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Arms Control and Disarmament, Demobilization and Reintegration

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The misuse and uncontrolled proliferation of small arms and light weapons has a profound impact on nations, communities and individuals. It fuels crime and instability, increases the risk of terrorism and contributes to human rights violations. By negating confidence and security-building measures, it encourages violent rather than peaceful ways of resolving problems and thereby it increases tension within communities.

The outcome is an undermining of the rule of law and the ability to keep the peace that acts as an obstacle to development since it discourages investors and forces the affected communities to prioritize hard security over development.

The aim of this FBA brief is to provide an update on the latest policy developments in the area of control of small arms and light weapons, weapons and ammunition management and some of its implications for policymakers and practitioners within the field of disarmament, demobilization and reintegration of ex-combatants.

Background

The resort to arms is as ancient as many of the grievances over which some conflicts are fought. But what has changed in the post-cold war world is that the opening of borders, arms surpluses from the cold war and the rapid expansion of free trade means that highly lethal military grade weaponry now is more easily accessible to a large number of actors. The International Committee of the Red Cross (ICRC) observed in 1999 that firearms “are increasingly falling into the hands of all types of fighters, including children, unconstrained by the rules of international humanitarian law which have hitherto attempted to control the most destructive passions engendered by conflict.”¹

Even if small arms and light weapons (SALW) themselves are not the roots of conflicts most agree upon that they are violence multipliers. In addition, the technical development has meant that SALW are more lethal nowadays than one hundred years ago. As a comparison, a “Brown Bess” muzzle-loaded musket (in service in the British Army 1722-1838) permitted a trained soldier to fire up to four shots per minute. Sixty years later, the bolt-action Mauser rifle had increased the rate of fire to up to 15 rounds/minute. Nowadays, the widely spread AK-47 Kalashnikov has a rate of fire of up to 600 rounds/minute. Over 100 million AK-47s and its derivatives have been produced worldwide since it was first designed in 1947.²

In the international political system, states remain the central providers of security. States hold the exclusive right to use, threaten, or authorize physical force against residents of its territory. In order to effectively execute this sovereign right and responsibility, their armed and security forces legitimately employ a range of weaponry, which they acquire through national production or through import.

Illicit flows of small arms and light weapons undermine the monopoly of violence and the legitimacy of the state, and thereby have a direct effect on stability, security and the rule of law. The widespread circulation of rapid-fire assault rifles, pistols and submachine

guns among sub-state groups and civilians, can provide such groups with firepower that might match or exceed that of national military forces and thereby tip the balance of power.³

The sources of many illicit weapons are losses – diversion – at different stages of for example a legal arms transfer phase, or during the period that arms are legally in the inventory of a security sector actor.

Weapons can also enter illegality as a part of a state’s support to different non-state armed actors, for example the Soviet bloc covert support to different liberation armies during the cold war. Illegal weapons are also a commodity on an international black market, where they change ownership several times during their technical lifespan. Another source is the illicit production of arms and ammunition on a scale that ranges from crude artisanal products to high quality.

In 1072 cases of diversion in the Middle East and in Africa, examined by the UK-based organization Conflict Armament Research, 12 percent were lost due to “ineffective stockpile management,” 27 percent due to “loss from national custody”⁴ and 22 percent were labelled as “state-sponsored diversion”⁵.

A more dramatic case of diversion is the so called “mass proliferation event” that is often associated with regime collapse. In the cases of Albania (1997) and Libya (2011), large quantities of weapons and ammunition left government controlled stockpiles and quickly and dramatically transformed the regional profile of illicit weapons.

The development of a new policy

The best practices for disarmament, demobilization and reintegration (DDR), codified in the 2006 version of the Integrated DDR Standards (IDDRS), focused mainly on processes driven within the framework of negotiated peace agreements between governments and non-state armed groups. When it comes to SALW control programmes and its relationship to DDR programmes, the 2006 IDDRS described a complex landscape, but also outlined a roadmap for actions to be taken that to a very large extent is still valid today.

