

TABLE OF CONTENTS

Editor's Note

<i>Kerstin HOFFMAN</i>	1
------------------------------	---

Special Comment

<i>Alpha Oumar KONARÉ</i> , President of the Republic of Mali	3
---	---

Small Arms Control: the Need for Coordination

Negotiating Small Arms Restraint: The Boldest Frontier for Disarmament? <i>Aaron KARP</i>	5
--	---

Working Where it Hurts: Perspectives from the Field on Small Arms Demand <i>David ATWOOD & David JACKMAN</i>	13
---	----

United Nations Contributions to the Process <i>David BIGGS</i>	25
---	----

The 2001 Conference — Breaking Out of the Arms Control Framework <i>Chris SMITH</i>	39
--	----

National Policies and Regional Agreements on Arms Exports <i>Ian ANTHONY</i>	47
---	----

Bibliography

Light Weapons Bibliography and Resource List <i>Compiled by Joshua MARGOLIN</i>	59
--	----

Open Forum

The Ottawa Process: Nine-Day Wonder or a New Model for Disarmament Negotiations? <i>Maurice BLEICHER</i>	69
--	----

Examining the Discourse on Nuclear Weapons <i>Roya GHAFELE BASHI</i>	77
---	----

UNIDIR Activities	87
--------------------------------	----

Publications	93
---------------------------	----

EDITOR'S NOTE

It has become broadly accepted that controlling the spread of small arms is vital in establishing genuine, practical human security. The multiple dimensions of the problem range beyond the confines of arms control and disarmament — this problem is essentially a humanitarian concern. The approaches to small arms control are illustrated by the variety of initiatives undertaken in the last few years. These include, for example, disarmament of former combatants, women's initiatives in arms collection, related developmental activities and the fight against transnational organized crime.

As we are going to press, the first Prep Com for the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects has just ended in New York. Many significant decisions, including the Conference's dates, venue and the role of NGOs were not agreed upon at this meeting and have been left for the next Prep Com (in January 2001). These differences, coupled with basic disagreements on the purpose of the Conference, suggest that a deeper examination of the subject is timely. For this issue of *Disarmament Forum* we take a closer look at many of the recent national and international initiatives to control small arms, provide an overview of where such activities stand and discuss the prospects for controlling small arms. The authors focus on what approaches are needed and how to operationalize them, for example in the context of international negotiations and regional measures. Additionally, pages 59–67 include an up-to-date bibliography of articles concerning these topics. We hope that the views and resources expressed herein encourage new thinking and focus, as well as illuminate possible avenues of future co-operation.

Issue 3, 2000 of *Disarmament Forum* will be an in-depth examination of the difficult questions surrounding peacekeeping issues: the historical basis for a standing United Nations force, burden sharing and regional efforts, verification, civil-military relations and the privatization of peacekeeping/peace enforcement.

As researchers at UNIDIR, Katie Sams and Eric Berman have written *Peacekeeping in Africa: Capabilities and Culpabilities*, a comprehensive study of the concept of burden sharing in peacekeeping operations in Africa. The culmination of two years of research, Sams and Berman have produced a fascinating and detailed account of African peacekeeping experiences; regional, subregional and ad hoc initiatives; the role of the United Nations and changes in its peacekeeping policies; and the contributions of non-African states to African peacekeeping. The publication concludes with practical recommendations for African capacity-building in both the short and long term. An excerpt from the book will be featured in the next issue of *Disarmament Forum*.

UNIDIR, in co-operation with the Monterey Institute of International Studies and Peace Research Institute Frankfurt, is hosting a workshop on the urgent issue of tactical nuclear weapons (TNWs) on 20–21 March. Fifty experts from around the world will gather in Geneva to discuss the definition of TNWs, numbers, the roles of TNWs in various military and political doctrines, and future measures to

address the TNW problem. The main findings from this meeting will be made available in a draft form at the May NPT Review Conference. Later, the project will publish a Research Report in the UNIDIR series and a "UNIDIR Brief" setting out the main findings of the study in succinct form for broad distribution.

Has your institution registered with DATARIs? In cooperation with SIPRI (Stockholm International Peace Research Institute), UNIDIR has developed an online database of disarmament, arms control, security and peace research institutes and projects around the world. The database can be accessed through UNIDIR's website and institutes can update their information via a password. If you would like for your institute to be included in DATARIs, please contact: Ms. Anita Blétry, abletry@unog.ch or fax: (+41 22) 917 0176.

Just a reminder: *Disarmament Forum* is online before the paper copy is printed and distributed. For the most recent issue, check our website regularly: www.unog.ch/UNIDIR.

Kerstin Hoffman

SPECIAL COMMENT

At the opening of the twenty-first century, we have to admit that small arms control is one of the major challenges facing the current international system. While significant progress has been made in nuclear arms control, this is not the case for conventional weapons in general, and small arms in particular, whose accumulation and illicit proliferation around the world could become the greatest threat to the international system and states' stability. I therefore call on the international community to fiercely fight against this category of weapons.

During the Cold War, the international community was more interested in preserving the nuclear balance than a global security system. The arms race, which fuelled the strategic competition between the two superpowers, is one of the main causes of today's traffic and inflow of small arms and conventional weapons, which exacerbate tensions in the many post-Cold War hot spots.

With the end of bipolar strategic competition, those weapons have become obsolete for the very reasons that motivated their accumulation, yet they have become increasingly available and have thus fuelled disputes, disagreements or tensions that could arise in everyday life between groups. Therefore, the availability of small arms increases the duration and violence of conflicts, entices the actors involved away from conflict resolution and incites them to use violent means, which can then arouse feelings of insecurity, which in turn increases the demand and use of the very same weapons to restore, so they say, security.

The accumulation and illicit proliferation of small arms are exacerbated by the fact that there exists very little, if any, regulation of conventional weapons control, that the traffic of those weapons is facilitated by the very nature and quality of those weapons, and that small arms, due to their operational characteristics, are especially suited to post-Cold War internal conflicts. Be it in Bosnia, Somalia, Rwanda, Burundi, the Central African Republic or in other crisis centres, those weapons are the ones that fuelled lethal wars, not between states, but within states between groups of armed individuals, factions, irregular troops and, sometimes, simple armed gangs with no social or political foundations.

The various political, economic and social consequences of the global illicit proliferation of small arms are now well known by the international community: millions of victims, mostly civilians, displaced populations with their share of tears and exhaustion, child soldiers, cross-border terrorism and banditry in urban zones and border areas.

Experts concluded that, in 1996, about 35 million people across twenty-three countries suffered, in one way or another, the consequences of intra-state conflicts. The report of an American governmental expert committee concluded that more than 80% of war victims are not combatants, but women and children, and that more than 200,000 soldiers are children less than 16-years old. One of the worst consequences of the accumulation and illicit traffic of small arms seems to be the sociological and political phenomenon of atomization and multiplication of repressive power centres in Africa.

The state is no longer the sole holder of legal repressive power; it can be challenged by other power centres with the same means. The free circulation of weapons has enabled pressure groups, insurgents and militias to oppose the legality and legitimacy of the state with as many, if not more, violent means. The emergence of such a phenomenon on the African political scene can entail great vulnerability, chronic instability and even delegitimation of legally established powers. This compromises the emerging but still weak democratic processes on the continent.

Finally, funds spent on arms acquisition (either by a government or by various groups), resources invested in armed conflicts by the actors and in peacekeeping operations by the United Nations are resources that have been diverted to the detriment of vital issues of economic and social development and of political stabilization of African states.

The 1998 adoption of a small arms moratorium by the Economic Community of West African States (ECOWAS) was a proactive way to oppose the devastating effects of small arms in our region. But what now matters most is for the moratorium to be implemented as effectively as possible and translated into practical results. This will illustrate how regional and sub-regional initiatives, backed up by the international community, can contribute significantly to addressing the problem of small arms. However, in the absence of progress towards multilateral regulation of the international trade of small arms and light weapons, regional arrangements such as the ECOWAS moratorium will be vulnerable and could be undercut by supplies from outside the region. Thus, amidst preparations for the 2001 United Nations Conference on the Illicit Trade In Small Arms and Light Weapons In All Its Aspects, this issue of *Disarmament Forum* comes as a useful reminder that there exists a clear and mutual complementarity between regional and global approaches.

Alpha Oumar Konaré

President of the Republic of Mali

Negotiating Small Arms Restraint: The Boldest Frontier For Disarmament?

Aaron KARP

The obvious reaction to rising interest in small arms control is amazement that it took so long. Although the exact numbers are lacking and may never be at hand, there is no doubt that these are the weapons that have caused most of the violent, unnatural death and destruction of the twentieth century. Whether measured dollar-to-euro or pound-to-kilo, these are the weapons that cause the most immediate fear, the weapons most likely to be used. As Richard Betts pointed out twenty years ago, with conventional weaponry there is no question which is more deadly, one 20 million dollar fighter plane or 20 million worth of rifles and ammunition. With the rise of ethnic conflict and the collapse of states, whether in Africa, Asia, Europe or Latin America, fighting is likely to be done with small and light arms alone. Major weapons, if they appear at all on these chaotic battlefields, tend to be brought in as a literal *deus ex machina*, decisive in the final stages of a conflict, but otherwise like so much fancy decoration.

The failure of the international community to deal with the issue until recently is shameful, but it also is highly revealing. There is much about the small arms issue that is special, that defies easy understanding and facile solutions. More so than other types of military equipment, small and light arms contribute to the legitimate defence of states and international stability, but they are even easier than most other weapons to misuse. One of the most tragic characteristics of small arms issues is the way they tend to mimic the most intractable aspects of other kinds of weapons problems. Like nuclear weapons, small arms can deter attack even as they threaten the lives of millions of innocent people. Like major conventional weapons systems, they can serve innumerable political and economic needs — making it extremely difficult to identify the fundamental motives at work and deal with them. Like many types of chemical and biological weapons, they can be produced without highly specialized or advanced equipment and they are extremely easy to conceal.

More so than any issue in disarmament before, small arms compel those who would control their destructiveness to answer fundamental questions about what exactly they hope to achieve. The problems radiate in part from the inherent complexity of a global arsenal numbering in the tens or even hundreds of millions of firearms. The difficulty also arises from the innumerable purposes they serve, as instruments for the stability of states, as tools of wanton destruction, or as agents of revolutionary change. At one level, small arms draw the international community into the growing chaos of an ever more atomized world. But at another level, they draw us into the tensions identified by United Nations Secretary-General Kofi Annan when he noted that the human condition can be bettered only if we find ways to reconcile the sovereignty of the state and the sovereignty of the individual. Tensions so severe may not be solvable. But they undoubtedly can be managed better than they are today. If the effects of small arms proliferation cannot be eliminated, they can be greatly ameliorated.

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Even as the international community begins to deal with the menace of small arms, it is essential to be as clear as possible about what one hopes to achieve. Above all, we must begin with the recognition that small arms are not going to disappear, that in many situations it may be impossible to undertake meaningful disarmament, and that a systematic international agenda may not be feasible right away. What the international community can do in the short term is to:

- *promulgate norms* against the trade in small arms in order to minimize accumulations of such weaponry;
- *develop a broad international agenda* — although not necessarily a systematic or even fully consistent one — facilitating efforts to deal with the most serious small arms problems;
- *build transparency* to clarify the numbers of small and light arms and their distribution around the world; and
- *strengthen the precedent for international action*, chipping away at the dangers they pose. This is one disarmament process that must proceed step-by-step. But without bold goals it may not be possible to make much progress at all.

The Agenda Problem

What is it that draws the international community to small arms? The first problem that needs to be dealt with is the multiplicity of motives and priorities. Except for a handful of weapons buffs and experts, very few of those working on small arms disarmament are concerned with small arms *per se*. For most of those involved, interest, rather, is instrumental; one cares about small arms because of the ills they promote, and it is these ills that we really seek to alleviate. While the goal of nuclear, chemical, biological or even major conventional weapons disarmament is to eventually eliminate all of these weapons, small arms disarmament attracts few abolitionists. Only the most zealous advocates — although I have yet to actually meet one — speak of eradicating the planet of each and every gun. Rather, the work of small arms disarmament is mostly concerned with overcoming the causes and effects of proliferating gun violence. Getting at the guns is an obvious part of the solution, although few would argue it is sufficient in and of itself. Some authorities, citing recent practical experience, would say it is not always essential and sometimes even counterproductive.

Small arms disarmament then is a kind of proxy; it is a way of dealing with broader phenomenon otherwise too slippery to address. Not surprisingly, viewing the issue instrumentally our motives are diverse, so diverse they cannot be listed without oversimplifying. Although it is not unprecedented, the issue is further complicated because some of the most important differences are not just between states. Differences over how to go about small arms control and disarmament reflect the even more fundamental differences in the motive.

For disarmament and relief NGOs, interest in small arms often derives from more general concern with the problem of facilitating peaceful political change, restraining the deadliness of ethnic conflict and sub-state warfare. For human rights NGOs, the highest priority often is reducing the ability of states to persecute their own people. For many states, the basic goal is to strengthen orthodox sovereignty and the state's legal monopoly on the use of force. Another group of states, less concerned with the salience of traditional state sovereignty, is more concerned with small arms proliferation because of its dangers for the strength of civil society, undermining social trust, exacerbating terrorism, emboldening organized and unorganized crime as well as undermining

domestic order. For the international community, one of the most important goals is controlling the chaos caused by failed states, especially when violence is unleashed throughout their former territories and into surrounding regions.

With so many motives at work, there is no shortage of approaches to policy and action. Many of these are conflicting and may even be contradictory, separating over the usual well-known disarmament fissures: which weapons will be directly affected, who will disarm first and who must cut the most. In the past these differences were most serious between rival governments. Now they are appearing between non-state actors as well. An issue like whether or not small arms transfers should be permitted to non-state groups has enormous implications for political change around the world. It naturally elicits divergent responses from the NGO community, depending on attitudes toward political violence, sympathy for the particular groups and states to be affected, and the willingness of the international community itself to intervene.

As some political leaders already have learned to their dismay, with so many of the basics unresolved, there often is no right side on many small arms issues. Is it any wonder that many governments appear to be letting middle-level officials and tenured civil servants handle the issue, while their political masters keep distance, waiting for clearer omens?

