

Weapons for sale in the Bakaraaha market in Mogadishu, Somalia, in May 2004. © Ibrahim Hassan/Reuters



Probing the Grey Area

IRRESPONSIBLE SMALL ARMS TRANSFERS

INTRODUCTION

Between August 2004 and July 2005 the US Department of Defense (DOD) authorized the purchase and transfer of about 200,000 AK-47-type assault rifles and tens of millions of rounds of ammunition from Bosnia and Herzegovina as aid to Iraqi government forces. While not illegal, this transaction has the hallmarks of an irresponsible transfer: weapons were shipped via private arms brokers into a context where the human rights situation had been steadily deteriorating and where the likelihood of diversion was high due to poor oversight and generally weak stockpile security (see below). This chapter examines how even such duly authorized small arms transfers can be considered illicit.

Most international efforts concerned with small arms and light weapons have focused on stemming the illicit trade in such weapons, but usage of the term ‘illicit’ varies. It is often taken to refer to something that is clearly illegal, i.e. prohibited by law. However, in a more precise reading, ‘illicit’ also describes an action that contravenes widely accepted social or moral standards, even if not technically illegal.¹ In such terms, illicit arms transfers thus include those transfers that are irresponsible, even though authorized by a government, in addition to those that are demonstrably illegal.

While some recent multilateral small arms control initiatives have provided definitions of ‘illicit’, none has explicitly equated it with ‘irresponsible’. In some of these undertakings (e.g. the *UN Firearms Protocol* [UNGA, 2001a] and the *Inter-American Convention* [OAS, 1997]) the definition of ‘illicit trafficking’ includes transfers that lack authorization by any of the states involved. However, in most instruments—and most notably in the *UN Programme of Action* (UNGA, 2001b)—the term is not defined at all, and governments have taken divergent positions on whether state-authorized transfers of small arms should be included within the scope of negotiations (TRANSFER CONTROLS).

The central argument of this chapter is that authorized transfers of small arms, light weapons, and their ammunition are not necessarily either legal or responsible. Authorized transfers may contravene agreed international law, rules, and customs—including legal norms relating to respect for human rights or to international conflict. Transfers may also be irresponsible because of a heightened risk of diversion to unauthorized recipients.

The chapter draws particular attention to the responsibility states have to refrain from transferring weapons that are at risk of being misused, e.g. to commit human rights abuses or to violate international humanitarian law. Building upon analysis in the *Small Arms Survey 2004*, this chapter provides numerous examples of government-authorized transfers that can be considered irresponsible because the governments authorizing them knew (or should have known) of circumstances creating a significant risk of misuse (TRANSFER CONTROLS). The chapter also updates and fine-tunes the annual Small Arms Trade Transparency Barometer. Transparency by governments is imperative to help clarify whether their exports are in fact ‘legal’ or ‘illicit’. This year’s Barometer underlines that transparency remains poor in many countries, and the chapter points to possible areas for improvement.

Box 3.1 Definitions of key terms

The global market for small arms, light weapons, and their ammunition can be represented as two overlapping circles (see Figure 3.1).

Authorized transfers are transfers that are authorized by at least one government.

Irresponsible transfers, also called *grey market transfers*, are transfers that are authorized by a government, but are nevertheless of doubtful legality, at least with reference to international law (significant risk of misuse), or irresponsible in some other sense (significant risk of diversion to unauthorized recipients).

Illegal transfers are synonymous with *black market transfers*. Both terms refer to transfers that are not authorized by any government.

Illicit transfers comprise both *irresponsible* and *illegal* transfers (grey/black market).

Covert transfers are those in which governments hide their involvement—often, though not always, because they are illicit.

Among the main findings of the chapter are the following:

- At least 60 states made what could reasonably be interpreted as irresponsible small arms shipments to 36 countries during the period 2002–04.
- The diversions of up to several hundred thousand small arms transferred by the United States to Iraq and tens of thousands of rounds of ammunition from South African peacekeeping troops in Burundi demonstrate a clear need for greater accountability and safeguards to ensure that efforts to resolve conflicts do not inadvertently fuel conflict.
- UN arms embargoes, legally binding for all UN members, are routinely broken on a large scale and with impunity, as government-authorized, but covert, arms transfers in 2006 to Lebanon, Somalia, and Sudan clearly illustrate.
- The top exporters of small arms and light weapons (those with an annual export value of at least USD 100 million), according to available data and estimates in 2004—the last year for which global data is available—were the United States, Italy, Germany, Brazil, Austria, Belgium, and China. The top importers (those with an annual import value of at least USD 100 million) were the United States, Germany, Saudi Arabia, Egypt, France, and the Netherlands.²
- According to the 2007 Small Arms Trade Transparency Barometer, the most transparent major small arms exporters are the United States, France, Italy, Norway, the United Kingdom, and Germany. The least transparent are Bulgaria, North Korea, and South Africa.

Figure 3.1 Locating irresponsible transfers

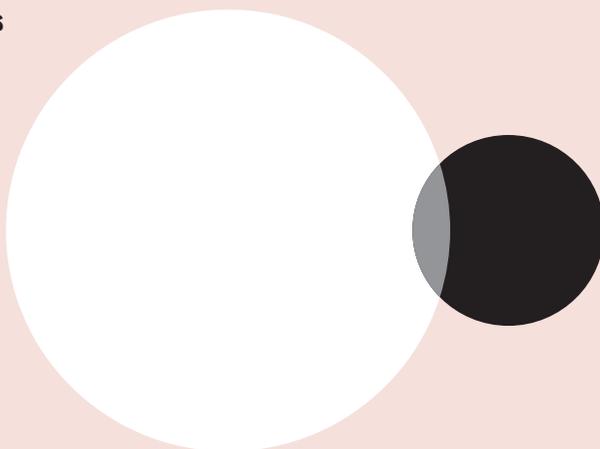
Large circle: authorized transfers

Small circle: illicit transfers

Overlap: irresponsible transfers/grey market

Black area: illegal transfers/black market

White area: legal transfers (authorized and responsible)



Note: This figure is not intended to express proportions.

IRRESPONSIBLE TRANSFERS I: HUMAN RIGHTS VIOLATIONS AND ARMED CONFLICT

The table in Annexe 1 lists small arms transfers reported for 61 exporting countries during the period 2002–04 to 36 countries where serious human rights violations and/or armed conflict were occurring (see also Annexe 2). In these contexts, there is a significant risk that transferred small arms, light weapons, and their ammunition will be misused. Using such criteria, one can therefore conclude that transfers to these countries during the specified years were not only ill-advised, but also illicit.

The rationale for using human rights and armed conflict criteria to assess responsible arms transfers is twofold. Firstly, serious human rights violations and armed conflict constitute the basis on which most UN arms sanctions are imposed. Mandatory UN sanctions legally bind all UN member states (UN, 1945, art. 25). Regional arms embargoes, and regional and international instruments—such as the European Union’s (EU) *Code of Conduct* (EU, 1998) and the Wassenaar Arrangement’s *Best Practice Guidelines* (WA, 2002)—employ similar criteria.³ Moreover, key legal norms relating to human rights and the conduct of armed conflict have the status of customary international law, which is binding on all states (TRANSFER CONTROLS).

Secondly, small arms are often used to carry out or facilitate human rights violations. There is, in other words, a known risk that weapons transferred to countries with a record of serious human rights violations will be misused. Similarly, small arms play a central role in virtually all contemporary conflicts. Additional supplies of these weapons—along with their ammunition—often work against the goal of diminishing or ending armed conflict, instead fuelling, prolonging, or intensifying the fighting.

Available datasets, however, offer simplistic and imperfect proxies. Human rights conditions generally are not uniform across a country, and the existence of armed conflict is not necessarily an indication of misconduct. Moreover, small arms transfers can contribute to the ending of armed conflict and/or the self-defence of a threatened population. More specific information—including, for example, a dataset on violations of international humanitarian law—would improve the methodology employed here.⁴

Not all transfers to a country are equally risky. Information on the intended and actual recipient agency, as well as the intended and actual use of transferred weapons, would be necessary to fine-tune the risk analysis. However, when they have it, governments almost always withhold this information.⁵ As a result, in many cases it is difficult to evaluate properly whether a government has in fact fulfilled its multilateral commitments. In order for governments to prove that they are *not* engaged in illicit small arms transfers when shipping to countries at higher than normal risk of misuse, they would have to publish more detailed information about such small arms transactions.

Given these caveats, this chapter uses a restrictive definition of ‘serious human rights violations’ and ‘armed conflict’ in an effort to exclude marginal cases from Annexe 1.

As in the *Small Arms Survey 2004* (pp. 127–33), the dataset used to determine serious human rights violations is the Political Terror Scale (PTS) (Gibney, 2006; Cornett and Gibney, 2003; Gibney and Dalton, 1996). The PTS examines reports published by Amnesty International and the US Department of State (DOS), both of which are widely acknowledged as credible sources on human rights.⁶ These reports are coded and classified based on a scale from 1 to 5, with 5 corresponding to the most severe human rights violations. It is important to note that the PTS does not limit itself to human rights violations in the strict sense, i.e. those committed by governments, but generally assesses the human rights situation in a given country. Annexe 1 lists only small arms transfers to countries that appear in the PTS with a level of 4 or 5 for both Amnesty International and US DOS reports for the year preceding a particular transfer. Thus, only the two most severe levels of human rights violations are included here.⁷

Human rights violations and armed conflict bring forth most UN arms sanctions.

The chapter assigns the ‘armed conflict’ label to countries listed as involved in an ‘active’ conflict in the International Institute for Strategic Studies Armed Conflict Database (IISS, 2007) *and* at ‘war’ in the Uppsala Conflict Database (UCDP, 2007a) during the relevant period.⁸ Therefore, some armed conflicts are not included because they did not reach this threshold.

**Exporting
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The small arms transfers data in Annexe 1 is based on small arms, light weapons, and ammunition categories in the United Nations Commodity Trade Statistics Database (UN Comtrade). UN Comtrade is the only existing global clearinghouse for this data, but it usually underestimates the actual scale of small arms transfers, since countries often under-report their transfers, and some do not report them at all.⁹ (Covert transfers, by definition, do not appear in such sources.) For each country, Annexe 1 lists transfers for the year following one in which *either* serious human rights violations *or* active armed conflict was reported, ensuring that information on the human rights and/or armed conflict situation was widely available *before* a particular transfer was authorized. For both categories—human rights violations and armed conflict—only transfers during the years 2002–04 are included. 2004 is the most recent year for which global data from UN Comtrade was available at the time of writing.

Profiles of potentially irresponsible transfers

This section presents four brief case studies—drawn from Annexe 1—highlighting the well-known political, military, and human rights contexts into which governments introduced additional small arms, light weapons, and ammunition during the period 2002–04. All cases selected here appear in Annexe 1 because of their PTS (human rights) score. (Only a few countries appear in the table because of the armed conflict criterion alone.)

The four case studies presented here were chosen because they illuminate different aspects of the problems of illicit transfers, and because they raise questions that policy-makers and government officials must confront in considering whether to approve specific transfers. They are not the most egregious cases; rather, they are illustrative. They represent wide geographic distribution and different types of sociopolitical phenomena within which human rights violations are likely to worsen, including situations of prolonged insurgency and attempted coups.

In the case of Algeria, the use of civilian small arms such as shotguns and hunting rifles by armed groups in human rights violations has been documented for the mid-1990s, shortly before the period under consideration here. In Indonesia, armed conflict had begun to wane in the period 2002–04, while severe human rights violations by the government and the Free Aceh Movement (Gerakan Aceh Merdeka—GAM) continued. Israel appears in Annexe 1 not because of its conflict with Palestinian armed groups, but because of the human rights violations committed by both sides that are linked to that conflict.¹⁰ Finally, the case study of Venezuela examines a situation of social unrest preceding and following the overthrow and reinstatement of the Chávez government in April 2002.

In each of these cases, there is not enough publicly available information to trace particular weapons shipments to particular end-using agencies (interior ministry, border control, military units). Therefore, these cases cannot conclusively demonstrate that the small arms transfers listed in Annexe 1 directly contributed to violations of the sort outlined in the case studies.

Rather, these cases invite policy-makers and the reader to consider whether such shipments are responsible, or whether they could or should in fact be considered to be irresponsible (i.e. authorized, but illicit). These cases also invite exporting governments to be more transparent in explaining the steps they have taken to ensure that weapons transferred into similar contexts are not misused.

Algeria

In 2001 Algeria was just emerging from a decade in which state security forces, state-armed militias, and Islamic militants killed well over 100,000 people. The violence was sparked by the government's decision in January 1992 to cancel Algeria's first multi-party election and ban the Islamic Salvation Front (Front Islamique du Salut—FIS), which was expected to win the election (US DOS, 2002). In the brutal fighting that ensued, the government security apparatus 'disappeared' as many as 7,000 people and engaged in widespread torture.¹¹ Militant Islamic groups brutalized both civilians and military targets. Through the end of 2004 there had been no independent or impartial investigation of the violence (AI, 2002a; 2005).

From 2001 to 2004, the state of emergency declared by the military in 1992 remained in effect (AI, 2005). During this period, according to the US DOS, Algerian security forces (army, national gendarmerie, national police, communal guards, and local self-defence forces) committed serious human rights abuses, including arbitrary arrests, long-term incommunicado detention, widespread torture, and unlawful killing. Almost 2,000 civilians, militants, and security force members died in 2001 during the ongoing turmoil (US DOS, 2002). Of these deaths, Amnesty International estimates that hundreds were civilians targeted or indiscriminately attacked by armed Islamic groups, hundreds were combatants killed in ambushes and armed confrontations, and dozens were civilians killed unlawfully by the security forces (AI, 2002a).

In the last of the categories, in 2001 security forces shot and killed more than 80 unarmed civilians and injured hundreds of others during demonstrations in Kabylia, a Berber-dominated region in the north-east of the country. The demonstrations—for greater cultural rights and economic opportunity—followed the death of a schoolboy held in custody by the gendarmerie in April 2001. According to accounts pieced together by Amnesty International, gendarmes 'fired on unarmed protesters standing more than 100 metres away from them and shot others in the back after dispersing them using tear gas. In several instances, protesters were pursued to their homes and shot dead inside' (AI, 2002a). A commission established by President Abdelaziz Bouteflika concluded that 'the gendarmerie and other security forces had repeatedly resorted to excessive use of lethal force' (AI, 2002a).¹² However, two years later there was no evidence that anyone had yet been brought to trial for these violations (AI, 2004b).