1. “Arms availability and the situation of civilians in armed conflict: a study presented by the ICRC”, ICRC publication 1999 ref. 0734

2. “Beyond the Kalashnikov: Small Arms Production, Exports, and Stockpiles in the Russian Federation”, Maxim Pyadushkin with Maria Haug and Anna Matveeva, Small Arms Survey, Occasional Paper No. 10 August 2003

3. “Arms availability and the situation of civilians in armed conflict: a study presented by the ICRC”, ICRC publication 1999 ref. 0734

4. Stolen from national stockpiles, captured in battle, retransferred to an unauthorized user, or diverted in some other way

5. Conflict Armament Research Diversion Digest Issue 01, 2018

What was missing back in 2006 was to a large extent an international legal framework and technical standards and procedures that dealt with the different aspects of DDR and SALW programmes. The process to fill this gap was however already under way in the UN system and the 2006 IDDRS consequently explicitly identified the need for establishing a framework of standards and guidelines that should harmonize the way in which activities and tasks are carried out by the different organizations.⁶

Over time, the contexts in which DDR processes are fielded have become increasingly complex and DDR processes are nowadays launched and implemented in ongoing conflicts with no comprehensive peace agreement in place or sight. The implication of this development is that DDR, and supporting DDR-related tools, must be applicable both in mission and in non-mission settings.

Since the first version of the IDDRS was published almost two decades ago, the concept of DDR has evolved in parallel with the development of SALW control doctrine, but also with the post-cold war geopolitical changes. The earlier lack of a common international common ground on SALW issues meant that focus was placed on the weapons themselves, leaving the control of the item that actually makes a firearm deadly – the ammunition – more or less out of the discussion.

From a methodical approach, the development of international guidance on SALW control has been benchmarked on the modular standards the UN has developed in the areas of mine action (International Mine Action Standards – IMAS); disarmament, demobilization and reintegration (Integrated DDR Standards – IDDRS); and ammunition (International Ammunition Technical Guidelines – IATG).

The UN standards on SALW were initially named International Small Arms Control Standards (ISACS), but in 2018 renamed to Modular Small Arms Control Implementation Compendium (MOSAIC). They are available to the public via a dedicated UN website.⁷

The development of a framework of standards and guidelines that has been developed by the UN during the last two decades thereby operationalizes the key global agreements aiming to prevent the illicit trade, destabilizing accumulation and misuse of small

arms and light weapons. By being based on internationally recognized good practices, codes of conduct and standard operating procedures and by finally including ammunition in the equation, policy development has led to a more holistic view on the SALW issue and the launch of the concept of weapons and ammunition management (WAM).

Impacts of SALW in conflict-affected settings

The proliferation of illegal SALW has a profound impact on nations, communities and individuals. It fuels crime and instability, increases the risk of terrorism and contributes to human rights violations. By disavowing confidence and security-building measures, the presence of easily accessible firearms encourages violent rather than peaceful ways of resolving problems, and thereby increases tension within communities. The consequence is an undermining of the rule of law and the ability to keep the peace that acts as an obstacle to development, since it discourages investors and forces the affected communities to prioritize hard security over development.

The problem of SALW proliferation can be analyzed from the perspective of the interdependent dimensions of demand and availability.

Demand can be defined as a function of motivations and means, either of which can serve as inhibitors (lack of motivation, lack of means) or as stimulators. Motivations include the political, economic, social and cultural reasons for needing to be armed. These motivations are dynamic and wide-ranging, from a need for personal or collective self-defence to a culture of hunting and sport shooting, the pursuit of social status, or predatory behaviour.⁸

Means include the price (and ease) of obtaining firearms and the relative resources and assets available to acquire them. When it comes to availability, SALW have a series of characteristic features that have made them particularly well spread through the entire spectrum of conflict. Unlike more advanced weapons systems that require regular training, upgrading and maintenance due to their complicated subsystems, SALW are typically low-tech, standardized, mass-produced, extremely durable and require little training, maintenance or logistical support. SALW are designed to be easily carried by individuals or on

6. IDDRS 4.11 (2006)

7. <https://www.un.org/disarmament/convarms/mosaic/>

8. "Small arms and light weapons control: a training manual", Saferworld

light vehicles. They are therefore easily transported and they can be concealed and smuggled into areas of conflict.

Still, experience shows that if the motivation is high enough and the access to firearms is limited, other types of weapons are likely to be chosen. In the case of the 1994 Rwandan genocide, statistics collected by the organization of the survivors of the genocide (IBUKA) show that the overwhelming number of Tutsi victims in the Kibuye Prefecture were killed with farming tools such as machetes.⁹

Even if statistics show that 90 percent of the victims of gun violence are young and adult men, there is a linkage between access to small arms and intimate partner violence (IPV)¹⁰. While statistics show that men are far more likely to die from firearm violence, women are overwhelmingly the victims of intimate partner homicides, and are at much higher risk in situations where their partner has access to a gun.

