</tr>
</tbody>
</table>

**Regional level**

| **OSCE, Gender Action Plan, 2001** | Focuses on gender mainstreaming; promoting women’s equal rights, opportunities and decision-making power; and preventing and combating gender-based violence. |

**CONSIDERING THE NEEDS OF GUN VIOLENCE SURVIVORS**

**Global level**

<table>
<thead>
<tr>
<th><strong>Universal Declaration of Human Rights, 1948</strong></th>
<th>Article 25(1): “Everyone has the right to a standard of living adequate for the health and well-being of himself (sic) and of his (sic) family, including . . . medical care and necessary social services, and the right to security in the event of . . . disability . . . or other lack of livelihood in circumstances beyond his (sic) control.”</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>International Covenant on Economic, Social and Cultural Rights, 1976</strong></td>
<td>Article 12(1): “The States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.”</td>
</tr>
<tr>
<td><strong>UN World Programme of Action concerning Disabled Persons, 1982</strong></td>
<td>A global strategy to enhance disability prevention, rehabilitation and equalisation of opportunities, which pertains to full participation of persons with disabilities in social life and national development.</td>
</tr>
<tr>
<td><strong>UN Standard Rules on the Equalisation of Opportunities for People with Disabilities, 1993</strong></td>
<td>Outlines a process for governments to identify and remove obstacles preventing persons with disabilities from exercising their rights and freedoms and making it difficult for them to participate fully in the activities of their societies.</td>
</tr>
<tr>
<td><strong>Regional level</strong></td>
<td><strong>TAKING WEAPONS OUT OF CIRCULATION</strong></td>
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</tr>
<tr>
<td>EU Joint Action on Small Arms and Light Weapons, 1998 (amended in 2002)</td>
<td>Encourages EU funding of victim assistance programmes (Article 6.1)</td>
</tr>
<tr>
<td><strong>TAKING WEAPONS OUT OF CIRCULATION</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Global level</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Regional level</strong></td>
<td>Calls on EU members to promote the collection of surplus weapons, their safe storage, and effective destruction. (Article 4c) Also provides for financial and technical assistance to affected countries.</td>
</tr>
<tr>
<td>EU Joint Action on Small Arms, 1998</td>
<td></td>
</tr>
<tr>
<td>Bamako Declaration on an African Common Position on the Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons, 2000</td>
<td>Recommends that Member States develop programmes for weapons collection, as well as the destruction of surplus stocks.</td>
</tr>
<tr>
<td>OSCE Document on Small Arms and Light Weapons, 2000</td>
<td>Includes provisions on management, collection and destruction of small arms surplus.</td>
</tr>
<tr>
<td>OSCE Best Practice Guide on Small Arms in Disarmament, Demobilisation and Reintegration Processes, 2003</td>
<td>Reference guide providing general standards for processes relevant to DDR, especially disarmament and the control over small arms in DDR processes.</td>
</tr>
<tr>
<td><strong>JUSTICE AND SECURITY SECTOR GOVERNANCE</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Global level</strong></td>
<td></td>
</tr>
<tr>
<td>Universal Declaration on Human Rights, 1948</td>
<td>Article 3: “Everyone has the right to life, liberty and security of person.” Article 8: “Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him (sic) by the constitution or by law.” See also Articles 9; 10; 11; 28.</td>
</tr>
<tr>
<td>International Covenant on Civil and Political Rights, 1976</td>
<td>Article 6(1): “Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his (sic) life.” Article 9(1): “Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his (sic) liberty except on such grounds and in accordance with such procedure as are established by law.” See also Articles 14; 15; 16.</td>
</tr>
<tr>
<td>Code of Conduct for Law Enforcement Officials, 1979</td>
<td>Holds law enforcement activities accountable to human rights principles, and calls for the use of force only when strictly necessary and to the extent required for the performance of a duty.</td>
</tr>
<tr>
<td><strong>Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, 1990</strong></td>
<td>Sets out law enforcement guidelines for the use of guns, including under what circumstances weapons should be fired (only when non-violent means are ineffective or without promise of achieving intended results). Promotes the principle of ‘proportionality’ in the use of armed response.</td>
</tr>
<tr>
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</tr>
<tr>
<td><strong>Agenda for Humanitarian Action, adopted by the 28th International Conference of the Red Cross and Red Crescent, 2003</strong></td>
<td>Calls for States to ensure that armed, police and security forces receive systematic training in IHL and human rights law, in particular concerning the responsible use of weapons. (Action 2.3.3)</td>
</tr>
<tr>
<td><strong>Regional level</strong></td>
<td></td>
</tr>
<tr>
<td><strong>EU Joint Action on Small Arms and Light Weapons, 1998 (amended in 2002)</strong></td>
<td>Encourages EU funding of security sector reform (Article 6.1)</td>
</tr>
<tr>
<td><strong>Nairobi Protocol for the prevention, control and reduction of small arms and light weapons in the Great Lakes region and the Horn of Africa, 2004</strong></td>
<td>Calls for appropriate and effective measures for cooperation between law enforcement agencies to curb corruption associated with the illicit manufacturing of, trafficking in, illicit possession and use of small arms and light weapons.</td>
</tr>
</tbody>
</table>
## ANNEX 5: GLOBAL POLICY ON SMALL ARMS VIOLENCE – KEY DATES

