SITUATION UPDATE

May 2023



A Pause Not a Peace: Conflict in Jonglei and the GPAA

KEY FINDINGS

- Following a combined Dinka–Nuer attack on Murle in the Greater Pibor Administrative Area (GPAA) in December 2022–January 2023, youth forces have returned home, and the onset of the rainy season will prevent another major mobilization in the coming months.
- Small-scale Murle attacks on Dinka and Nuer communities continue. Retribution for such raids was a major motivating factor in the mobilizations of November–December 2022. Raiding also remains a central means of resource acquisition in the state.
- A variety of government-led and international NGO interventions have failed to address the root causes of conflict in Jonglei, including protracted economic and humanitarian crises.
- Administrations in both Bor and Pibor lack the means and will to resolve the crisis. Denay Chagor, the outgoing governor of Jonglei, had political capital in Juba but not among his home

constituents, the Lou Nuer. His time as governor was characterized by administrative struggles and corruption scandals. On 8 May 2023, his removal was announced by South Sudanese President Salva Kiir. Lokali Amae Bullen, the chief administrator of the GPAA, is a weak figure who lacks the capacity to control Murle youth forces.

- In January 2023, a US-sanctioned company paid for the release of at least 60 Murle abductees held by Lou Nuer youth in Pibor. Revenue from the return of abductees was used to purchase materiel from soldiers in the South Sudan People's Defence Forces (SSPDF). The government purchased the freedom of further abductees in Ayod county, Jonglei, in April 2023, with material assistance from international NGOs.
- Humanitarian convoys are being repeatedly attacked, with over 100 metric tons of supplies looted from January to March 2023. These attacks compound the dire humanitarian situation in Jonglei and the GPAA.

Context

Mobilization for a large-scale assault on the GPAA began in Nuer and Dinka areas of Jonglei in November 2022, against a backdrop of intermittent Murle raids, which resulted in abductions of women and children and stolen cattle. Lou Nuer White Army leaders and spiritual authorities declared a need to stop such raids and seek retribution.¹

Both the national and the state governments repeatedly appealed to the Lou Nuer not to mobilize, but without success. The failure to prevent the mobilization represents a broader crisis of political legitimacy. In Akobo, government salaries go unpaid and the Lou Nuer have seen no peace dividends since the signing of the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS) in 2018, which brought to an end five years of brutal government assaults on Lou Nuer civilians (Craze, 2020). In May 2023, Lou Nuer youth detained two Jonglei state ministers in Gadiang and held them hostage, while demanding the payment of salary arrears. The Lou Nuer consider the state government in Bor to be illegitimate and think that the outgoing governor of Jonglei, Chagor, was an appointee from Juba without local support.² In this context, the White Army has emerged as the actor with political legitimacy for the Lou Nuer, with little reason to be beholden to Bor or Juba. A similar situation applies to Dinka and Murle armed youth.

In December, Dinka youth mobilized in Duk county and joined forces with Nuer White Army fighters, principally from Akobo, Nyirol, and Uror. The raiders initially targeted Gumuruk and Lekuangole. A combined force attacked Gumuruk on 24 December, defeating the Murle and razing the town. This force continued into the GPAA, penetrating as far as Lotilla and Verthert, 9 km from Pibor town. A second wave of fighters, largely mobilized from Akobo East, attacked Lekuangole on 26 December. Tens of thousands of fighters participated in the attacks, which led to over a hundred casualties, the displacement of thousands of people to Pibor town, the destruction of health facilities, the razing of civilian property, and the theft of an estimated 30,000 head of livestock.³ This assault occurred despite continuing Murle raids, which took advantage of the movement of much of the Dinka and Nuer male population into the GPAA. In December 2022 alone, seven Murle raids into Uror county resulted in the deaths of 20 and the abduction of 37 Lou Nuer civilians, as well as the seizure of several thousand head of cattle.⁴

Following the raid on Gumuruk, some 5,000 Lou Nuer went to Anyidi and Mareng Junction in Bor South. Raided cattle were sold for cash and traded directly for materiel with soldiers from SSPDF Divisions 8.⁵ While the rhetoric in Juba is that civilians must be disarmed, selling ammunition and weapons to youth fighters in Jonglei has become a necessary means of survival for intermittently paid soldiers.