According to the Geneva-based independent research organization Small Arms Survey, a partner's possession of a firearm is only one of the factors placing women at risk of gun-related IPV. Intimate partner gun violence is often prompted by a range of individual, social, and economic factors – such as depression, jealousy, the threat of separation, alcohol abuse or financial problems.

Other factors are concepts of power and masculinity as well as cultural attitudes that restrict the mobility and behaviour of women.¹¹ These concepts and attitudes are often driven to the extremes in a conflict situation when the level of armed violence against women typically escalates.

This violence is during the on-going conflict many times directed against the women of “the opposite side”. After an official end of the armed conflict and a demobilization of fielded troops it changes focus and often manifests itself as IPV as an effect of post-traumatic stress and frustration.

9. “Machetes and Firearms: The Organization of Massacres in Rwanda”, Philip Verwimp, *Journal of Peace Research*, vol. 43, no. 1, 2006, pp. 5–22

10. IPV (also known as domestic violence) is defined as including a range of coercive and threatening behaviours that have physical, psychological, and emotional impacts on the victim

11. “Too Close to Home Guns and Intimate Partner Violence”, Margaret Shaw, *Small Arms Survey* 2013

Mechanisms for preventing the proliferation of SALW

The issue of regulating the access to firearms is a question that deeply touches upon the sovereignty of states, which means that the process of finding an internationally accepted/tolerated legal framework is burdensome. The issue addresses the possibility of the state itself of acquiring weapons for its security sector and it deals with the sovereign right of the state to pass and enforce national legislation. Internal national politics also have an impact, which recently have prompted for example the current US administration to announce the withdrawal of its signature from the Arms Trade Treaty (ATT).

Several UN human rights conventions, such as the International Covenant on Civilian and Political Rights, require states to curb the proliferation of small arms and regulate access to them as part of the duty to protect the right to life. With this aim, significant international progress on arms control policy has been achieved during the last two decades and have set the agenda for further work on a regional and a national level.

Under the politically binding UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (POA), governments have agreed to improve national small arms laws, import/export controls, stockpile management and to engage in cooperation and assistance.

In parallel to the POA, the Firearms Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition was adopted in 2001 and came into force 2005. The protocol is one of three protocols supplementing the UN Convention against Transnational Organized Crime and is legally binding for states that have ratified or otherwise formally expressed their consent to be bound by it.

In 2005, the UN adopted the politically binding International Tracing Instrument (ITI).¹² The ITI operationalizes the marking, record-keeping and tracing obligations contained in the UN Programme of Action and requires states to ensure that weapons are properly marked and that records are kept.

12. International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons

Additionally, it provides a framework for cooperation in weapons tracing. Meetings and national reports on POA and ITI are always combined.

The ATT – adopted in 2013 and in force 2014 – regulates the international trade in most types of conventional arms and seeks to prevent and eradicate the illicit trade and diversion of conventional arms by establishing international standards governing cross border arms transfers.

The ATT is legally binding when it comes to international trade. Trade on a national level falls under the sovereignty of the national state. This means is that although countries have committed to reflect in their national legislation the provisions of global and regional instruments they have ratified, the degree to which national legislation has been adopted or updated varies greatly. What also differs significantly is the capacity of states to enforce national legislation.

In addition to, and as a trickle-down effect of the adoption of the global instruments listed above, several regional, legally and politically binding agreements have been adopted to support the implementation of the UN Programme of Action. As an example of politically binding regional instruments, African Union member states pledged in 2013 to take practical steps to “silence the guns in Africa” by 2020.

From a European horizon, the Council of the European Union adopted in 2018 a new revised EU strategy on illicit firearms, small arms and light weapons and their ammunition. The EU strategy outlines actions grouped under four pillars: (a) strengthening the normative framework; (b) implementation of norms in different life cycles of firearms/SALW; (c) compliance through monitoring and enforcement; (d) international cooperation and assistance.¹³

Implications for DDR/IDDRS

The principal method of reaching the objectives of ensuring the non-proliferation of SALW and ammunition is by developing and enforcing effective and interlinked DDR and SALW programmes. When it comes to develop programmes to control and collect weapons and ammunition outside governmental control there was an early understanding that these

13. Council of the European Union, Council Conclusions on the Adoption of an EU Strategy Against Illicit Firearms, Small Arms and Light Weapons and their Ammunition, Brussels 19 November 2018, 13581/18

programmes had to be tailor-made to fit the situation and that these programmes had to be framed by international standards and laws.

The ongoing IDDRS revision process has identified the need to fusion the technical principles for both weapons and ammunition management with comprehensive arms control measures into a changing DDR context. As a spin-off, this work has led to the recent publication of a handbook for UN DDR practitioners¹⁴. The handbook fusions standards from MOSAIC and the IATG and gives guidelines on how to apply them in a practical DDR field context.