Despite such ongoing and openly acknowledged human rights violations, after the terrorist attacks in the United States of 11 September 2001 the United States and several EU members publicly endorsed Algeria's counter-terrorism policies and prepared to resume or increase weapons transfers to Algeria after several years of a '*de facto* embargo' (AI, 2004b).¹³

Small arms shipments to Algeria recorded in Annexe 1 include mostly shotguns, hunting rifles, and associated ammunition (see Annexe 2). Amnesty International has documented the use of such weapons in attacks carried out by armed groups at the height of the terror in the mid-1990s (AI, 1997, p. 12). According to a journalistic account from the same time, it became very difficult for the Islamic militants to obtain firearms after Algerian authorities introduced strict regulations on villagers' possession of weapons, including those for hunting. Such guns had been one of the militants' main sources of firearms (Callies de Salies, 1997). Owing to their perceived security implications, as of 2003, the Ministry of Defence and National Security Directorate had to approve the importation of all hunting weapons (Wetzel, 2002).

Indonesia

Since 1998 Indonesia has experienced armed uprisings in Timor-Leste, Papua, and Aceh. The situation in Aceh is examined here for the period 2001–03.¹⁴

Hunting rifles were used in attacks by armed groups in Algeria in the mid-1990s.

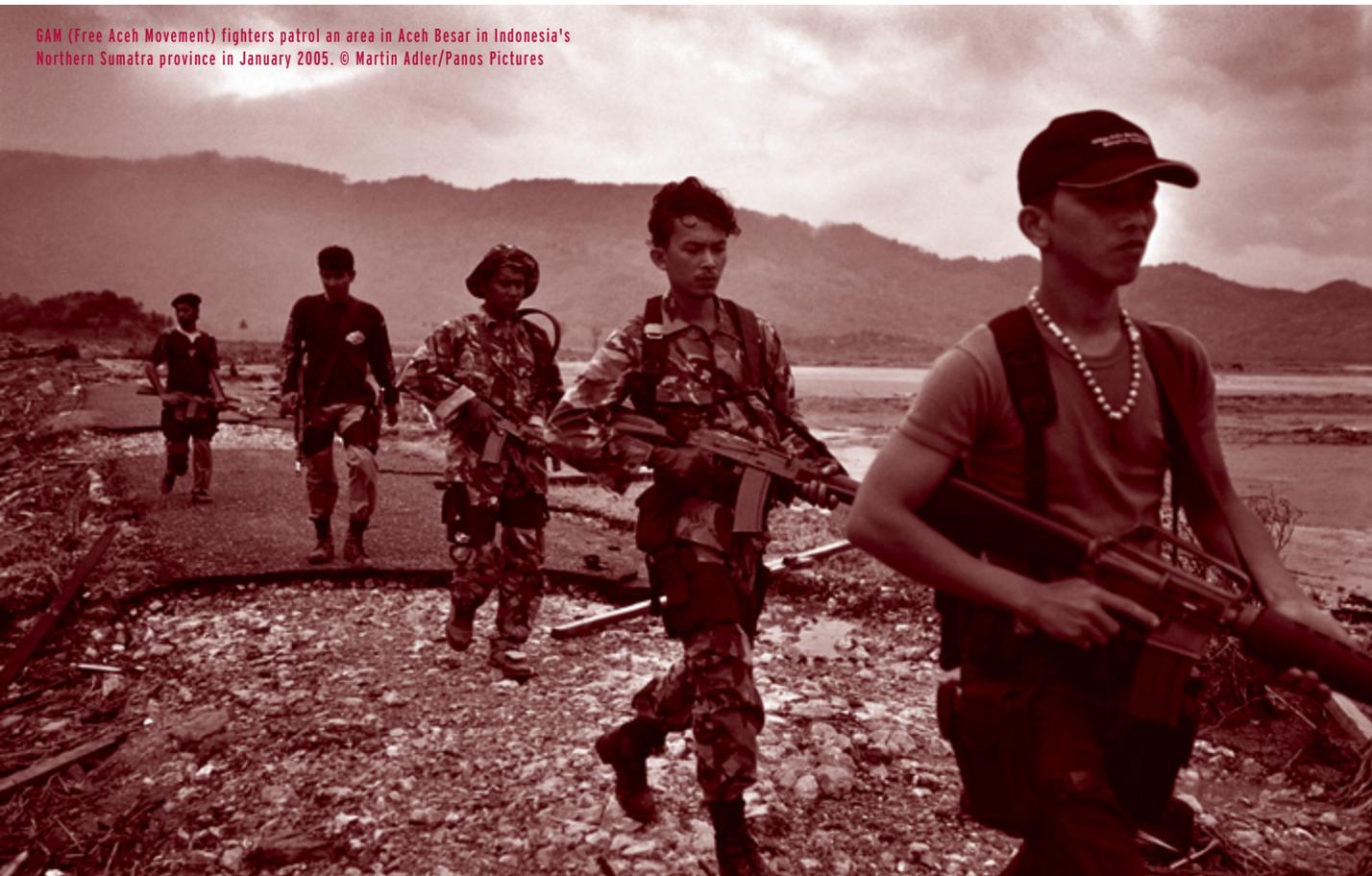
The Aceh conflict began in the mid-1970s, when the Aceh/Sumatra National Liberation Front (ASNLF), also known as the GAM, declared independence. During the 1990s the Indonesian government made Aceh a 'Military Operations Zone'. This status ended in August 1998, but military operations resumed in January 1999 (Sukma, 2004, pp. 12–13).

Both the Indonesian security forces (military and police) and the armed pro-independence movement, the GAM, were responsible for grave human rights violations. In November and December 2000 members of the security forces carried out extrajudicial killings, torture, and cruel treatment of persons preparing a pro-independence rally in the province's capital, Banda Aceh. Human rights and political activists, humanitarian workers, and journalists were especially targeted by the Indonesian security forces. The GAM took hostages, burned public buildings, and carried out 'targeted killing[s] of suspected informers, government officials, civil servants and others with links to the Indonesian administration' (AI, 2004a, p. 6).¹⁵

In April 2001 large numbers of Indonesian security forces, including members of the paramilitary Police Mobile Brigade (Brimbo), were stationed in Aceh. Brimbo members had a reputation for having committed human rights violations in Aceh since 1999. Indonesian military were trained at the Kopassus (Special Forces Command) training centre in West Java before deployment to Aceh. Kopassus had been reported to have carried out grave human rights violations in Aceh, Papua (Irian Jaya), and East Timor (AI, 2001b, p. 1).

On 19 May 2003 a state of military emergency was declared in Aceh. Allegations of serious violations of human rights, 'including extrajudicial executions, "disappearances", arbitrary detention and torture' continued, but now

GAM (Free Aceh Movement) fighters patrol an area in Aceh Besar in Indonesia's Northern Sumatra province in January 2005. © Martin Adler/Panos Pictures



became much more difficult to confirm, since the province was practically closed to independent observers (AI, 2003a, p. 1).¹⁶ In the following May (2004) a state of civil emergency was declared in Aceh, but 'military operations continued as before and human rights abuses [were] still being reported' (AI, 2004a, p. 3).

In 2002, 2003, and 2004, several countries, including some EU members and the United States, made significant sales of small arms to Indonesia, according to UN Comtrade. The weapons shipped included revolvers, pistols, and sporting and hunting weapons, as well as military weapons, including military firearms and small arms ammunition. From UN Comtrade data, it appears that in 2002 a smaller number of countries, including fewer Organization for Economic Co-operation and Development countries, exported small arms to Indonesia, but that in 2003 and 2004 the number of suppliers and the value of weapons increased, at a time when the human rights situation in Indonesia had not improved (see Annexe 2).

It is impossible to determine whether the weapons transfers reported to UN Comtrade were subsequently used to commit human rights violations. But the overall context entailed a significant risk of misuse, at least with regard to the weapons that were destined for the Indonesian military and police, i.e. military small arms and corresponding ammunition. This risk includes misuse by the Indonesian security forces, but also diversion from state stockpiles.

The overall context in Indonesia in 2001-2003 entailed a significant risk of misuse.

Israel

The second Palestinian Intifada (uprising) was under way when 22 governments listed in Annexe 1 decided to send Israel additional supplies of small arms and ammunition.

The current round of fighting began in September 2000. As in the 1987–91 Intifada, Palestinians threw stones and Molotov cocktails at Israeli soldiers, but this time Palestinian groups also used the arsenal of small arms they had acquired. In addition, Palestinian suicide bombers undertook dozens of attacks against civilian targets in Israel each year. The Israeli military responded with heavy weaponry (gun, rocket, and missile fire from helicopters and armoured vehicles) and also with rubber-coated metal bullets and regular ammunition. According to Amnesty International, Israeli security forces killed more than 460 Palestinians during 2001, among them many children. Palestinian armed groups killed 187 Israelis in 2001, nearly all of them civilians (AI, 2002b).

In 2002, many governments shipped small arms and ammunition to Israel even though civil society organizations, based in Israel and elsewhere, accused Israeli military forces of having committed serious violations of international humanitarian law during Operation Defensive Shield, conducted in the Palestinian territories in March–April 2002 (B'tselem, 2002; HRW, 2002).¹⁷ In the same year, the Israel Defense Forces (IDF) killed at least 1,000 Palestinians, including at least 35 through targeted assassination. At the same time, Palestinian armed groups killed more than 420 Israelis, more than half of them civilians, and some 20 foreign nationals (AI, 2003b).

According to the US DOS, in 2003 'Israel's overall human rights record in the occupied territories remained poor and worsened in the treatment of foreign human rights activists as it continued to commit numerous, serious human rights abuses' (US DOS, 2004).¹⁸ About 570 Palestinians were killed and about 3,000 injured by security forces in 2003, including innocent bystanders. Among the intended and unintended victims were 44 Palestinians targeted for assassination by Israel, 'many of whom were terrorists or suspected terrorists', and 47 bystanders. Moreover, '[t]he IDF did not regularly investigate the actions of security force members who killed and injured Palestinians under suspicious circumstances' (US DOS, 2004).

Throughout this period, both Amnesty International and the US DOS reported widespread police brutality, torture of Palestinians during interrogation, and collective punishment, including the closures of towns and villages, the

demolition of homes, and prolonged curfews. The US DOS noted that in 2003 (as in 2002) the Government of Israel detained without charge thousands of persons in Israel, the West Bank, and Gaza (US DOS, 2004). Amnesty International found that in 2003 “[c]ertain abuses committed by the Israeli army constituted war crimes, including unlawful killings, obstruction of medical assistance and targeting of medical personnel, extensive and wanton destruction of property, torture and the use of “human shields” (AI, 2004c).

Venezuela

Following the election of Hugo Chávez—a populist leftist—to Venezuela’s presidency in 1998, opposition from business leaders mounted. On 9 April 2002 this animosity resulted in a call by leaders of the business-backed labour confederation for an indefinite national strike to demand that Chávez step down. Two days later, opposition demonstrators marched towards the presidential palace in Caracas and encountered pro-Chávez demonstrators. Unidentified persons fired into the crowd. In the ensuing melee, demonstrators, the Metropolitan Police, and the National Guard clashed, as a result of which 20 people were killed by firearms and more than 60 were injured (AI, 2003c; US DOS, 2003a).

On 12 April 2002 business leaders and elements of the military staged a coup, claiming that Chávez had voluntarily resigned (US DOS, 2003a). The coup government closed the National Assembly and dismissed the Supreme

Court, the attorney general, and the human rights ombudsman. Police raided the homes of a number of Chávez’s supporters and detained a minister and a National Assembly deputy (AI, 2003c).

Facing widespread condemnation when it became clear that Chávez had in fact been kidnapped and forcibly overthrown, the new government resigned two days later, on 14 April, and Chávez was reinstated. At least 50 people died and many more were injured in the civil unrest during those days (AI, 2003c).

In the aftermath, efforts to end the political crisis included an intervention by the secretary-general of the Organization of American States. A second general strike started by the opposition at the end of 2002 carried on into the new year. Grass-roots community groups threatening and carrying out attacks against journalists, and others close to the political opposition, were alleg-



Venezuelan police officers arrest a supporter of President Hugo Chávez during clashes in Caracas, in April 2002.
© Pedro Rey/AP Photo

edly armed by Chávez.¹⁹ Deep social and political cleavages remained, and the potential for armed violence in 2003 was high (AI, 2003c; US DOS, 2003a).

It is into this context that a number of countries shipped revolvers, pistols, rifles, shotguns, and shotgun cartridges in 2003 (see Annexes 1 and 2). The largest suppliers of small arms and their ammunition to Venezuela were South Korea, Brazil, Italy, Spain, Austria, and—most curiously—the United States. Since entering office in January 2001, the Bush Administration had opposed Chávez's government, and the US DOS initially refused to condemn the 2002 coup (AP, 2002). But the US firearms shipments apparently went to agents of the government: in 1999, the Clinton Administration had stopped transfers of small arms to Venezuelan private companies due to concerns about possible diversion to combatants in neighbouring Colombia. The licensing of small arms exports to Venezuela resumed in 2002—but only to government buyers (Ceaser, 2005).

In an indication that at least some of the weapons shipments were not going to the central government, the minister of justice and the interior, Jesse Chacon, announced the establishment in July 2006 of a new firearms control plan. This initiative was necessitated, according to the Venezuelan Ministry of Justice, by the large influx of weaponry into Venezuela during the 2000–02 political crisis and the subsequent high level of armed violence in the country (Fox, 2006).²⁰

IRRESPONSIBLE TRANSFERS II: STOCKPILE (IN)SECURITY AND RISK OF DIVERSION

It is irresponsible to transfer arms if there is a significant risk that they will be misused by the intended recipient, given the environment into which they are being sent. It is also irresponsible to transfer arms that are at risk of being diverted away from the intended recipient and misused by third parties. Presented here are two recent examples of states undertaking small arms transfers as part of peace-building or nation-building operations in which the transfers may have contributed to the armed violence they were intended to quell: US-sponsored small arms supply to Iraq and leakage from South African peacekeepers' stockpiles in Burundi.

US small arms to Iraq: missing in action

Following the fall of Saddam Hussein's government in April 2003, the Iraqi military lost most of the small arms it previously held, leading to at least seven to eight million firearms being in Iraqi hands (combined civilian holdings and military stockpile) (Small Arms Survey, 2004, pp. 44–47). At the same time, there was a dramatic rise in firearm violence, including abductions and murder by insurgents, militias, or criminal elements. According to a comprehensive survey in 2006, gunshots have been the leading cause of violent death in Iraq since the 2003 invasion (Burnham et al., 2006, p. 2).²¹ Civilians now routinely arm themselves for protection, and prices for firearms are climbing, even as supplies increase (Chivers, 2006) (ECONOMICS).