The commodification of abductions

The raid into the GPAA was characterized by significantly more abductions—which form part of Lou Nuer attacks on the Murle—than usual. This caused disquiet in Juba, especially as many of those abducted women and children were from the home village of David Yau Yau, the former chief administrator of the GPAA and an ally of Kiir's regime. The government took the decision to buy the liberty of the abductees.

The government used Benjamin Bol Mel's ARC Resources company to carry out the transactions.

¹ The White Army are young Nuer men, customarily organized as cattleguards and mobilized for communitarian struggles. See Young (2007).

² See Small Arms Survey (2020) and Craze and Markó (2022).

³ Telephone interviews with Jonglei state government officials; UNMISS officials; international humanitarians; and Bor Dinka and Lou Nuer informants, January–May 2023.

⁴ Telephone interviews with Lou Nuer informants and UN officials, January 2023.

⁵ Telephone interviews with Lou Nuer and Bor Dinka present in Bor town during the sales, January–April 2023.

Bol Mel is a close associate of Kiir, and his companies—many of which, like him, are under US sanctions—are involved in the economic reproduction of the regime (The Sentry, 2021). Appointed a senior presidential advisor in December 2022, and then deputy secretary general of the Sudan People's Liberation Movement's (SPLM) National Liberation Council in March 2023, Kiir is thought to be grooming Bol Mel to be his successor, according to rumours in the capital.

In January, Bol Mel purchased the freedom of 61 abductees, for SSP 400,000 each (roughly USD 500).⁶ The abductees then flew to Pibor on a chartered flight. Officially, the Jonglei state government has denied these purchases. Government and Lou Nuer White Army sources have confirmed, however, that they occurred.⁷ Some of the revenue was used to purchase further materiel from SSPDF Division 8 soldiers.⁸

The purchases have been widely criticized due to the risk of creating a market for abductions, with revenue generated being used to perpetuate a cycle of violence, raids, and abductions. Lou Nuer communities are now requesting financial compensation for the return of abductees.

Abductions have long been a part of conflict in Jonglei and reflect a pastoral political economy in which control of people is more important than possession of land. Customarily, abductees are absorbed into new families, whether Nuer, Dinka, or Murle; however, if abductees are merely commodities, and not potential future family members, their status changes. The year 2023 has already seen an intensification in the sexual violence meted out to abductees, highlighting the potential dangers posed by the creation of a new market in human beings. On 20 April, the Upper Nile state government, with the material assistance of at least one international NGO, purchased the release of 41 Shilluk abductees from the Gawaar Nuer prophet, Tut Makuach, who was in Ayod County, Jonglei, indicating that such a market has already been created.⁹

Security and legitimacy in the absence of the state

The purchase of abductees only becomes conceivable in a situation where the state is weak. Juridical accountability for Lou Nuer raiders is impossible because the government lacks the military capacity to intervene, and so raiders on all sides operate with impunity.

During the assault on Gumuruk in December 2022, the SSPDF withdrew, rather than defending the area against the White Army.10 Underpaid and outmanned, the SSPDF is no match for armed youth. As a result, youth forces have emerged as *the* politically legitimate force in Jonglei. A February 2023 PAX Human Security Survey of the Dinka areas of the state, which should be those most favourably inclined towards the government, is striking (PAX, 2022). Over 60 per cent of the population thought that the most likely cause of conflict in the next year was poor national governance, while 80 per cent said that their community relies on local armed youth for security; only 19 per cent responded that they rely on the police, compared to 62 per cent in 2016 (p. 1).

While the SSPDF stationed in Jonglei is too weak to militarily intervene, the army has shown that, nationally, it is capable of decisively entering the field of battle; in Upper Nile in December 2022, Mi-24 attack helicopters decimated the Nuer White Army outside of Kodok (Small Arms Survey, 2023).

⁶ Telephone interviews with Lou Nuer White Army members, UN officials, international humanitarians, and Bor Dinka traders, January–May 2023.

⁷ Telephone interviews with politicians in Jonglei and White Army members, January–April 2023.

⁸ Telephone interviews with Bor Dinka and Lou Nuer informants, January–April 2023.

⁹ Telephone interviews with informants in Upper Nile and Jonglei, April 2023.

¹⁰ Division 8 is weak in part because many of the battle-hardened soldiers in Eagle Battalion—which formerly comprised Yau Yau's Cobra Faction—were withdrawn to Juba at the request of GPAA commissioners, who wished to weaken Yau Yau's forces.

The SSPDF did not intervene in Jonglei because of political, rather than military, weakness.