Under such intellectually unrefined circumstances, it is especially impressive to see a strong international consensus that the question of small arms cannot be ducked. Most importantly, there are no major constituencies demanding that the issue be excluded from international deliberation. Even the hugely powerful and disputatious American National Rifle Association is not opposed to seeing the small arms proliferation issue raised. This may reflect cynicism; its members know that willingness to discuss the issue does not automatically equate action.

Without a firm agenda for short-term and long-term priorities, though, the international community can do little more than applaud the actions of others. Paralysis in the United Nations does not mean paralysis everywhere; regional organizations and individual states still can act effectively on their own. Indeed, regional, national and even local initiatives probably are necessary to alleviate the spread of small arms. But such action cannot be sufficient for an issue characterized by highly dispersed production, widespread stockpiling, large-scale international transfers and trade, and global fear of their use.

The Illicit Trade Versus the Global Problem

The tensions between the great need for small arms control and disarmament and the problems of effective international action already have coloured the evolution of the first recent international efforts to deal with the issue. Both the initial General Assembly and Economic and Social Council resolutions, United Nations expert studies, and most (but not all) regional activity, stressed not the problems of ethnic conflict and state disintegration — where small arms pose their most immediate and overwhelming dangers — or the prospects for aggressive disarmament. Rather they principally addressed the much narrower and easier to handle issue of illicit trade. The same phenomenon is complicating planning for the 2001 United Nations conference, which may stress illicit transfers as the one aspect of the problem on which the most governments can agree with the least pain.

To many observers, the illicit trade is a valid but secondary issue, mostly linked to organized crime. This presumption may be unfounded; depending on how widely they are defined, illegal transfers can be seen contributing to terrorism, successionist warfare, ethnic and fundamentalist violence. The United Nations and regional organizations are fully justified in dealing with the illicit

trade in small arms and light weapons. But it probably is not the most salient aspect of small arms proliferation that could be stressed today. Ethnic armies and other sub-state forces appear to get much — probably most — of their weapons from ostensibly legal transfers by friendly governments, from private sources in sympathetic countries, or by capturing the equipment from their adversaries. With a handful of exceptions, the black market is their least important source of supply. Some analysts go so far as to maintain the black market is more important as a source of legend rather than actual hardware.

The issue of illicit transfers has dominated the United Nations and some regional organizations not because of its relative significance, but because it is one aspect of the problem on which virtually all governments can agree. Above all, it does not endanger the freedom of governments to use ostensibly legal transfers of small arms to promote their own national interests. Nor does it involve international organizations in uncomfortable aspects of national violence. Log-rolling, not ambition or a sense of human priority, keeps illicit small arms transfers at the top of the international agenda.

This is unfortunate not just because the opportunity cost of not acting on the broader problems of small arms proliferation, but also because of the strength of new international principles being created. At this still-formative period in the emergence of the small arms issue, the most important contribution of the United Nations will not be specific action or tangible accomplishments. The chief role of the United Nations will be to articulate a clear international norm governing the legitimate place of small arms in global society, establish priorities for all efforts to confine small arms exclusively to those well-defined areas, and encourage their eradication from situations where they do not belong. Such statements and agendas must be visionary and general. Nothing is gained by narrowing them to match the contours of lowest common denominators.

Unless a new understanding develops clarifying the purposes of small arms control and disarmament, there are important limits to what can be accomplished.

Unless a new understanding develops clarifying the purposes of small arms control and disarmament, there are important limits to what can be accomplished. There will be no all-encompassing disarmament breakthroughs, no milestone agreements against which all other progress is measured, no universal principles to guide further efforts.

Landmine Precedents?

Much of the change in perceptions of the small arms issue can be associated with fluctuations in the political atmosphere. Although it hardly seemed so at the time, the years 1993–1997, when the international consideration of small and light arms got going, was a brief but distinctive period of transition following the end of the Cold War. The worst sources of Cold War conflict had been resolved and the new rules of the twenty-first century had yet to become apparent. Not since the all-too-brief interval after the First World War had so much seemed possible. In the disarmament and conflict field these possibilities were suggested by the signing of START-2 and the Chemical Weapons Convention, the ongoing withdrawal of Russian armed forces from all but a handful of other countries, reductions in armed forces and defence spending, and an unprecedented burst of United Nations-sponsored peacekeeping and peace-enforcement activity. The political agenda as well had been liberated by the disappearance of any possibility of armed conflict between major powers, or between any democratic states at that. The resolution — apparent or possible — of most other regional or sub-state conflicts through measures like the 1995 Dayton Accords gave the era a feeling of completeness.

This was a transition period for international diplomacy, in which issues normally at the top of the arms control and disarmament agenda could be shifted aside to make room for other matters. It was a special time for the gestation of issues secondary to peace and security, involving regions and weapons posing only limited threats to great power interests, allowing them to come to the fore. Rising worry about chemical and biological terrorism are just such issues. So are small and light arms. The surprise success of the period was the 1997 Ottawa Convention (or Mine Ban Treaty) banning anti-personnel landmines.

The Mine Ban Treaty (MBT), however, was the result of highly idiosyncratic circumstances. Above all, it was a weapon that seemingly became illegitimate merely by pointing attention at it. Building a consensus even against nuclear weapons was not that easy. It also was the first arms control or disarmament issue pushed primarily by forces outside international security. It is no accident that many of the people and organizations responsible for publicizing small arms proliferation trace their roots to the human rights community. Over 1,000 of these groups formed the International Campaign to Ban Landmines, led by Vietnam Veterans of America and Human Rights Watch. They created enormous pressure to which the disarmament community could only concur. The Convention emerged not due to orthodox security pressure from governments either, but in reaction to NGO pressure. Turning the juggernaut of sentiment into a treaty eventually required government action, and the personal support of officials like Canadian Foreign Minister Lloyd Axworthy was instrumental. With no major national interests at stake, most governments found it easiest to get out of the way and give the NGOs their treaty.

One of the most impressive aspects of the landmine campaign is the way national interests were submerged and practically ignored. When they were allowed to speak out, the armed forces often expressed serious reservations about the effects of the Convention for national interests. Although many authorities tried to reconcile the Convention with national interests, their efforts were less than persuasive. Moreover, they were completely beside the point. Instead of being based on the interests of sovereign states — like all arms control and disarmament treaties before — the MBT reflected collective security and fundamental human rights. Those governments brave enough to buck the consensus were stammering exceptions. This was not disarmament for states so much as disarmament as if states did not really matter.

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Small arms have been placed on the international agenda in much the same fashion, by many of the same groups. So far they have been unable to develop momentum on the issue to equal that against landmines. Unable to mount pressure against states, they must work with them. Virtually all governments now agree that greater restraint over small arms is in the national interest. NGOs have the strength to put small arms on the international agenda and keep it there, but they cannot resolve it. Unlike landmines, small arms still arouse a countervailing sense of national interest. States may not control the trade in small arms any more, but more so than with landmines, their active participation is required to deal with the issue.

Not only did the landmine process establish less of a precedent than widely hoped, but the experience may have been misread. The prohibition of anti-personnel landmines has yet to become universal. It also can be interpreted as a practical statement like Grotian international law, establishing a principle only where feasible and not elsewhere. It is revealing that the Convention has not been signed by any state with a serious fear of massed infantry attacks — the threat against which landmines are militarily most effective. Not only have China, India, Pakistan and the Russian Federation refused to sign, but also the United States (largely because of its obligation to South Korea), and otherwise highly sympathetic states like Estonia, Finland, Latvia and Lithuania. For governments representing

an enormous and highly diverse slice of humanity, the precedents of the MBT never were as great as they seemed to others.

The Right Issue at the Wrong Time?

Emboldened by the rapid progress of the landmine issue and rise of the post-modern agenda, the shift to small and light arms in general and rifles in particular seemed obvious and essential. Much more than the landmine, it is the rifle that symbolizes the worst dangers to peace and security for the greatest number of people. The omens for small arms disarmament, if not bright, were encouraging. As the ultimate symbol of post-modernism, of the declining importance of states, increasingly marginalized by economic and intellectual globalization, humanitarianism and non-state actors, small and light arms proliferation was unequalled as a post-modern disarmament issue.

It was tragic that small and light arms arrived at the nexus of international affairs just as the assumptions about peace and stability which made this possible were being eroded. The state's return to centre stage became undeniable. In the West, the cautious optimism of Dayton gave way to the collapse of Albania in 1997 and the horrors of Kosovo in 1998. In South Asia, both India and Pakistan crossed the threshold of nuclear weapons testing and possession in May 1998. In East Asia, where tensions between America and China refused to abate, North Korea tested its TaepoDong-1 rocket, overflying Japan in August. A few weeks later the United States destroyed the controversial el Shifra pharmaceutical plant in Sudan and in December Britain and the United States launched the first non-proliferation war, a four-day bombing campaign against Iraq.

It was the misfortune of the small arms issue to emerge in the midst of this renaissance of the state and national interest. Emboldened by the rising momentum behind landmines disarmament, national events like the United Kingdom's decision to ban public ownership of hand guns in 1997, and the progress in international institutions, regional organizations enacted measures like the West African prohibition on small arms transfers and the Organization of American States completed its ban on illicit transfers. Momentum culminated in the July 1998 Oslo conference on small arms and the subsequent decision to hold the United Nations conference. But these accomplishments were being eclipsed by deteriorating state-to-state relations and rising concerns with the proliferation of weapons of mass destruction. Cutting through the thorn thickets surrounding small and light arms will require high-level attention and a degree of effort that seemed easy before but doesn't now.

The Legitimacy Problem

If there is one issue on which the small arms control process must depart from landmines, it is the tremendous problem of legitimacy. More so than any other weapon, small arms are accepted for ownership and — under the right conditions — even for use. Whether in the eye of national decision-makers or the guy-on-the-street, small arms remain essentially tolerable, whether in the hands of the military, most police or the many private owners. Yet any effort to control or ban a particular kind of weapon has to begin with a universal principle, preferably a principle that makes use inherently unacceptable and possession onerous. Such universal principles were critical in the control of nuclear, chemical and biological weapons. The lack of such a principle has made it impossible to achieve the same with ballistic missiles or the trade in major conventional weapons.

The need for principles denying legitimacy becomes even clearer when comparing the strength of the principles behind the landmines and small arms campaigns. When negotiating the MBT, only

the most zealous insisted on the necessity for continued stockpiling and use of anti-personnel mines. When considering small arms, however, only the most zealous insist on banning them outright. A swift and broad international consensus resolved the landmines issue even before formal negotiations could begin. This time, however, the advocates of control have a much weaker consensus behind them.

The landmines campaign had a technically discrete objective — banning a single type of weapon. The small arms campaign has to be far more broad-minded. This difference exposes a critical difference in the feasibility of the two efforts. It does not take much imagination to see a different end to the Ottawa Process if the agenda had been expanded to include anti-tank mines or naval mines. Yet the small arms process spreads its efforts across a broad technical swath of weaponry, minimizing its ability to concentrate on any single negotiating objective while maximizing the potential for opposition.

The small arms process spreads its efforts across a broad technical swath of weaponry, minimizing its ability to concentrate on any single negotiating objective while maximizing the potential for opposition.

The formal deliberations and negotiations on small and light weapons will be tempted to stress relatively peripheral items and processes, those areas where states and NGOs alike can most easily find agreement. The focus on illegal transfers provides ample evidence of this tendency. If left unfettered, this trend would realize efforts to deal with illegal transfers and scarce but frightening weapons like shoulder-fired surface-to-air missiles, but not much on the legally held firearms that probably are the greater overall problem. Perhaps the most important test of the 2001 conference will be the determination of the participants to develop the basis for a new consensus in which the possession and misuse of small and light arms is narrowly constrained. Small arms will not suddenly be made pariahs of humanity, but they will become less acceptable. Even if no progress can be made toward reducing their numbers, there can be new pressure to minimize their spread and to establish the foundation for minimizing their presence.

Toward a New Consensus on Small Arms and Light Weapons

Unless the issue of small arms proliferation can be placed on firmer footing, there is a danger that the 1998 Oslo conference, designed to launch broad international action, may be seen as its last hurrah. The 2001 conference, instead of elevating the issue, could effectively bury it.

The seriousness of the barriers to rapid progress on small arms should not be underestimated. But while the problems are to be lamented, they should not be allowed to breed despondency. There is enormous room for doing good through discrete efforts and big steps in small arms control and disarmament. Practical and prosaic tasks must be integrated into bold and ambitious goals, creating an agenda at once concrete and visionary.

This may mean leaving unresolved questions over the great middle area of small arms control and disarmament, questions surrounding the permissibility of procurement and use of small arms by national armed forces, questions surrounding the restrictions on ostensibly legal arms transfers to sub-state actors. In other words, when and how to focus on the violent acts of states and when and how to stress the acts of non-state actors? These are matters that the small arms process may not be able to answer, for they go to the foundation of twenty-first century diplomacy. If the international community is unable to resolve disputes over the role of the state and the national interest as opposed to that of NGOs and universal norms, it is unreasonable to expect the small arms process to deal with comparable questions all by itself. The United Nations small arms conference may be

better advised to stress not such middle-range questions but the specific, finite tasks of small arms control and disarmament as well as the visionary ones.

Foremost among the practical jobs facing the international community is building transparency. Although more has been written about specific types of firearms than virtually any other type of hardware — civilian or military — we do not have even a general sense of their total dimensions, distribution or effects. How many firearms are stockpiled in the world and where are they concentrated? What is the production capability of various countries? How many firearms are in the hands of soldiers close to today's fighting? And how many people are directly affected — killed or injured? Existing numbers tend to be little more than informed guesswork. A better understanding of small arms problems requires firmer knowledge. Above all, it requires reasonably precise numbers from governments and manufacturers.

Lack of transparency need not prevent successful disarmament. In the case of the Chemical Weapons Convention, principles were agreed first and only then transparency. It was only after the treaty was signed that important details of many chemical arsenals began to come out. But in that case the negotiators began with a strong international norm and unambiguous goals. In small arms ignorance is a much more serious barrier to hard analysis and clear understanding. It inhibits the explication of international goals and slows the prospects for negotiating progress.