Within this context, the United States has sought to train and equip with new weaponry approximately 325,500 Iraqi Security Forces (ISF) personnel in the Iraqi Ministries of Defence (MOD) and the Interior (MOI) by December 2006 (SIGIR, 2006a, p. i).²² Two separate investigations have found serious deficiencies on the part of the United States in safeguarding weapons brought into Iraq. According to these investigations, thousands, if not tens of thousands, of imported small arms have been diverted from Iraqi police and military forces.

Table 3.1 Number and % of violent deaths in surveyed households in Iraq attributable to gunshots, 2002-06

	Pre-invasion (January 2002- March 2003)	March 2003- April 2004	May 2004- May 2005	June 2005- June 2006	Total post- invasion
Deaths from gunshots	0	36 (80%)	46 (51%)	87 (53%)	169 (56%)
Total violent deaths	2	45	90	165	300

Source: Burnham et al. (2006, p. 8, Table 2)

The Iraqi arms market

The US DOD invited bids for contracts to supply small arms to Iraq in late 2003 and again in late 2004. Given the familiarity of Iraqi personnel with the AK-47 and the weapon's durability, most US procurement has been of this weapon. Additionally, most of the US procurement calls for new (or unused) weapons (SIGIR, 2006a, pp. 4, 6). The bidders were primarily small logistics firms specializing in the procurement of non-standard (non-NATO) weapons or in transfers of arms to the Middle East. Among the companies winning US DOD contracts were Keisler Police Supply, Taos Industries,²³ Golden Wings, ANHAM Joint Venture, AEY, Inc., Defense Logistics Services, and Blane International (SIGIR, 2006b, Appendix D).

In addition, in February 2005 the US Army awarded a firm-fixed-price contract worth USD 174 million to International Trading Establishment (ITE) of Amman, Jordan for radios, heavy and light machine guns, AK-47 rifles, M4 shotguns, 9 mm handguns, and night vision goggles (US DOD, 2005).²⁴ Under a USD 29.3 million sub-contract, ITE hired the Beijing-based firm Poly Technologies to deliver 2,369 light and heavy machine guns, 14,653 AK-47 rifles, and 72 million rounds of ammunition by 30 April 2005 (Landay, 2005).

A significant portion of the funding for US-supplied small arms purchases has come from the Iraq Relief and Reconstruction Fund



An Iraqi gunsmith checks an imported gun at his shop in the central Iraqi city of Najaf in August 2006. On the table, imported assault rifles lie beside an Iraqi-made short assault rifle. © Ali Al-Saadi/AFP/Getty Images

Table 3.2 ISF weapons purchased with IRRF funds, November 2003–April 2005, by type

Type of weapon	Total	MOD	MOI
Under-barrel grenade launcher	3,900	0	3,900
Rocket-propelled grenade launcher, RPG-7	1,528	100	1,428
Machine gun, M-2 .50 calibre	12	12	0
Machine gun, MP-5	518	0	518
Machine gun, PKM	5,221	1,170	4,051
Machine gun, RPK	14,982	6,310	8,672
Pistol			
9 mm generic	38,053	15,329	22,724
9 mm Glock	138,813	13,650	125,163
Assault rifle, AK-47	165,409	71,493	93,916
Assault rifle, M1-F	751	751	0
Assault rifle, M4	620	320	300
Shotgun	384	10	374
Sniper rifle	60	0	60
Total	370,251	109,145	261,106

Source: SIGIR (2006a, p. 4)

(IRRF), to which the US Congress assigned USD 18.4 billion (US Congress, 2003, pp. 1225–26).²⁵ In October 2006 the office of the Special Inspector General for Iraq Reconstruction (SIGIR) published an audit of US small arms procured with these funds, with special attention to the ISF's ability to safeguard and maintain the weapons. According to the report, since November 2003 the US DOS used about USD 133 million from the IRRF to acquire more than 370,000 weapons.²⁶ All of the weapons purchased for the ISF with these funds were small arms and light weapons, defined in the audit as 'man-portable, individual, and crew-served weapons systems used mainly against personnel and lightly armored or unarmored equipment.' Of the 12 types of weapon purchased, most prevalent were 9 mm semi-automatic pistols (nearly 80 per cent of these were Glock) and AK-47 assault rifles (SIGIR, 2006a, pp. 2–4).

The audit revealed concerns about the Multi-National Security Transition Command-Iraq (MNSTC-I)—the military body responsible for recruiting, training, and equipping the ISF—in relation to small arms procurement and stockpile security practices. According to the report, the MNSTC-I exhibited 'questionable accuracy' regarding its arms inventories. In particular, the MNSTC-I was unable to account for 99 machine guns, more than 13,000 9 mm pistols, and 751 M1-F assault rifles.²⁷ Moreover, the command has systematically failed to comply with the requirement that it register the serial numbers of all weapons procured for the ISF in the DOD Small Arms Serialization Program (SASP) (SIGIR, 2006a, pp. 8–10).²⁸

Only 2 of the 19 contracts for weapons funded by the IRRF specified that contractors provide serial numbers to the SASP. Overall, the MNSTC-I had recorded serial numbers for only 2 per cent of the more than 500,000 weapons provided from all funding sources to MOI or MOD personnel and/or warehoused (SIGIR, 2006a, pp. 9–10).

Box 3.2 Coming soon: M16s for Iraq

In late September 2006 the US Defense Security Cooperation Agency notified Congress of an intended sale of USD 750 million worth of weaponry to the Iraqi government, including more than 120,000 new small arms and light weapons (*Federal Register*, 2006, pp. 56501-07). The sales proposal included the following:

- 10,126 M17 9 mm Glock pistols
- 50,750 M16A2 rifles
- 50,750 M4A1 rifles
- 3,442 M24 sniper rifles
- 8,105 M249 machine guns
- 3,037 M240B machine guns
- more than 2 million rounds of 9 mm pistol ammunition
- more than 35 million rounds of 5.56 mm rifle ammunition
- more than 630 thousand rounds of 7.62 mm sniper rifle ammunition
- more than 1.6 million rounds of 5.56 mm machine gun ammunition
- more than 1.2 million rounds of M240 7.62 mm crew-served machine gun ammunition

Source: *Federal Register* (2006, p. 56503)

The failure of US forces to record serial numbers makes sense only as a hedge against public revelations that US-supplied weapons are falling into the hands of insurgents. Both the Iraqi military and police forces have been infiltrated by insurgents and suffer from high levels of corruption. The Iraq Police Service, in particular, lacks an effective equipment management system and an effective personnel management system (US DOD, 2006, p. 51).²⁹ Theft of pistols has been a particular problem (Chivers, 2006).

The Bosnian pipeline

Despite the US DOD's general requirement that newly manufactured AK rifles be procured for the ISF, at least one large exception was made.

In May 2006 Amnesty International reported US-funded shipments of more than 200,000 AK-variant assault rifles and tens of millions of rounds of ammunition from Bosnia and Herzegovina to Iraq during 2004–05. The report is based on information received from the EU Force in Bosnia and Herzegovina (better known as EUFOR), the Organisation for Security and Co-operation in Europe (OSCE), and the UN Office of the High Representative in Bosnia. According to these sources, the US military quietly negotiated with Bosnian government authorities for the purchase of surplus weapons that were stockpiled and slated to be destroyed. The deal undermined an ongoing British government-backed programme to destroy surplus weapons and ammunition remaining from the Bosnian civil war, because local citizens grew reluctant to give up their war weapons, believing that they might be able to sell them to the Americans (AI, 2006, pp. 104–17; Traynor, 2006).

The UN High Representative in Bosnia tried to stop the deal, and in late August 2005 a moratorium on further arms exports was finally put in place. According to Major Erwin Kauer, a NATO military officer who worked in Bosnia handling authorizations for arms transfers, up to 290,000 small arms and 64 million rounds of ammunition were shipped out before the moratorium was enacted. He said 60–70 per cent of these weapons were destined for Iraq (BBC, 2006a, pp. 6–7).

According to Amnesty International's research, a small US logistics firm—Taos Industries—was the party that was actually contracted to coordinate the shipping of the weapons, with diplomatic support from US officials (Taos had

Box 3.3 Gun count: US-supplied small arms

Poly Technologies (AKs, machine guns)	17,000
Bosnia-Herzegovina pipeline (AKs)	200,000
IRRF-funded (AKs, Glocks, other)	370,000
Future deal announced in Sept. 2006 (M16s, Glocks, other)	126,000
Total	713,000

Sources: Landay (2005); Traynor (2006); SIGIR (2006a, p. 4); Federal Register (2006, p. 56503)

several contracts funded through the IRRF). The weapons were then moved via a chain of transport sub-contractors, at least one of which had been named in UN sanctions reports as having been involved in arms smuggling in the past. Although ‘Coalition Forces in Iraq’ were listed as the official end users on the Bosnian export documents for five shipments of arms, the MNSTC-I was unaware of any arms purchases from Bosnia. Amnesty International was unable to find any evidence that the weapons actually arrived in Iraq (AI, 2006, pp. 109–10).

Unintended consequences: South African peacekeepers and the leakage of weapons and ammunition in Burundi³⁰

Public inquiry into the accounting of the South African National Defence Force (SANDF) and a recent journalistic investigation of the SANDF’s lack of control over its military equipment while performing peacekeeping duties in Burundi have raised questions about the possible contribution of South Africa to small arms proliferation in a country that is emerging from a ten-year civil war.

The 2005/2006 report of the South African auditor-general found major irregularities in the accounting of the South African Defence Department. In particular, it established that the SANDF had not ensured proper storage, security, and accounting of its vehicles, weapons, and ammunition. Such statements were not without a precedent: the previous report (2004/2005) assessed the total cost of lost defence property at ZAR 48.7 million (USD 7.6 million). The South African Parliament requested some clarification from the Defence Department about the fate of the 70 army vehicles, over 110 weapons, and large quantities of other material reported to be missing. Most, if not all, of this missing material belonged to the South African contingent of the United Nations Operation in Burundi (ONUB) (Maughan, 2006a).³¹

A parallel investigation led by a South African newspaper, *The Star*, supports the results of the report. At the end of October 2006 it claimed that ‘millions of rands worth of vehicles, guns, ammunition and bombs, and supplies worth over R27-million have vanished from the South African army base in Burundi over the last four years’ (Maughan, 2006a).³² The newspaper listed 40 mortar bombs, 54 R4 rifles, 4 R5 rifles, a sniper rifle, two 12-gauge shotguns, 8 machine guns, 8 pistols, and 27 grenade launchers, as well as ammunition, vehicles, and other matériel, as missing (Maughan, 2006a).

The South African minister of defence, Mosiuoa Lekota, admitted in September 2006 that some small arms and ammunition had been captured during ambushes and stolen in Burundi, including 22,000 rounds of ammunition seized in a single incident at the SANDF base (Maughan, 2006a; SAPA, 2006a; 2006b). He also admitted that South African peacekeeping missions in Burundi, Sudan, and the Democratic Republic of the Congo had since 2003 lost 97 mortar bombs, 46 assault rifles (R4s), 3 light machine guns, two 9 mm pistols, 2 grenades, 4 magazines for R4

Box 3.4 Missing in action: SANDF weapons in Burundi

The following weapons were reported missing:

- almost 50,000 rounds of ammunition
- 97 mortars
- 46 R4 rifles
- 4 R4 magazines
- 3 light machine guns
- 2 pistols (9 mm)
- 2 grenades

Source: South African Ministry of Defence, cited in Maughan (2006a)

rifles, and close to 50,000 rounds of 5.56 mm and 7.62 mm calibre ammunition. The minister vehemently contested *The Star's* higher figures and denied allegations about missing vehicles (Maughan, 2006a; SAPA, 2006b).

As to the destination of this matériel, *The Star* claims that a number of the missing mortar rounds found their way into the arsenal of the Parti de libération du peuple hutu-Forces nationales de libération (Palipehutu-FNL), the only rebel group that did not take part in the ceasefire and peace process that led in 2005 to the democratic election of a new president, Pierre Nkurunziza (Maughan, 2006a) (BURUNDI).

Already in July 2004, the Burundian army had seized South African-made ammunition from Palipehutu-FNL rebels, and it identified some of the mortar rounds launched by the group on Kabezi as having been manufactured in South Africa. In November 2005 in Bujumbura the army arrested other Palipehutu-FNL members wearing uniforms from the South African contingent (IRIN, 2005).

The Palipehutu-FNL was not the only alleged recipient of the missing material: according to *The Star*, some of the missing South African ammunition was found in 2004 in the arsenal of the Burundian army (Maughan, 2006a). Burundian authorities forcefully denied these allegations. Serge Nizigama, communication adviser at the Burundian Ministry of Defence, noted that military material was procured through official channels, and that the alleged transfer of ammunition would have necessitated the knowledge and direct participation of the South African Defence Ministry (Burundi Réalités, 2006).

More recently, South African Defence Minister Lekota claimed that the missing material was not, in fact, missing, but instead the result of confusion in accounting during the rotation of contingents in Burundi (Dawes and Dibetle, 2006; SABC News, 2006).³³ A knowledgeable source, contacted by the Small Arms Survey, confirmed, however, that military equipment had been lost, adding that the report by *The Star* was broadly accurate.³⁴

TRANSPARENCY

Past editions of the *Small Arms Survey* (Small Arms Survey, 2004; 2005; 2006) emphasized the importance of transparency on the part of governments exporting small arms, light weapons, and their ammunition. Transparency is a hallmark of responsible arms exporting; however, it is not the only one. As explored above, respect for norms concerning armed conflict and human rights, as well as basic precautions to secure transferred arms against diversion, are also necessary. When transferring arms or ammunition to a 'high risk' destination, governments need to be

highly transparent about their actions, i.e. about whom they are authorizing to receive weapons, for what purpose, and under what conditions. Otherwise, exporting governments risk observers coming to the (perhaps erroneous) conclusion that such arms transfers are illicit.

In addition to providing a revision and update of the annual Small Arms Trade Transparency Barometer, this section profiles some of the ways in which governments can appear to be transparent while actually obfuscating small arms transfers.

