TRACING ILLICIT WEAPON FLOWS IN CONFLICT AND SECURITY TRANSITIONS:
A CASE FOR MANAGING RECOVERED WEAPONS IN SOMALIA

JONAH LEFF

UNIDIR
UNITED NATIONS INSTITUTE
FOR DISARMAMENT RESEARCH

NOTES

CITATION

ABOUT UNIDIR

The United Nations Institute for Disarmament Research (UNIDIR) is a voluntarily funded, autonomous institute within the United Nations. One of the few policy institutes worldwide focusing on disarmament, UNIDIR generates knowledge and promotes dialogue and action on disarmament and security. Based in Geneva, UNIDIR assists the international community to develop the practical, innovative ideas needed to find solutions to critical security problems.

www.unidir.org

TABLE OF CONTENTS

ACRONYMS & ABBREVIATIONS

AMISOM	African Union Mission in Somalia
CAR	Conflict Armament Research
CID	Criminal Investigation Department
FGS	Federal Government of Somalia
FMS	Federal Member State
MOSAIC	Modular Small-arms-control Implementation Compendium
NISA	National Intelligence and Security Agency
ONS	Office of National Security
PoE	Panel of Experts
SNA	Somali National Army
SOP	standard operation procedure
WAM	weapon and ammunition management

ABOUT THE AUTHOR

JONAH LEFF is director of operations at Conflict Armament Research, where he oversees weapon tracing operations in more than 25 conflict-affected countries. He previously was the project coordinator of the Geneva-based Small Arms Survey's Human Security Baseline Assessment for Sudan and South Sudan, a multi-year project that aims to support armed violence reduction and arms control initiatives in those countries. Between 2009 and 2011, he served on Security Council sanctions expert monitoring groups, investigating arms embargo violations in Darfur, Eritrea, and Somalia. Before joining the United Nations, he worked at the Center for Defense Information in Washington, DC, in 2008. Jonah holds a Masters in Public Administration in International Management from the Middlebury Institute of International Studies in California, and has authored numerous publications.

EXECUTIVE SUMMARY

The value of effective management of recovered weapons is widely recognized. Various international and subregional instruments encourage or require States to appropriately manage and trace recovered weapons in order to identify their illicit sources, understand patterns of illicit arms flows, and address diversion resulting from poor controls over international transfers or national stockpiles. However, tracing weapons recovered in situations of armed conflict and security transitions is a more challenging undertaking due to high operational tempo, limited technical and logistical capacities, and the multiplicity of security providers. In the context of Somalia, the requirement for recording and tracing weapons recovered in security operations is further reinforced by the arms embargo regime to aid the Security Council and its subsidiary organs in detecting violations, including diversion of weapons supplied to national forces under the partial lifting of the embargo. Properly managing and recording recovered weapons is a prerequisite for timely and effective tracing and Somalia's experience to date highlights the range of challenges that can be encountered in this respect. Nevertheless, Somalia offers lessons that have relevance and wider application to other arms embargo regimes imposed in similar contexts. This issue brief identifies the obstacles and assesses the progress made by Somalia and its partners to improve the management of recovered weapons. It identifies opportunities for enhanced cooperation and effective implementation and provides recommendations for national stakeholders and international partners.

WEAPONS RECOVERED DURING A JOINT AMISOM - SOUTHWESTERN SPECIAL
FORCES OPERATION IN LABAATAN JIROW, SEPTEMBER 2016.

© AMISOM

INTRODUCTION

Over the last decade, arms control policymakers and practitioners have increasingly emphasized the importance of effective management of recovered weapons, ammunition and related materiel. For the purposes of this report, the term 'weapons' encompasses weapons, ammunition and related materiel. This relates to ensuring the physical security, accountability, and disposal of such weapons as well as tracing them in order to generate information to inform and support law enforcement and intelligence activities. Tracing the origin of weapons that are recovered from illicit circumstances—and by extension the point of diversion from the licit to the illicit sphere—enables law enforcement officials to develop investigative leads that may link a weapon to a suspect in a criminal investigation, identify suspected arms traffickers, or detect patterns of domestic and international arms trafficking.

By contrast, tracing weapons recovered in conflict and post-conflict settings can have a direct effect on conflict mitigation and stabilization as it provides stakeholders the knowledge required to identify the actors responsible for supplying unauthorized entities, including terrorist and criminal groups.[1] However, documentation and tracing of weapons recovered in armed conflict is rarely undertaken due to insecurity and restricted access, competing security priorities, weak law enforcement capacities, and a multiplicity of security partners. Where Security Council arms embargoes apply, tracing undertaken by its subsidiary organs, such as panels of experts and monitoring groups, has filled a critical gap. In these contexts, States to whose territory an embargo applies are often required by the Security Council to cooperate and report back to subsidiary organs with information related to recovered weapons. Fulfilling such requirements also lays the foundation for a durable nationally led tracing system once the embargo has been lifted.

Somalia provides an example of the range of challenges that can be encountered when implementing Security Council requirements with respect to managing and tracing recovered weapons in conflict settings. Following the collapse of the Siad Barre regime, the United nations imposed an arms embargo pursuant to resolution 751 (1992),[2] which remained largely ignored, especially during its first decade. Changing regional security dynamics combined with entrenched criminal networks have provided al-Shabaab and other armed groups with access to weapons and ammunition trafficked across Somalia's long and porous land and sea borders. The embargo largely remained unchanged until the Security Council partially lifted it in 2013. As part of the easing of the arms embargo, the Security Council imposed several requirements related to weapon and ammunition management (WAM) and certain end-user assurances. One such provision, which was first articulated in Security Council resolution 2182

---

1   MOSAIC 05.31:2012(E)V1.0.
2   Security Council, UN document S/RES/751, 1992, https://www.undocs.org/S/RES/751%20(1992).