### 2005

<table>
<thead>
<tr>
<th>Date(s)</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>19–21 July</td>
<td>International Conference of the Global Partnership for the Prevention of Armed Conflict (New York)</td>
</tr>
<tr>
<td>1–12 August</td>
<td>Sixth session of the Ad Hoc Committee on a Comprehensive and Integral International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities</td>
</tr>
<tr>
<td>14–16 September</td>
<td>Millennium +5 Summit to review progress on the UN Millennium Project since the 2000 Millennium Declaration (New York)</td>
</tr>
<tr>
<td>10–21 October</td>
<td>Convention Against Transnational Organised Crime: Conference of the States Parties (2nd session), UNODC (Vienna)</td>
</tr>
<tr>
<td>October (dates tbc)</td>
<td>General Assembly First Committee session (New York)</td>
</tr>
<tr>
<td>December</td>
<td>NATO Foreign Ministers and Defence Ministers Summit</td>
</tr>
</tbody>
</table>

### 2006

<table>
<thead>
<tr>
<th>Date(s)</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>9–20 January</td>
<td>UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons: 1st Preparatory Committee for the Review Conference (New York)</td>
</tr>
<tr>
<td>2–5 April</td>
<td>8th World Conference on Injury Prevention and Safety Promotion (Durban, South Africa)</td>
</tr>
<tr>
<td>June (dates tbc)</td>
<td>IANSA Global Week of Action on Small Arms</td>
</tr>
<tr>
<td>June/July (dates tbc)</td>
<td>G8 Summit (Russian Federation)</td>
</tr>
<tr>
<td>26 June–7 July</td>
<td>UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons: Review Conference (New York)</td>
</tr>
<tr>
<td>October/November (dates tbc)</td>
<td>General Assembly First Committee session (New York)</td>
</tr>
</tbody>
</table>
ANNEX 6: FOOD FOR THOUGHT? HUMAN SECURITY INDICATORS

The need for a robust set of human security indicators for use by governments, donor agencies, NGOs, regional and international organisations and others, both to evaluate and fine-tune programming, has been long been noted. The raw material for a typology of indicators has existed for some time, particularly as the body of quantitative and qualitative information on gun violence has steadily grown and deepened in recent years.

The HD Centre offers below a model typology of human security indicators that draws on existing research and expertise as well as input from many of the contributors to this volume. It is not intended to be definitive or comprehensive; indicators are flexible and should be adapted and tailored for use in a variety of specific settings. Moreover, single indicators rarely measure an effect well. Creating a basket of measures, each with different limitations, provides greater confidence in the results. If used routinely and systematically, customised indicators will greatly increase our understanding of armed violence, small arms misuse and their multiple impacts, while improving our understanding of “what works—and what does not”—in combating these problems.

One particularly important usage of such a typology of indicators would be to launch an ongoing monitoring effort of global progress in ending gun violence, inspired by initiatives such as the Landmine Monitor. Such scrutiny of States’ performance has already been initiated by IANSA and the NGO collaborative Biting the Bullet, which produced a report for the BMS 2003, Implementing the Programme of Action: Action by States and Civil Society. This report, referred to as the “Red Book”, included tables for each region and State on whether or not (Y/N) States had implemented measures such as developing laws and procedures on production, export, import and transit, improving stockpile management, destroying surplus weapons, etc. The authors used responses from surveys distributed to NGOs as well as archival information. This effort was a useful first step, and future work should include a systematic assessment of the magnitude and extent of the problems faced by each country based on a wider range of indicators.

1. Acknowledgements to Dr. Edward Laurance, from the Monterey Institute of International Studies, who shared his work on this topic.
### HUMAN SECURITY INDICATORS FOR SMALL ARMS AVAILABILITY AND MISUSE