The handbook stresses the importance of strategic planning and having national ownership of the design and implementation of DDR/WAM activities and its integration into a national DDR strategy. The DDR/WAM plan must be aligned with the overall strategic objectives of the UN mission in place, and coordination with other UN mission components is key.

Community engagement is also defined as a key to success. Transparency and accountability of the full cycle of DDR/WAM until the disposal phase, including the destruction and/or transfer of materiel to national authorities, is important in order to ensure community involvement and build legitimacy for the process.

In this aspect, arms control activities, and disarmament or collection of weapons in particular, must not increase the vulnerability of communities, groups or individuals to internal or external threats. All precautions must be taken to avoid reinforcing or generating gender inequalities.

Transitional WAM

DDR programmes have traditionally focused narrowly on armed forces and armed groups that have signed onto peace agreements. However, many times large numbers of vulnerable groups are excluded from peace deals and are even more rarely invited to benefit from the reinsertion and reintegration benefits associated with DDR programmes.

14. “Effective Weapons and Ammunition Management in a Changing Disarmament, Demobilization and Reintegration Context. A Handbook for United Nations DDR Practitioners”, UN DPO/UNODA, New York 2018

Managing the disillusionment and grievances – particularly of communities where former combatants are cantoned or expected to relocate and resettle – is vital, not least since it can disrupt the DDR process.

Managing armed groups that are ineligible for DDR programmes is similarly important. Transitional WAM is an innovative series of interim arms control measures that can be implemented by DDR practitioners before, during and after DDR programmes, but predominantly when the preconditions for disarmament are not in place.

The transitional WAM component of DDR is primarily aimed at reducing the capacity of individuals and groups to engage in armed violence and addressing the immediate risks related to the illicit possession of weapons, ammunition and explosives.

Pre-DDR processes

The objectives of a pre-DDR process are mainly to create the necessary political and security space for the negotiation and/or implementation of peace agreements, holding of elections and DDR.

This space is created by maintaining the dialogue between the government and armed groups in order to build confidence in a future DDR programme and to increase security and social cohesion in high-risk communities.

Community violence reduction

Community violence reduction (CVR) is an innovative concept developed by DDR practitioners in Haiti as an alternative to DDR. While arms control is not the primary focus of CVR, CVR projects can have a direct impact on the demand for and misuse of weapons, as well as on the creation of favourable conditions for future combatants and/or civilian disarmament operations.

CVR is focused on high-risk areas and individuals and is community-led, with a bottom-up approach. It consists of relatively short-term initiatives and provides tangible incentives for the reduction of violence. Experiences so far indicate that it is a highly flexible tool that can contribute to addressing a range of security challenges and armed actors (armed groups, gangs or militias, etcetera).

Supporting the development of armed actor capacity for WAM

DDR practitioners are increasingly operating in areas where there are no preconditions for implementing a DDR programme because fighting is ongoing, there is little support for the peace agreement and large areas are under the control of non-state armed actors who remain unwilling to disarm.

In this type of contexts, where levels of armed violence remain high, there are significant numbers of weapons in circulation, and where disarmament may not be an option, DDR practitioners could be required to support national security actors and non-governmental armed actors in developing their WAM capacities.

Sample activities could include supporting the host nation with a review of the national legislation regarding weapons possession. On a more basic level, supporting the rehabilitation or construction of new storage facilities and the marking and record-keeping of weapons may serve as an entry point for larger training and policy development regarding marking and recording weapons across all national arsenals.

Conclusion

Weapons are acquired as a way of increasing the power of an individual or group faced by a real or perceived threat. Regardless of the reason to get a weapon, it is evident that the introduction, proliferation and banalization of highly effective military-grade firearms has lowered the threshold of deadly violence.

The importance of proactive crisis management and political defusing in order to avoid an escalating situation and the resort to armed violence cannot be overemphasized. DDR and SALW control programmes have a pivotal role in reducing the presence of firearms and increasing human security. It is however becoming more evident that DDR and SALW control programmes cannot be kept in splendid isolation nor can its processes be stove-piped. Action must be taken even in the absence of formal peace agreements.

Effective reduction of illegal firearms must be addressed from a holistic perspective. This includes national legislation and enforcement of adopted legislation, but also involves a significant component of security sector reform measures. This means that these processes must be nationally owned but also driven in concertation with other regional state actors in order to be able to hinder illegal cross-border trafficking.