For instance, as presented below, exporters might provide selective and, therefore, misleading data to UN Comtrade—perhaps to create an appearance that they are in compliance with export guidelines concerning human rights and armed conflict, when in fact they are not. Or governments might be quite transparent about *most* of their arms trade, except for that portion that is deliberately cloaked in secrecy.

In such cases, not only does the government in question withhold data about these covert transfers from UN Comtrade and other reporting mechanisms, but it also actively hides its involvement in the weapons shipments—usually by sourcing weapons abroad, using off-budget funding sources, and/or employing private brokers to move the weapons.

Small Arms Trade Transparency Barometer

The Small Arms Trade Transparency Barometer was introduced in *Small Arms Survey 2004*. It is a tool to assess countries' transparency in reporting on their small arms and light weapons exports, in particular with respect to aspects such as timeliness, accessibility, clarity, and comprehensiveness. It is based on governments' reports to UN Comtrade, as well as their annual national arms export reports.³⁵

The 2007 Barometer includes transparency scores for all major exporters during the period 2001–04.³⁶ The maximum score is 25 points. The most transparent arms exporters are, in descending order, the United States, France, Italy, Norway, the United Kingdom, and Germany (all scoring more than 15 points). The least transparent are Bulgaria, North Korea, and South Africa, all scoring zero.

While the scores remain, in large part, comparable with those in the 2006 Barometer, this year's Barometer introduces a few modifications aimed at improving the methodology. Firstly, the scoring system was refined by including only those national arms export reports that have been published within the last 30 months.³⁷ As a result, the transparency of Canada and South Africa was assessed only on the basis of these countries' reporting to UN Comtrade, even if they did issue a national arms export report at some point previously. In addition, a new sub-category was added under the category 'Comprehensiveness' to account for information provided on re-exports. Only a very small number of states have provided such information to date.³⁸

It is also important to note that the Barometer does not assess the veracity of the information reported by governments. Doing so is difficult and better approached through case study research, as in the sections that follow. These case studies show that the Barometer captures only part of the picture, e.g. the United States is ranked as the most transparent country this year, even while it engaged in covert transfers (see below). Nevertheless, the Barometer remains useful for assessing the quality of states' public reporting in terms of specific categories such as accessibility and comprehensiveness. It shows that transparency is lacking in some of these categories even for the most transparent major exporters, and that their reporting needs to be improved. It also sets a reporting standard for smaller exporters.

Governments can appear transparent while actually obfuscating small arms transfers.

Table 3.3 Small Arms Trade Transparency Barometer 2007, covering major exporters*

	TOTAL (25 max.)	Export report (year covered)	UN Comtrade	Timeliness (1.5 max.)	Access (2 max.)	Clarity (5 max.)	Comprehensiveness (6.5 max.)	Deliveries (4 max.)	Licences granted (4 max.)	Licences refused (2 max.)
United States	20.5	X (05)	X	1.5	2	4	5.5	3.5	4	0
France	18.5	X (04)	X	1	2	4	5.5	4	2	0
Italy	17.5	X (04)	X	1.5	1.5	4	6.5	3	1	0
Norway	15.5	X (05)	X	1.5	1.5	3.5	6	3	0	0
United Kingdom	15.5	X (05)	X	1	2	4	5.5	3	0	0
Germany	15.25	X (05)	X	1	1.5	4	4.75	2	2	0
Finland	14	X (03)	X	0.5	2	4	5.5	2	0	0
Netherlands	14	X (04)	X	1	2	2.5	5.5	3	0	0
Spain ¹	13.75	X (05)	X	1.5	2	2.5	4.75	3	0	0
Czech Republic	13.5	X (04)	X	1	2	3	5.5	2	0	0
Austria ²	13	X (04)	X	0	1.5	2.5	5	2	2	0
Sweden	12.75	X (05)	X	1.5	2	3	4.25	2	0	0
Australia	12.5	X (02-04)	X	0.5	2	2.5	4.5	3	0	0
Switzerland	12.5	X (05)	X	1.5	2	2.5	4.5	2	0	0
Bosnia-Herzegovina	12	X (04)	X	1.5	1.5	2.5	4.5	2	0	0
Canada ³	11	-	X	0	1	2.5	4.5	3	0	0
Croatia	11	-	X	0	1	2.5	4.5	3	0	0

Iran	10.5	-	X	0	1	2.5	4	3	0	0
Mexico	10.5	-	X	0	1	2.5	4	3	0	0
Portugal	10.25	X (04)	X	0.5	1.5	2.5	3.75	2	0	0
Serbia and Montenegro ⁴	9.75	-	X	0	1	2.25	4.5	2	0	0
Brazil	9.5	-	X	0	1	2.5	3	3	0	0
China	9.5	-	X	0	1	2.5	3	3	0	0
South Korea	9.5	-	X	0	1	2.5	4	2	0	0
Turkey	9.5	-	X	0	1	2.5	4	2	0	0
Belgium ⁵	9	-	X	0	1	2.5	3.5	2	0	0
Japan	8.5	-	X	0	1	2.5	3	2	0	0
Pakistan	8.5	-	X	0	1	2.5	2	3	0	0
Singapore	8	-	X	0	1	2.5	1.5	3	0	0
Thailand	8	-	X	0	1	2.5	2.5	2	0	0
Russian Federation	6.5	-	X	0	1	2	1.5	2	0	0
Saudi Arabia	6.5	-	X	0	1	1.5	2	2	0	0
Romania	5.5	X (02)	X	0.5	2	2	1	0	0	0
Israel	5	-	X	0	1	1	1	2	0	0
Bulgaria	0	-	-	0	0	0	0	0	0	0
North Korea	0	-	-	0	0	0	0	0	0	0
South Africa ⁶	0	-	-	0	0	0	0	0	0	0

* Major exporters are those countries that export at least USD 10 million worth of small arms, light weapons, and their ammunition annually, according to UN Comtrade data. The 2007 Barometer includes all countries that were among the major exporters at least once in their reporting covering the years 2001-04. For major exporters in 2004, see Annex 3 to the present chapter at <<http://www.smallarmsurvey.org/yearb2007.html>>; for those in 2003, see Small Arms Survey (2006, pp. 68-73); for those in 2002, see Small Arms Survey (2005, pp. 102-5); for those in 2001, see Small Arms Survey (2004, pp. 103-6).

Scoring system

(a) **Timeliness (1.5 points total, score based on national arms export reports data only):** A report has been published within the last 24 months (up to 31 January 2007) (0.5 points); information is available in a timely fashion (alternatively: 1 point if within 6 months of the end of the year in question, or 0.5 if within a year).

(b) **Access (2 points total):** Information is: available on Internet through UN Comtrade (1 point); available in a UN language (0.5 points); free of charge (0.5 points).

(c) **Clarity (5 points total):** The reporting includes source information (1 point); small arms and light weapons distinguishable from other types of weapons (1 point); small arms and light weapons ammunition distinguishable from other types of ammunition (1 point); detailed weapons description included (1 point); reporting includes information on types of end users (military, police, other security forces, civilians, civilian retailers) (1 point).

(d) **Comprehensiveness (6.5 points total):** The reporting covers: government-sourced as well as industry-sourced transactions (1 point); civilian and military small arms and light weapons (1.5 points); information on re-exports (1 point); information on small arms and light weapons parts (1 point); information on small arms and light weapons ammunition (1 point); summaries of export laws and regulations, and international commitments (1 point).

(e) **Information on deliveries (4 points total):** Data disaggregated by weapons type (value of weapons shipped [1 point], quantity of weapons shipped [1 point]), and by country and weapons type (value of weapons shipped [1 point], quantity of weapons shipped [1 point]).

(f) **Information on licences granted (4 points total):** Data disaggregated by weapons type (value of weapons licensed [1 point], quantity of weapons licensed [1 point]), and by country and weapons type (value of weapons licensed [1 point], quantity of weapons licensed [1 point]).

(g) **Information on licences refused (2 points total):** Data disaggregated by weapons type (value of licence refused [0.5 points], quantity of weapons under refused licence [0.5 points]), and by country and weapons type (value of licence refused [0.5 points], quantity of weapons under refused licence [0.5 points]).

Note 1: The Barometer is based on each country's most recent arms exports that were publicly available as of 31 January 2007 and/or on 2004 customs data from UN Comtrade.

Note 2: Under (e), (f), and (g) no points are granted for number of shipments or number of licences granted or denied, as such figures give little information about the magnitude of the trade. The data is disaggregated by weapons type if the share of small arms and light weapons in the country's total arms trade is delineated (x per cent of the total value of the arms exports consisted of small arms and light weapons; x number of small arms and light weapons were exported in total). The data is disaggregated both by country and by weapons type if there is information on the types of weapons that are transferred to individual recipient states (x numbers/x USD worth of small arms was delivered to country y).

Note 3: Under (e), (f), and (g), 'weapons type' means broader weapons categories (i.e. 'small arms' as opposed to 'armoured vehicles' or 'air-to-air missiles'), not specific weapons descriptions ('assault rifles' as opposed to 'hunting rifles').

Note 4: The fact that the Barometer is based on two sources—customs data (as reported to UN Comtrade) and national arms export reports—works to the advantage of states that publish data in both forms, since what they do not provide in one form of reporting they might provide in the other. Points achieved from each source of the two sources are added up. However, points are obviously not counted twice (e.g. if a country provides both customs data and export reports in a UN language, it gets 1 point for this under 'access', not more).

¹ Spain makes public its report on small arms and light weapons exports to the OSCE as an annexe to its arms export report. The report contains information both on licences granted (volumes by country and weapons type) and on actual deliveries (also volumes by country and weapons type). It covers only the OSCE states, and hence a very limited number of transactions. Spain is therefore granted only part of the points on licences and deliveries. Other states make their OSCE reports public, but separately from the arms export reports. These are therefore not taken into account in the Barometer.

² Austria's national arms export report (Austria, 2006) is a republication of the data it submitted for publication in the EU Annual Report covering 2004 exports (EU, 2005).

³ Canada's most recent national arms export report (Canada, 2003) was published before the cut-off date for the 2007 Barometer.

⁴ The 2007 Barometer covers reporting before Montenegro's independence in June 2006 (BBC, 2006b).

⁵ Belgium has not published any national arms export reports since 2002, because export control was regionalized in September 2003 (for details, see Wallonia, 2004, pp. 3-12). The score is therefore based on customs data submissions only.

⁶ South Africa's most recent national arms export report (South Africa, 2003) was published before the cut-off date for the 2007 Barometer.

Sources: Australia (2006); Austria (2006); Bosnia-Herzegovina (2005); Czech Republic (2005); Finland (2004); France (2005); Germany (2006); Italy (2005); Netherlands (2005); NISAT (2007a, 2007b); Norway (2006); Portugal (2006); Romania (2005); Spain (2006); Sweden (2006); Switzerland (2006); UK (2006); UN Comtrade (2007); US (2006)

Off the books: covert arms supplies

Countries considered highly transparent about their arms transfers in general may, at the same time, be providing military aid via covert operations, which, by definition, they do not report publicly. For instance, the United States—often described as a model of transparency in terms of its reporting on weapons authorizations and shipments (in the 2007 Barometer it receives the highest total score of 20.5)—has a long tradition of covert arms supply.³⁹ The US government (through the Central Intelligence Agency—CIA) has recently engaged in a covert arms supply operation in at least one country in furtherance of its global 'war on terrorism' (see below).⁴⁰

The United States is by no means the only state to authorize covert arms supply operations. Such programmes have been a frequent component of the foreign policy of large countries and small, driven as often by short-term internal domestic political or economic pressures as by grand geopolitical goals. Most frequently, these goals include:

- the harassment, destabilization, or overthrow of the government in the recipient country by arming insurgent forces (usually, but not always, in a neighbouring country);⁴¹
- arms supply to an ally under a UN or regional embargo for political reasons; and
- arms supply to a state or non-state entity under a UN or regional embargo purely for commercial reasons (cash or natural resource concession).

Covert authorized arms transfers are in a legal limbo: they include fully legal shipments and legally questionable shipments, such as arms supply authorized by an exporting government, but against the wishes of the government where the weapons are being sent. Specific covert arms supply operations may also be illegal under either domestic or international law, or simply subject to domestic policy or public opinion constraints.

Whatever the case, governments go to great lengths to move weapons to combatants while masking their identity as suppliers. In so doing, they foster complex logistical, political, and economic networks—often including intelligence agencies in states bordering the destination of the weapons (if the supplier state is remote), as well as private arms brokers, financiers, and transport agents.⁴² The secrecy cloaking covert arms supply breeds a lack of accountability, creating opportunities for corruption that can feed weapons directly into the (unauthorized) global black market. In addition, guerrilla forces (a principal recipient of covert authorized arms supply) often lack a chain of command or authority structure sufficient to ensure physical control of weapons, again resulting in weapons being siphoned off into the black market.

Secret government-authorized transfers of small arms often fuel armed conflict; they are generally intended to destabilize and topple governments through the force of arms. But they also tend to have several unintended consequences. Beyond serving as a proxy for the supplier state's goals, the local recipients have independent aspirations, which may coincide with the patron's short-term interest(s), but run counter to its medium- to long-term interest(s). A prime example is US covert arms supply via the Pakistani Directorate for Inter-Services Intelligence to the Afghan mujahideen in the 1980s; the operation succeeded in helping drive the Soviets out of Afghanistan (the short-term goal), but it strengthened the hand of radical Islamic forces, destabilizing Pakistan and secular elements in Afghanistan, and ultimately creating a direct threat to the United States (Mathiak and Lumpe, 2000, pp. 59–62).

During the period 2005–06, allegations of covert state-backed arms supply operations involving small arms were numerous. Proof—or even a detailed allegation—is more difficult to come by. Press reports provide indications of operations, but they rarely include specifics. Court documents—either domestic or international—and declassified government documents have been rich sources of information in the past, but only well after the fact. The reports of UN sanctions committees investigating violations of mandatory arms embargoes are becoming the primary source of highly vetted information on contemporary cases of covert government-backed arms supply.

One case of covert state-authorized arms supply that garnered a great deal of media attention in 2006 is that of Iran and Syria providing weapons to Hezbollah in Lebanon. During the war in Lebanon and northern Israel in August 2006, the UN Security Council passed Resolution 1701 (2006), which called on states to prevent arms transfers, military training, and assistance to any armed forces in Lebanon other than those of the UN or the Lebanese government (UNSC, 2006d, para. 15). Nevertheless, media reports in late 2006 cited Western, Israeli, and Saudi intelligence

The secrecy cloaking covert arms supply breeds a lack of accountability.

sources as saying that Iranian cargo planes continued to deliver rockets and small arms to Damascus, where the weapons were offloaded and trucked to Hezbollah camps in Lebanon (Shannon and McGirk, 2006; Leopold, 2006).