At the other extreme of the small arms spectrum, the most important visionary task will be establishing basic principles and norms of legitimacy in the procurement and use of small and light arms. When, for example, can states buy and transfer them and when not? Who is allowed to receive them and who may not? Is our goal to sharply reduce or even eliminate small arms, or to create stable political situations where they simply do not matter much? These are not questions that will attract ready responses. Rather, they must be gradually refined through international dialogue. If small arms diplomacy is able to establish the parameters of legitimacy, outlining or even foreshadowing the goals motivating the process, it will have made a major contribution.

Working Where it Hurts: Perspectives From the Field on Small Arms Demand

David ATWOOD and David JACKMAN

The last several years have brought much attention and analysis to the international, regional and local realities created by the unrestricted flow and wide availability of small arms and light weapons. Efforts aimed at controlling small arms proliferation and availability have emphasized supply and transfer issues on the one hand and demand issues on the other. There is growing understanding that multi-faceted approaches on both the supply and demand fronts are necessary if the negative social impacts of small arms and light weapons are to be reduced. Despite this, however, regional and international efforts to date have focused far more on supply and transfer processes than on demand processes.

In part this is due to the fact that supply and transfer processes fall within the traditional areas of interest and aptitudes of diplomats and governmental agencies dealing with disarmament, security and crime issues. In addition, steps to control supply and transfer seem to offer more immediate effects on actual weapons availability, depending, of course, on how tough such measures are and the numbers of supplier states that can actually be brought to agree on such measures. On the other hand, reasons why people and groups actually wish to have such weapons vary widely, as do the social conditions and settings in which light weapons are a factor. Measures which address demand-related issues, therefore, will of necessity have to be various and may be concerned far less directly with the weapons themselves than with the complex of social and economic conditions that shape demand. Just what to do may be far less obvious and the nature of what needs to be done far less amenable to distinct forms of regional or international agreement than is the case with efforts aimed at supply and transfer. It is also true that, to date, development and post-conflict reconstruction programmes are only beginning to effectively incorporate small arms realities into their design and implementation.

Nevertheless, despite these limitations on the demand side, demand-related initiatives come well within the actual areas of expertise and experience of a wide range of non-governmental organizations (NGOs) dealing with such areas as community development, empowerment and peacebuilding processes. NGOs across the world, operating at the community or national level, have been organizing programs that deal with rising violence by tackling, among other things, the social and economic problems in which the violence is rooted. The evolution of effective international, regional and national policies and programmes aimed at reducing demand for small arms requires that this expertise and experience be listened to and incorporated in appropriate ways.

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An Early Effort at “Lessons Learned”

It was from this perspective that the Quaker United Nations Offices in New York and Geneva sought a means for beginning to pull together the experience which has been gained by individual NGO programmes working at local levels in violence-prone settings in different parts of the world. We aimed to design a methodology which could provide a basis for dialogue on lessons learned, identify practical successes and pitfalls, outline common themes and problems, and, finally, share conclusions arrived at with policy-shapers at the regional and international levels. Hence, we, along with the Quaker International Affairs programme in southern Africa, organized the “Shrinking Small Arms” seminar as part of this effort. This article is based on an early analysis of some of the results of this seminar, held 19–24 November 1999, in Durban, South Africa.¹

The groups which took part in this event did not represent a scientific sample of programmes around the world. And the information and general findings resulted more from dialogue and conversation than from a systematic effort at data gathering. Nevertheless, it is our feeling that even the preliminary findings offered here should be of interest and use to those seeking to understand better “demand” factors in the small arms *problématique* and to evolve effective policies and programmes.

We succeeded in gathering for this encounter representatives of a range of NGO programmes (thirteen) from North America, Central America, South America, Western Europe, Central Africa, Southern Africa and South-East Asia. Most of these were urban, community-based programmes. Some had the gun problem as the central issue in their programmes. Most were engaged in work which sought to reduce violence and increase community well being and thereby indirectly to affect the gun problem in their settings. One was concerned with designing methodologies for community firearms reduction programmes through scientific information gathering in violence-affected communities. Three were especially concerned with a particular constituency in violence-affected communities, i.e. groups of ex-combatants. One was seeking to develop a constituency for peace-building across communities in a setting where violence on a nation-wide scale had become almost the norm. Another was working on pieces of work designed to assist in the realization of the benefits of the peace process now in place between divided communities. All were working in settings where violence, insecurity and fear were common features, where criminality, mistrust of the police, unemployment and lack of economic opportunity, drugs and gangs were frequent factors. In each of these settings, firearms made up an integral part of the landscape of violence that the communities were facing.

Our methodology for discovering what common experience and perspectives there might be amongst this diverse group was to allow each participant to tell his/her story and to give much time for exchange of experiences and discussion. The quotes which appear in italics below come from the individual programme presentations. The discussion was then deepened around core themes which seemed to emerge from the initial exchange. Below we present in abbreviated form some of the common elements that surfaced in the form of “lessons” and “recommendations” from the seminar participants within each of these core themes.

Engaging the Community

“We need to use the local stories. We need to learn how the community itself has dealt with the issue.”

"We have to develop indigenous resources. We have to be able to meet people's needs in terms of peacebuilding from our own community, from our own area, building on our own experience."

"But how do you define peace? How are we going to speak about this? Let's elicit the ideas of the community ... about what they think peace is. In doing this, we came to the issue of small arms."

" ... you only know what the problem is when the people have input. We developed things to give us pride. We utilized what we have the most of — people."

"By mobilizing the young people, we can save them from being used. The young people need to learn to say no."

Because most of the programmes making up the seminar were community-based, the perspectives on the importance and dimensions of community engagement in the design and implementation of programmes aimed at reducing violence and at either directly or indirectly dealing with the issue of firearms reduction was a particularly rich part of the seminar. Although some programmes focused specifically on such things as projects for gun collection and public awareness activities related to firearms, for many programmes, guns were seen as a byproduct of the problems the communities were encountering and an exacerbating factor. Below we present some of the conclusions of this discussion.

ON "COMMUNITY EMPOWERMENT"

- Most successful community programmes are directed by the residents themselves. This assures practicality, relevance to local needs, ownership by residents and participation by them. The result is a greater community capacity to solve its own problems.
- Communities need to say what they need, and community resources need to be used to the extent possible in providing for these needs. Key to successful community programmes are activities which emphasize "bottom-up" problem solving — for example, community-based justice programmes which bring perpetrator and victim together; conflict resolution training for community residents and other civic ways of problem-solving; leadership development training.
- Outside intervention should be based on local needs. These should be ascertained via dialogue. External actors do have an important role to play in passing on expertise, but local people know their setting. The principle should be "outsiders" and "insiders" learning from each other.
- Use programmes that meet individual training needs as well as community needs, for example, activities for ex-combatants or other specific groups in the community.

ON "ENGAGING DIFFERENT SECTORS OF THE COMMUNITY"

- Identify key actors in the community, such as indigenous groups, churches, ex-combatants. This will be different for different settings.

- Successful community programmes are often also directed at specific groupings, their needs and what they can contribute, for example youth, women.
- In some communities, the church/temple/pagoda can be a keen partner in programmes such as conflict resolution, economic development, facilitation of community problem-solving, working with NGOs.
- It is important to encourage wide-spread participation and to seek to build partnerships within civil society generally. Activities which bridge community differences or re-connect alienated communities are often used.
- Don't avoid the more difficult groups, for example males. There is a strong link between perceptions of masculinity and firearms usage.
- If only certain groups are identified as problem groups, this in itself can batter self-esteem. For example, in South Africa, it has been important to bring in white youths as well as black: "It's not a problem of black or white; the problem is your behaviour." In Mozambique, it has been important to use cross-class experiences to show that the problem is not just with one group; attitudes about groups, such as ex-combatants, are often based on prejudice rather than reality.
- Developing networks of groups (e.g. human rights, development and justice) can be important because they bring in a greater range of experiences and can provide a bigger voice.
- Successful programmes with poor, disaffected teenage youth involve attractive elements such as sports, food, music and dance, along with more serious elements such as job training, job placement, educational opportunities, life-skills training, conflict resolution training and community service opportunities. Young people make dedicated, energetic programme workers. In some circumstances, young people require more hands-on support and guidance.
- There is growing positive experience with the practice of involving former combatants — even those who fought each other — in peace promotion projects in post-war situations. These programmes are symbolically powerful and inspiring. They assist in the reintegration of ex-combatants into civilian life and can be very effective in practical efforts to find and collect landmines and other weapons and to advocate and carry out conflict prevention activity. (For more comments on ex-combatants, see below.)

ON "TRANSPARENCY" AND "SUSTAINABILITY"

- Programmes that elicit their focal areas from extensive dialogue within affected communities — for example, through focus groups, listening projects, surveys — have stronger potential for success. A focus on human relations will have an important long-term impact.
- Decision-making structures about community programmes should be open, inclusive, democratic and accountable. Resident-directed projects are more sustainable.
- Successful programmes will take fully into account local history and realities. For example, the needs of communities where social structures and lines of social integration have disintegrated will be very different from settings where these can still be seen to be intact.
- It is important to locate the project in a larger social framework and with wider strategic objectives.
- It is important in the development of local projects to do it with an awareness of local power structures and to try to build relations between the community and legitimate structures. An

understanding of how particular projects might be perceived in relation to local power relationships — including their possible perception as threats — is also necessary.

- There is also a need for the creation of greater awareness at the local level of what is happening elsewhere, including at the international level.
- Invest in the community at the local level, even if there is war at the national level.

Relating to External Actors

“People are building relationships. We’re playing our own small parts with the grass roots processes. The challenge is to bring this into the main political process.”

“A lot of the [current] initiatives are by governments, without the engagement of the local community organizations.”

In the context of community-based programmes, “external actors” can mean anything from local government to international development agencies. Discussion of the importance of such actors on local situations — positive and negative — and the relationship between local groups and outside actors revealed a number of useful observations:

- Work on small arms demand often requires co-ordination with national and local laws. Reform of policing and criminal justice systems is often an essential part of an effective control of weapons demand. Legal reform is often essential, but the focus of such efforts at the national and local level must be appropriate to the context.
- The impact of the law, of course, depends on how effectively the law is enforced. Often laws are not well enforced simply because local police/customs officers/border guards are ill-informed about the law. Therefore training and education are required. In other cases, corruption and abuse by officials actually work to fuel demand for arms.
- Community police and “restorative justice” programmes can often be effective approaches to arms demand reduction.
- At this stage of developments, “international law” is perceived to have little impact on local situations. However, regional initiatives can be important influences on what goes on domestically in different national contexts.
- Celebrities are often useful as symbolic figures to legitimize and publicize community initiatives. However, the use of celebrities has to be appropriate to the local setting. A good example is the work of football star Pelé with poor youth in Rio de Janeiro. In some settings where national consensus is limited and violence has been great, such as Burundi, the use of celebrities will be less effective. Radio in many settings is still a highly useful medium for getting messages across to the public.
- NGOs may play an effective part in linking community programmes, national governments and the international community. This may assist co-ordination, amplify advocacy and aid the dissemination of research. Communication and co-operation between NGOs operating at the community and international levels is therefore important.

- Collaborative relationships between NGOs and government (national and local, such as police) could extend and sustain community work without lessening the distinctive qualities which NGOs bring to this work. Local gun “hand-in” programmes require co-ordination and trust between police and local populations. NGO participation is important, especially in the evolution of policies aimed at addressing the root causes of demand. However, NGOs in their relationship to government must guard against co-optation or being used simply as legitimizers of government policy.
- Arms demand work could be more effective if it were incorporated into the programmes of existing NGOs with wider mandates, such as humanitarian, human rights and development organizations. Firearms movements need to be more creatively linked, for example, with campaigns related to drugs, crime and illegal trade in natural resources.
- At crucial times, solidarity actions by outside organizations and individuals can help a local initiative to succeed. Highly publicized examples from other settings can be an important positive influence for local initiatives. Exchanges can also be useful, although funding is often a problem.
- NGOs are not homogeneous. The role of outside NGOs acting in local settings is not necessarily positive. Outside NGOs must evaluate their attitudes and approaches when intervening in local settings.

The Importance of Research and Drawing the Lessons of Practice

“We tried talking about the arms problem. But it is very difficult because we don’t have the data. NGOs are more involved in humanitarian aid than in doing research.”

“Statistics show that you need to target what people currently believe, and then focus on that.”

“When we started to work on this, we had no statistics on how many weapons, how many died, the relationships between money and weapons, so we had to spend a lot of time gathering information.”

“There are different manifestations of the way small arms are doing damage to the community, so probably the methodologies of addressing the small arms must be different.”

All of the programmes represented noted in one way or another the critical relationship between accurate information and the design and implementation of effective community-based programmes. The nature of what was perceived as necessary and the methodologies used to gather the information were wide ranging. For example:

- the use of a “listening project” in the Reservoir Hills district of the city of Baltimore, aimed at eliciting perceptions of the problem and needs of the people in the community and designing specific projects related to these articulated needs;
- the use of opinion surveys to increase the accuracy of data on gun prevalence and to elicit perceptions about security in the design of gun reduction programmes in Cambodia; and
- the use of statistics about gun possession and use to inform citizens about the importance of small arms collection in Rio de Janeiro.²

Participants also emphasized the importance of analysis of results of actual programme experience in the design of further programmes. Locally-based programmes stressed the importance of being able to have access to relevant information from outside sources for their own settings, but also felt that the validity of their own experience and methodologies and the information gathered therein should be more recognized and taken into account by outside agencies. Among the points agreed by the participants were:

ON "RESEARCH"

- For the appropriate design and implementation of programmes, access to reliable national and local statistics on firearms, their use and effects is necessary.
- Integrated community anti-violence programmes develop slowly. Such programmes need appropriate modes of evaluation of success, particularly at the early stages of programme implementation but also throughout the life of the programme.
- It is important to link research organizations to organizations doing work on the ground.
- More extensive sharing of survey results, practical experiences, effective advocacy and relevant national laws would assist most weapons demand programmes.

