

SMALL ARMS IN CENTRAL AFRICA

Expected Council Action

At the initiative of Gabon, which holds the Council presidency in March, a debate will be held on 19 March on the impact of illicit small arms trafficking on peace and security in the Central African region.

Several regional and subregional organisations will be invited to participate, including the AU, the Economic Community of Central African States (ECCAS), the Economic Community of West African States, the Southern African Development Community, the Intergovernmental Authority on Development and the EU. It is also possible that representatives from the Office for Disarmament Affairs, the Office on Drugs and Crime and other Secretariat departments might be invited to address the Council.

A presidential statement is under discussion.

Background

Gabon has circulated a concept paper for the debate which proposes a focus on:

- developments in the illicit trade in small arms and light weapons in the Central African subregion;
- innovative measures for combating and eradicating the illicit trade in small arms and light weapons; and
- discussing ways of strengthening the implementation of existing instruments related to the illicit trade in small arms and light weapons, such as aiding states in the Central African region to implement existing embargoes.

The term "small arms" is usually regarded as covering a range of weapons from handguns and rifles to light machine-guns. "Light weapons" usually include a range from heavy machine guns to rocket launchers, and mortars of calibres of less than 100 mm.

Small arms and light weapons are used very widely in modern conflicts by military forces, irregular troops and civilians. Their easy availability and relatively low cost have made them the primary cause of casualties in almost all recent conflicts.

Past debates in the Council have explicitly recognised that the proliferation of small arms and light weapons is a major cause of instability and threats to international peace and security. The proliferation of small arms and light weapons has also emerged in Council debates on child combatants. Reports from the Secretary-General have highlighted the impact of small arms on the observed increases in civilian fatalities, particularly among women and children.

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Council action in response to the flow of small arms and light weapons has taken three main forms:

- establishing arms embargoes and seeking to constrain funding for illicit arms in specific conflict situations;
- seeking to remove from conflict zones stocks of small arms and light weapons, by mandating its peacekeeping operations to undertake disarmament, demobilisation and reintegration (DDR) programmes; and
- addressing the generic issues relating to small arms and light weapons through a series of thematic debates, sometimes with a subregional focus as currently proposed by Gabon.

Arms embargoes focus on deterring the flow of new arms into conflict areas. DDR programmes and peacekeeping and peacebuilding activities seek to eliminate weapons already present in conflict zones. Both of these approaches have enjoyed wide support in the Council in the past as tools for dealing with specific situations. However, contention has arisen over the degree to which the Council should address the issue of small arms and light weapons as a thematic issue.

History of Council Involvement in Thematic Dimension

The Council first engaged on the issue thematically at a ministerial-level meeting on 24 September 1999, when the question of arms flows into regions engaged in or emerging from armed conflict was addressed. A presidential statement adopted after this debate (S/PRST/1999/28) addressed promoting voluntary moratoriums on arms exports to tension and conflict zones, looking into ways to enhance the effectiveness and full implementation of arms embargoes and providing peacekeeping missions with DDR mandates.

In 2001 the Council took up the thematic issue again, following the first UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects and the subsequent adoption of the Programme of Action by participating states in July 2001. On 2 August 2001 the Council held a day-long open debate to examine its role in the implementation of the action programme. A presidential statement (S/PRST/2001/21) was adopted on 31 August 2001 tasking the Secretary-General to report on the issue of small arms in his analytical reports on specific situations, and to submit a thematic report containing concrete recommendations on ways and means in which the Council could contribute to efforts to address the problems presented by small arms proliferation. On 20 September 2002 the Secretary-General presented to the Council his first report on small arms (S/2002/1053).

Four reports have been submitted since 2002, in December 2003 (S/2003/1217), February 2005 (S/2005/69), February 2006 (S/2006/109) and April 2008 (S/2008/258).

The 2006 report noted that the General Assembly had made progress in the adoption of the International Tracing Instrument (the Assembly unanimously adopted, by decision 60/519 of 8 December 2005, the instrument annexed to the report (A/60/88 and Corr.2) of the working group responsible for negotiating it). The 2006 report also noted progress by Interpol in enhancing and refining the Interpol Weapons Electronic Tracing System. He noted also that the Council had made progress by taking up the issue of the links between illicit exploitation of natural resources and the illicit trade in small arms (for example, in resolution 1592 (2005), the Council condemned categorically the illegal exploitation of natural resources and other sources of wealth of the Democratic Republic of the Congo (DRC), and urged all States, especially those in the region, to take appropriate steps to end those illegal activities; and in resolution 1607 (2005), the Council decided to renew the measures on diamonds in Liberia imposed by resolution 1521 (2003) for a further period of six months). He also welcomed the Council's emphasis on the importance of

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inter-mission cooperation in the implementation of DDR. He noted that some attention had been given to mechanisms to support and monitor arms embargoes. He expressed concern, however, that these measures tended to be weakened by lack of enforcement of sanctions.