**Small arms transfers
to the Sudanese
government risk
diversion to
Janjaweed and other
militias.**

Another case involves ongoing transfers to armed groups in Darfur in violation of a UN embargo. The UN Panel of Experts monitoring the UN arms embargo of Sudan reported in January 2006 that the Sudanese Liberation Army and the Justice and Equality Movement—part of a new rebel alliance called the National Redemption Front, which declared renewed hostilities with the government—‘have continued to receive arms, ammunition and/or equipment from Chad, Eritrea, the Libyan Arab Jamahiriya, non-governmental groups and other unknown sources’ (UNSC, 2006a, para. 79). Reporting several months later, the panel reiterated that ‘the Government of Chad, or elements within the Government of Chad, continues to actively support rebel groups in Darfur’ (UNSC, 2006b, para. 13). The Sudanese government has also been implicated in breaking the embargo by transferring weapons to forces it supports in Darfur (UNSC, 2006b, p. 3). All small arms transfers to the Sudanese government, therefore, are at significant risk of diversion to Janjaweed and other Sudanese government-backed militias.

Perhaps the biggest covert arms supply news of the year, however, involves multiple states covertly arming warring factions in Somalia.

Small arms supply to Somalia, 2005–06

Somalia has lacked a central government since it dissolved into armed chaos in 1991. In 1992 the UN Security Council passed Resolution 733, imposing a comprehensive arms embargo on Somalia (UNSC, 1992).⁴³ From 1992 through 2002, the Security Council took very little action to ensure implementation of the embargo.⁴⁴ However, following the attacks in the United States on 11 September 2001, Somalia gained international attention as a possible haven for terrorists, a concern that became the primary focus of US policy toward the country (US DOS, 2007). As a result, the Security Council increased its oversight of the embargo, establishing a Panel of Experts in 2002 and a Monitoring Group in January 2004 (UNSC, 2002; 2004).

At the same time, the international community redoubled its efforts to promote the establishment of a central government in Somalia. After a dozen failed previous attempts, a two-year reconciliation process led by the Inter-Governmental Authority on Development concluded in 2004, resulting in the formation of a Somali Transitional Federal Government (TFG) that was to hold office for five years. Abdullahi Yusuf was elected president in October of that year. The TFG was so weak, however, that it was not able to take up residence in Somalia until June 2005, and even then it failed to establish its authority throughout most of the country (De Temmerman, 2006).⁴⁵

Yusuf’s government was hobbled from the outset by armed opposition in Somalia—including from elements of his own government. Originally, Mogadishu-based businessmen and warlords were the main challengers to the TFG (De Temmerman, 2006).⁴⁶ In 2005, however, Islamic militants affiliated with the Union of the Islamic Courts came to the fore, spurred on by the entrance into Somalia of the TFG (which they opposed).⁴⁷ Within a year the Islamic militias controlled most of the country, having ousted the warlords from Mogadishu in early June 2006 and captured Kismayo (in the southern part of the country, which borders on Kenya) in September (Nzwili, 2006, pp. 5–6; Weinstein, 2006).

UN investigators responsible for monitoring implementation of the embargo reported that the inflow of weapons increased dramatically in 2005, in anticipation of the arrival of the TFG.⁴⁸ At that time the Monitoring Group cited multiple external sources of support for training camps and militias being formed by businessmen, warlords, and fundamentalists—but it did not identify the state sponsors (UNSC, 2005a). In a report issued the following May, the

Monitoring Group found that support by states to parties in the conflict had increased, and this time it named names—at least some of them. The report details the competing efforts of Ethiopia and Eritrea to provide the TFG and Islamic militias, respectively, with money and arms in violation of the embargo (UNSC, 2006c, paras. 15–24, 105–06).

The two countries—in effect—were arming Somali proxies to carry on their disastrous 1998–2000 war, which ended in a tenuous peace agreement following the death of an estimated 70,000 people (Reuters, 2006). Eritrean support of the Islamic militias is aimed primarily at destabilizing Ethiopia. One of the leaders of the Islamic Courts, Sheikh Hassan Dahir Aweys, was formerly a military colonel and vice-chairman of Al-Ittihad Al-Islami, an Islamic group that the US DOS placed on a terrorist group watch list. Aweys' militia battled with and was defeated by Ethiopian army forces in the mid-1990s (Nzwili, 2006).

Meanwhile, the Ethiopian government has been arming the TFG to stave off an unfriendly Islamist government, which it fears would wage a permanent destabilization campaign along the borders, block its access to the sea, and perhaps seek to recreate 'Greater Somalia'—incorporating eastern regions of Ethiopia and Kenya, historically and currently inhabited by ethnic Somalis (De Temmerman, 2006).

According to the UN Monitoring Group, the Government of Ethiopia provided at least three consignments of weapons to Mohamed Dheere, a warlord heading the Jowhar government (nominally part of the TFG) in January and March 2006. The first two of these, in January, included 2,000 AK-47 assault rifles, 100 PKM machine guns, 1,500 G3 rifles, 100 RPG launchers, 10 DShK anti-aircraft guns, 10 SKUs, landmines, spare parts, empty magazines and ammunition belts, and ammunition. This shipment was followed in late March by ten metric tons of arms, including mortars, machine guns, AK-47s, and RPG anti-tank weapons. In both cases, the weapons were trucked into Jowhar, Somalia from Ethiopia and brought to Dheere's storage facility or facilities (UNSC, 2006c, paras. 22–23).

The Monitoring Group also details at least four transfers of arms and ammunition from the Government of Eritrea to the Islamic fundamentalists in early 2006.⁴⁹ It records two flights in early March 2006 from Asmara, Eritrea to Baledogle airport in the Lower Shabelle region in Somalia, which conveyed 200 boxes of Zu-23 anti-aircraft ammunition, 200 boxes of B-10 anti-tank ammunition, 200 boxes of DShK anti-aircraft ammunition, 200 boxes of Browning M2 .50 heavy machine gun ammunition, ZP-39 anti-aircraft ammunition, 50 RPG anti-tank launchers and boxes of anti-tank ammunition, 50 light anti-armour weapons, 50 M-79 grenade launchers, communications equipment, 1,000 AK-47 rifles (short version), 1,000 remote-controlled bombs, 1,000 anti-personnel mines, and ammunition for 120 mm mortars (UNSC, 2006c, para. 19).

The Monitoring Group's 2006 report also makes careful reference to 'clandestine third-country involvement in Somalia'. During 2006 'financial support was being provided to help organize and structure a militia force created to counter the threat posed by the growing militant fundamentalist movement in central and southern Somalia.' This new Alliance for Peace Restoration and Combat against Terror (APRCT) consisted of Mogadishu businessmen, 'the militias of dissident TFG Ministers', and warlords (UNSC, 2006c, paras. 32–33).

The Monitoring Group did not specify the third country involved, which was widely reported to be the United States,⁵⁰ because it had not completed its investigation (UNSC, 2006c, para. 35). Around the same time, however, Somali interim President Yusuf publicly criticized US support for the warlords, 'arguing that the best way to hunt members of al Qaeda in Somalia was to strengthen the country's central government' (Mazzetti, 2006a).

In June 2006 *The New York Times* published details of the US covert aid programme, based on leaks from US officials. According to this source, warlords in Somalia received hundreds of thousands of dollars from the CIA over

Despite the UN embargo, Eritrea and Ethiopia arm proxies in Somalia.

the year preceding the report, operating from its station in Nairobi. The goal was to capture or kill several suspected al Qaeda operatives (Mazzetti, 2006a). The news report alleges that ‘the American activities in Somalia have been approved by top officials in Washington’—as is required under US law for covert operations—and that the National Security Council reaffirmed the government’s support for the strategy in a March 2006 meeting (Mazzetti, 2006a). According to former US official John Roberts II, the CIA’s operation in Somalia began in earnest in 2003 (Roberts, 2006b).⁵¹ A Kenyan newspaper further alleges that the US government (i.e. the CIA) is working with and through the Ethiopian Secret Services (Amran, 2006).

The APRCT presumably purchased weapons from the Bakaraaha Arms Market, located in Irtoigte in Mogadishu. This market sells to all comers and is routinely resupplied by Yemeni smuggling networks.⁵² In January, February, and March 2006, the APRCT and militant Islamists engaged in several fierce battles in Mogadishu and Afgooeye (north-west of Mogadishu). The UN reported that as a result of this fighting (which the Islamists won), practically all arms and ammunition available at the Bakaraaha Arms Market had been sold, causing a noticeable spike in prices (UNSC, 2006c, para. 11).

The Bakaraaha Arms Market in Mogadishu is routinely supplied by Yemeni smuggling networks.

Following the takeover by the Islamic Courts of much of the country by mid-2006—a result inadvertently encouraged by the United States’ covert backing of the APRCT (Mazzetti, 2006a; 2006b)—news reports appeared of a new US government plan to work through an African-led peace operation (sanctioned by the UN Security Council, but opposed by the Islamic Courts) and a private military company to capture Mogadishu for the TFG (*Africa Confidential*, 2006b; Muhumuza, 2006).⁵³ The US government began pressing in late 2006 for the repeal of the UN comprehensive arms embargo to allow a peacekeeping force into Somalia (US DOS, 2006), and the UN Security Council subsequently passed Resolution 1725 (2006) exempting the TFG from the embargo (UNSC, 2006f, para. 5).

Around the same time (November 2006), the Somali embargo Monitoring Group published a report covering relevant events in the period May–October 2006 (UNSC, 2006b). This report dropped any reference to US involvement in arming the APRCT.⁵⁴ It highlights the role of Ethiopia and Eritrea, as well as other external actors—namely Djibouti, Egypt, Iran, Libya, Saudi Arabia, Syria, Uganda, and Yemen, as well as Hezbollah operating from Lebanon—in violating the arms embargo in the most recent period (UNSC, 2006e, paras. 9–145, 213–14).

In the last weeks of December 2006, thousands of Ethiopian soldiers invaded Somalia and quickly drove the Islamic Courts government out of Mogadishu and other strongholds (Albadri and Sanders, 2006; AP, 2006; Gettleman, Ibrahim, and Maxamuud, 2007). At the time of writing, the situation remains in flux, with the Islamic Courts militias waging an active insurgency against the TFG and its foreign allies in Somalia. In February 2007 the UN Security Council authorized the deployment of an African Union-led peacekeeping force (UNSC, 2007a).

Data issues: Austria, Brazil, and the curious case of the invisible pistols⁵⁵

This section analyses how even seemingly transparent governments can be selective in their reporting to UN Comtrade—whether intentionally or accidentally. Although it profiles Austrian and Brazilian export data reporting, it is important to acknowledge that these countries are more transparent than most. The issues presented here highlight the weaknesses of UN Comtrade data, namely its reliance on the good faith and competence of national customs authorities. At the same time, since the dataset is universal (or as close to universal as exists), discrepancies can and do come to light, demonstrating the strength of the system.

Austria and Brazil rank among the world’s leading small arms exporters.⁵⁶ The main firearm export product of each is handguns—pistols in the case of Austria, and revolvers and pistols in the case of Brazil.

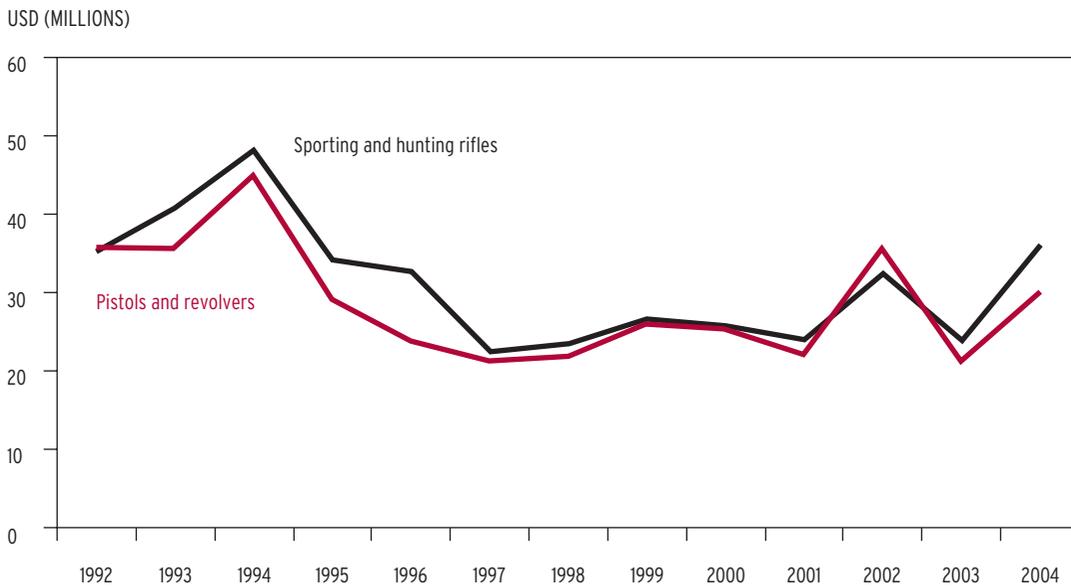
Of Austria's handguns, Glock pistols are its leading export product. Government and civilian customers in more than 100 countries have bought more than 2.5 million Glock pistols since 1983. There are almost 40 different Glock pistol models in various calibres, and an estimated 90 per cent or more of its production is for export (Small Arms Survey, 2002, p. 30; Jones and Cutshaw, 2006, pp. 229–35).

However, according to the data reported to UN Comtrade by the Austrian government, Austria does not export pistols. Since 1992, with the exception of 1994, Austria has *not* reported on its exports of handguns to UN Comtrade. Information submitted by Austria's trade partners clearly shows, however, that they are receiving Austrian handguns: between 1992 and 2004 Austria exported USD 717 million worth of handguns, corresponding to 64 per cent of the country's total small arms exports, which totalled USD 1.1 billion during that period. The top five importers of Austrian handguns in 2004 were the United States, Mexico, Thailand, Poland, and Canada.⁵⁷

In Brazil, small arms production and exports are concentrated among three large producers: Forjas Taurus, Companhia Brasileira de Cartuchos, and Indústria de Material Bélico. Taurus is a major player within this sector, producing around 40 revolver and around 20 pistol models, and has established itself in the US pistols market (Taurus, 2007; Dreyfus, Lessing, and Purcena, 2005, p. 61). From 1990 to 2005 Taurus exported on average 64 per cent of its production annually (CVM, 1990–2005).