(2014), requested the Federal Government of Somalia (FGS) and the African Union Mission in Somalia (AMISOM) to document and register all military equipment captured during offensive operations,[3] with a view towards identifying and understanding the sources of weapons in use by al-Shabaab.

This report assesses the various initiatives that the FGS and its partners have undertaken in compliance with this requirement and identifies opportunities for enhanced cooperation and effective implementation going forward. Lessons learned from Somalia could have relevance and wider application to other arms embargo regimes, particularly those in contexts of conflict and security transitions.

---

3   Security Council, UN document S/RES/2182, 2014, https://www.undocs.org/S/RES/2182%20(2014).

DEFINITION AND OVERVIEW OF RECOVERED WEAPONS

There are several terms—some interchangeable—that describe the instance in which national authorities take possession of weapons, which have at some point been diverted from their rightful custodian. This can include battlefield capture by national defence and security forces from non-State armed actors in military operations during conflict (i.e. captured weapons), seizures as part of law enforcement operations whereby weapons are apprehended from criminals, and collection of weapons during amnesty or disarmament programmes. This report will use the term 'recover', which the Modular Small-arms-control Implementation Compendium (MOSAIC) uses to refer to the full range of instances in which national authorities acquire illicit small arms and light weapons.[4]

Recovery of illicit weapons is a critical endeavour in enhancing security and reducing armed violence. In addition to taking illicit weapons out of circulation to limit non-State and terrorist groups' ability to acquire and use them, there are benefits to recovering illicit weapons that reinforce broader initiatives related to WAM. A comprehensive approach to WAM requires that States enact accountability measures for recovered weapons throughout their lifecycle—from the point of recovery to disposal.[5] Prior to disposal, States are encouraged to trace the chain of custody of the recovered weapons in order to identify the point at which they were diverted from legal custody. Recovered weapons can be traced both domestically and internationally. Domestic tracing operations aim to establish whether the weapon was diverted while under the jurisdiction of the State that recovered it, whereas international tracing operations aim to determine whether the recovered weapon entered the country by illicit means.[6]

Successful tracing of weapons involves the following steps:[7]

- identifying a weapon or ammunition based on markings and physical characteristics;
- conducting a domestic tracing operation to establish whether the weapon/ammunition (a) became illicit while under the jurisdiction of the State that recovered it (e.g. following its domestic manufacture or import), or (b) possibly entered the country by illicit means;
- conducting an international tracing operation, if the weapon is suspected of having

---

4 These include weapons that are considered illicit under national law, suspected of having been transferred in violation of Security Council arms embargoes, not marked in accordance with the International Tracing Instrument, suspected of having been illicitly manufactured, or suspected of having been transferred without license or authorization from the competent State authorities. See MOSAIC 05.31, "Tracing Illicit Small Arms and Light Weapons", 2012, https://unoda-web.s3.amazonaws.com/wp-content/uploads/2019/05/MOSAIC-05.31-2012EV1.0.pdf.

5 Although MOSAIC prioritizes destruction as the preferred mode of disposal, it can include a variety of actions that range from integration, re-transfer and destruction, depending on national, regional or international regulations and obligations.

6 MOSAIC 05.31, "Tracing Illicit Small Arms and Light Weapons", 2012, https://unoda-web.s3.amazonaws.com/wp-content/uploads/2019/05/MOSAIC-05.31-2012EV1.0.pdf.

7 Ibid., p. vi.

SECTOR COMMANDERS FROM THE SOMALI NATIONAL ARMY AND AMISOM MEET
IN MOGADISHU, OCTOBER 2020

© AMISOM

entered the country by illicit means;
- identifying the point in time and space at which the weapon became illicit; and
- taking action to prosecute those responsible for diverting the weapon, and to prevent similar diversion from reoccurring.

Monitoring and diagnostic activities, such as weapon tracing, promote information-exchange and international cooperation among national law enforcement agencies, INTERPOL, national export licensing authorities, United Nations Panels of Experts as well as non-governmental organizations.[8] Tracing weapons can reveal important information that can inform investigations and prosecution undertaken by intelligence, law enforcement, and judicial bodies. Moreover, tracing recovered weapons enables States to identify weaknesses in the supply chain, entities involved in illegal activity, and violations of sanctions and international law.

---

8   See for example CAR, *Conventional Ammunition Diversion: A Supply Chain Security Approach to International Control Measures*, 2018, https://www.conflictarm.com/download-file/?report_id=3070&file_id=3072; UNIDIR "Conventional Ammunition Management Gap Analysis", https://unidir.org/publication/conventional-ammunition-manage-ment-gap-analysis.

NORMATIVE FRAMEWORK AND BEST PRACTICES

A precondition for comprehensive, consistent and timely tracing of recovered weapons is their effective management. However, international, regional and subregional legal instruments provide little strategic and operational guidance to States on this aspect. There are several physical security and stockpile management best practice guides, however, which include provisions that, although not explicitly mentioned, apply to proper management of recovered weapons, such as guidelines on safe and secure storage, marking, and disposal of weapons.[9] These guidelines are usually broadly crafted and do not take into account security and logistical constraints in conflict-affected and low-capacity contexts.[10] Procedures relating to evidentiary chain of custody in cases of weapon-related criminality and for weapons seized during armed conflict are often law enforcement and military processes, respectively, that are the prerogative of the State.