ON "LESSONS FROM PRACTICE"

- Many successful weapon demand projects are forms of community development, rather than criminal justice or arms control work. Successful projects require a comprehensive set of related initiatives, but the particular emphasis will depend on the situation.
- Gun collection programmes have a highly variable record of success. They must be carefully planned, monitored and verified if they are to have practical value and not produce negative side effects. The success of gun collection programmes depends on the degree of confidence and security people feel in the programme.
- Gun collection programmes should focus on rewarding the community, rather than the individual.
- It cannot be emphasized too much that all collected weapons must be destroyed — visibly and publicly — if a collection programme is to have a positive, long-lasting effect. Cheap and efficient gun destruction technology exists and efforts should be made to spread its availability.
- Successful community programmes make wide and sophisticated use of highly visual, public education tools, which use carefully designed language and materials for the specific audience being targeted.
- Most demand projects involve some focus on change of identity and basic assumptions by participants. For this and other reasons, the process is often long and shows few results in the first years. Patience is required on the part of programme facilitators and their funders.
- Working with weapons issues in the midst of communities in conflict often involves risks to individuals. Programmes need to be designed carefully so as to protect the security of those involved.

Compelling Economics

“When we start talking about what real security is, then it’s possible to talk about why we have firearms.”

“Our children look at guns as power. ... It is difficult to focus on guns, because in the minds of youth, the gun is the way to instant money, an opportunity for them, where there is no other opportunity.”

“New boundaries of the conflict — economic — have to be addressed. They have to be addressed because they will affect everything.”

“The absence of an armed conflict in our society doesn’t mean peace. The more arms you have in a context of injustice, the greater the impact of these arms.”

For programmes operating at the “grass roots”, it is impossible to separate out the guns issue from the issues dividing or undermining the community. Many of the programmes which made up this seminar had a fundamental emphasis on tackling the conditions which feed the gun culture. Discussion at this level of work reveals well the extent to which it is necessary to have a good understanding of the complex of factors at work in local settings for gun reduction programmes to be successful. Our discussions also revealed how much can be done at the local level, even recognizing that there are more general economic, social and political dynamics which can also impact heavily on local situations.

- Unemployment, poverty, youth alienation, involvement with drugs and other criminality are often issues linked to gun violence and declining community security. Guns exacerbate the existing levels of poverty and deprivation.
- Community activity related to lessening weapons demand often includes reconstruction, repair, maintenance and improvement of community resources, such as housing public buildings, parks, playgrounds, clinics, etc.
- There is a need to assess the economic impact of gun violence on communities, e.g. in terms of medical expenses, the privatization of security, police/prisons, drug activity. Violence sucks economic activity away from communities; investment stays away.
- For some settings, the notion that guns are a byproduct of economic injustice needs to be developed.
- The links between domestic gun proliferation and international weapons flows need to be understood in domestic gun control programmes.
- As we work on gun violence, we need to develop positive alternatives for youth, not only in terms of economic opportunity but also in terms of the positive dimensions of what gangs often offer — identity, purpose, group support, security.
- Often a shadow side of the military/security/justice institutions is revealed in their involvement in drugs and gun dealing.

Identity and Attitudes

“People have to be secure in their own identity. They have to know who they are before they can interact with the other. Our work is to educate people to have confidence.”

“We need a transformation of the mind. It is important that people come forward at their own pace.”

“The problem will be solved [in our country] when the young people come together. ... People have to change their mentality.”

The discussions in Durban underlined the fact that not only are economic and security facts on the ground important in shaping the environments in which gun violence is prevalent, but that societal and group values and norms are also important. The design of effective violence and gun reduction programmes require that these factors too be taken into account. But they are not immutable. Not only should programmes seek to build on the positive societal elements which act to encourage social cohesion and problem-solving, but educational programmes and activities can also help to shift attitudes and social practice. A number of the programmes, for example, had political education and conflict-resolution and non-violence training as part of their package of projects. Generally the group agreed the following:

- The goal for lessening the demand for weapons is not to remove and eliminate weapons from the community, but to render them unnecessary by a change in the community’s perception of its identity and security.
- Highly visible activities, which express new relationships, new identity and new hope for change, can aid community transformation.
- The community’s definition of peace or security is crucial to understanding what kinds of projects are needed.
- A challenge is to learn how to incorporate race, culture and gender perspectives in education programmes.
- Although culture is not static, existing norms, values, beliefs, national or group experience, and social practices need to be understood and incorporated as starting points in programmes. When we look at a situation or enter a community, we must be aware of why things work the way they do. We have to understand and make use of the cultural dimensions. This makes possible the emergence of value change and the emergence of new norms.

Strategies that can be used to transform societal attitudes include:

- programmes targeting women, which help create the conditions for women to participate and raise self-esteem in women, because the role of educated, economically empowered women is vital for social change;
- for some issues, it is necessary to target specific social sectors, such as older people/elders. For example, in traditional cultures, conflict resolution requires the engagement of the older people, because they will be listened to;

- young people, on the other hand, are more likely to have the education necessary to challenge their collective norms, so investment is needed in this sector; and
- assertive men can also challenge machismo and patriarchy in society, so programmes that allow or enable men to play constructive roles in social programmes can also be transformative for men and for society, e.g. the work of ex-combatants with police.

Focusing on the Positive Potential of Ex-combatants

“Reconciliation between ex-soldiers has been easier than between the higher up politicians. It’s the common problems that the ex-combatants have. Also, they know the costs of war.”

“As ex-combatants, we faced a stigma in our own societies. We asked ourselves, ‘How can we better our image?’ Peace promotion, conflict management, community building. We try to look at how other members of the community are living, rather than just promoting our own goals. You then become a leader and not just an ex-combatant.”

There is a growing recognition in international policy development that sustainable peace in post-war settings depends in part on the success of the demilitarization of such settings. Of special importance is the disarming, demobilizing and integrating back into society of combatants. Often in international programmes, this sector is looked at as a problem, and it is clear that slow political and economic progress in post-war settings can mean the engagement of former fighters in the rise in criminality, which often becomes a feature of such settings. Among the group in Durban were a number of ex-combatants, as well as a number from programmes in such settings as Northern Ireland, Nicaragua, Mozambique and South Africa with specific projects aimed at this sector of society. The following were among some of the particular perspectives offered by these representatives, indicating that it is important to look at groups of ex-combatants not only as actual or potential problems, or as groups only with particular needs, but also as a potential resource to communities and societies seeking to emerge from violence:

- Ex-combatants from opposing sides face similar problems. This similarity should be recognized, as such recognition represents a positive factor for reconciliation. Ex-combatants from whatever side, being in the same situation, will come together. Their capability to do this should be recognized.
- Ex-combatants have positive qualities such as discipline and organizational skills which can contribute to the success of programmes, e.g. mine clearance and locating arms caches.
- Reintegration programmes for ex-combatants must not only include demobilization and disarmament, but also development and democracy. Programmes that only have the first two are likely to be failures.
- Programmes aimed at ex-combatants should look at training and not just at “pay-outs”. This will promote sustainable re-integration. Ex-combatants can play positive roles for the implementation of practical projects in the community. Ex-combatants should be consulted to identify needs. Programmes for ex-combatants should aim to provide training in skills relevant to their communities. Training should be aimed at promoting sustainability and integrated development.
- Disabled ex-combatants have special training needs.

Ongoing Issues

The seminar identified a number of issues which were quite common among the programmes, issues which participants felt need further attention:

- *Funding and funders*: Successful projects require adequate and sustainable forms of funding. There are problems with the measurement of “success” and the speed of “results” demanded by funders, as well the dangers of having programmes co-opted by the priorities of outside funding agencies. As was noted by one participant: “How do you reconcile the need for patience and recognizing the slowness of things with the demands of funders for tangible changes? We have to educate the funders that this change doesn’t happen overnight.”
- *Co-ordination/coherence within programmes*: How to ensure that you’re addressing the different elements of the problem and the relevant constituencies?
- *Containing the problem*: How to ensure that your community “solutions” do not just “export” the problem to a neighbouring community?
- *Strategies for integrating “small arms” approaches*: How to include education, empowerment and economic justice, as well as ethical and moral elements, in the approaches to small arms?
- *Ensuring programme continuity*: How to deal with the vulnerability of programmes due to the inevitable departure of key individuals, so as to ensure continuity of programme effectiveness?
- *Making sure “everyone leaves the place smiling”*: There is a need to focus more closely on the dimensions of vulnerability of those co-operating with weapons collection programmes and on more critical understanding of types of incentives for weapons turn-in which lead to positive results.
- *“Community-friendly” projects*: Greater comparative study is needed on ways of addressing gun-related issues based on the characteristics of the setting itself (e.g., “peace” means different things in different places).

Next Steps

One other dimension of the Durban seminar not reported in detail here was a session in which global and regional efforts on the small arms/light weapons *problématique* were outlined. This was part of our understanding, reinforced by observations in the seminar, of the importance of actors from the local to the international levels being well informed about what is happening at other levels. Our next step in this respect, in addition to the dissemination of the final report from this seminar to national, regional and international policy networks, will be to bring individuals from some of the programmes participating in the Durban seminar to New York and Geneva and perhaps to other policy settings to meet directly with individuals engaged in programme development for violence-affected regions. In the year 2000 we shall also hold another seminar in a different setting in order to gain additional perspectives.

The Durban seminar demonstrated the importance of exchanges and encounters for those working in violence-reduction programmes at the local level. Not only did the seminar prove an important point of exchange and comparison of experiences, but each individual went back after the seminar to her or his setting with renewed strength and a sense of solidarity from other parts of the world.

Despite the many meetings that have been held on small arms-related concerns over the last several years, the demand-related issues have struggled to get on the agenda. A major effort in this direction was the Brussels Conference on “Sustainable Disarmament for Sustainable Development”, held in October 1998. That meeting gave important visibility to demand-related questions. The thinking represented in the present summary indicates that a title of “sustainable development for sustainable disarmament” would be of equal importance. At that Brussels meeting, the working group on the “Analysis of different types of light weapons and their impact on society” said the following in its report: “The key challenge is to gain a comprehensive understanding of the way a wide range of factors relating to the conflict, development, governance and arms interrelate in a particular region and at a particular time, in order to develop an integrated response capable of breaking and reversing vicious circles of violence and decline.”³ We hope that this initial report of the findings from our “Shrinking Small Arms” seminar will add to the gaining of this “comprehensive understanding”, particularly with regard to the local manifestations of the interaction of these factors. It is also our hope that perspectives of those “working where it hurts”, such as have been presented here, will be given appropriate and adequate space in the upcoming 2001 Conference on the Illicit Transfer of Small Arms and Light Weapons in All Its Aspects and its preparation.

Notes

- ¹ A fuller report of this seminar will be completed in the coming weeks. For a copy, please contact David Jackman at the Quaker United Nations Office in New York on <djackman@afsc.org> or David Atwood at the Quaker United Nations Office in Geneva on <d.atwood@mbox.unicc.org>.
- ² As a part of the seminar, participants had the privilege of joining with a group of community leaders in the kwa Mashu district of Durban, an area of more than 350,000 people, where the experience of poverty, unemployment, criminality, drugs, gangs, mistrust of the police, gun violence, disempowerment and alienation paralleled that of a number of the seminar participants. At this meeting, the results of a survey aimed at eliciting perceptions of kwa Mashu citizens on a variety of factors related to violence in the community were fed back to these community leaders for the first time. The survey instrument, which had been designed by researchers at South Africa’s Institute for Strategic Studies and conducted by community residents themselves, had both community empowerment and promoting the design of programmes likely to be effective in the reduction of gun violence in the community as goals. This actual experience in kwa Mashu also led to a rich discussion of the pros and cons of survey methodologies later among the seminar participants.
- ³ Report of the International Conference “Sustainable Disarmament for Sustainable Development”, 12–13 October 1998, Brussels, Belgian Administration for Development Cooperation, 1999, p. 48.

United Nations Contributions to the Process

David BIGGS

As the international community prepares for the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects in June/July 2001, a milestone in the Organization's history and the first major UN disarmament conference since 1987, the UN is increasingly playing a leading role in addressing the problems posed by the excessive and destabilizing accumulation of and illicit trafficking in small arms.

In this article, the author endeavours to chart the course of the UN's role in the small arms issue, from its origins in the Secretary-General's Advisory Mission to Mali in 1994 to the current preparations for the 2001 Conference. Along this road a number of UN organs including the General Assembly, the Security Council and the Secretariat and Economic and Social Council (ECOSOC) have made significant contributions to the small arms debate. The recommendations, resolutions, reports and studies produced by these bodies that are referenced in this article will likely serve as a roadmap to the 2001 Conference and as key inputs for diplomats, scholars and other members of civil society in the lead-up to the conference.

General Assembly

The small arms issue first appeared on the international agenda following the dispatch of a UN fact-finding mission to West Africa in 1994. In response to a request by the President of Mali in October 1993, the Secretary-General sent an Advisory Mission in August 1994 to assist in the collection of light weapons proliferating in that country. In its report to the Secretary-General, the Advisory Mission made three major conclusions:

- that the overall security situation in Mali had to be improved before there was any chance of implementing a weapons collection programme;
- that the situation was severely affecting socio-economic development, thus contributing to a vicious cycle leading to even more illicit light weapons; and
- that the situation was not unique to Mali and had to be addressed in a subregional context.¹

In its December 1994 resolution on "Assistance to States for curbing the illicit traffic in small arms and collecting them", the General Assembly thanked the Government of Mali for the assistance which it had given the Advisory Mission, invited Member States to implement national control

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measures in order to check the illicit circulation of small arms, in particular by curbing the illegal export of such arms, and invited the international community to give appropriate support to the efforts made by the affected countries to suppress the illicit circulation of small arms, which is likely to hamper their development.² In February and March 1995, the Advisory Mission visited six other countries in West Africa.³

The attention on small arms sparked by the Mali mission was brought into focus in January 1995, when the Secretary-General, in his supplement to *An Agenda for Peace*, introduced the concept of *micro-disarmament*, known as "... practical disarmament in the context of the conflicts the United Nations is actually dealing with and of the weapons, most of them light weapons, that are actually killing people in the hundreds of thousands ...".⁴

In March 1995, the Geneva-based United Nations Institute for Disarmament Research (UNIDIR), in co-operation with the Centre for Disarmament Affairs,⁵ produced a report on "Small Arms and Intra-state Conflicts" based on a UNIDIR workshop convened in November 1994 to take stock of ongoing research on security and small arms and to discuss ways and means of reducing and controlling the flow of such weapons. The UNIDIR report noted that small arms were somewhat unique and not covered by the existing paradigms of arms control. In its findings and conclusions, the paper recommended that the challenges posed by small arms and intra-state conflicts should be addressed by a high-level panel of intergovernmental experts nominated by the Secretary-General, at his own initiative or in response to a General Assembly resolution.⁶ In December 1995, this particular recommendation came to fruition when the General Assembly adopted its first resolution on small arms, requesting the Secretary-General to prepare a report, with the assistance of a panel of qualified governmental experts, on: the types of small arms and light weapons actually being used in conflicts being dealt with by the UN; the nature and causes of the excessive and destabilising accumulation and transfer of small arms and light weapons, including their illicit production and trade; and the ways and means to prevent and reduce the excessive and destabilising accumulation and transfer of small arms and light weapons, in particular as they cause or exacerbate conflict.⁷

The Panel found that virtually every part of the UN system was dealing in one way or another with the consequences of the armed conflicts, insecurity and violence due to the easy availability resulting from the excessive accumulation and recurrent use of small arms.