Kiir's regime is supported by a fractious coalition. While important Murle commanders and politicians have backed Kiir's elite coterie of Bahr el Ghazal Dinka, to intervene on the side of the GPAA would risk further alienating the Dinka of Jonglei, who retain key positions in government and the SSPDF. Such an intervention would also risk antagonizing the Lou Nuer—just as Kiir is attempting to lure them away from Riek Machar's Sudan People's Liberation Army in Opposition (SPLA-IO), which is seen as weak and merely a vehicle for Machar's personal advancement.

In this context, it is more politically expedient for the government to do nothing to address conflict in Jonglei. Government inaction is the cost of keeping Kiir's coalition together.

The political state of Jonglei

The reign of Chagor, Jonglei's governor, was characterized by feuds and corruption scandals. For instance, in 2021, Governor Chagor dismissed the minister of agriculture, John Chol, after Chol accused Chagor of diverting state funds to his personal account. On 3 January 2023, Kiir unilaterally dismissed the SPLA-IO speaker of the Jonglei parliament, Amer Ateny Alier-in an abrogation of the terms of the R-ARCSS-after Alier criticized Chagor for the non-payment of salaries to government workers. Humiliatingly for Chagor, Kiir reinstated the speaker on 5 April 2023 as part of his negotiations with Machar following the unilateral sacking of Angelina Teny, the SPLA-IO minister of defence and Machar's wife, in a further violation of the terms of the peace agreement.

Chagor's appointments did not win him popular support. Samuel Ateny Pech, appointed by Chagor as city mayor, is a relative of Kiir's bellicose minister of information, Michael Makuei Lueth. As mayor, Pech took land from women's groups and politicians, and sold it to investors from Juba forcibly evicting women's groups from UNDP-built sites guaranteed by Kuol Manyang Juuk, a Bor Dinka SPLM stalwart. The mayor was denounced by a Jonglei state minister, Isaac Mamer, who was consequently sacked by the state's deputy governor, Jacob Akech Deng, on 23 March 2023. Protests against the mayor in Bor eventually forced Chagor to countermand the deputy governor's order only five days later, sacking the mayor and reappointing Mamer. On 6 April, however, the tables turned again when Kiir unilaterally appointed Pech as the commissioner for Bor South, leading to protests against Kiir and the state government and dissent within the Bor Dinka political elite. Gabriel Jok Riak, the former SSPDF chief of staff, is firmly opposed to Pech's appointment.

During Chagor's reign, Deng, the deputy governor, effectively ran the state. His alliance with Makuei and the dismal performance of the state government have contributed to his growing unpopularity, however, and many figures within his own Twic Dinka community are manoeuvring to replace him.

At the beginning of April, Bor was also struck by demonstrations by civil servants protesting against unpaid salaries dating back to October 2021—the latest of many such protests. Only in Bor are such demonstrations even conceivable; elsewhere in the state, the government is almost entirely absent.

In May 2023, the clock finally ran out on Chagor and Deng's reign. Kiir negotiated with Gabriel Changson Chang, the minister of higher education, who is part of the same coalition as Chagor-the South Sudan Opposition Alliance (SSOA). Chang agreed to a swap, with the SPLM receiving the governorship of Jonglei, and SSOA being given the deputy governorship of the state, along with a national ministerial and a special envoy position. For Chang, this was a chance to marginalize Chagor within SSOA, while Kiir hopes to appoint a governor who can bring a modicum of order to Jonglei. Denay, denied his gubernatorial post, will likely be placated with a special envoy position, while the rumours in Bor are that the governorship must go to a Lou Nuer, continuing an unspoken agreement about the ethnic division of administration positions in Jonglei. Riek Gai Kok, the veteran Lou Nuer politician, and former minister of health, is thought to be the likely gubernatorial candidate. Kok, however, played a leading role in the government's brutal offensives against the Lou Nuer counties of Jonglei during

the civil war, and has little chance of gaining real legitimacy among the White Army leadership. Given the strong structural reasons for Jonglei's conflicts, whoever becomes governor is unlikely to be able to instil order in the state.

Humanitarian delivery and diversion

Conflict in Jonglei and the GPAA in December 2022–January 2023 has aggravated an already dire humanitarian situation. The most recent Integrated Food Security Phase Classification (IPC) for South Sudan, published in November 2022, claimed that Jonglei and the GPAA would be in IPC Phase 3 (crisis) or IPC Phase 4 (emergency) from December 2022 to March 2023, with certain areas facing IPC Phase 5 (catastrophe) in both Jonglei (Akobo and Fangak) and the GPAA (Pibor county) (IPC, 2022). The situation is likely to get worse during the lean season of April–July 2023, as household food stocks diminish. The conflict has restricted movement and caused displacement and losses of livestock.