Tracing is the one aspect of managing recovered weapons that is most elaborated in international, regional and subregional agreements. Member States first introduced a requirement for tracing weapons in the Firearms Protocol, which was adopted by the General Assembly in May 2001.[11] In July of the same year, the United Nations adopted the politically binding Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, which, like the Firearms Protocol, briefly mentions weapon tracing, but goes further by committing States to undertake a study "for examining the feasibility of developing an international instrument to enable States to identify and trace ... small arms and light weapons".[12] This commitment was realized in 2005, when Member States adopted the International Tracing Instrument.[13] The International Tracing Instrument requires States to ensure that weapons are properly marked and recorded for the purpose of tracing. The Instrument also provides a framework for promoting and facilitating cooperation among States as well as a mechanism for States to request assistance from other States that are in a position to provide financial and technical assistance.[14]

---

9   See for example MOSAIC, "Series 05—Operational Support", 2012, https://www.un.org/disarmament/convarms/mosaic/#:~:text=Modular%20Small%2Darms%2Dcontrol%20Implementation%20Compendium%20(MOSAIC),work%20within%20the%20UN%20system; UNODA, "Guide to the International Ammunition Technical Guidelines", 2015, https://unoda-web.s3.amazonaws.com/wp-content/uploads/2020/02/iatg-v3-combined.pdf; RECSA, "Best Practice Guidelines for the Implementation of the Nairobi Declaration and the Nairobi Protocol on Small Arms and Light Weapons", http://www.poa-iss.org/RegionalOrganizations/RECSA/Nairobi%20Best%20Practice%20Guidelines.pdf.

10   See, for example, UNIDIR, *Utilizing the International Ammunition Technical Guidelines in Conflict-Affected and Low-Capacity Environments*, 2019, https://unidir.org/publication/utilizing-international-ammunition-technical-guidelines-conflict-affected-and-low.

11   General Assembly, UN document A/RES/55/255, 2001, http://www.unodc.org/documents/treaties/UNTOC/Publications/A-RES%2055-255/55r255e.pdf.

12   United Nations, "Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All its Aspects", 2001, https://undocs.org/en/A/CONF.192/15(SUPP).

13   International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons, https://unoda-web.s3.amazonaws.com/wp-content/uploads/2020/02/ITI_English.pdf.

14   Ibid. The 2001 Firearms Protocol is a legally binding instruments, while the PoA and ITI are politically binding.

With the adoption of the global indicator framework for the Sustainable Development Goals in 2017,[15] States further emphasized that tracing recovered weapons was a key measure to realizing target 16.4 on reducing illicit arms flows. The information that States are required to provide on their tracing operations—as part of their periodic reporting obligations under these instruments—will therefore not only help measure and evaluate the implementation of the individual instruments but the collective States' efforts in reducing illicit arms flows.[16]

At the regional level, a number of regions and subregions have signed into force legally binding instruments on small arms and light weapons, which include requirements for tracing. In East Africa, for example, 11 States agreed to adopt the Nairobi Protocol in April 2004,[17] with Somalia joining a year later.[18] In 2005, the Regional Centre on Small Arms in the Great Lakes Region, the Horn of Africa and Bordering States developed the Best Practice Guidelines for the Implementation of the Nairobi Declaration and the Nairobi Protocol on Small Arms and Light Weapons. Chapter three of the Guidelines provides recommendations on management, record-keeping and tracing, including procedures for international cooperation and information requirements. The Kinshasa Convention and the Economic Community of West African States Convention on Small Arms and Light Weapons, Their Ammunition and Other Related Materials are two other examples of subregional instruments that stipulate requirements on tracing weapons for member States. The latter instruments also require their States to record and report on weapons recovered by their peacekeeping forces in third countries.[19]

---

15   General Assembly, UN document A/RES/71/313, 2017, https://undocs.org/A/RES/71/313.
16   Small Arms Survey, "Measuring Illicit Arms Flows: SDG Target 16.4", Research Note 57, 2016, http://www.smallarmssurvey.org/fileadmin/docs/H-Research_Notes/SAS-Research-Note-57.pdf.
17   The Nairobi Protocol for the Prevention, Control and Reduction of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa, https://recsasec.org/wp-content/uploads/2018/08/Nairobi-Protocol.pdf.
18   RECSA, https://recsasec.org/2018/08/16/nairobi-protocol-for-the-prevention-control-and-reduction-of-small-arms-and-light-weapons-in-the-great-lakes-region-the-horn-of-africa-and-bordering-states/.
19   RECSA, "Best Practice Guidelines for the Implementation of the Nairobi Declaration and the Nairobi Protocol on Small Arms and Light Weapons", http://www.poa-iss.org/RegionalOrganizations/RECSA/Nairobi%20Best%20Practice%20Guidelines.pdf>; Central African Convention for the Control of Small Arms and Light Weapons, their Ammunition and All Parts and Components That Can Be Used for Their Manufacture, Repair and Assembly, 2010, art. 22, https://treaties.un.org/doc/Treaties/2010/04/20100430%2001-12%20PM/Ch_xxvi-7.pdf>; ECOWAS Convention on Small Arms and Light Weapons, Their Ammunition and Other Related Materials, art. 11, http://www.poa-iss.org/RegionalOrganizations/ECOWAS/ECOWAS%20Convention%202006.pdf.