In its August 1997 report (A/52/298), the Panel found that virtually every part of the UN system was dealing in one way or another with the consequences of the armed conflicts, insecurity and violence due to the easy availability resulting from the excessive accumulation and recurrent use of small arms. Some of the most intractable armed conflicts being dealt with by the UN are those in

which a recurring cycle of violence, an erosion of political legitimacy and a loss of economic viability have deprived a state of its authority to cope either with the causes or the consequences of the excessive accumulation, proliferation and use of small arms and light weapons.⁸

The Panel recommended a series of measures to reduce the excessive and destabilizing accumulation and transfer of small arms and light weapons, including those addressing concerns of specific regions of the world where such accumulations and transfers have already taken place. For instance, the Panel recommended that all such weapons which are not under legal civilian possession, and which are not required for the purposes of national defence and internal security, should be collected and destroyed by states as expeditiously as possible. The Panel also recommended measures to prevent such accumulations and transfers from occurring in the future, foremost of which was the recommendation for the convening of an international conference on the illicit trade in arms.⁹

As the Secretary-General has stated, the report of the Panel of Governmental Experts acted as a catalyst to place the issue of small arms and light weapons firmly on the international agenda, and the UN has continued to encourage and support all efforts to address the wide-ranging problems

posed by such weapons.¹⁰ In December 1997, the General Assembly requested the Secretary-General to prepare, with the assistance of a group of governmental experts, a report on the progress made in the implementation of the recommendations of the Panel's report on small arms and further actions recommended to be taken. The twenty-three member Group of Governmental Experts worked over the course of 1998 and 1999. In its August 1999 report (A/54/258), the Group noted that progress in the implementation of the Panel's recommendations was being made at various levels, through the efforts of the UN, other international forums, regional and subregional organizations, and Member States. The Group found that some of these efforts either pre-dated or paralleled the 1997 report on small arms; others duly took into account the recommendations contained in the 1997 report, while still others reinforced some of those recommendations.¹¹

The Group also recommended a number of further actions to be taken by the UN, international and regional organizations, and by states. To the UN, for example, the Group encouraged the UN to appropriately take into account the need to control ammunition and explosives in its activities relating to disarmament, demobilization and reintegration in the context of peacekeeping. To states, the Group recommended that states in a position to do so should assist other states, at their request, in their efforts to collect and safeguard weapons and to destroy surplus weapons and confiscated or collected weapons. In the same report, in response to a request contained in an Assembly resolution of December 1998,¹² the Group of Governmental Experts also provided its views on the objective, scope, agenda, dates, venue and Preparatory Committee for an international conference on the illicit arms trade in all its aspects.¹³

The reports of the Panel and the Group of Governmental Experts on Small Arms are generally regarded as the leading reference sources in the field of small arms. As they have been adopted by the General Assembly, the recommendations contained therein have, in effect, become internationally agreed guidelines that are extensively quoted by governments, subregional and regional organizations, civil society and the media. One of the particular contributions of these reports is their call to focus the world's attention on specific, timely problems posed by the easy availability of these weapons. The Panel's report set out three recommendations for studies:

- on the feasibility of establishing a reliable system for marking small arms from the time of their manufacture;
- the feasibility of restricting the manufacture and trade of such weapons to the manufacturers and dealers authorized by states, and of establishing a database of such authorized manufacturers and dealers; and
- that the UN should initiate a study on all aspects of the problem of ammunition and explosives.

In June 1999 the first UN report on the problem of ammunition and explosives was prepared by the Secretary-General with the assistance of a group of eight experts. The group found overall that attempts to address small arms and light weapons would be incomplete if they did not include due regard for ammunition and explosives. The group also recommended a number of prevention and reduction measures, such as the adoption by states of rules, regulations and procedures for the central national collection of complete information on the production, stocks and transfers of ammunition and explosives, as well as the reduction of such excess stocks in a safe, secure and environmentally sound manner.¹⁴

The ammunition and explosives report was followed in July 1999 by a preliminary report of the Secretary-General prepared by a group of qualified experts on the feasibility of carrying out a study on restricting the manufacture and trade of small arms to manufacturers and dealers authorized by states. The consultative meeting of experts concluded that such a study was both feasible and desirable, and could help Member States and the international community to promote national and international

efforts in addressing the proliferation of small arms and light weapons.¹⁵ Pursuant to a General Assembly resolution adopted in December 1999, a full feasibility study covering arms brokering activities, particularly illicit activities, will be carried out in 2000 and 2001 and submitted to the 2001 Conference as one of its background documents.¹⁶

The Panel also recommended that sets of guidelines be developed to assist negotiators of peace settlements in developing plans to disarm combatants and to include therein plans for the collection of weapons and their disposal, preferably by destruction. In assessing the implementation of the Panel's recommendations, the Group of Governmental Experts on Small Arms noted that the Lessons Learned Unit of the Department of Peacekeeping Operations produced in July 1999 a document on disarmament, demobilization and reintegration of ex-combatants in a peacekeeping environment.¹⁷

Another specific issue that has come to attention has been the marking of small arms. In its report (A/54/258), the Group noted that there was an expanding body of knowledge and experience on marking small arms and light weapons in effective and reliable ways to lessen the possibilities for criminals and arms traffickers to remove identification markings. The Group recommended that the UN should, at an appropriate time, initiate a study on the feasibility of establishing reliable and cost-effective ways of marking all such weapons.¹⁸

In the same resolution in which it endorsed the Group's report, the General Assembly outlined the preparations for the 2001 Conference, named in the resolution as the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. The Assembly decided to establish a Preparatory Committee open to participation by all states, which will hold no fewer than three sessions, with its first session to be held in New York, from 28 February to 3 March 2000. The Assembly also requested the Preparatory Committee to make recommendations to the conference on all relevant matters, including the objective, a draft agenda, draft rules of procedure and draft final documents, which will include a programme of action, and to decide on background documents to be made available in advance.¹⁹

The issue of small arms has also been taken up by the United Nations Disarmament Commission (UNDC), a subsidiary organ of the General Assembly composed of all members of the Assembly. In April 1999, following three years of deliberations, the UNDC adopted the "Guidelines on conventional arms control/limitation and disarmament, with particular emphasis on consolidation of peace in the context of General Assembly resolution 51/45 N". Among its findings, the Commission held that the excessive accumulation of small arms and light weapons can best be averted by a combination of reduction and prevention measures:

- the purpose of reduction measures is the speedy removal of quantities of surplus weapons through their collection and/or destruction; and
- in the case of prevention measures, the objective should be to scale down over time the numbers of small arms and light weapons to a level that corresponds to a country's legitimate self-defence and security interests, to be defined by itself.²⁰

The guidelines developed by the UNDC underscored the General Assembly's involvement with the issue of "practical disarmament measures", a matter with which the Assembly has been seized with since 1996 when it adopted a resolution which stressed the importance of measures such as the collection, control and disposal of arms, especially small arms and light weapons, for the maintenance and consolidation of peace and security in areas that have suffered from conflict. Assembly resolution 51/45 N requested the Secretary-General, in the light of experience gained from conflict resolution, to make recommendations and suggestions for an integrated approach to such practical disarmament measures.²¹ In an August 1997 report, the Secretary-General

recommended, inter alia, (a) to include weapons-related issues as an integral part of peace accords where the UN is involved in bringing an end to armed conflicts and in consolidating the peace process to prevent their re-emergence, and (b) to promote an exchange of national and subregional experiences in the collection, control and disposal of arms, especially small arms and light weapons, and the reintegration of former combatants into civil society at the end of armed conflicts.²²

On the basis of a follow-on resolution in December 1997, which invited interested states to establish a group in order to facilitate this process and to build upon the momentum generated,²³ an open-ended "Group of Interested States" was established in March 1998 in New York under the chairmanship of Germany to facilitate the process of assisting affected states in their efforts to consolidate peace so as to have an effective implementation of practical disarmament measures. In collaboration with the Department for Disarmament Affairs (DDA), the Group established a Trust Fund in August 1998 to assist affected countries in their effort to consolidate peace.²⁴

Practical disarmament measures such as the collection of weapons, demobilization and reintegration were discussed at length in November 1998, when DDA and the Ministry of Foreign Affairs of Guatemala, with support from the Group of Interested States, hosted a workshop in Guatemala City on weapons collection and integration of former combatants into civil society, involving the experiences of Colombia, El Salvador, Guatemala, Honduras and Nicaragua. The purpose of the workshop was to promote an exchange of national experiences with a view to gathering information that could assist the Secretary-General in responding to requests from Member States for UN assistance in weapons collection, demobilization and reintegration of former combatants into civil society. A summary of the deliberations was produced by DDA.²⁵

One of the practical disarmament measures which has featured prominently in reports of the Secretary-General and in resolutions of the General Assembly is for states to collect and destroy surplus small arms. A number of Member States such as Cambodia, Germany, Liberia, Mali, Mozambique, Sweden and South Africa have already carried out weapons destruction programmes.²⁶ By the terms of its resolution 54/54 R of 1 December 1999, the Assembly encouraged Member States in a position to do so to take appropriate national measures to destroy surplus small arms and light weapons, confiscated or collected small arms and light weapons, and to provide, on a voluntary basis, information to the Secretary-General on types and quantities destroyed.²⁷

It is clear that the General Assembly has been a leading actor in efforts to address the problems posed by small arms. In the past two years the Assembly has adopted no less than four resolutions dealing with small arms.²⁸ The Millennium Assembly in 2000 is also expected to give special attention to the problems posed by small arms. But while a central focus of the small arms debate, the General Assembly has not been the only UN organ seized with the issue. The Security Council, the Secretariat and ECOSOC have also dealt extensively with this matter. National, subregional, and regional actors have also taken on a role as have representatives of civil society. All are highlighted below.

Security Council

As the UN organ with primary responsibility under the UN Charter for the maintenance of international peace and security, the Security Council has dealt first-hand with the impact of the excessive and destabilizing accumulation and transfer of small arms. In the 1990s the Council at

times witnessed slow progress in the implementation of its decisions, particularly those pertaining to its peacekeeping operations and sanctions regimes, due in part to the easy availability of small arms in the internal conflicts which marked the decade.

In the implementation of the Secretary-General's Report on Africa,²⁹ the Council became confronted with the problems posed by small arms in the context of the repeated violations of its mandatory arms embargoes under Chapter VII. In September 1998 Council members expressed their willingness in resolution 1196 (1998) to consider measures to assist in the effective implementation of arms embargoes such as inquiries into arms trafficking routes, the follow-up of possible specific violations and the deployment of border or point of entry monitors. In November 1998 the Council expressed its grave concern at the destabilizing effect of illicit arms flows, in particular of small arms, in adopting resolution 1209 (1998). The resolution encouraged the Secretary-General to explore means of identifying international arms dealers acting in contravention of national legislation or embargoes established by the UN on arms transfers to and in Africa. The Council also encouraged the Secretary-General in the resolution to explore means for the collection, sharing and dissemination of information, including technical information, on illicit small arms flows and their destabilizing effects, in order to improve the international community's ability to prevent the exacerbation of armed conflicts and humanitarian crises, as well as means for the rapid exchange of data on possible violations of arms embargoes.

A number of subsidiary organs of the Security Council have also been particularly involved in the small arms issue. One is the International Commission of Inquiry (ICOI/Rwanda) which the Council established in 1995 and re-established in 1998. In its final report of November 1998, the Commission found that the free flow of small arms into and within Africa was a major long-term cause of insecurity and instability in the central African subregion. Among its recommendations to the Council, the Commission proposed that serious consideration be given to devising a regional solution to the problem of illicit arms trafficking in order to confront this grave challenge to international peace and security.³⁰

Another subsidiary organ of the Council dealing with the small arms issue is the Sanctions Committee established to implement the UN sanctions against the União Nacional Para a Independência Total de Angola (UNITA). In May 1999, on the recommendation of the Sanctions Committee, the Council decided to establish two expert panels with a view to gaining knowledge about the inter-relationships between the trafficking of arms, oil supplies, the diamond trade and the movement of funds. The panels deal with the sources of revenue, funding and petroleum supplies of UNITA and sources of military support to UNITA.³¹

Over the past year the small arms issue took on a more prominent role in the agenda of the Security Council. In September 1999 the Council adopted a Presidential statement on small arms during its first ministerial meeting on small arms. Council members emphasized in the statement that the prevention of illicit trafficking was of immediate concern in the global search for ways and means to curb the wrongful use of small arms, including their use by terrorists. The Council also requested the Secretary-General to develop a reference manual for use in the field on ecologically safe methods of weapons destruction in order to better enable Member States to ensure the disposal of weapons voluntarily surrendered by civilians or retrieved from former combatants.³²

During the course of 1999 the Council also adopted a Presidential statement on the role of the Security Council in the prevention of armed conflicts,³³ a resolution³⁴ and a Presidential statement on the protection of civilians in armed conflict,³⁵ a resolution on children and armed conflict³⁶ and a Presidential statement on disarmament, demobilization and reintegration of ex-combatants in a peacekeeping environment.³⁷ All dealt to some extent with the issue of small arms.