In this context, humanitarian assistance has become both invaluable to Jonglei's communities and a valuable prize to be contested. Since February 2023, humanitarian convoys in the state have been repeatedly attacked, with 120 metric tons of food aid taken in three exemplary incidents (though around 30 metric tons were recovered by the government).¹¹

The road from Bor—the World Food Programme's (WFP) main distribution hub—to Pibor had been largely closed since January 2022 by Bor armed youth, following an attack on Bor South by Murle raiders.¹² After it reopened in January 2023, humanitarian convoys were repeatedly looted in the area around Anyidi. According to figures close to the Jonglei state administration, the level of organization involved in these attacks is such that it is highly likely that members of the army and the government are involved.¹³

The objective of these lootings is to attack Pibor from a distance by denying food aid to the GPAA, where the humanitarian situation is even worse than in Jonglei. These attacks also express the resentment of Anyidi's Dinka population. WFP cut food distribution in Bor South because of more pressing needs elsewhere in the country and the organization's budget shortfall.¹⁴ This argument does not convince the youth of Bor South, however, who watch trucks full of food leave Bor, intended for their rivals in Akobo and Pibor. In a zero-sum struggle between populations, neutrality is not possible, and even humanitarian assistance takes a political position. In this context, the Bor Dinka have little incentive to allow food assistance to be delivered to the Murle.

On 27 April 2023, another humanitarian convoy was attacked en route to Pibor at Anyidi. Two 'bodas' (motorbikes) drove up to the middle of the convoy of 29 vehicles and forced two trucks off the road at gunpoint.¹⁵ While UNMISS vehicles were behind the commandeered vehicles, they did not intervene in the hijacking. After the event, UNMISS rapidly deployed a Quick Response Force, and SSPDF and South Sudan National Police Service forces also arrived at the scene. The two hijacked trucks were subsequently found, but UNMISS failed to recover the food from these vehicles. Despite UNMISS force protection for humanitarian convoys, attacks persist. Without sufficient food pre-positioned in Pibor, there is a high risk of hunger-related deaths during the rainy season. Attacks on convoys, however, prevent such pre-positioning.

¹¹ Telephone interviews with international NGO and UN staff, January-May 2023.

¹² The road was reopened for a brief period in May 2022, before being shut down once again by Dinka youth from Anyidi and Baidit.

¹³ Telephone interviews with Jonglei politicians, April–May 2023.

¹⁴ While Bor South county was projected to be in IPC Phase 3, budget cuts have necessitated that WFP prioritize areas facing IPC Phases 4 and 5.

¹⁵ The convoy was composed of 9 WFP-contracted commercial vehicles, 9 Logistics Cluster-contracted commercial vehicles, 5 WFP fleet trucks, and 6 UN vehicles with approximately 50–60 soldiers.

Humanitarian convoys are also attacked around Gadiang, Uror county. These attacks often target vehicles returning after distributing food aid and focus not on looting, but on rendering the road insecure. Small Murle raiding groups that continue to attack Lou Nuer civilians in Uror and Nyirol counties may be responsible for carrying out these operations, although this has been denied by sources close to the GPAA administration.¹⁶ The other possibility is that these attacks are carried out by SSPDF soldiers, in what is effectively a mafia protection racket, designed to force WFP into accepting and paying for a military armed escort, thus ensuring that someone-finally-pays the army's wages. The SSPDF and the Jonglei state government have repeatedly attempted to pressure humanitarian organizations into accepting government escorts.

Peace prospects

The raid into the GPAA in December 2022 was not considered a success, as it did not produce sufficient material benefits for the Lou Nuer. While this led to criticism of the White Army leadership, continued Murle raiding, including in Nyirol county on 12 April, has caused disquiet. Persistent Murle attacks are likely to lead to growing demands for a retributory strike on the GPAA, given that such small-scale raids are unlikely to cease. Murle agesets are both geographically located—such that groups in Pibor town have little influence over those in Lekuangole—and increasingly broken down into further subsections. Each of these subsections has autonomy over their decisions, making it difficult for the Murle as a whole to reach agreements about raiding.