MANAGING AND TRACING RECOVERED WEAPONS UNDER SOMALIA'S ARMS EMBARGO

Although the arms embargo was passed in 1992, it was not until 2002 that the Security Council decided to put in place a mechanism for the "generation of independent information on violations and for improving the enforcement of the embargo".[20] The consecutive mechanisms established since, and up to the current Panel of Experts (PoE), were mandated to investigate violations of the embargo by pursuing a variety of sources that might reveal information related to violations, such as national and international actors, all whom were required by the Security Council to cooperate fully.[21] Since then, these subsidiary organs employed a range of tools to investigate violations, including domestic and international tracing of weapons encountered in Somalia.[22]

By 2008, with the formation of the Transitional Federal Government and the deployment of AMISOM, military confrontations intensified, resulting in both the recovery and diversion of weapons and military equipment from and to adversary groups and illicit markets.[23] This prompted the Monitoring Group on Somalia to recommend that the Transitional Federal Government, AMISOM, and any other international forces to be deployed to Somalia to put in place transparent systems for the registration, management and disposal of weapons and ammunition and to report on measures taken in this respect.[24] The Monitoring Group also reaffirmed that the tracing of weapons found in Somalia remained a key element in documenting violations, and therefore recommended that States and international organizations that recover weapons in or destined for Somalia record the identifying characteristics of those items and share that information with the Monitoring Group.[25]

While the Security Council consistently required all States and entities to provide unhindered access by its subsidiary organs to persons, documents and sites deemed relevant to the execution of their mandate, it did not explicitly require access to records and sites of recovered weapons until 2013, following the partial lifting of the arms embargo. The embargo was partially lifted to support the FGS in developing and equipping its security forces for the

---

20   Security Council, UN document S/PRST/2008/8, 2002, https://undocs.org/S/PRST/2002/8.
21   See Security Council resolutions on Somalia adopted between 2002 and 2018.
22   While the Panel of Experts regularly mapped weapons flows and acquisition by armed actors within Somalia, in 2003, it reported its first attempt at international tracing where it obtained serial numbers of weapons available on the Bakaraha market in Mogadishu and sent them to the presumed countries of manufacture with a request to trace the source of the weapons and to indicate the intended recipient. The Panel asserted that tracing weapons and ammunition could be of considerable importance to monitoring violations, provided that tracing requests are processed more efficiently. See Security Council, UN document S/2003/1035, 2003, paras. 138–104, https://www.undocs.org/S/2003/1035.
23   For a description of patterns of weapons recovery, loss and diversion, see Security Council, UN documents S/2007/436, 2007, para. 23, https://www.undocs.org/S/2007/436; S/2008/274, 2008, paras. 113, 119–146, 163, 239–247, https://www.undocs.org/S/2008/274; and S/2008/769, 2008, paras. 174–181, https://www.undocs.org/S/2008/769.
24   Security Council, UN document S/2008/769, 2008, para. 268, https://www.undocs.org/S/2008/769.
25   Ibid., para. 269; Security Council, UN documents S/2010/91, 2010, para. 279 (d), https://www.undocs.org/S/2010/91; and S/2011/433, 2011, para.451 (b), https://www.undocs.org/S/2011/433;

fight against al-Shabaab. The partial lifting was expanded in resolution 2182 (2014), when the Security Council introduced a range of WAM requirements. The resolution:

> "Requests the [Somali National Army] and AMISOM to document and register all military equipment captured as part of offensive operations or in the course of carrying out their mandates, including recording the type and serial number of the weapon and/or ammunition, photographing all items and relevant markings and facilitating inspection by the [Somalia and Eritrea Monitoring Group] of all military items before their redistribution or destruction".[26]

Although that Security Council resolution and those that followed it specifically refer to 'captured weapons', it should be understood that captured weapons constitute a subcategory of recovered weapons, which can also include, for example, weapons that al-Shabaab fighters hand over to the government during their surrender or in amnesty exercises. Despite the Security Council's narrowly defined requirement, the FGS and PoE have applied a broader interpretation of the resolution to include management of various categories of recovered weapons.

The passing of this requirement in resolution 2182 reinforced the role that recovered weapons management and tracing plays in strengthening the embargo enforcement, particularly in terms of analysing al-Shabaab's supply means, identifying gaps in measures to control weapons supplied under the partial lifting, and preventing the re-entry of recovered weapons into illicit markets.[27] However, implementation of this requirement has been met with several capacity and coordination challenges. To date, access to recovered weapons and information relating to illicit arms flows in Somalia has been a significant challenge, and thus reporting has been limited. The PoE on Somalia, which monitors implementation of the embargo, has likewise faced challenges in obtaining information related to weapon seizures and has instead primarily focused on the diversion of weapons from FGS stockpiles. These factors combined have resulted in a knowledge gap and partial implementation of the arms embargo, whereby the FGS has faced immense scrutiny for the deficiencies in its WAM processes, while very few efforts have been directed towards understanding and addressing the primary sources and modalities of other domestic and external illicit weapon supplies to al-Shabaab and other unauthorized non-State armed groups.