Handguns comprised 35 per cent of all reported small arms exports from Brazil to the world between 1992 and 2004 (NISAT, 2006; UN Comtrade, 2006).⁵⁸ As in the Austrian case, however, Brazilian pistols are 'invisible' in terms of Brazil's own reporting of its exports. The value reported under the category 'revolvers and pistols' by Brazil in the period under study is zero (NISAT, 2006; UN Comtrade, 2006). In fact, Brazilian pistols and revolvers seem to

Figure 3.2 Exports of Brazilian sporting and hunting rifles to the United States as reported by Brazil v. imports of Brazilian pistols and revolvers as reported by the United States, 1992–2004 (USD millions)



Note: Customs codes for items in this figure are 9302 (revolvers and pistols) and 930330 (sporting and hunting rifles).
Sources: calculations based on NISAT (2006) and UN Comtrade (2006). Data deflated to 2004.

have been embedded in the category of ‘sporting and hunting rifles’ in Brazil’s customs data reported to UN Comtrade. Figure 3.2 contrasts exports of hunting/sporting rifles to the United States (the main destination of small arms from Brazil) as reported by Brazil with US-reported imports from Brazil of pistols and revolvers.

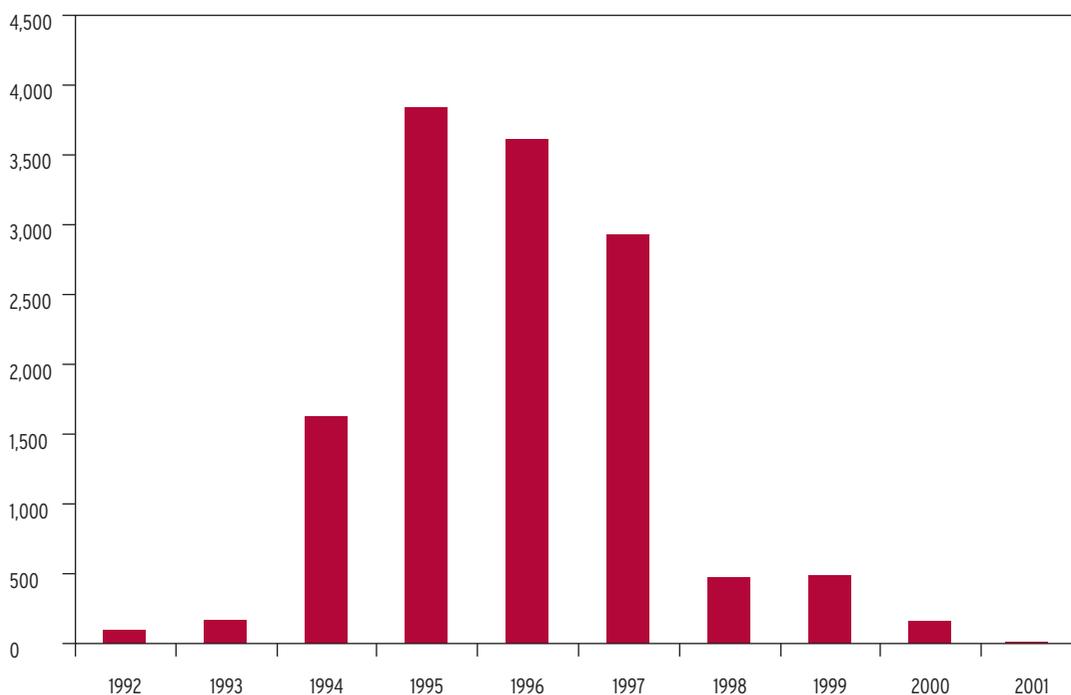
How can this practice be explained? It could simply be a mistake in the classification by government authorities. However, Brazilian officials have been aware of the discrepancy since at least 2003 and have not addressed it.⁵⁹

Issues of commercial competitiveness might also drive these countries’ choice to obscure handgun export data. When Taurus and Glock first launched their products on the international market, they faced fierce competition from European and US producers. By not revealing their export data, these countries might have intended to deprive competitors of information about their markets. However, the arrival of pistols would be clear to customs officials in the recipient country, and any ‘commercial secret’ would be revealed by mirroring data from the importing country, as demonstrated in Figure 3.2.

National security is almost certainly not the reason for the incomplete reporting. Countries do not win wars with pistols and revolvers. Pistols are short-range weapons and are used by the military as personal protection weapons. Moreover, and most curiously, the Brazilian army reports in its statistical yearbook on Brazil’s global exports of handguns, in contrast to the non-reporting by Brazilian authorities to UN Comtrade (Brazil, 1976–2003, statistical annexe).⁶⁰

Figure 3.3 **Paraguay: pistols and revolvers imported from Brazil (USD), 1992-2001**

USD (THOUSANDS)



Note: This data was reported to UN Comtrade by Paraguay. The customs code included is 930200 (pistols/revolvers).
Source: calculations based on NISAT (2006) and UN Comtrade (2006). Data deflated to 2004.

Finally, it might be that Austria and Brazil are selectively reporting data in order to hide irresponsible exports to ‘problematic countries’, i.e. countries involved in conflict, with high levels of human rights violations, or which are regularly used as trans-shipment points to conflict or high-crime zones. Mirroring data uncovers such secrets, however. Data from Paraguay, a country that has been used as a trans-shipment point for the diversion of legally imported small arms and ammunition to conflict and high-crime areas (Dreyfus and Bandeira, 2006, pp. 14–32), shows a massive import of Brazilian pistols in the mid-1990s, according to UN Comtrade (see Figure 3.3).

The data discrepancies might simply be due to reporting errors: importing countries could be providing inaccurate data to UN Comtrade. However, Austria has 47 partner countries reporting imports of handguns in 2004 (the last year for which data is available under UN Comtrade), and Brazil has 27 partner countries doing so (NISAT, 2006; UN Comtrade, 2006). It is highly unlikely that all of these countries are misreporting their handgun imports. Moreover, Glock (Austria) and Taurus (Brazil) advertise their success as major exporters of handguns (Glock, n.d.; Taurus, 2007).

A comprehensive picture of irresponsible small arms transfers remains elusive.

CONCLUSION

Since 2001, UN conferences on small arms have focused on curbing the illicit trade in small arms and light weapons. While the *UN Programme of Action* does not include a definition of the term ‘illicit’, this chapter has argued that illicit transfers include government-authorized transfers to countries with a demonstrated record of human rights violations, to those engaged in armed conflict, and in situations posing a serious risk of diversion. The data presented here demonstrates that during the period 2002–04 many exports of small arms, light weapons, and their ammunition were undertaken in such circumstances. Of course, not all arms transferred to ‘at risk’ countries are eventually misused. Yet, as the chapter indicates, low levels of public disclosure typically prevent us from determining whether exporting states acted responsibly in authorizing arms shipments to countries presenting heightened risks.

The cases of small arms diversion profiled in this chapter underline a need for greater attention to the recording of serial numbers for all weapons procured on behalf of third parties. Similarly, improved stockpile security standards and practices would ensure that forces engaged in peace operations do not contribute—whether through individual corruption or negligence—to crises that they are supposed to help resolve or mitigate.

The Somalia case study describes the covert supply of arms by several states, including a permanent member of the UN Security Council (the United States), in contravention of a UN arms embargo. In the absence of any repercussions, one must conclude that the integrity of the UN sanctions process has been weakened.

Finally, the profiles of Austrian and Brazilian reporting of customs data to UN Comtrade show that false, partial, or misleading submissions by exporters can be brought to light by importers, underlining the incentive for all countries to submit accurate and complete information.

A comprehensive picture of irresponsible small arms transfers remains elusive. Improved transparency would help isolate those cases of greatest concern. At the same time, new international initiatives to encourage more responsible arms transfer practices (TRANSFER CONTROLS) indicate that states may be preparing to address the problem of the illicit trade in earnest, thus realizing one of the key promises of the *UN Programme of Action*. ■

ANNEXES

Annexe 1. Known exports of small arms, light weapons, and their ammunition to countries where gross violations of human rights occur, and to countries involved in armed conflict (annual values in USD), 2002-04: summary table

Importing country	Year of reported serious human rights (HR) violations and/or armed conflict (2001-03)	Exporting country and year(s) of reported transfers (2002-04)	Value in USD (rounded) (UN Comtrade)
Afghanistan	2002 (HR violations), 2003 (HR violations)	Bosnia-Herzegovina (2003)	0.1 million
		Croatia (2003, 2004)	1.3 million
		Iran (2004)	27,000
		Italy (2003, 2004)	1.1 million
		Pakistan (2003, 2004)	45,000
		Poland (2003)	0.7 million
		Russian Federation (2003, 2004)	0.4 million
		South Korea (2003)	0.1 million
		Turkey (2003, 2004)	0.2 million
		US (2004)	0.5 million
Algeria	2001 (HR violations, armed conflict), 2002 (HR violations), 2003 (HR violations)	Brazil (2002, 2003, 2004)	8.6 million
		Canada (2004)	96,000
		France (2002, 2003, 2004)	1.3 million
		Italy (2002, 2003, 2004)	3.8 million
		Russian Federation (2003)	1.8 million
		Spain (2003)	37,000
Angola	2001 (HR violations, armed conflict), 2003 (HR violations)	Austria (2004)	16,000
		Namibia (2004)	35,000
		Portugal (2002, 2004)	0.3 million
		Serbia and Montenegro (2004)	0.5 million
		Spain (2002)	49,000
		US (2004)	26,000
Brazil	2001 (HR violations), 2002 (HR violations), 2003 (HR violations)	Argentina (2002)	33,000
		Austria (2002, 2003, 2004)	0.4 million
		Canada (2003)	0.3 million
		Chile (2002, 2004)	1.3 million
		China (2003, 2004)	40,000
		Finland (2003, 2004)	0.3 million

		France (2002, 2003)	0.9 million
		Germany (2002, 2003, 2004)	0.5 million
		Iran (2003)	78,000
		Israel (2003)	0.2 million
		Italy (2002, 2003, 2004)	0.6 million
		South Africa (2002, 2003, 2004)	1.5 million
		Spain (2002, 2003, 2004)	0.5 million
		UK (2002, 2003, 2004)	1 million
		US (2002, 2003, 2004)	4.5 million
Cameroon	2003 (HR violations)	Congo-Brazzaville (2004)	0.6 million
		Other Europe (2004)	26,000
		France (2004)	0.7 million
		Italy (2004)	74,000
		Spain (2004)	0.2 million
Central African Republic	2001 (HR violations)	Congo-Brazzaville (2002)	0.4 million
		France (2002)	87,000
		Portugal (2002)	13,000
		Spain (2002)	0.1 million
		Unspecified countries (2002)	33,000
Chad	2001 (HR violations)	France (2002)	26,000
China	2001 (HR violations), 2002 (HR violations), 2003 (HR violations)	Australia (2002, 2003, 2004)	0.5 million
		Austria (2002)	10,000
		Canada (2004)	14,000
		Finland (2003, 2004)	0.4 million
		Germany (2002, 2003, 2004)	1.4 million
		Hong Kong (2002, 2004)	71,000
		Indonesia (2003)	28,000
		Italy (2002, 2003, 2004)	1 million
		Spain (2002, 2003)	67,000
		Switzerland (2002, 2003, 2004)	0.6 million
		UK (2002, 2003, 2004)	1.4 million
US (2002, 2003, 2004)	0.3 million		
Colombia	2001 (HR violations, armed conflict), 2002 (HR violations, armed conflict), 2003 (HR violations)	Argentina (2002)	38,000
		Belgium (2004)	0.9 million
		Brazil (2002, 2003, 2004)	28 million
		Czech Republic (2002, 2003, 2004)	5.5 million

		Germany (2002, 2003, 2004)	1.7 million
		Israel (2002, 2003, 2004)	1.9 million
		Italy (2002, 2003, 2004)	0.8 million
		Netherlands (2004)	0.2 million
		Portugal (2002)	26,000
		Russian Federation (2002, 2003)	87,000
		South Africa (2002, 2003)	4.5 million
		UK (2002, 2003, 2004)	0.4 million
		US (2002, 2003, 2004)	19.4 million
		Unspecified countries (2004)	2.1 million
Congo-Brazzaville	2002 (HR violations), 2003 (HR violations)	Italy (2003, 2004)	0.8 million
		US (2004)	35,000
Côte d'Ivoire	2002 (HR violations), 2003 (HR violations)	France* (2003, 2004)	56 million
		Serbia and Montenegro (2004)	0.6 million
		Spain (2003)	90,000
Democratic Republic of the Congo	2001 (HR violations), 2003 (HR violations)	Germany (2002)	31,000
		Italy (2004)	95,000
Ethiopia	2002 (HR violations), 2003 (HR violations)	South Korea (2004)	83,000
		Ukraine (2003)	2.9 million
Guinea	2001 (HR violations)	France (2002)	0.4 million
		Iran (2002)	0.9 million
		Portugal (2002)	86,000
		Spain (2002)	0.7 million
		Switzerland (2002)	85,000
India	2001 (HR violations, armed conflict), 2002 (HR violations, armed conflict), 2003 (HR violations, armed conflict)	Australia (2002, 2003, 2004)	0.1 million
		Austria (2002, 2003, 2004)	1.5 million
		Belgium (2002)	23,000
		Canada (2002)	15,000
		Cyprus (2003, 2004)	87,000
		Czech Republic (2002, 2003, 2004)	0.2 million
		France (2002, 2003, 2004)	0.2 million
		Germany (2002, 2003, 2004)	1.4 million
		Israel (2003, 2004)	0.2 million
		Italy (2002, 2003, 2004)	0.5 million
		Poland (2003)	77,000
		Romania (2002)	50,000