UN Secretariat

As the head of the Secretariat, one of the six principal organs of the UN,³⁸ the Secretary-General has taken a personal interest in the small arms issue. As requested in resolutions of the Assembly, the Secretary-General nominated the members of the Panel and Group of Governmental Experts on Small Arms and contributed to their respective reports. He has also made a number of statements on small arms, foremost among them his address to the first ministerial meeting of the Security Council on small arms in September 1999.³⁹

Not unlike his predecessor, who responded to the request of Mali for assistance in the collection of small arms in 1994, the Secretary-General responded to a request by the Government of Albania by having dispatched an evaluation mission to Tirana in June 1998. The “Gramsh pilot project”, conceived by DDA and administered by the United Nations Development Programme (UNDP), encourages the voluntary surrender of weapons by offering labour-intensive, income-generating community development activities in exchange for weapons. It comprises three aspects: disarmament, development, and advocacy and public awareness.⁴⁰ Since the weapons collection process began in late January 1999, over 6,700 small arms and approximately 104 tonnes of ammunition have been voluntarily surrendered by citizens in exchange for development initiatives including road rehabilitation, a street lighting system and a radio-telephone system for all communes in the remote area.⁴¹ Unlike a cash “buy-back” collection programme, the Albanian pilot project, which is being expanded to other districts in Albania, is a participatory arrangement whereby the members of the local community convey to UNDP what development projects they wish to implement in exchange for weapons. UNDP is now in the process of actively identifying other countries in which similar community-based “weapons in exchange for development” activities can be funded and implemented. In November 1998, it established the UNDP Trust Fund for Support to Prevention and Reduction of the Proliferation of Small Arms.⁴²

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Another medium which the Secretary-General has utilized in promoting awareness of the small arms issue is through the creation of an in-house co-ordinating mechanism. In June 1998 he designated DDA as the focal point to synergize all efforts on small arms within the UN system. DDA established the Coordinating Action on Small Arms (CASA) as the mechanism for implementing the decision of the Secretary-General. A total of fourteen departments and agencies participate in CASA together with the World Bank.⁴³ Since its establishment CASA has provided a framework to gain an understanding of initiatives outside the UN context on small arms, acted as a clearinghouse for exchange of UN experiences in the area of small arms, and mobilized resources for responding to specific requests for assistance by affected states. On the last item, for example, CASA members have played a role in raising financial or other support for the Guatemala Workshop, a UNTV documentary on small arms, a DDA-UNICEF exhibit on small arms and children, and the “Weapons in exchange for development” pilot project in Albania. These have been publicized together with summaries of the meetings of CASA via a homepage on the Internet created by DDA and devoted to conventional arms and particularly small arms.⁴⁴

In the course of their increasing consideration of the small arms issue, the General Assembly and the Security Council have made reference to CASA in a number of documents and resolutions. The Report of the Group of Governmental Experts on Small Arms recommended that “the Coordinating Action on Small Arms should continue to coordinate relevant activities within the

United Nations system relating to small arms and light weapons, and to provide relevant information to Member States on a regular basis".⁴⁵ In General Assembly resolution 54/54 R entitled "Illicit Traffic in Small Arms", the Assembly considered that "the United Nations could, through a coordinated approach, collect, share and disseminate information to Member States on useful and successful practices to prevent the illicit trafficking in small arms and light weapons, and mindful of the role of the mechanism for Coordinating Action on Small Arms in this regard".⁴⁶

ECOSOC

In 1995, the Commission on Crime Prevention and Criminal Justice, one of the subsidiary bodies of ECOSOC, requested the Vienna-based Centre for International Crime Prevention to carry out a study on firearm regulation for the purpose of crime prevention and public safety in civil society. In 1998 ECOSOC adopted a resolution welcoming the results of the United Nations International Study on Firearm Regulation,⁴⁷ and called for further work towards the elaboration of an international instrument (draft protocol) to combat the illicit manufacturing of and trafficking in firearms within the context of a UN convention against transnational organized crime. Following a General Assembly resolution of December 1998, negotiations on the draft protocol began in Vienna in January 1999. The mandate of the negotiations is not expected to apply to state-to-state transactions or transfers for purposes of national security (A/AC.254/4/Add.2/Rev.1, art. IV). It is currently envisaged that the negotiations on the draft protocol will be completed by the end of the year 2000.

National, Subregional and Regional Initiatives

Increasingly UN Member States, subregional and regional organizations, academia, non-governmental organizations (NGOs) and other members of civil society are becoming aware of a

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growing number of small arms-related initiatives as they are circulated as official documents of the General Assembly and Security Council.⁴⁸ At the national level, for example, South Africa informed the Secretary-General in February 1999 of its decision to destroy all surplus small arms in its possession rather than sell them.⁴⁹ In September 1999, Canada and Finland transmitted the EU-Canada statement on their common approach to combat the spread and destabilizing accumulations of small arms and light weapons.⁵⁰

At the subregional level, the Economic Community of West African States transmitted its Declaration of a Moratorium on the Importation, Exportation and Manufacture of Small Arms and Light Weapons in West Africa⁵¹ while the Standing Advisory Committee on Security Questions in Central Africa⁵² has submitted various documents on small arms, particularly the report of a subregional conference held in October 1999 on the proliferation of and illicit traffic in small arms in Central Africa.⁵³ The Council of the Southern African Development Community (SADC) has also submitted decisions on the Prevention and Combating of Illicit Trafficking in Small Arms and Related Crimes, adopted at the Summit of the Heads of State or Government.⁵⁴

At the regional level, a number of initiatives on small arms have been transmitted to the Secretariat, namely the Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials of the OAS,⁵⁵ the Joint Action on

Small Arms of the European Union,⁵⁶ and the Decision on the Proliferation, Circulation and Trafficking of Small Arms and Light Weapons taken recently by the Heads of State and Government of the Organisation of African Unity (OAU).⁵⁷

Groups of states have also made the sense of their deliberations on small arms known to the UN. In November 1998, the Government of Belgium transmitted to the Secretary-General the final document of the International Conference on 'Sustainable Disarmament for Sustainable Development' which recommended an International Programme of Action on Practical Disarmament and Peace Building to combine efforts to effectively tackle the proliferation of small arms and light weapons with initiatives to promote security and to build peace, particularly in conflict regions, as prerequisites for sustainable development.⁵⁸ In July 1998⁵⁹ and December 1999,⁶⁰ a group of countries invited to Oslo by the Government of Norway issued an "Elements of Common Understanding", the latter of which, in particular, recognized the leading role played by the UN in raising awareness and understanding of the excessive and destabilizing accumulation and transfer of small arms and light weapons, as well as its contribution to tackling the problem.

Civil Society

The success of the Nobel prize-winning NGO network known as the International Campaign to Ban Landmines (ICBL) underscored the important role played by civil society in providing expertise and mobilizing support, in co-operation with a group of like-minded states, in the negotiations leading to the December 1997 signing of the Ottawa Convention. In his recommendations on the objective, scope, agenda, dates, venue and Preparatory Committee for the 2001 Conference on the illicit trade in small arms, the Secretary-General noted that the preparatory process would gain from receiving the views of representatives of NGOs, the academic community and other members of civil society.⁶¹

The UN has endeavoured to seek the co-operation, views and expertise of civil society in addressing the problems posed by small arms. Small arms experts in the NGO community have shared their expertise and reports with the members of the Panel and Group of Governmental Experts on Small Arms.⁶² In September 1998 an NGO organized the first ministerial meeting on small arms at UN Headquarters, in co-operation with the Governments of Canada and Norway, which brought together foreign ministers, UN and NGO experts to discuss proposals for action.⁶³ NGO experts in small arms also made presentations during the regional workshops on illicit trafficking in small arms convened by DDA and the UN Regional Centres for Peace and Disarmament in Latin America (Lima)⁶⁴ and Africa (Lomé)⁶⁵ in June and August 1999. In January 2000 the NGO Section of the UN Department of Public Information sponsored a briefing featuring representatives of NGOs and the Secretariat on the campaign against the illicit arms trade. Many of the NGOs represented in the ICBL are playing a prominent role in the International Action Network on Small Arms (IANSA), a network of some 200 organizations from the North and South. Members of IANSA have briefed the members of CASA and the media at UN Headquarters on their activities.⁶⁶

During the first session of the Preparatory Committee for the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, held in New York from 28 February to 3 March, representatives of NGOs actively consulted with Member States and the UN Secretariat on a number of issues such as the final outcome of the 2001 Conference and the manner in which NGOs will participate in the PrepComs and the conference. This would include, for example, the prospect of NGOs circulating and receiving documents and addressing the plenary sessions of the PrepCom. In its resolution on the conference, the Assembly had requested the first session of

the Preparatory Committee to take a decision on the modalities of attendance of NGOs at its sessions.⁶⁷

Concluding Remarks

As highlighted above, the UN has taken a central role in addressing the problems posed by small arms and in fostering momentum and political will in the lead-up to the UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects in June/July 2001. It is also clear that this role would not have been as effective without the considerable efforts of key Member States, subregional and regional organizations and civil society. In the next two years these actors are expected to hold meetings with a view to consolidating their positions on the final outcome of the 2001 Conference and related issues. At the subregional and regional level, for example, the OAU has called in a recent decision for a co-ordinated African approach to the problems posed by the illicit trafficking, circulation and proliferation of small arms, and has requested the OAU Secretariat to organize a ministerial preparatory conference on small arms prior to the 2001 Conference and seek the support of the relevant UN agencies and other actors concerned, so as to evolve a common African approach.⁶⁸ Members of the European Union met in late January 2000 to discuss the Union's position at the first PrepCom. In mid-March 2000 the Government of Kenya is expected to convene a conference on small arms in the Horn of Africa. The Organization for Security and Co-operation in Europe (OSCE) will hold a meeting on small arms in April 2000 at its secretariat in Vienna. Subregional and regional activities are also being planned in the Americas and in Asia.

At its first session of the Preparatory Committee for the UN conference, held in New York from 28 February to 3 March, the Committee decided to defer its decision on the date and venue of the conference to the General Assembly at its 55th session in mid-2000. It also decided to hold its second session from 8 to 19 January 2001 at United Nations Headquarters in New York and to hold its third session from 19 to 30 March 2001. The Committee decided to continue its consideration of its recommendations on all relevant matters, including the objective, a draft agenda, draft rules of procedure and draft final documents. It also decided to continue consideration of the background documents to be made available in advance. No decision was reached on the modalities of participation for NGOs during the sessions of the Committee.

While it is too early to forecast the outcome of the 2001 Conference, it stands to reason that the views of regional and subregional organizations will figure prominently in the negotiations. This is primarily because while small arms is truly a problem of international proportions, no two regions are affected in the same manner by the excessive and destabilizing accumulation of and illicit trafficking in small arms. Civil society will also be a very active player in the run-up to the 2001 Conference. A number of NGOs are holding events this year and next with a view to preparing points of interest on behalf of civil society.

Since the dispatch of the Secretary-General's Advisory Mission to Mali in 1994, the UN has played a pivotal role in bringing the small arms issue to the forefront of the international political agenda. Along this path the Organization has promoted awareness, gained expertise, acquired field experience, issued recommendations, negotiated texts and built consensus towards the 2001 Conference. Nevertheless, the challenges still before it are immense. Among the most serious is the task of reducing the huge numbers of small arms circulating illegally from one conflict to another, killing and wounding millions of civilians, the majority of whom are women and children, and destroying the economic and social livelihood of communities in their path. For the UN to have a practical effect in the lives of the people most at risk by the wide availability of small arms, its

Member States will need to agree on implementable solutions that will effect real change on the ground. Therefore all eyes will be focused on the sessions of the Preparatory Committee as the international community looks toward 2001.

Notes

- ¹ Sahara-Sahel Advisory Mission Report, Part 1, Executive Summary, page 1.
- ² General Assembly resolution 49/75 G, adopted 15 December 1994, A/RES/49/75, pp. 12–13.
- ³ Sahara-Sahel Advisory Mission Report, Part 1, Executive Summary, page 1.
- ⁴ A/50/60*-S/1995/1*, 25 January 1995.
- ⁵ In July 1997, the Secretary-General stated his intention to place the disarmament programme under a department to be headed by an Under-Secretary-General. The General Assembly approved this action by resolution A/RES/52/12 on 12 November 1997, and on 1 January 1998 the Department for Disarmament Affairs was re-established. DDA had originally been established in 1982 — after the General Assembly's second special session on disarmament — and had continued until 1992, when it was known as the Centre for Disarmament Affairs. For further background, see <http://www.un.org/Depts/dda/oct98.pdf> and ST/SGB/1998/10, 20 May 1998.
- ⁶ UNIDIR Research Paper No. 34, *Small Arms and Intra-State Conflicts*, Swadesh Rana, 1995, 52p., United Nations publication, Sales No. G.V.E.95.0.7.
- ⁷ General Assembly resolution 50/70 B entitled "Small Arms", adopted 12 December 1995, A/RES/50/70, pp. 2–3.
- ⁸ A/52/298, 27 August 1997, p. 10.
- ⁹ A/52/298, pp. 21–23.
- ¹⁰ A/54/258, 19 August 1999, p. 2.
- ¹¹ A/54/258, p. 9.
- ¹² General Assembly resolution 53/77 E entitled "Small Arms", adopted 4 December 1998, A/RES/53/77.
- ¹³ A/54/258, pp. 22–24.
- ¹⁴ A/54/155, 29 June 1999, pp. 16–17.
- ¹⁵ A/54/160, 6 July 1999, p. 5.
- ¹⁶ General Assembly resolution 54/54 V, adopted 15 December 1999, A/RES/54/54 V.
- ¹⁷ A/54/258, pp. 15–16.
- ¹⁸ A/54/258, p. 20.
- ¹⁹ General Assembly resolution 54/54 V, adopted 15 December 1999, A/RES/54/54, p. 42.
- ²⁰ A/54/42, Annex III.
- ²¹ General Assembly resolution 51/45 N, adopted 10 December 1996, A/RES/51/45 N.
- ²² A/52/289, 19 August 1997.
- ²³ General Assembly resolution 52/38 G, adopted 9 December 1997, A/RES/52/38, p. 19, 8 January 1998.
- ²⁴ DDA Trust Fund for the Consolidation of Peace through Practical Disarmament Measures, <http://www.un.org/Depts/dda/CAB/pdmtf.pdf>
- ²⁵ Workshop on Weapons Collection and Integration of Former Combatants into Civil Society: The Experiences of Colombia, El Salvador, Guatemala, Honduras and Nicaragua, Guatemala City, 18–20 November 1998, United Nations, 1999, DPI Sales Publication, No. E.99.IX.6 (available in English and Spanish).
- ²⁶ A/54/258, 19 August 1999.
- ²⁷ General Assembly resolution 54/54 R, "Illicit traffic in small arms", adopted 1 December 1999, A/RES/54/54, pp. 34–36, 10 January 2000.
- ²⁸ During its 53rd session in 1998 the General Assembly adopted four resolutions dealing with the small arms issue: Assistance to states for curbing the illicit traffic in small arms and collecting them (adopted on 4 December 1998 as resolution 53/77 B), Small Arms (adopted on 4 December 1998 as resolution 53/77 E), Consolidation of Peace through Practical Disarmament Measures (Adopted on 4 December 1998 as resolution 53/77 M); and Illicit Traffic in Small Arms (Adopted on 4 December 1998 as resolution 53/77 T). During the 54th session the Assembly adopted follow-on resolutions under these items, respectively, as 54/54 J (1 December 1999), 54/54 V (15 December 1999), 54/54 H (1 December 1999) and 54/54 R (1 December 1999).
- ²⁹ UN Secretary-General, *Report on the causes of conflict and the promotion of durable peace and sustainable development in Africa*, UN Document A/52/871 – S/1998/318, 13 April 1998.
- ³⁰ S/1998/1096, 18 November 1998, p. 18.
- ³¹ See Security Council resolution 1237 (1999) of 7 May 1999, S/RES/1237 (1999), and documents S/1999/837, 30 July 1999; S/1999/829, 28 July 1999; and S/1999/644, 4 June 1999.