---

26   Security Council, UN document S/RES/2182, 2014, para. 6, https://www.undocs.org/S/RES/2182%20(2014).
27   Security Council, UN document S/2015/801, 2015, annex 7.4, para. 84, https://www.undocs.org/S/2015/801.

OVERVIEW OF NATIONAL IMPLEMENTATION: PROGRESS AND CHALLENGES

DEVELOPING A REGULATORY FRAMEWORK

In an effort to enhance coordination and decision-making, the President of Somalia entrusted the Office of National Security (ONS) to oversee the implementation and coordination of all aspects of WAM, interface with external entities and partners, as well as report to the Security Council.[28] In August 2015, the FGS established a procedure for processing recovered weapons and, as part of that, designated the National Intelligence and Security Agency (NISA) as the lead authority for investigating and processing recovered weapons. In 2016, the FGS expanded the remit to include the Criminal Investigation Department (CID) of the Somali Police Force.[29]

In August 2017, the FGS endorsed a National Weapon and Ammunition Management Policy Document for National Security Forces and Ministries/Agencies. The document outlines obligations on a range of WAM activities, including the need to document, report and dispose of captured weapons and ammunition. Moreover, the document obliges the relevant FGS authorities to trace weapons recovered in crime and military operations.[30]

This policy document led the following year to a Presidential Decree on the Control of Arms and Ammunition of the National Army, which included nine associated standard operating procedures (SOPs). While the Decree does not specifically reference recovered weapons, in 2020 the FGS updated the 2015 SOP on Management of Captured Weapons. That SOP includes procedures relating to storage, registration, tracing and reporting.

ESTABLISHING ROLES AND CAPACITIES OF LAW ENFORCEMENT AGENCIES

CID and NISA remain the primary entities responsible for processing recovered weapons in Mogadishu and its environs, whether incidents are related to crime or terrorism. In practice, whichever force is the first to respond typically takes ownership of the scene of the incident and manages any recovered weapons according to their own internal procedures. Both agencies maintain storage facilities for recovered weapons with associated records at their respective headquarters. In 2015–2017, Conflict Armament Research (CAR) provided training to CID,

---

28 For an overview of weapons and ammunition management in Somalia, see UNIDIR, *An Innovative Approach to United Nations Arms Embargoes*, 2020, https://unidir.org/publication/innovative-approach-united-nations-arms-embargoes.

29 UNIDIR, *Towards a National Framework for Arms and Ammunition Management in the Federal Republic of Somalia: A Narrative Report 2014–2017*, 2017, pp. 46–48, https://unidir.org/sites/default/files/publication/pdfs/narrative-report-2014-2017-en-695.pdf.

30 FGS, "National Weapon and Ammunition Management (WAM) Policy Document for National Security Forces and Ministries/Agencies", 2017.

NISA, and the Somali National Army (SNA) on identification, documentation and tracing of recovered weapons. Moreover, CAR provided laptops to CID and NISA for the recording of information on recovered weapons.

MANAGING RECOVERED WEAPONS IN DYNAMIC OPERATIONAL CONTEXTS

Outside Mogadishu, the SNA has the primary responsibility for weapons recovered during operations, but it has faced significant capacity limitations, which have hampered its ability to manage recovered weapons. Procedures pertaining to recovered weapons are not consistently communicated to front-line commanders, and when they are, the procedures are not considered a matter of priority in relation to the threat of conflict. Most of the front-line units lack the proper infrastructure and training to meet the minimum requirements for properly processing and storing recovered weapons. Recovered weapons are also not consistently documented or recorded due to urgent operational needs. The SNA often integrates recovered weapons into its existing stockpiles or distributes them to soldiers who may not be sufficiently armed.[31] This practice was acknowledged by the Security Council in resolution 2182 (2014) and subsequent resolutions, where it has requested the proper documentation of recovered weapons before their integration and redistribution.

In 2018, in response to claims by the PoE concerning inconsistent reporting of captured weapons[32] and restricted access to depots,[33] the Security Council once again elaborated on the requirement in resolution 2444 (2018), which:

> "Calls upon the FGS to facilitate access for the Panel of Experts, on the basis of written requests to the FGS by the Panel of Experts submitted at least ten days in advance, to all FGS armouries in Mogadishu, all FGS imported weapons and ammunition prior to distribution, all FGS military storage facilities in Somalia National Army (SNA) sectors and all captured weaponry in FGS custody, and to allow photographs of weapons and ammunition in FGS custody and access to all FGS logbooks and distribution records, in order to enable the Security Council to monitor and assess progress in this area".[34]

MANAGING RECOVERED WEAPONS IN A DECENTRALIZED SECURITY ARCHITECTURE

The signing on 16 April 2017 of the political agreement on a National Security Architecture reaffirmed that Somalia's Federal Member States (FMS) are key building blocks of the national security sector, thereby underlining their roles and responsibilities in WAM and compliance with the arms embargo provisions. Resolution 2498 (2019) reiterates the same requirements as 2444 (2018), but for the first time, in addition to the FGS and AMISOM, places responsibility on the FMS to cooperate and report on captured weapons.[35] As part of broader security

---

31   Security Council, UN document S/2019/616, 2019, https://undocs.org/pdf?symbol=en/S/2019/616; UNIDIR, *Towards a National Framework for Arms and Ammunition Management in the Federal Republic of Somalia: A Narrative Report 2014–2017*, 2017, https://unidir.org/sites/default/files/publication/pdfs/narrative-report-2014-2017-en-695.pdf.
32   In the Panel's 2018 report, for example, it states that the Panel only received information on captured weapons from the FGS once in 2015; Security Council, UN document S/2018/1002, 2018, https://undocs.org/S/2018/1002.
33   Security Council, UN document S/2018/1002, 2018, p. 3, https://undocs.org/S/2018/1002.
34   Security Council, UN document S/RES/2444, 2018, http://undocs.org/S/RES/2444%20(2018).
35   Security Council, UN document S/RES/2498, 2019, http://undocs.org/en/S/RES/2498(2019).