		Russian Federation (2002)	27,000
		Slovenia (2002)	42,000
		Switzerland (2002, 2003)	94,000
		Turkey (2004)	0.2 million
		UK (2002, 2003, 2004)	0.3 million
		US (2002, 2004)	0.1 million
Indonesia	2001 (HR violations), 2002 (HR violations), 2003 (HR violations)	Asia (2003, 2004)	0.2 million
		Australia (2003)	0.2 million
		Austria (2002, 2003, 2004)	0.6 million
		Belgium (2003, 2004)	0.5 million
		Bosnia-Herzegovina (2004)	1.9 million
		Brazil (2002, 2003, 2004)	11.5 million
		Canada (2004)	34,000
		China (2002, 2003)	0.1 million
		Croatia (2004)	26,000
		Cyprus (2004)	0.2 million
		Czech Republic (2002, 2003, 2004)	0.7 million
		France (2003, 2004)	0.9 million
		Germany (2003, 2004)	0.1 million
		Hong Kong (2003, 2004)	0.2 million
		Hungary (2002)	11,000
		Italy (2002, 2003, 2004)	0.2 million
		Malaysia (2003)	24,000
		Philippines (2004)	12,000
		Russian Federation (2002)	17,000
		Serbia and Montenegro (2004)	0.5 million
		Seychelles (2003)	1.2 million
		Singapore (2002, 2003, 2004)	7.7 million
		South Africa (2002)	85,000
		South Korea (2002, 2003, 2004)	3.6 million
		Sri Lanka (2002)	13,000
		Sweden (2003)	17,000
		Switzerland (2003, 2004)	0.2 million
		Taiwan (2002, 2003, 2004)	0.4 million
		Turkey (2002, 2004)	0.2 million
		UK (2003, 2004)	2.8 million
		US (2003, 2004)	1.2 million

Iraq	2002 (HR violations), 2003 (HR violations, armed conflict)	Austria (2003, 2004)	92,000
		Bosnia-Herzegovina (2004)	0.2 million
		Czech Republic (2004)	0.2 million
		Germany (2004)	1.7 million
		Poland (2004)	1.4 million
		Serbia and Montenegro (2004)	3.7 million
		Thailand (2003)	12,000
		UK (2004)	0.2 million
		US (2004)	3.1 million
Israel	2001 (HR violations), 2002 (HR violations), 2003 (HR violations)	Australia (2003)	30,000
		Austria (2003, 2004)	0.8 million
		Bosnia-Herzegovina (2004)	29,000
		Brazil (2002, 2003, 2004)	0.4 million
		Canada (2002, 2003, 2004)	0.1 million
		Croatia (2002, 2003)	0.1 million
		Czech Republic (2002, 2003, 2004)	2.8 million
		France (2002)	16,000
		Germany (2002, 2003, 2004)	0.3 million
		Italy (2002, 2003, 2004)	0.1 million
		Mexico (2004)	0.1 million
		Poland (2004)	0.3 million
		Serbia and Montenegro (2004)	8.3 million
		Slovakia (2004)	1.8 million
		South Korea (2002, 2003, 2004)	1.2 million
		Spain (2002, 2003, 2004)	0.6 million
		Sweden (2003)	23,000
		Switzerland (2002, 2003, 2004)	0.2 million
		Turkey (2002, 2003, 2004)	0.1 million
		UK (2002, 2004)	80,000
US (2002, 2003, 2004)	66.5 million		
Kenya	2002 (HR violations)	Brazil (2003)	0.4 million
		China (2003)	56,000
		Czech Republic (2003)	0.8 million
		Italy (2003)	75,000
		Norway (2003)	12,000
		Serbia and Montenegro (2003)	0.2 million
		UK (2003)	86,000
		US (2003)	27,000

Liberia	2003 (HR violations, armed conflict)	US (2004)	0.1 million
Macedonia (Former Yugoslav Republic)	2001 (HR violations)	Austria (2002)	15,000
		Croatia (2002)	0.4 million
		France (2002)	0.3 million
		Germany (2002)	98,000
		Greece (2002)	74,000
		Italy (2002)	16,000
		Russian Federation (2002)	30,000
		Serbia and Montenegro (2002)	0.2 million
		Spain (2002)	44,000
		US (2002)	19,000
Myanmar	2003 (HR violations)	Serbia and Montenegro (2004)	1.3 million
Nepal	2001 (HR violations), 2002 (HR violations, armed conflict), 2003 (HR violations, armed conflict)	Belgium (2003)	3 million
		Bosnia-Herzegovina (2003)	0.4 million
		China (2003)	38,000
		Hong Kong (2003)	0.1 million
		India (2002, 2003, 2004)	1.4 million
		Singapore (2003)	13,000
		UK (2002, 2003)	0.5 million
		US (2002, 2003, 2004)	7 million
Nigeria	2001 (HR violations), 2002 (HR violations)	Germany (2002)	1 million
		Greece (2002)	0.2 million
		Indonesia (2002)	62,000
		Israel (2002)	0.2 million
		Portugal (2003)	28,000
		South Africa (2002)	0.5 million
		UK (2002)	53,000
		US (2002, 2003)	0.4 million
North Korea	2003 (HR violations)	China (2004)	44,000
		France (2004)	40,000
Pakistan	2001 (HR violations), 2002 (HR violations), 2003 (HR violations)	Australia (2003, 2004)	74,000
		Austria (2003, 2004)	26,000
		Belgium (2004)	25,000
		Brazil (2002, 2004)	2.3 million
		China (2002, 2003, 2004)	1 million

		Czech Republic (2003, 2004)	0.8 million
		Germany (2003, 2004)	0.1 million
		Hong Kong (2003)	17,000
		Iran (2004)	2.2 million
		Italy (2002, 2003, 2004)	85,000
		Kenya (2003, 2004)	59,000
		Maldives (2003, 2004)	67,000
		Slovakia (2003, 2004)	0.1 million
		South Korea (2003)	87,000
		Switzerland (2004)	23,000
		UK (2002, 2003, 2004)	0.4 million
		US (2002, 2003, 2004)	0.2 million
Philippines	2003 (HR violations, armed conflict)	Argentina (2004)	24,000
		Australia (2004)	48,000
		Austria (2004)	0.4 million
		Bosnia-Herzegovina (2004)	0.3 million
		Brazil (2004)	1.3 million
		China (2004)	3.3 million
		Croatia (2004)	0.2 million
		Czech Republic (2004)	53,000
		Germany (2004)	0.3 million
		India (2004)	41,000
		Israel (2004)	0.2 million
		Italy (2004)	0.6 million
		Japan (2004)	21,000
		Poland (2004)	19,000
		South Korea (2004)	0.2 million
		Spain (2004)	0.2 million
		Taiwan (2004)	0.4 million
		Turkey (2004)	0.1 million
		US (2004)	2.1 million
		Vietnam (2004)	33,000
Russian Federation	2001 (HR violations, armed conflict), 2002 (HR violations), 2003 (HR violations)	Australia (2004)	24,000
		Austria (2002, 2003, 2004)	7 million
		Belgium (2002, 2003, 2004)	2.4 million
		Cyprus (2002, 2004)	30,000
		Czech Republic (2002, 2003, 2004)	1.3 million
		Finland (2002, 2003, 2004)	1.2 million

		France (2002, 2003, 2004)	2.3 million
		Germany (2002, 2003, 2004)	21.3 million
		Greece (2002)	14,000
		Italy (2002, 2003, 2004)	13 million
		Japan (2002, 2003, 2004)	0.2 million
		Portugal (2002, 2003, 2004)	0.2 million
		Serbia and Montenegro (2004)	36,000
		South Korea (2002)	0.1 million
		Spain (2002, 2003, 2004)	0.5 million
		Sweden (2002)	38,000
		Switzerland (2002, 2003, 2004)	0.3 million
		Turkey (2002, 2003, 2004)	0.5 million
		Ukraine (2002)	32,000
		UK (2002, 2003, 2004)	0.6 million
		US (2002, 2003, 2004)	0.5 million
Rwanda	2001 (HR violations, armed conflict)	Saudi Arabia (2002)	11,000
		Turkey (2002)	38,000
Serbia and Montenegro	2001 (HR violations)	Austria (2002)	0.4 million
		Belgium (2002)	60,000
		Bosnia-Herzegovina (2002)	16,000
		Croatia (2002)	82,000
		Cyprus (2002)	0.1 million
		Czech Republic (2002)	0.1 million
		Finland (2002)	0.3 million
		Germany (2002)	57,000
		Greece (2002)	16,000
		Hungary (2002)	27,000
		Italy (2002)	0.4 million
		Russian Federation (2002)	26,000
		Switzerland (2002)	12,000
Sri Lanka	2001 (HR violations, armed conflict)	Australia (2002)	11,000
		Czech Republic (2002)	81,000
		Germany (2002)	61,000
		Slovakia (2002)	2.9 million

Sudan	2001 (HR violations, armed conflict), 2002 (HR violations), 2003 (HR violations)	China (2002, 2003, 2004)	4.7 million
		Cyprus (2004)	26,000
		Egypt (2002, 2004)	47,000
		Ethiopia (2004)	12,000
		Germany (2003)	59,000
		Hong Kong (2004)	1 million
		Iran (2002, 2003, 2004)	21 million
		Kuwait (2004)	31,000
		Russian Federation (2004)	0.2 million
		Saudi Arabia (2002)	58,000
		Turkey (2003, 2004)	53,000
Turkey	2001 (HR violations)	Belgium (2002)	1.3 million
		Bosnia-Herzegovina (2002)	10,000
		Cyprus (2002)	0.2 million
		France (2002)	27.6 million
		Germany (2002)	0.4 million
		Israel (2002)	0.2 million
		Italy (2002)	12.6 million
		Kyrgyzstan (2002)	58,000
		Lebanon (2002)	18,000
		Norway (2002)	22.1 million
		South Korea (2002)	0.2 million
		Spain (2002)	3.3 million
		Sweden (2002)	88,000
		Switzerland (2002)	0.2 million
		UK (2002)	51,000
US (2002)	30.7 million		
Uganda	2002 (HR violations, armed conflict), 2003 (HR violations)	China (2004)	64,000
		Czech Republic (2003)	32,000
		France (2003)	16,000
		Israel (2003)	10,000
		Kenya (2004)	0.5 million
		Slovakia (2003)	0.1 million
		South Africa (2002)	13,000
		Tanzania (2003)	0.2 million

		UK (2003, 2004)	32,000
		US (2004)	23,000
Venezuela	2002 (HR violations)	Argentina (2003)	89,000
		Austria (2003)	0.7 million
		Brazil (2003)	1.8 million
		Czech Republic (2003)	0.2 million
		Germany (2003)	40,000
		Italy (2003)	1 million
		Mexico (2003)	0.2 million
		Philippines (2003)	56,000
		Russian Federation (2003)	81,000
		South Korea (2003)	3.9 million
		Spain (2003)	1 million
		Turkey (2003)	15,000
		US (2003)	0.6 million
Zimbabwe	2003 (HR violations)	China (2004)	42,000
		South Africa (2004)	0.1 million

Note 1: A detailed version of this table, broken down by year of transfer and by weapon type, can be found in Annexe 2.

Note 2: 'HR violations' were assessed according to the Political Terror Scale (Gibney, 2006), and 'armed conflict' according to IISS (2007) and UCDP (2007a). For details on the methodology applied here, see section 'Irresponsible Transfers I' above.

Note 3: Only exports with a value equal to or greater than USD 10,000 per annum were included in the table.

Note 4: The table only lists years of reported serious HR violations and/or armed conflict where UN Comtrade data (transfers with a value equal to or greater than USD 10,000) was available for the year after. As a result, some years of reported serious HR violations and of armed conflict do not appear in the table.

Note 5: Some armed conflicts do not appear in the table because they are not classified as both 'active' in the Institute for Strategic Studies Armed Conflict Database (IISS, 2007) and 'war' in the Uppsala Conflict Database (UCDP, 2007a) during the relevant period.

* At least some of these SALW, which were reported as imports by Côte d'Ivoire, may have been destined for France's 'Operation Licorne' in that country (see Small Arms Survey, 2006, p. 74, note 4).

Sources: Calculations based on NISAT (2007b); UN Comtrade (2007)

Annexe 2. Known exports of small arms, light weapons, and their ammunition to countries where gross violations of human rights occur, and to countries involved in armed conflict (annual values in USD), 2002-04: Breakdown by year of transfer and weapon type

This annexe is available online at <<http://www.smallarmssurvey.org/yearb2007.html>>.

Annexe 3. Data and estimates on top and major exporters and importers

This annexe is available online at <<http://www.smallarmssurvey.org/yearb2007.html>>.

LIST OF ABBREVIATIONS

ASNLF	Aceh/Sumatra National Liberation Front	MOD	Ministry of Defence (Iraq)
APRCT	Alliance for Peace Restoration and Combat against Terrorism	MOI	Ministry of the Interior (Iraq)
AU	African Union	NATO	North Atlantic Treaty Organisation
Brimbo	Police Mobile Brigade (Indonesia)	ONUB	UN Operation in Burundi
CIA	Central Intelligence Agency	OSCE	Organization for Security and Co-operation in Europe
DOD	Department of Defense (US)	PTS	Political Terror Scale
DOS	Department of State (US)	SANDF	South African National Defence Force
EU	European Union	SASP	Small Arms Serialization Program (US DOD)
FIS	Front Islamique du Salut (Islamic Salvation Front)	SIGIR	Special Inspector General for Iraq Reconstruction
GAM	Gerakan Aceh Merdeka (Free Aceh Movement)	TFG	Transitional Federal Government (Somalia)
ICRC	International Committee of the Red Cross	UK	United Kingdom
IDF	Israel Defense Forces	UN	United Nations Commodity Trade
ISF	Iraqi Security Forces	Comtrade	Statistics Database
IRRF	Iraq Relief and Reconstruction Fund	USD	US dollar
MNSTC-I	Multi-National Security Transition Command–Iraq	ZAR	South African rand

ENDNOTES

- 1 According to *The Oxford English Dictionary*, 'illicit', from the Latin '*illicitus*', means 'not authorized or allowed; improper, irregular; esp. not sanctioned by law, rule, or custom; unlawful, forbidden'. 'Illegal', from the Latin '*illegalis*', on the other hand, means 'not legal or lawful; contrary to, or forbidden by, law' (OED, 2006). The term 'illicit' is thus broader than 'illegal'.
- 2 Data and estimates regarding top and major exporters and importers, following the methodology in Small Arms Survey (2006), are provided in Annexe 3 to the present chapter at <<http://www.smallarmssurvey.org/year2007.html>>. For detailed explanations of the methodology used to deal with UN Comtrade data and national arms export reports, see Small Arms Survey (2006, pp. 97–102), Glatz (2006, p. 72), and Marsh (2005).
- 3 For example, the *EU Code of Conduct* specifies in its Criterion Two that 'Member States will . . . not issue an export licence if there is a clear risk that the proposed export might be used for internal repression'. In addition, EU member states are to 'exercise special caution and vigilance in issuing licences, on a case-by-case basis and taking account of the nature of the equipment, to countries where serious violations of human rights have been established by the competent bodies of the UN, the Council of Europe or by the EU' (EU, 1998). Criterion Three states that 'Member States will not allow exports which would provoke or prolong armed conflicts or aggravate existing tensions or conflicts in the country of final destination' (EU, 1998). For an overview of sanctions and embargoes, as well as international and regional declarations and agreements relevant to small arms transfers, see SEESAC (2006) and Small Arms Survey (2004, pp. 263–71; 2005, p. 125, Table 5.1).
- 4 One effort to create such a dataset is at an early stage of development (see Morrow and Jo, 2006).
- 5 Officially released data rarely includes information on the intended end user, even though many governments require it when they license exports.
- 6 See, for example, Gibney and Dalton (1996, p. 83, fn. 1).
- 7 'Level 3: Imprisonment for political activity is more extensive. Politically-motivated executions or other political murders and brutality are common. Unlimited detention, with or without a trial, for political views is also commonplace. Level 4: The practices of level 3 affect a larger portion of the population and murders, disappearances, and torture are a common part of life. In spite of its pervasiveness, on this level political terror affects those who interest themselves in politics. Level 5: The terrors characteristic of level-4 countries, [sic] encompass the whole population at level 5. The leaders of these societies place no limits on the means or thoroughness with which they pursue personal or ideo-

logical goals' (Cornett and Gibney, 2003, pp. 2–3). The PTS attributes levels by year, based on the coding of Amnesty International and US DOS reports describing each country's situation during the previous year (Gibney and Dalton, 1996, p. 73). Levels are provided separately for Amnesty International and US DOS reports, and sometimes they differ between these sources for a given year and country. The framework applied in this chapter includes only countries with a level of either 4 or 5 for each source. If one source leads to classification of that country in that year in a lower level, it is not included here. For details on the coding procedure, see Gibney and Dalton (1996).