- ³² Security Council Presidential statement S/PRST/1999/28, 24 September 1999, pp. 2–3.
- ³³ Security Council Presidential statement S/PRST/1999/34, 30 November 1999.
- ³⁴ Security Council resolution 1265 (1999) of 17 September 1999, S/RES/1265 (1999).
- ³⁵ Security Council Presidential statement S/PRST/1999/6, 12 February 1999.
- ³⁶ Security Council resolution 1261 (1999) on children and armed conflict, 25 August 1999, S/RES/1261 (1999).
- ³⁷ Security Council Presidential statement S/PRST/1999/21, 8 July 1999.
- ³⁸ The six principal organs of the UN are the General Assembly, Security Council, Economic and Social Council, Trusteeship Council, International Court of Justice and the Secretariat.
- ³⁹ See UN Press release SG/SM/7145-SC/6733, <http://www.un.org/News/Press/docs/1999/19990924.sgsm7145.doc.html>, 24 September 1999.
- ⁴⁰ A/54/309, 3 September 1999.
- ⁴¹ UN Press Release DC/2669, “UN Messenger Of Peace, Michael Douglas, Concludes Visit To Albania”, <http://www.un.org/News/Press/docs/1999/19991019.dc2669.doc.html>, 19 October 1999, and UNDDA/UNDP paper, “Albania – Weapons in Exchange for Development”, 30 November 1999 update.
- ⁴² <http://www.un.org/Depts/dda/CAB/undptf.htm>
- ⁴³ The participants in CASA are as follows: the Office for the Coordination of Humanitarian Affairs (OCHA), the Department of Economic and Social Affairs (DESA), the Department of Political Affairs (DPA), the Department of Peacekeeping Operations (DPKO), the Department of Public Information (DPI), the United Nations Children’s Fund (UNICEF), the United Nations Development Programme (UNDP), the Office of the Special Representative of the Secretary-General for Children and Armed Conflict (SRSG/CAC), the N.Y. Office of the United Nations High Commissioner for Human Rights (UNHCHR), the N.Y. Office of the United Nations High Commissioner for Refugees (UNHCR), the Geneva-based United Nations Institute for Disarmament Research (UNIDIR) and the Vienna-based Centre for International Crime Prevention (CICP) of the Office for Drug Control and Crime Prevention (UNODCCP/CICP). Subsequently two bodies were invited by DDA to participate in the activities of CASA: the United Nations Development Fund for Women (UNIFEM) and the World Bank.
- ⁴⁴ <http://www.un.org/Depts/dda/CAB/index.htm>. For a useful primer on small arms, see the Study Series paper #28 on Small Arms published as a continuation of the *DISARMAMENT Study Series*, New York, 1999, UN Publication Sales No. E.99.IX.7.
- ⁴⁵ A/54/258, p. 20.
- ⁴⁶ General Assembly resolution 54/54 R, adopted 1 December 1999, A/RES/4/54, p. 35.
- ⁴⁷ United Nations Publication Sales No. E.98.IV.2.
- ⁴⁸ All UN documents dealing with small arms are located in the “Recent Documents” section of the homepage of the Conventional Weapons Branch of DDA: <http://www.un.org/Depts/dda/CAB/index.htm>
- ⁴⁹ A/54/70, 3 March 1999.
- ⁵⁰ A/54/373, 21 September 1999
- ⁵¹ A/53/763-S/1998/1194 18 December 1998.
- ⁵² On 28 May 1992 the Secretary-General established the UN Standing Advisory Committee on Security Questions in Central Africa, pursuant to General Assembly resolution 46/37 B of 6 December 1991. The Standing Advisory Committee is composed of the following states: Angola, Burundi, Cameroon, Central African Republic, Chad, Congo, Democratic Republic of the Congo, Equatorial Guinea, Gabon, Rwanda and Sao Tome and Principe. One of the core functions of the Regional Disarmament Branch of DDA is to provide substantive, administrative and secretariat support to the Committee. For further background, see United Nations Concern for Peace and Security in Central Africa: Reference Document, United Nations, New York, 1997, UN Publication Sales No. E.98.IX.2.
- ⁵³ A/54/209-S/1999/859, 9 August 1999; and A/54/210*-S/1999/860*, 8 September 1999.
- ⁵⁴ A/54/488-S/1999/1082, 21 October 1999.
- ⁵⁵ A/53/78, 9 March 1998.
- ⁵⁶ A/54/374, 22 September 1999.
- ⁵⁷ As contained in document A/54/424, 5 October 1999.
- ⁵⁸ Final Document of the International Conference on Sustainable Disarmament for Sustainable Development, Brussels (A/53/681, Annex, 18 November 1998).
- ⁵⁹ http://www.iansa.org/documents/regional/2000/jan_00/oslomeeting.htm
- ⁶⁰ http://www.iansa.org/documents/regional/dec_99/oslo2.htm
- ⁶¹ A/54/260, 20 August 1999, p. 3.
- ⁶² Among the numerous NGO reports circulated for pickup by the Group of Governmental Experts, for example, were the report of the British American Security Information Council (BASIC) of July 1999 entitled “The Illicit Traffic in Small Arms: Submission to the Department for Disarmament Affairs, United Nations”, and A Moratorium on Light Weapons in West Africa, Sverre Lodgaard and Carsten F. Ronnfeldt, eds., Norwegian Initiative on Small Arms Transfers and the Norwegian Institute of International Affairs, 1998.

⁶³ See <http://www.un.org/Depts/dda/CAB/program.htm> or <http://www.basicint.org/>

⁶⁴ <http://www.un.org/Depts/dda/CAB/limaeng.pdf>

⁶⁵ <http://www.un.org/Depts/dda/CAB/lomeng.pdf>

⁶⁶ <http://www.un.org/News/Press/docs/1999/19990528.DC2646.html>; <http://www.un.org/News/briefings/docs/1999/19990923.armspc.doc.html>

⁶⁷ General Assembly resolution 54/54 V, adopted 15 December 1999, A/RES/54/54, p. 42.

⁶⁸ OAU Decision AHG/Dec.137 (XXXV), as contained in Annex II of document A/54/424, 5 October 1999.

The 2001 Conference — Breaking Out of the Arms Control Framework

Chris SMITH

The elevation of the problem of light weapons proliferation to an issue of major political and social importance is, in such a short space of time, nothing short of remarkable. Much of this credit goes to the 'like-minded' governments and certain NGOs that have worked tirelessly to push the light weapons issue to the forefront of the international agenda. Nor should the United Nations disarmament machinery be overlooked for avoiding a bureaucratic turf struggle between those supporting the new agenda and those whose careers and profiles are wrapped up in more traditional arms control issues, such as the proliferation of weapons of mass destruction.

Yet, at the same time, it remains extremely unclear where this process is leading and what can actually be achieved in the long run.

Light Weapons — the Nature of the Crisis

Occasionally, and erroneously, the light weapons issue is likened and linked to the landmine issue. Canada especially has voiced the commitment to work towards ensuring that it will do for light weapons in the future that which has already been done for landmines through the Ottawa Process. However, it is now becoming more accepted that the illegal proliferation and misuse of light weapons pose different and more complex problems than banning anti-personnel landmines.

At the outset, the recognition that a global landmine crisis existed was quick to take root and gain universal acceptance. This is not the case with light weapons, despite the speed with which it has become an international issue. On the contrary, there is a major confrontation looming between those who wish to control or ban light weapons and those who believe that irresponsible users are to blame, not the weapons themselves. The National Rifle Association of the United States and similar organizations are beginning to develop a global presence and are commissioning research to provide statistical evidence in an attempt to show that measures to restrict gun ownership have little or nothing to do with rising crime and homicide.

Much is made at the moment of the need to combat entrenched gun cultures. The need to reverse fixed beliefs in the right, if not duty, to bear arms is an enormous task. This is not just the case in 'frontier' states, such as the United States and South Africa. It is also the case in countries where the state is weak and the security forces find themselves unable to guarantee the safety and security of people and property. It was the westward expansion in the United States that forged the culture

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of gun ownership in areas where the state could not be effective because expansion had occurred so quickly. In Canada, however, the Mounted Police attempted to guarantee the security of individuals across the vast landmass, thereby giving a sense at least of law and order, which may explain why the gun culture in Canada is less entrenched than in the United States.

The proliferation and misuse of light weapons relate to a broad array of conditions and environments that have either emerged or become much worse over the past decade yet do not fall into set patterns or categories.

The light weapons crisis is immensely complex. The proliferation and misuse of light weapons relate to a broad array of conditions and environments that have either emerged or become much worse over the past decade yet do not fall into set patterns or categories. In this respect the light weapons issue is as post-modern as it is post-Cold War.

At the international level, the overall movement of illegal weapons appears to have increased since the collapse of the Soviet Union. A major source of illegal weapons is the former Soviet Union itself and some of the former Warsaw Pact countries such as Bulgaria and the Czech Republic. The weakness of the state has allowed greater access to state armouries, which has in turn led to an increase in smuggling. On the demand side, new stocks of light weapons appear to be reaching zones of conflict, such as Angola and throughout Africa. Although there are an abundance of weapons in circulation in regions such as Southern Africa, it is usually quicker and more straightforward to barter, say, diamonds or coffee for a shipment of weapons from Europe than it is to trawl the local or regional black market.

Physically moving weapons around the world has never been easier.¹ The ability to move money electronically and the comfortable anonymity and confidentiality offered to banking customers by some countries has made the role of brokering arms from a distance that much easier. Where there are profits to be made smugglers and brokers will arrange the movement of commodities that reflect good profit margins and this includes weapons. Trends towards globalization provide major opportunities for criminals.²

Brokers and dealers are frequently finding that weak states provide either a haven from which to run their operations or a useful conduit that offers the benefits of poor policing, corrupt officials, porous borders and organized crime networks or warlords to provide 'local knowledge'. The Baltic crime corridor is one example. Much of the heroin now entering Europe does so through Albania.

At the regional level, illegal weapons become available for a multitude of reasons. In South Asia, the flood of weapons that became available in the early 1990s were primarily those that leaked from the US-sponsored Afghan pipeline. In and around Mozambique and Cambodia, weapons have become available since the failure of the respective peace support operations to ensure the permanent removal of weapons from the system once wars had come to an end. One or more weak state within a region can be the source of illegal weapons for other parts of the region — Afghanistan, Somalia, Angola, Albania. Tensions between countries can lead to covert weapons supplies, into Kashmir from Pakistan or into Sierra Leone from Liberia.

At the domestic level, the availability and misuse of weapons is an eclectic area to comprehend and it is at this level where most of the confusion rests. The availability of weapons of war depends upon the proximity of a state to a former or ongoing conflict, such as South Africa (Angolan and Mozambican civil wars), Afghanistan (Soviet invasion) or Thailand (Burmese insurgency). It also depends upon the proximity of a state to a weak or failed state, such as Kenya (Somalia), Greece (Albania) or Pakistan (Afghanistan) and the ability of the state to control the domestic circulation of weapons. This depends upon, first, the prevailing cultural view of the right of the individual to carry firearms and, second, the ability of the state to retain a monopoly of force to implement policies that relate to firearms control. Where policing is strong, in the sense of being competent and legitimate,

the influx of illegal weapons will be comparatively low. This is especially true of weapons of war, such as rocket propelled grenades and assault rifles, which will appeal less to criminals or terrorists operating in well-policed states where there will be a greater demand for concealable weapons such as the Uzi or the sawn-off shotgun.

In all these areas, however, empirical evidence is difficult to acquire and situations change quickly. For example, the North West Frontier Province in Pakistan is on the surface no longer as awash with light weapons as it was and the situation in Mozambique is greatly improved. Hitherto largely unaffected areas such as Indonesia, China and Scandinavia are beginning to experience the impact of illegal weapons. The quality of data sets on illegal weapon are poor. Investigative fieldwork is sporadic and unstructured and methodologies differ. Reliance upon secondary sources and anecdotal information is considerable. In most cases, it seems, the plural of anecdote is data. Thus, whilst it is generally accepted that the incidence of illegal arms trafficking has increased significantly over the past decade, beyond that little is known. However, there are now attempts to tackle these gaps, such as the forthcoming annual small arms survey, the Norwegian Initiative on Small Arms Transfers (NISAT) database and the ongoing work of Human Rights Watch.

The Response of the NGOs and the 'Like-Minded'

Following successful efforts to force the light weapons issue far up the international agenda, there have been several tangible results. Most significant, the United Nations Commission for Crime Prevention and Criminal Justice in Vienna is working on the 'Draft Protocol Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition and Other Related Materials', known colloquially as the Firearms Protocol. The Protocol looks set to become the first global measure regulating international transfers of small arms and light weapons and builds upon as well as universalizes the 1997 Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms — the first international agreement designed to prevent, combat and eradicate trafficking in firearms, ammunition and explosives. The Firearms Protocol is currently being negotiated under the auspices of the Convention Against Transnational Organized Crime, which is expected to be opened for signature towards the end of the year 2000.³

The United Nations General Assembly has further decided to convene an international conference on the illicit small arms trade sometime in 2001, probably in Geneva. This marks a major and significant achievement for the diverse range of actors that have worked so hard to publicize the security implications of small arms trafficking.