In 2006 the Council met to discuss the Secretary-General's report. However, there was strong resistance by the US to further Council action in this area. An Argentinean initiative for a resolution to enhance Council input to the debate on small arms was blocked. The draft resolution largely drew upon consensus language from previously agreed Council presidential statements and had the strong support of most Council members including France and the UK with agreement from China and Russia. As a result of the stalemate the cycle of regular Secretary-General's reports on small arms was interrupted. (The mandate for these reports came from the successive presidential statements.)

In March 2007 South Africa took up the issue again. The South African initiative was cast in a regional context and drew on widespread concern about the particular problems for African countries as a result of the proliferation of small arms on the continent. A presidential statement requesting the Secretary-General to produce regular reports on small arms was proposed. After weeks of efforts, the Council on 29 June 2007 adopted the presidential statement. (It seems that the main difficulty was again US reluctance to support any Council action even a procedural request for reporting by the Secretary-General.) Consensus was reached eventually, however, on a modest statement requesting a Secretary-General's report on a biennial basis starting in 2008. It invited the Secretary-General to assess the issue of small arms in general—although stressing also the need to continue to provide recommendations and observations on implementation of the Programme of Action.

The Secretary-General's report of 17 April 2008 widened the discussion from the original area of illicit trafficking to issues such as production, marking and tracing, illicit brokering, end-use verification, ammunition and stockpiles. New recommendations to the Council and member states included:

- enhancing states' efforts to collect, maintain and share data;
- using key quantitative indicators as a base against which to set measurable goals;
- acknowledging that security, development and human rights are interconnected;
- strengthening cooperation among relevant sanctions monitoring groups, peacekeeping missions, states and relevant regional and international organisations;
- assigning the task to monitor arms embargoes to dedicated units within peacekeeping missions mandated to do so;
- further strengthening synergies between an arms embargo and DDR;
- where an arms embargo coincides with DDR, requesting the establishment of a baseline arms inventory and arms marking and registration systems;
- encouraging states and peacekeeping missions to use the new International Tracing Instrument and the Interpol police communications system;
- making the destruction of surplus ammunition stockpiles a priority for relevant peacekeeping missions and governments;
- more regularly linking arms embargo exceptions with security sector reform;
- encouraging states to enhance their efforts to verify end-user certificates;
- increasing cooperation between the Peacebuilding Commission, the Office for Disarmament Affairs and the Special Representative of the Secretary-General for Children and Armed Conflict on the issue of children and small arms; and
- providing assistance to states requesting support in stemming the flow of small arms.

At the conclusion of the day-long debate a representative of the UN Office for Disarmament Affairs urged Council members to examine the recommendations made by the Secretary-

General and to agree to a presidential statement on the matter. However, Council members were apparently unwilling to reach agreement on a response, with no statement or resolution adopted following the 2008 report. Overall, the Council's response to the Secretary-General's five reports on small arms has been very limited. Three presidential statements (on 31 October 2002, 17 February 2005 and 29 June 2007) were adopted. As per the last presidential statement, the next Secretary-General's report on small arms should be expected in the forthcoming weeks.

Key Recent Developments

Central African countries have recently decided to implement a binding legal instrument in order to guarantee subregional monitoring of small arms and light weapons, ammunition and any equipment that could be used in their manufacture. The preliminary draft of this instrument is expected to be considered at the thirtieth ministerial meeting of the UN Standing Advisory Committee on Security Questions in Central Africa, scheduled to take place from 26 to 30 April in the DRC. (The Committee was established by the Secretary-General on 28 May 1992 in order to encourage arms limitation, disarmament, non-proliferation and development in Central Africa. It is a subregional grouping of eleven member states: Angola, Burundi, Cameroon, Central African Republic (CAR), Chad, Congo, DRC, Equatorial Guinea, Gabon, Rwanda and Sao Tome and Principe. The Committee meets twice a year at the ministerial level to review the geopolitical situation in Central Africa and disarmament and arms limitation programmes in the subregion.)

Gabon has proposed that the 19 March debate stimulate discussion of ways that the wider international community can reinforce such regional initiatives. They suggest in particular that the Council could add its political weight to strengthening the implementation of the Programme of Action and the International Tracing Instrument, especially provisions on the marking of small arms and light weapons. Gabon is seeking specific proposals on ways of:

- strengthening national and subregional mechanisms for combating the illicit trade in small arms and light weapons, as well as confidence-building measures such as those adopted within the framework of the UN Standing Advisory Committee on Security Questions in Central Africa;
- improving the draft subregional legal instrument in order to facilitate its implementation immediately upon its adoption;
- increasing transparency, for example through the establishment of subregional registers of national stockpiles of small arms and light weapons;
- helping states in the Central African region to implement embargoes on arms identified by the Council;
- strengthening the capacities of the ECCAS with regard to peace and security; and
- limiting the demand for light weapons with a view to curbing the negative impact of arms proliferation on development, in particular on the achievement of the Millennium Development Goals.