- 8 The IISS Armed Conflict Database includes 'current conflicts which may vary from low-intensity (or intermittent) encounters to high-intensity (or constant) combat' under the political status of 'active'. No further breakdown by intensity level is provided by this coding system (see IISS, 2007, 'Definitions'). In the Uppsala Conflict Database, 'war' is the highest intensity level of armed conflict, with at least 1,000 annual battle-related deaths (UCDP, 2007b, 'Intensity level').
- 9 For a detailed discussion of the advantages and limitations of UN Comtrade, see Small Arms Survey (2005, pp. 99–100, Box 4.1).
- 10 While small arms transfers can be justified in the context of legitimate self-defence, documented human rights violations committed by both sides in a conflict serve to undermine the argument of legitimate self-defence.
- 11 Amnesty International cites 4,000 disappearances (AI, 2002a), but in 2003 Human Rights Watch asserted that '[f]rom 1992 until 1998, Algeria's security forces and their accomplices made "disappear" more than 7,000 persons', a number exceeded in the same decade or since then only by wartime Bosnia (HRW, 2003, p. 13).
- 12 In its final report of December 2001 the commission expressed its concern with the 'excessive powers' of the military authorities and noted that it was unable to continue its investigations because of witnesses' fear to speak to representatives of the commission (AI, 2002a).
- 13 See also Escobar (2005).
- 14 It is important to note that Indonesia appears in Annexe 1 as a result of human rights violations (according to the PTS), not as a result of the conflict criterion. The documented human rights violations by the government and the GAM are linked to the ongoing conflict, but at the same time the 'Cessation of hostilities' agreement in December 2002 led to a significant decrease in armed conflict (Aspinall and Crouch, 2003, pp. ix–x).
- 15 See also AI (2001a, pp. 2, 5; 2001b, p. 2).
- 16 See also AI (2004a, p. 7).
- 17 In May 2002, after human rights organizations petitioned Israel's High Court of Justice to ban the use of human shields, the Israeli government announced the practice was being explicitly prohibited. See B'tselem (2002, p. 9).
- 18 The US DOS identified the units comprising the security forces (and responsible for abuses) in the West Bank and the Gaza Strip: the IDF, the Israel Security Agency (formerly the General Security Service), the Israeli National Police, and the paramilitary border police (US DOS, 2004).
- 19 There were no reports of political prisoners or political killings by the government in Venezuela in 2002 (US DOS, 2003a).
- 20 According to Minister Chacon, there are six million weapons in circulation in Venezuela. In 2003, 2004, and 2005 there were 11,643, 9,719, and 9,412 homicides, respectively, among a population of 27 million. In Venezuela, 98 per cent of homicides are committed with firearms. Venezuela's homicide rate in 2005 was six times higher than that of the United States (Fox, 2006).
- 21 As of July 2006 an estimated 650,000 more Iraqi people had died since the US–UK invasion than would have been expected under pre-war conditions. Among those were about 600,000 violent deaths (Burnham et al., 2006, p. 1).
- 22 This number was the planned target for December 2006; as of August 2006, 277,600 Iraqi police and military personnel had been trained and issued with weapons (US DOD, 2006, p. 41).
- 23 For a list of recent Iraq-related contracts by Taos Industries, see Taos Industries (2006).
- 24 This large procurement contract is not funded out of the IRRF (i.e. the weapons are in addition to those listed in the SIGIR (2006a) report).
- 25 The total sum appropriated amounts to USD 18.7 billion, of which two amounts of USD 100 million each are designated as assistance to Jordan and Liberia, respectively, and USD 10 million as assistance to Sudan (US Congress, 2003, pp. 1225–26).
- 26 The audit, carried out during the period July–September 2006, identified 19 contracts with 142 separate delivery orders from November 2003 to April 2005. The auditors found no small arms contracts funded by the IRRF after April 2005 (SIGIR, 2006a, pp. 2, 16).
- 27 Given that IRRF-funded weapons were mixed in inventories with weapons procured by other funds, and given that serial numbers were not recorded, complete accounting of other types of weapons cannot be assured. However, the SIGIR was not able to prove that they were missing (SIGIR, 2006a, pp. 8–10).
- 28 The SASP, run by the Defense Logistics Agency, is the US DOD's main stockpile security initiative. According to a US DOS fact sheet, '[t]he SASP is responsible for the control of, and accounting for, small arms' serial numbers from initial receipt to final disposition. All small arms are individually registered by serial number in the DOD Central Registry. Component units of the U.S. armed forces maintain individual registries and provide reports on holdings to the DOD Central Registry on a monthly basis. Small arms with missing, obliterated, mutilated or illegible serial numbers are assigned a serial number for registry purposes. This system allows accounting for all small arms, including those on hand, in transit, lost, stolen, demilitarized or shipped outside the control of DOD' (US DOS, 2003b).
- 29 Neither the US DOD nor the Iraqi MOI knows how many of the more than 29,000 National Police on the payroll are alive and have actually been trained and equipped (US DOD, 2006, p. 51).
- 30 This section is based on Pézard (2006).
- 31 The SANDF has served in Burundi since October 2001, first as part of a bilateral arrangement with Bujumbura in support of the Arusha peace process, later as part of the African Union (AU) peacekeeping mission, and then with ONUB. The SANDF remains in the country as part of the AU Special Task Force, which succeeded ONUB (Berman, 2007).

- 32 ZAR 27 million corresponded to USD 4.2 million at that time.
- 33 Specifically, the replacement of contingent number three by number four in August 2005 would explain why inaccurate amounts of equipment ended up being recorded in the auditor-general's report (Dawes and Dibetle, 2006; SABC News, 2006).
- 34 Email correspondence with former SANDF official, 3 April 2007. Two other sources, contacted by phone and email, noted that accounting problems were themselves indicative of poor stockpile management: phone interview with a South African journalist, 26 March 2007; email correspondence with a South African journalist, 8 April 2007.
- 35 The Barometer does not include countries' reporting to other mechanisms, such as the *EU Code of Conduct*, the Wassenaar Arrangement, or the UN Register of Conventional Arms. The *EU Code of Conduct* is a regional mechanism, and non-EU countries would be at a disadvantage if it were included in the Barometer. Furthermore, the information reported remains confidential among members, unless a country chooses to publish the information it submitted (this is the case for Austria, for example, whose report covering 2004 data was therefore included in the Barometer). The same is true for the Wassenaar Arrangement and the OSCE. The UN Register to date covers mainly larger conventional weapons (it does include some types of light weapons, and reporting on all small arms and light weapons has been optional since 2003; see UNGA [2006, para. 32]).
- 36 Major exporters are countries with an annual export value of at least USD 10 million reported to UN Comtrade.
- 37 The cut-off dates for the Barometer are 31 January 2007 for national arms export reports and 1 March 2007 for UN Comtrade data.
- 38 Countries systematically reporting re-exports under UN Comtrade include the United States and New Zealand (the latter is not a major exporter and therefore does not appear in the Barometer table).
- 39 During the 1970s, and particularly during the Reagan Administration (1980s), covert arms supply operations run by the Central Intelligence Agency (CIA) and the National Security Council were a major source of small arms, light weapons, and ammunition for insurgent groups around the world. At the same time, the Soviet Union and the Warsaw Pact ran clandestine arms supply operations to their allies in the developing world. In the late 1990s the CIA ran a covert train-and-equip operation for Kurdish factions in northern Iraq, in an effort to destabilize the regime of Saddam Hussein. Instead of overthrowing Hussein, the Kurdish recipients waged war against each other in 1996 (Mathiak and Lumpe, 2000, pp. 56–57, 68–70).
- 40 The US National Security Act of 1947 authorizes covert political and military operations, including secret arms supply. The president must first make a 'finding' that the operation is vital to US national security. Section 505 of the Act requires the CIA, or other government agencies engaging in such activities, to notify the Congressional committees responsible for oversight of US intelligence community activities of any arms supply operation undertaken valued at USD 1 million or more (US Congress, 1947, secs. 503, 505).
- 41 On the issue of arms supply to non-state armed groups, see TRANSFER CONTROLS.
- 42 States' use of middlemen in this way provides the latter with financial and political support that they might use in subsequent, completely free-lance and illegal arms supply activities. Most importantly, the connections that result from working with or for intelligence agencies in carrying out covert government-backed arms operations result in protection from prosecution for clearly illicit deals. Russian arms dealer Victor Bout is a case in point: despite having been named in several UN reports as being complicit in violating embargoes and being the subject of a Belgian warrant of arrest, as of 2003 he lived quite openly in Moscow (see Landesman, 2003).
- 43 This embargo was partially lifted in December 2006. UNSC Resolution 1725 (2006) eliminated the ban on arms supplies, military equipment, and military training for forces of the Transitional Federal Government (UNSC, 2006f).
- 44 See UNSC (2007b).
- 45 The TFG was only able to assert control in early 2007, following a large-scale military intervention by Ethiopia (AP, 2007), and this control is tentative at the time of writing.
- 46 According to one news report, 'the illicit small arms and light weapons in the hands of the ragtag armies of the warlords, most of whom are ministers in the new government, have been a source of enduring insecurity' (De Temmerman, 2006).
- 47 On 26 June 2006 this became known as the Supreme Council of the Islamic Courts. The name is shortened to 'Islamic Courts' in the discussion that follows.
- 48 The businessmen and warlords were interested in 'protect[ing] their unregulated commercial activities', and the fundamentalists sought to use military power against the TFG to impose Shariah law (UNSC, 2005a, paras. 19–22).
- 49 Eritrea denied the charge made by the Monitoring Group that it had supplied any weapons (UNSC, 2006c, para. 20).
- 50 See, for example, Amran (2006) and Roberts (2006a; 2006b).
- 51 In a critique of Ron Suskind's book *One Percent Doctrine*, John Roberts II, a former Reagan Administration White House official who writes frequently on US intelligence operations, says: 'Astoundingly, it contains no reference whatsoever to the CIA's covert action program against an active al Qaeda cell in Somalia, although the program was entering its third year when the book was published [in June 2006]' (Roberts, 2006b).
- 52 UNSC (2005a, paras. 46–48; 2005b, para. 9; 2006a, paras. 10–11; 2006b, paras. 138, 146–49).
- 53 A former Ugandan MP told a Ugandan newspaper that 'Washington is using Kampala, Addis Ababa [sic] and Nairobi to fight a silent counter-terrorism war in Somalia' (Muhumuza, 2006).
- 54 This omission is not surprising, given that the Islamic Courts militias drove the APRCT from Mogadishu during the first week of June 2006 (see UNSC, 2006b, para. 147).
- 55 This section is based on Dreyfus (2006), NISAT (2006), and UN Comtrade (2006).
- 56 See Annexe 3 to this chapter at <<http://www.smallarmssurvey.org/yearb2007.html>>.
- 57 Calculations based on NISAT (2006) and UN Comtrade (2006). The majority of this data is based on importers' reports, since Austria only partially reports to UN Comtrade on its exports of military firearms and of pistols/revolvers. Customs codes include 9301 (military weapons), 930120

- (rocket and grenade launchers, etc.), 930190 (military firearms), 9302 (revolvers and pistols), 930320 (sporting and hunting shotguns), 930330 (sporting and hunting rifles), 930510 (parts and accessories of revolvers and pistols), 930521 (shotgun barrels), 930529 (parts and accessories of shotguns or rifles), 930621 (shotgun cartridges), and 930630 (small arms ammunition).
- 58 Brazil's total small arms exports in the period 1992–2004 were valued at USD 1.3 billion, of which an amount of USD 461 million corresponded to exports of revolvers/pistols. The top five importers of revolvers/pistols from Brazil in 2004 were the United States, Indonesia, Germany, the Philippines, and Argentina (calculations based on NISAT [2006] and UN Comtrade [2006]). This data is partly based on importers' reports, since Brazil does not report on its exports of pistols/revolvers to UN Comtrade. The total value for pistols/revolvers is therefore likely to be underestimated. Customs codes included 9301 (military weapons), 930120 (rocket and grenade launchers, etc.), 930190 (military firearms), 9302 (revolvers and pistols), 930320 (sporting and hunting shotguns), 930330 (sporting and hunting rifles), 930510 (parts and accessories of revolvers and pistols), 930521 (shotgun barrels), 930529 (parts and accessories of shotguns or rifles), 930621 (shotgun cartridges), and 930630 (small arms ammunition).
- 59 In a letter addressed to Viva Rio researchers in 2003, officials of the Ministry of Finance of Brazil acknowledged the discrepancy between exports to the United States and imports by the United States, but they could not explain it (Brazil, 2003).
- 60 The statistical yearbook of the Brazilian army is not made public, but Viva Rio was able to obtain the information cited here (email correspondence with Pablo Dreyfus, Viva Rio, 18 April 2007).

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