SOMALI NATIONAL ARMY AND AMISOM SOLDIERS IN AN ARMORED VEHICLE
DURING A JOINT CORDON AND SEARCH OPERATION IN MOGADISHU, APRIL 2014.

© AMISOM

initiatives and support extended to the FMS under Somalia's federalist system, the Security Council acknowledged the important role that the FMS and their affiliated forces play with regard to recovered weapons. Indeed, various forces in the FMS, either jointly or independently, partake in military operations against al-Shabaab and therefore glean a significant number of recovered weapons. The resolution thus takes into account that the FMS conduct security operations in a semi-autonomous fashion, which requires that they develop procedures for processing recovered weapons and ensuring that the relevant information is transmitted to the FGS for operational and reporting purposes.

In accordance with the National Security Architecture, Regional Security Offices were established in each of the FMS to play a coordination role on all issues of security between federal and State-level security actors[36]. It is expected that the Offices will play a key function in supporting management of recovered weapons at the sector level. In order to operationalize WAM under the federal arrangements, ONS identified focal points within the Offices and convened, in February 2020, a WAM consultative workshop, with support from CAR and

---

36   Somalia's Political Agreement on National Security Architecture, 2017, https://unsom.unmissions.org/sites/de-fault/files/london-somalia-conference-2017-security-pact.pdf.pdf.

UNIDIR. This marked the first workshop to include widespread participation by the FMS.[37] These consultations led to a concrete commitment by the ONS to draft a national strategy on WAM, which is due for adoption in late 2020. Both UNIDIR and CAR have been closely consulted on the development of the national strategy, drawing upon the expertise of UNIDIR from an international arms and ammunition control policy perspective and on CAR's intimate knowledge of the operational environment. The strategy will provide a guiding framework for the management of conventional weapons and ammunition in a comprehensive manner throughout their lifecycle, at the FGS and FMS levels, including managing, tracing and disposing of recovered weapons.

COOPERATION WITH PARTNER FORCES: THE ROLE OF AMISOM

Throughout the current conflict, AMISOM has been instrumental in supporting Somali authorities to weaken al-Shabaab and to liberate territory under its control. Consequently, AMISOM has routinely recovered weapons during its military operations. In previous years, despite repeated calls made by the Security Council,[38] AMISOM and the FGS confronted challenges in coordinating their procedures to manage captured weapons due to the lack of clarity about the roles and responsibilities of the respective sector commanders, which has been one of the notable impediments to effectively managing and tracing recovered weapons. Similar to SNA units in front-line positions, AMISOM forces faced logistical and informational challenges in the early stages of operationalizing processes for recovered weapons, largely due to a lack of awareness and access to information among its sector-level units. Since 2014, AMISOM leadership claimed that its forces have routinely handed recovered weapons over to SNA units and partner regional forces accompanying its forces on joint operations at the sector level. However, this information was not consistently forwarded up the chain of command of the respective forces for consolidation.

Likewise, the PoE has consistently reported AMISOM's lack of cooperation to share information on recovered weapons despite its expressed willingness to do so. In its 2019 report, for instance, the PoE reported that over a five-year period it requested information from AMISOM on six significant seizures it conducted against al-Shabaab, but only received practicable information on one of them, in 2018.[39] This occurred despite the fact that in 2017 the PoE provided recovered weapon logbook templates to every AMISOM sector to record the information required for tracing weapons. According to the Panel's 2019 report, the logbooks were never operationalized.[40]

---

37   Between 2014 and 2017, and with support from UNIDIR, UNSOM and UNMAS, the FGS conducted an iterative inter-ministerial consultative process on WAM to continuously evaluate progress and address gaps in the national WAM frameworks, procedures and practices. See UNIDIR, *Towards a National Framework for Arms and Ammunition Management in the Federal Republic of Somalia: A Narrative Report 2014–2017*, 2017, https://unidir.org/sites/default/files/publication/pdfs/narrative-report-2014-2017-en-695.pdf.
38   In consecutive resolutions, the Security Council urged increased cooperation between AMISOM and the SNA in the implementation of paragraph 6 of resolution 2182 (2014). See Security Council, UN documents S/RES/2244, 2015, para. 10, https://www.undocs.org/S/RES/2244%20(2015); S/RES/2317, 2016, para. 12, https://www.undocs.org/S/RES/2317(2016); S/RES/2385, 2017, para. 13, https://www.undocs.org/S/RES/2385(2017); and S/RES/2444, 2018, para. 27, https://undocs.org/S/RES/2444%20(2018).
39   Security Council, UN document S/2019/858, 2019, https://undocs.org/S/2019/858.
40   Ibid.