Key Issues

A key question is the relative roles of the Council and the General Assembly. All Council members agree that the issue of small arms and light weapons needs to be addressed primarily in the General Assembly, on the basis that norms related to disarmament need to be developed at the wider level. But many consider that routinely including small arms issues in the work of the Council plays an important role in stimulating wider international negotiations in the same way that other global issues such as HIV/AIDS, sexual violence and climate change have been brought to the Council at times by various permanent members. The Council has particular insights as to the impact of illicit trade in small arms and light weapons and the way in which it fuels and prolongs armed conflicts. Small arms are a factor in many of the country-specific issues dealt with by the Council (including those in Central Africa).

A related issue is the question of drugs and transnational criminal threats. On 8 December 2009 the Council held an open debate at the initiative of the Council president, Burkina Faso, on drug trafficking as a threat to international security (S/PV.6233 and resumption 1). The Council adopted a presidential statement (S/PRST/2009/32) recognising that drug trafficking and related transnational organised crime activities are a serious threat to international peace and security, and stressing the importance of strengthening transregional and international cooperation to counter the problem. Then on 24 February 2010 the Council was briefed during the presidency of France by the head of the UN Office on Drugs and Crime (S/PV.6277 and SC/9867). The Council adopted a presidential statement (S/PRST/2010/4) during the meeting, noting that drug trafficking and transnational crime were a growing concern that contributed to undermining the authority of states and might threaten the security of countries on its agenda. The Council again stressed the importance of strengthening regional and subregional cooperation to counter the problem. An important issue therefore, given the connection between illicit weapons and drugs and other transnational threats, is whether the Council is ready to go the next step and take up with equal seriousness a related threat which has shared characteristics, the illicit trade in small arms and light weapons.

A third issue is whether the Council is ready to use this debate as an opportunity to assess its own progress in addressing small arms issues in country-specific cases on its agenda. Since the last report by the Secretary-General in April 2008, the Council has specifically mentioned the issue of small arms in three resolutions (on the subjects of Guinea-Bissau, the DRC and Protection of Civilians), as well as in three presidential statements (on peace consolidation in West Africa, children in armed conflict and protection of civilians). During this time it has addressed arms, often in the context of arms embargoes and DDR processes, in over forty resolutions related to Afghanistan, Burundi, Chad and CAR, Côte d'Ivoire, the Democratic People's Republic of Korea (DPRK), the DRC, Haiti, Israel and Palestine, Lebanon, Liberia, Nepal, Rwanda, Somalia and Eritrea, and Sudan—as well as resolutions regarding arms transfers to terrorist groups, children in armed conflict and women, peace and security. The question which could be asked is whether all these references have had any impact.

Options

Options for the Council include:

- adopting a presidential statement which, as proposed by Gabon, sets out specific measures to maintain focus on the issue of small arms and light weapons going forward;
- adopting a presidential or press statement that assesses Council progress in addressing the issue, indicates the Council's continuing concern and engagement with the issue of small arms trafficking, as well as general recognition of the effect of the illicit small arms trade in the Central African region and restates its request to the Secretary-General for a biannual (or more frequent) report on small arms; or
- refraining from action until after the next small arms report is received in April.

Council and Broader Dynamics

Gabon sees the issue of small arms and light weapons as an important subregional issue and wants the Council to be more active in supporting innovative measures to combat and eradicate the illicit arms trade. There seems to be wide support for a statement on the subject of illicit small arms trafficking in Central Africa.

It remains unclear, however, whether there will be support for the Council taking action further than a general statement on the subregion.

Recent US support in the General Assembly for ongoing talks on a small arms trade treaty would seem to suggest that there may be more room for movement than in the past.

Some Council members are sensitive to the fact that the small arms treaty is currently under discussion and think the Council should therefore be cautious and limit any statement to the issue as it pertains to Central Africa (for example, in terms of strengthening the implementation of embargoes in the region).