<table>
<thead>
<tr>
<th>DIRECT IMPACT</th>
<th>OTHER EFFECTS TO OBSERVE</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Public health impacts</strong></td>
<td></td>
</tr>
<tr>
<td>• Hospital expenditures on firearm injury-related treatment</td>
<td>• Percentage of hospital budget allocated for trauma and rehabilitation</td>
</tr>
<tr>
<td>• Death rate related to firearms (homicide, suicide, and unintended shootings)</td>
<td></td>
</tr>
<tr>
<td>• Health care or health insurance costs due to increased firearm injury or death rates</td>
<td></td>
</tr>
<tr>
<td>• Psychological and psychosocial trauma related to armed violence</td>
<td></td>
</tr>
<tr>
<td><strong>Subjective experiences of security</strong></td>
<td></td>
</tr>
<tr>
<td>• Relative perceptions of security and danger</td>
<td>• Self-restriction of movement: no-go public areas</td>
</tr>
<tr>
<td>• Levels of fear associated with particular armed actors</td>
<td></td>
</tr>
<tr>
<td>• Lack of confidence in ability of the security sector</td>
<td></td>
</tr>
<tr>
<td>• Perceived need for gun ownership for self-protection</td>
<td></td>
</tr>
<tr>
<td>• Perceptions of arms availability in the community</td>
<td></td>
</tr>
<tr>
<td>• Actual numbers of guns in the community</td>
<td></td>
</tr>
<tr>
<td><strong>Violence against children</strong></td>
<td></td>
</tr>
<tr>
<td>• Rates of directly war-related death and injury of children disaggregated by gender</td>
<td>• Rates of school attendance</td>
</tr>
<tr>
<td>• Rates of unintentional firearm death and injury of children disaggregated by gender</td>
<td></td>
</tr>
<tr>
<td>• Incidence of psychosocial and psychological trauma associated with gun violence</td>
<td></td>
</tr>
<tr>
<td>• Presence of children in fighting forces disaggregated by gender</td>
<td></td>
</tr>
<tr>
<td><strong>Violence against and among men and women</strong></td>
<td></td>
</tr>
<tr>
<td>• Firearm prevalence or use in sexual crimes against women</td>
<td>• Marginalisation/socio-cultural impacts/erosion of social customs</td>
</tr>
<tr>
<td>• Rates of young men (16–25) dying from gun violence</td>
<td></td>
</tr>
<tr>
<td>• Incidents of violence in the home involving firearms</td>
<td></td>
</tr>
<tr>
<td>• Gun-related death and injury rate disaggregated by gender</td>
<td></td>
</tr>
<tr>
<td>• Psychosocial and psychological trauma associated with armed violence, including threats and gun ‘brandishing’, particularly experienced by women and girls</td>
<td></td>
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<tr>
<td>• Social customs valuing gun use, violence and violent masculinity</td>
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<tr>
<td>Impacts on humanitarian and development assistance</td>
<td></td>
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<tr>
<td>--------------------------------------------------</td>
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<tr>
<td>• Percentage of population out of reach</td>
<td>• Staff turnover</td>
</tr>
<tr>
<td>• Evacuations due to security threats</td>
<td></td>
</tr>
<tr>
<td>• Number of operations suspended due to armed violence</td>
<td></td>
</tr>
<tr>
<td>• Gun-related mortality and injuries among workers</td>
<td></td>
</tr>
<tr>
<td>• Armed robberies, rapes or other crimes involving firearms</td>
<td></td>
</tr>
<tr>
<td>• Psychological trauma linked to gun violence</td>
<td></td>
</tr>
<tr>
<td>• Perceptions of security</td>
<td></td>
</tr>
<tr>
<td>• Perceptions of arms availability in the community</td>
<td></td>
</tr>
<tr>
<td>• Actual number of guns in the community</td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Impacts on economy and investment</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>• Economic loss from firearm-related disability</td>
<td>• Levels of direct foreign investment</td>
</tr>
<tr>
<td>• Reduction/increase in local economic activities</td>
<td>• Agricultural activities; natural resource production</td>
</tr>
<tr>
<td>• Perception of tourism decline/increase</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Opportunity costs of relief and development programmes</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>• Perceptions of the value of projects</td>
<td></td>
</tr>
<tr>
<td>• Programme implementation impeded</td>
<td></td>
</tr>
<tr>
<td>• Lost investment</td>
<td></td>
</tr>
<tr>
<td>• Security costs</td>
<td></td>
</tr>
<tr>
<td>• Costs for transport if routes are diverted or air travel is safer</td>
<td></td>
</tr>
<tr>
<td>• Cost of monitoring and evaluation</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Refugees and IDPs</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>• Incidence of firearm-related death, injury and disability among displaced people</td>
<td>• Numbers of refugees/IDPs</td>
</tr>
<tr>
<td>• Armed intimidation and assault among displaced people</td>
<td>• Child mortality rates among displaced and relocated populations</td>
</tr>
<tr>
<td>• Armed sexual violence against women reported or observed</td>
<td></td>
</tr>
<tr>
<td>• Dependence of displaced populations on food aid, etc. due to insecure situation</td>
<td></td>
</tr>
<tr>
<td>• Camps regarded as arms trading zones</td>
<td></td>
</tr>
</tbody>
</table>

**Source:** This typology was developed by Cate Buchanan and Mireille Widmer of the Centre for Humanitarian Dialogue and built upon an initial framework put forward in *Small Arms Survey 2002*, p. 159; and Muggah, Robert and Eric Berman (2001), *Humanitarianism Under Threat: The Human Security Impacts of Small Arms and Light Weapons*, Small Arms Survey, Geneva, p. 7; plus inputs from a number of contributors to this publication. It was built upon from an earlier version which first appeared in Centre for Humanitarian Dialogue (2004), *Putting Guns in Their Place: A resource pack for two years of action by humanitarian agencies.*
To those who look the other way while gun dealers break the law: it is time for you to stop. To those who market firearms in a way that attracts criminals: your actions are unacceptable. To those who resist gun safety measures: it is time for you to join us. And to those who profit from gun sales while so many perish from gun violence: you must do better.

—Rabbi David Saperstein
Director, Religious Action Centre of Reform Judaism
Washington, DC, 2000