In recognition of its shortcomings and to address them, the AMISOM Force Commander issued a directive on recovered weapons on 26 June 2019. It stated that all recovered weapons should be registered by the forward operating bases, after which time they should be forwarded to the sector headquarters. Following this, it declares that recovered weapons should be handed over to the FGS and their associated records dispatched to AMISOM's Force Headquarters. The application of such procedures varies among sectors due to a number of reasons, including awareness and political commitment, types of operations conducted, security situation, operational constraints, as well as human and operational capacities.[41] As a further step towards addressing this issue across the African Union's various peace support operations, the African Union adopted a Policy on Management of Recovered Small Arms and Light Weapons in Peace Support Operations in December 2019. While this Policy does not address AMISOM's specific requirements, it does provide concrete guidance on 1) data collection and record-keeping for recovered weapons; 2) marking and tracing of recovered weapons; 3) physical security and stockpile management; 4) transport security; and 5) disposal.[42]

In conjunction with the new policy, AMISOM embarked on drafting its own set of SOPs on recovered weapons, which are intended to be harmonized with those of the FGS. Although the SOPs have yet to be finalized, in February 2020 AMISOM ceremoniously handed over to the FGS its first collection of weapons recovered from al-Shabaab. The weapons, which included rocket-propelled grenade launchers, machine guns, and assorted assault rifles, were recovered by AMISOM forces during joint operations with Somali security forces.[43] A second handover was due to take place the following month but was postponed due to the outbreak of the COVID-19 pandemic. Despite ongoing operational challenges, these actions indicate positive steps by AMISOM to put in place a process for the effective management of recovered weapons in cooperation with the FGS and its security services.

---

41   Author correspondence with an African Union staff member, August 2020.
42   African Union Commission, Working documents of the 12th Ordinary Meeting of the Specialized Technical Committee on Defence, Safety and Security, 2019, https://www.peaceau.org/uploads/en-au-policy-arms-management-final-draft.pdf.
43   AMISOM, "AMISOM hands over captured weapons to government of Somalia", 28 February 2020, https://amisom-au.org/wp-content/cache/page_enhanced/amisom-au.org/2020/02/amisom-hands-over-captured-weapons-to-government-of-somalia/_index.html.

UNIDIR AND CONFLICT ARMAMENT RESEARCH MEET WITH AMISOM IN
MOGADISHU, FEBRUARY 2020

© AMISOM

IMPROVING MANAGEMENT OF RECOVERED WEAPONS AND LAYING THE FOUNDATION FOR A NATIONAL TRACING SYSTEM

Owing to the persistent threat of attack by al-Shabaab and the need to understand its supply channels, together with the continuous negative reporting by the PoE, the FGS and in particular the ONS have taken up the issue of recovered weapons as a top priority. Through procedures instituted at the level of NISA and CID, and as a result of the improved level of cooperation with AMISOM witnessed in recent months, the FGS has made some progress with basic procedures for storing and recording recovered weapons. However, the FGS still lacks a comprehensive and centralized domestic system for tracing weapons. The FGS now has an opportunity to enhance its management of recovered weapons and has committed to making progress in this regard.

In early 2020, the ONS initiated steps towards enhancing the management of recovered weapons. First, the ONS decided to update the FGS' SOP on captured weapons to reflect changes in procedure, and to harmonize it with AMISOM's pending SOP. Concurrently, the ONS is establishing an analytic cell within its office, which when fully operational is expected to glean and analyse information pertaining to recovered weapons to feedback actionable information to FGS forces. Moreover, the ONS has expanded the scope of the Security Council-mandated Joint Verification Team—comprising members of the FGS and international experts—to assist the FGS in identifying and analysing recovered weapons.[44] The operationalization of these mechanisms is also expected to support FGS's ongoing efforts to strengthen cooperation with AMISOM, the PoE and the Security Council Sanctions Committee on recovered weapons.

---

44   For more on the Joint Verification Team see UNIDIR, *An Innovative Approach to United Nations Arms Embargoes*, 2020, https://unidir.org/publication/innovative-approach-united-nations-arms-embargoes.

AMISOM HANDS OVER RECOVERED WEAPONS TO THE FGS IN MOGADISHU, FEBRUARY 2020.

© AMISOM

REFLECTIONS

Experience from Somalia reveals the multifaceted challenges of effective management of recovered weapons. There are however opportunities for improvement that warrant particular attention.

First, operationalizing the FGS' Presidential Decree and forthcoming WAM strategy and concomitant SOPs requires an environment where such actions are implementable. Therefore, dedicating resources to bolster logistical capacities, particularly at the sector/FMS level, is a prerequisite to effectively managing recovered weapons. More specifically, this involves assigning officials dedicated to carrying out these duties and equipping them with the logistical infrastructure (transport, secure offices, and data management tools) needed to do so effectively. Special attention ought to be focused on recovered ammunition and explosive materiel, which, due to the explosive hazard and safety risks that they pose, require that they be handled differently than weapons, particularly during transport and storage. These duties should be conducted at the sector level, with all documentation records centralized by a 'recovered weapons focal point' and routinely transmitted to the ONS for further analysis and reporting by the analytic cell.

Second, since the FGS has yet to codify its regulatory and operational processes for weapon disposal, provisional guidance for disposal—ranging from integration, transfers or destruction—is needed to ensure that recovered weapons are not diverted further afield. This could include specific procedures for integrating recovered weapons into FGS stocks, in alignment and as permitted by Presidential Decree, including on standardization of military equipment.