The Pieri peace agreement was signed in March 2021, with the aim of resolving conflict between the Lou Nuer, Bor Dinka, and Murle. Since then, however, no community in Jonglei or the GPAA has seen a substantive improvement in their material circumstances. Violence remains the central means of securing both economic value (via raiding for

cattle, looting humanitarian supplies, and taking abductees) and social capital (due to successful participation in raids). Without profound politicaleconomic transformation in the state, raiding will remain a primary means of improving male socioeconomic standing.

The Pieri process failed to stop Murle raids into Lou Nuer and Dinka territory. White Army members frequently cited these raids as the key reason for the mobilization in November–December 2022. Perversely, then, the attack on the GPAA, rhetorically at least, had one of the same objectives as the Pieri process, and differed only in its means.

Since the assault on the GPAA in December 2022– January 2023, a number of rival peace processes have been launched, none of which are likely to be effective. The Jonglei state government was largely hostile to the Pieri process because it included the Lou Nuer spiritual leader Dak Kueth and White Army leaders who have political legitimacy, and as such, undermine the posturing of the state governor. A Lou Nuer peace conference under Chagor's direction, held from 2 to 4 March in Juba and facilitated by the UNMISS, included almost none of the major Lou Nuer figures with local support, and served only as an empty rhetorical exercise to give Chagor the appearance of popular support.

UNMISS also plans to facilitate a Murle dialogue, which is likely to face significant challenges. The chief administrator of the GPAA is a weak figure and does not command the same respect as his predecessors. A meeting between the Dinka groups of Jonglei is unlikely, as a split emerged in November 2022 between the Bor Dinka and the Dinka of Twic East and Duk counties, who have long chafed under Bor's dominance.

The problem with UNMISS' efforts is that they tend to prop up government figures who have neither popular legitimacy nor the capacity to influence events on the ground. In order to break the cycle of violence in Jonglei and the GPAA, engaging with the actual actors responsible for raids is paramount.

¹⁶ Telephone interviews with Murle politicians, April 2023.

More recent outreach efforts by the mission have, to its credit, attempted to engage with these figures.

Implications for the international community

On 15 March 2023, the UN Security Council extended the UNMISS mandate until March 2024, and included bold new language giving the mission the right to 'use all necessary means to ensure effective, timely, and dynamic protection of civilians under threat of physical violence through a comprehensive and integrated approach, irrespective of the source or location of such violence' (UNSC, 2023, art. 3).

It is uncertain whether UNMISS can deliver on such a mandate. During the assault on the GPAA in December 2022-January 2023, the mission did not intervene to stop any of the attacks on civilians that occurred.17 Since then, UNMISS has investigated opening temporary operating bases (TOBs) in areas where civilians have been under threat, including New Fangak, Yuai (Uror county), and the Nanaam river corridor. With the onset of heavy rains likely to delay construction, however, it remains improbable that TOBs will be established in the near future. Their establishment, in any event, would be contingent on the approval of the UN bureaucracy and the South Sudanese government, which raises questions as to why the establishment of these TOBs was not prioritized earlier.

Even if TOBs are created before the next raiding campaign against the GPAA, UNMISS has not demonstrated the will to use force to protect civilians. Decisions to engage militarily are ultimately made by the national commanders of the troop-contributing countries—none of which seem to be inclined to endanger their peacekeepers or their own presence in the mission.

The establishment of TOBs can, however, be interpreted in less black-and-white terms. The UN

could reduce hostilities by strategically positioning UN forces between belligerent parties—as they managed to do in Upper Nile during the civil war (Millar, 2022, ch. 9). If TOBs were then explicitly tasked with becoming Protection of Civilian (PoC) sites in times of conflict, the mission could usefully interpose itself between belligerent actors. The PoC sites established at the beginning of the South Sudanese civil war saved tens of thousands of lives and represented the mission's most progressive and useful fulfilment of its mandate; however, UNMISS has since closed all but one PoC site, in Malakal, Upper Nile state (Craze and Pendle, 2020). One way to effectively protect civilians in Jonglei would be to retract this policy of PoC site closures and open up TOBs that could function as PoC sites across the state. UNMISS has already done this once in South Sudan, to great effect, in Tambura in August 2021, where over 2,400 people fled to the UNMISS ToB for protection (UNMISS and OHCHR, 2022, p. 7). Such operations should be considered by the mission.

¹⁷ Telephone interviews with UNMISS staff and international humanitarian workers, January-May 2023.

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