UN Documents

Selected Security Council Resolutions

- S/RES/1896 (30 November 2009) recommended *inter alia* that the government of the DRC promote stockpile security, accountability and management of arms and ammunition as an urgent priority, and to implement a national weapons marking programme.
- S/RES/1894 (11 November 2009) on protection of civilians, noted that the destabilising effect of small arms and light weapons impedes the provision of humanitarian assistance and that such arms have a potential to exacerbate and prolong conflicts.
- S/RES/1876 (26 June 2009) included language supporting national efforts to curb the proliferation of small arms and light weapons in Guinea-Bissau.
- S/RES/1719 (25 October 2006) included language on small arms in the mandate of the UN Integrated Office in Burundi (BINUB).
- S/RES/1674 (28 April 2006) on the protection of civilians in armed conflict, expressed grave concern at the illicit trafficking of small arms and light weapons and the use of such weapons on civilians.
- S/RES/1631 (17 October 2005) stressed the role of regional organisations in addressing the issue of small arms.
- S/RES/1612 (26 July 2005) on children and armed conflict, highlighted the link between illicit trafficking in small arms and the use of child soldiers.

Security Council Presidential Statements

- S/PRST/2009/20 (10 July 2009) on peace consolidation in West Africa, included language supporting regional efforts to curb the proliferation of small arms and light weapons.
- S/PRST/2009/9 (29 April 2009) on children and armed conflict, included language stating that the Council remained concerned with the illicit trafficking of small arms and light weapons and its effect on and their use by children in armed conflict.
- S/PRST/2009/1 (14 January 2009) on protection of civilians, included language considering the protection of the civilian population through control of, and reduction in the availability of, illicit small arms and light weapons.
- S/PRST/2007/42 (6 November 2007) on the role of regional organisations, noted the potential role of such organisations in addressing the illicit trade in small arms and light weapons, and the need to take regional instruments into account in peacekeeping operations mandates.
- S/PRST/2007/24 (29 June 2007) noted with concern that the accumulation and illicit manufacture, trade and circulation of small arms contributed to an increase in the length and intensity of armed conflict and requested a Secretary-General's report on a biennial basis starting in 2008.
- S/PRST/2007/3 (21 February 2007) recognised the link between SSR, DDR and small arms and light weapons control.
- S/PRST/2005/7 (17 February 2005) requested an update from the Secretary-General on the implementation of the twelve recommendations contained in his 2002 report.
- S/PRST/2002/30 (31 October 2002) asked the Secretary-General to report by December 2003 on the impact of the twelve recommendations.

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<ul style="list-style-type: none"> • S/PRST/2001/21 (4 September 2001) requested the Secretary-General to submit a report by September 2002 containing specific recommendations on ways and means in which the Council could contribute to dealing with the question of illicit trade in small arms and light weapons. • S/PRST/1999/28 (24 September 1999) recognised the availability of small arms as a factor contributing to the intensity and duration of armed conflicts and to the undermining of peace agreements. • S/PRST/1995/9 (22 February 1995) recognised that small arms are responsible for most deaths in conflicts, having negative consequences for peace and security.
Reports of the Secretary-General
<ul style="list-style-type: none"> • S/2008/258 (17 April 2008) was the latest report on small arms. • S/2006/109 (17 February 2006) reported on implementation of the twelve recommendations. • S/2005/69 (7 February 2005) reported on implementation of the twelve recommendations. • S/2003/1217 (31 December 2003) gave an update on efforts by UN member states in their implementation of the twelve recommendations. • S/2002/1053 (20 September 2002) outlined the twelve recommendations to identify and trace illicit trade in small arms and light weapons.
Selected Security Council Debate on Small Arms
<ul style="list-style-type: none"> • S/PV.5881 and resumption 1 (30 April 2008) was the last debate on small arms. • S/PV.4048 (24 September 1999) was the first debate on small arms.
Selected Letter
<ul style="list-style-type: none"> • S/2010/54 (22 January 2010) includes the report of the last ministerial meeting of the UN Standing Advisory Committee on Security Questions in Central Africa held from 9 to 13 November 2009, at which time it was decided to devote the next ministerial meeting to consideration of a draft legal instrument on the control of small arms and light weapons in Central Africa, their ammunition and all equipment that might be used in their manufacture.
Selected General Assembly Documents
<ul style="list-style-type: none"> • A/RES/63/240 (24 December 2008) endorsed action against illicit arms trafficking through an arms trade treaty. • A/60/88 (27 June 2005) includes the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons which was adopted by the General Assembly on 8 December 2005. • A/CONF.192/15 (20 July 2001) includes the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects that was adopted by member states. • A/52/298 (27 August 1997) was the report of the Panel of Governmental Experts on Small Arms.

Useful Additional Sources

- Small Arms Survey, available at <http://www.smallarmssurvey.org/files/portal/spotlight/country/africa.html>.
- Vanessa Farr, Henri Myrtilinen and Albrecht Schnabel, "Sexed Pistols: The Gendered Impacts of Prolific Small Arms", United Nations University Policy Brief Number 1, 2010.
- Nelson Alusala, "Armed Conflict and Disarmament: Selected Central African Case Studies", *Institute for Security Studies Monograph Series* no. 129, March 2007. Available at <http://www.iss.co.za/>.

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