Third, and until the completion of the security transition, the FGS will continue to operate alongside partner forces, particularly AMISOM. It is therefore necessary that the FGS, FMS and AMISOM reach a common understanding on the modalities for handling recovered weapons, including those coming from their respective stockpiles. Relevant SOPs should be harmonized and their implementation enforced in all sectors to ensure proper documentation and timely handover to designated authorities at the respective sector levels. The effective implementation of the SOPs will also require enhanced international assistance to AMISOM to improve WAM infrastructure at the sector level and technical capacities for identifying and recording weapons and ammunition.

Fourth, the FGS ought to play a leading role in the generation, analysis and dissemination of information relating to recovered weapons. The establishment of an analytic cell within the

CONSULTATIVE MEETING TO ROLL-OUT THE AU POLICY ON THE MANAGEMENT OF
RECOVERED WEAPONS IN AMISOM, MOGADISHU, JULY 2019

ONS as well as widened Joint Verification Team operations[45] are promising developments and provide renewed opportunities to strengthen cooperation with the PoE and other entities mandated to work on recovered weapons. Continued assistance and capacity-building support from partners and donors remain essential for the full operationalization of mechanisms established to effectively manage and trace recovered weapons. Such support will help consolidate and institutionalize effective practices and capacities for recovered weapons management, tracing and analysis as part of a medium- and long-term WAM framework.

Lastly, until the envisaged analytic cell is fully instituted and capacitated, cooperation with the PoE will remain essential for generating intelligence on illicit arms flows into and within Somalia and al-Shabaab's supply sources. This cooperation should be further strengthened, including through facilitating the PoE's access, and regular dialogue and exchange of information on results of tracing undertaken by the PoE. Furthermore, the FGS should seek to strengthen cooperation with United Nations entities, international organizations and States, which could provide assistance within the framework of Security Council resolution 2370 (2017) on preventing terrorists from acquiring weapons.

---

45   See UNIDIR, *An Innovative Approach to United Nations Arms Embargoes*, 2020, p. 11, https://unidir.org/publication/innovative-approach-united-nations-arms-embargoes.

CONCLUSION

Comprehensive management of recovered weapons is a multidimensional process undertaken by a range of stakeholders. Securing, storing and disposing of a recovered weapon is primarily the job of the security force that has recovered the item. Following this, it is typically the role of law enforcement authorities to trace and disseminate information on the item. In contexts of conflict, however, law enforcement agencies often break down, with national armies taking over most, if not all, functions of security provision. The myriad operational priorities undertaken by military forces leave few opportunities for implementing a robust process for managing recovered weapons.

In Somalia, where the international community is devoting significant resources to strengthening Somalia's security sector, there is an opportunity to integrate best practices relating to recovered weapons into WAM programming across the various Somali security forces. While subsequent PoE reports have highlighted the role that weapons diverted from FGS stockpiles have played in fueling illicit weapon flows and supplies to al-Shabaab, there remains a sizeable gap in knowledge relating to other sources of illicit weapons in Somalia. With support from international actors, the FGS is uniquely positioned to bridge the knowledge gap with a systematic approach to collecting, analysing and disseminating data on illicit weapons in the Horn of Africa.

A systematic approach to managing recovered weapons, including thorough analysis and information-sharing, provides a data-backed assessment of patterns of proliferation, rather than solely relying on incomplete and anecdotal evidence. In order to achieve this, the FGS and AMISOM have recently taken steps to institute measures for managing recovered weapons. As the FGS and AMISOM, with support from international partners, further develop their capacity to manage recovered weapons, a greater understanding of weapon flows in Somalia will emerge, thus enhancing security providers' ability to prevent and respond to the complex set of threats posed by the proliferation of weapons.

Beyond Somalia, the steps that the FGS has taken to manage recovered weapons can inform broader lessons learned on management and tracing of recovered weapons. This could include Security Council considerations on how other States affected by armed conflict may design and develop mechanisms to manage recovered weapons. Regional organizations, in particular the Regional Centre on Small Arms in the Great Lakes Region, the Horn of Africa and Bordering States, may also draw on lessons and good practices from Somalia to inform the review of good practice guidance on the implementation of the Nairobi Protocol as appropriate. Lessons could also apply to peacekeeping and peace support operations, in particular, for planning of operations as well as development of mission-related procedures

on recovered weapons. For example, the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo maintains an arms embargo monitoring cell, which provides analysis on seized weapons to the government and the relevant PoE.

More broadly, as an increasing number of States pursue a comprehensive approach to WAM, it is essential that they delineate policies and procedures for effectively managing recovered weapons to better inform preventative strategies against weapon diversion.

TRACING ILLICIT WEAPON FLOWS IN CONFLICT AND SECURITY TRANSITIONS:
A CASE FOR MANAGING RECOVERED WEAPONS IN SOMALIA

International and sub-regional instruments encourage or require States to appropriately manage and trace recovered weapons in order to identify their illicit sources, understand patterns of illicit arms flows, and address diversion resulting from poor controls over international transfers or national stockpiles. However, tracing weapons recovered in situations of armed conflict and security transitions is a challenging undertaking due to insecurity and capacity constraints. In the context of Somalia, the requirement for recording and tracing weapons recovered in security operations is reinforced by the arms embargo to aid the Security Council subsidiary bodies in investigating violations. Somalia's experience highlights the range of challenges that can be encountered in this respect, but also offers lessons that have relevance and wider application to other sanctions regimes imposed in similar contexts.

40

UNIDIR

UNITED NATIONS INSTITUTE
FOR DISARMAMENT RESEARCH