'Like-minded' governments have also been quick to sponsor projects, meetings and networks to drive the agenda further forward. The Swiss government has invested significant resources in developing technologies for tagging and marking weapons and is also sponsoring an annual survey on small arms. The Canadian government is addressing the issue through the framework of human security and the British government, potentially, through security sector reform.

The Norwegian government has channelled resources into an initiative to build a coalition/campaign of like-minded governments and NGOs and to further understanding of the relationship between security and development through research. The resultant International Action Network on Small Arms (IANSA) is steadily building a global coalition, though to what end is not entirely clear — the IANSA mission statement covers virtually everything that comes under the umbrella of human security and seems light on substance as a result. One of the major obstacles facing an initiative such as this is the maintenance of cohesion. The landmine campaign focussed on only one

goal, but a group such as IANSA must organize and prioritize a series of campaign goals whereas at present it seems to be campaigning for everything at once — human security. Moreover, a major problem with North-South networks such as this is the disparity in capacity. This has nothing to do with the intellectual or political skills of those involved. It has more to do with the age of the organizations, their resources, technical capability and the basic fact that there are fewer people working on these issues in the developing world than anywhere else. This is why the same people tend to represent at meetings and sometimes occupy more than one niche.

More tangible steps forward can be seen in the area of public safety and domestic firearms control rather than arms control. Countries and regions with a traditionally more cavalier approach to gun ownership are now taking legislation and preventative action more seriously — Brazil, Argentina and South Africa are recent examples.

The 2001 Challenge

The 2001 United Nations conference on small arms could be a watershed event, where all the efforts of NGOs, international organizations and certain governments will be channelled into a more systemic approach to the small arms/light weapons problem. Alternatively, it could be a politically expensive failure. It is a valuable opportunity, which should not be wasted.

The 2001 conference will announce to the world at large that the international norms with regard to small arms and light weapons have changed fundamentally in a very short space of time. However, the National Rifle Association is building up a formidable political and financial war chest to try and prevent such norms developing further, and other firearms lobbies have reacted, but almost all at the national level. It is to be expected that the counter-lobbies will emerge beyond the conference as a far more well-organized and formidable force. At this point there has been very little opposition to the groups who favour tighter controls over the movement of light weapon, both legal and illegal. However, the shooting/firearms lobbies have been disappointed by legislation that appears to discriminate against responsible owners and users without commensurate attention being paid to addressing illegal weapons. This is most certainly the case in the United Kingdom and there is a strong belief in some circles that the national legislation put in place after the tragedy at Dunblane has had little overall impact upon the circulation and effects of illegal weapons and the availability of weapons to criminals and others.

The major threat to further progress is how the conference elects to perceive the problem; the PrepCom meetings that precede the event will be important indicators. These meetings should be dynamic in so far as there is a clear need for innovation and direction.

The 2001 conference agenda must break new ground and avoid the well-ploughed furrows of the past five years.

The 2001 conference agenda must break new ground and avoid the well-ploughed furrows of the past five years. A major problem thus far is that the light weapons agenda has been cast in the framework of arms control. The prevalence of the arms control paradigm has influenced, if not defined, the approach to the problem. There is something to be said for this as there is a political as well as a practical need to address legal proliferation and production, which mainly takes places in the North, if developing countries are to be in any sense interested in making a contribution to addressing the problem. Those who remember the initial entrenched debates within the United Nation system over the United Nations Register of Conventional Arms will remember the political importance of mapping and measuring the supply side. Those countries which had no arms production capacity of any note argued that because they were wholly

dependent upon the external market, whereas other countries were closer to self-sufficiency, a focus upon trade alone was inherently discriminatory.

A useful start would be for the PrepComs to differentiate between what the 2001 conference should do that is both useful but different from the Firearms Protocol, which has been developed to restrict the illegal trafficking of weapons between states. This leaves two important areas to be addressed: first, the licit movement of weapons between states and, second, to regain control over uncontrolled weapons.

Unfortunately, however, undue focus upon the arms control side of the equation has led to a belief that arms control measures alone will solve the problem. This is not the case — humanitarian and development concerns must also be central to the concerns of the conference architects and the overall conceptualization. Controlling additional stocks and flows will help to prevent the problem from becoming much worse. Tightening up on illicit and semi-illicit trafficking will also be of significance, especially amongst the former Warsaw Pact countries. However, measures such as marking and tagging will quickly find their antidotes. Nor is it at all clear how states will agree to act upon the information they receive about the movement of weapons. Also, sophisticated measures to allow the tracking of weapons will drive up prices and compel poorer countries to buy more traditional stocks from other suppliers with less strict controls.

However, these measures can do little to address what is widely accepted as the main problem, namely, those countries and regions that are 'awash' with weapons that have long since gone beyond the control of the state, if indeed the state exists. This is not a traditional arms control issue, or an arms control problem, but it is something that the 2001 conference would do well to concentrate upon. Here, the focus should be upon the atmosphere and environment in which illegal weapons become both available and used. Yet the problems are massive, the solutions and costs no less so. At the very least they involve: the ability of the security forces to protect extant stocks of weapons and control corruption; the ability to control trafficking; tackling the perceived need on the part of individuals to bear arms; and the ability to control organized crime and opportunistic criminality, warlords and militias. The solutions include the transformation and professionalization of the security forces, new forms of border security, pay reviews for the security sector, conflict resolution, demobilization, disarmament and reconstruction. Most difficult of all, there is a need to develop norms and procedures for dealing with sub-state actors, which might range from empowering and mobilizing civil society to address existing gun cultures to undertaking complex negotiations with warlords to seek ways of dealing with the oligopolization of force and violence.

There is a need to develop norms and procedures for dealing with sub-state actors, which might range from empowering and mobilizing civil society to address existing gun cultures to undertaking complex negotiations with warlords to seek ways of dealing with the oligopolization of force and violence.

The 2001 conference should also address the weakness of supplier states, especially those from the former Warsaw Pact. Although the European Union's now has a code of conduct and the control of illegal weapons is rapidly moving up the European Union agenda, this is not the case in the former Soviet Union or in Central and Eastern Europe. One of the reasons why new supplies of weapons are reaching Africa is because these countries can provide a service that makes the acquisition of weapons easier than trawling more local supply networks. In many countries there is an urgent need to extend control over corrupt officials and weak decision-making.

These are massive tasks that sit nowhere near the traditional arms control agenda and this is the nettle that the 2001 conference should grasp. The most important and urgent task facing the 2001 conference is to build beyond the Firearms Protocol, without allowing the process to become unwieldy. Most of all the PrepComs should listen to a variety of communities to understand how the

light weapons crisis cuts across many of the central concerns and missions of humanitarian organizations, human rights groups, development groups and, of course, arms control organizations. In this respect, Geneva would be a better geographic location than New York for the process to begin, given that Geneva is host to a more diverse range of organizations that are in some way concerned about light weapons. If the conference were to be held in New York, the participation of people and organizations that work with the victims of small arms would be less. The whole process could indeed become political rather than humanitarian in focus — this would be a lost opportunity. If for various reasons, Geneva is not preferred as a location, perhaps it would be better to hold the conference in a country that has suffered the consequences of small arms proliferation such as a front-line African state. This could serve to focus the delegates' minds on the scale of the humanitarian problem.

The 2001 conference will also prompt greater initiatives from governments as the venue will provide a platform that will offer maximum publicity. It is to be expected, therefore, that the conference will bring new commitments — financial and political — into the light weapons process. All those involved in the process should consider carefully how best to use new resources. Here the 2001 conference can be influential in developing a framework for action. Initiatives could be divided into two sections: first, those designed to prevent the crisis from becoming worse, and second, those designed to address those parts of the world where the light weapons crisis is at its worst.

A major contribution of the 2001 conference could be symbolic. The conference might seek to situate the light weapons crisis at the heart of the international agenda, which is where it will remain for several years, as landmines and nuclear weapons did before. This would be another important contribution to the consolidation of international concern and a growing international aversion to unpredictable non-state violence. Therefore, how international public opinion perceives the conference will be important, which means that time and effort must be invested in making the aims of the conference clearly understood and, as well, appreciated.

Critics of the conference have pointed to a lack of substance and a compensatory emphasis upon process. From an arms control perspective, substantive measures to address the problem of light weapons beyond the state are extraordinarily complex, as the Canadian government discovered when it tried to address the transfer of weapons to non-state actors. The vulnerability of the Irish peace process primarily because the decommissioning of weapons has failed to occur is another instructive example. Because the majority of issues associated with the availability and misuse of illegal light weapons are beyond the control of governments or international organizations, it is unsurprising that measures of substance are proving so difficult and will continue to do so. Controlling or managing flows of illegal light weapons is made much more challenging in a political and geographic space where the state is weak or non-existent because there are no institutions with which to work and where many of the key actors are sub-state, criminal and invisible to boot.

Measures to address the problems associated with light weapons do not need to focus exclusively upon the weapons themselves, indeed this might even be counter-productive.

Measures to address the problems associated with light weapons do not need to focus exclusively upon the weapons themselves, indeed this might even be counter-productive. Light weapons exist, will continue to do so and their recovery by the state is very difficult — and may not be that meaningful, as the United Kingdom is discovering in Northern Ireland. It is the atmosphere and environment in which those weapons become too

freely available and where use becomes profitable and risk-free that needs to be addressed. Even if the 2001 conference succeeds in developing a momentum towards a global convention, for which there currently appears to be little preparation and advance planning, the convention will have no impact upon and will hold little relevance for those areas where the problems are at their worst.

One useful entry point in this area could be to focus upon measures to prevent 'weapons of war' from reaching non-military groups and individuals. Fundamentally, this means training the security sector to control the weapons in its possession, from preventing new supplies from entering the country to disarming armed civilians. Many of the required tools and techniques are either available or under development. As in the case of demining, however, resources are too few and major commitments are required by the developed world to assist those worst affected. This will require the 'like minded' to begin by making policy commitments on the linking of security and development that will enable them to harness the resources required to begin the process.

The 2001 conference will proceed with all the energy and resources that usually accompany such major international events. Profiles will be raised, problems identified and new resources committed. The problems associated with the abuse of weapons will be elevated to a higher level of international concern. However useful further stigmatization may be, it is far from enough on its own. The PrepComs should be used to outline to the delegates the enormity of the problem that goes far further than light weapons alone. Only when the scale of the problem is understood will it be worthwhile to proceed. If this is neglected, nothing much will happen after the conference because the measures proposed and the resources committed will be too few. If this turns out to be the case, a valuable and unique opportunity to address the problems surrounding the illicit flows and misuse of light weapons will have been wasted.

Notes

- ¹ For a recent global survey of trends in arms trafficking see C. Smith, *Light Weapons Proliferation: a Global Survey*, *Jane's Intelligence Review*, July 1999, pp. 46–51.
- ² For a useful survey see B. Wood and J. Peleman, *The Arms Fixers — Controlling the Brokers and Shipping Agents*, BASIC/NISAT/PRIO, Oslo, 1999, 139pp.
- ³ Both measures are well described and analysed in S.L. Dyer and G. O'Callaghan, *One Size Fits All? Prospects for a Global Convention on Illicit Trafficking by 2000*, *BASIC Research Report 99.2*, BASIC, London, April 1999, 39pp.

National Policies and Regional Agreements on Arms Exports

Ian ANTHONY

During the 1990s the nature of national approaches to conventional arms exports has changed in many countries. During the same period new forms of international co-operation to discuss and harmonize export controls have also been developed.

Prior to the late 1980s there was relatively little discussion of the issue of arms export controls. The lack of discussion reflected a broad consensus behind the objectives and framework for decisions about the kinds of arms transfers to allow and the kinds to prevent. It was agreed that there was a need to deny identified enemies a wide variety of goods and technologies that could contribute to their military capability in the conditions of the Cold War.

It was also agreed that military assistance could be a useful instrument in relations with states that were not themselves directly engaged in the Cold War. Through military assistance of various kinds, including arms transfers, Cold War opponents could consolidate the position of governments with which they were aligned and put pressure on governments that aligned themselves with the opposing camp. Through arms transfers to sub-state actors an unsympathetic government could be pressurized and perhaps even replaced with one of a more friendly disposition.

While the organizing principles for export controls were fairly obvious until the late 1980s, after 1990 it was more difficult to identify such a clear rationale for export controls. At the same time the end of the Cold War allowed forms of international co-operation that would have been unthinkable earlier. The very existence of the Coordinating Committee for Multilateral Export Controls (COCOM), the main multilateral export control body through which the American-led alliance system organized its co-operation, was not acknowledged by the states that participated in it for forty years after it began operating. In the new conditions many states began to think about what purpose their export controls served and how they might be adapted to meet the needs of the new international security environment.

While the need to think about export control was not confined to one particular geographical location, the discussion was particularly intense in Central and Eastern Europe, where it touched on several central elements of policy.

First, the development of export control systems based on laws and regulations was part of a much broader effort to introduce democracy and the rule of law. Framing legislation would be a test for political systems in which the procedures and practices for co-operation between the different parts of government, between the government and the parliament and between the government

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and a new private industrial sector were new phenomena. Laws and regulations were framed at a time when other public institutions that play a key role in implementing export controls — the civil service and the criminal justice system — were also new and untested.

Second, the question of arms exports was intimately linked to the future of the defence industry in conditions where domestic military expenditure declined steeply and rapidly.

Third, export controls were being discussed in conditions where social and economic conditions inside arms exporting countries impeded an easy transition away from strong dependence on the arms industry in some cities and regions.

National debates on export controls have been conducted in parallel with an evolving international co-operation. After 1990 there was a progressive modification of COCOM procedures until the embargo was ended entirely in 1994. Since 1994 international co-operation on export controls has been conducted through an informal arrangement that was formally established in 1996 as the Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Technology.¹

While it is not a regional agreement per se, twenty-six of the thirty-three states that participate in the Wassenaar Arrangement are located in Europe. Moreover, two other participants — the United States and Canada — are prominent members of European security organizations.

Lacking a consensus on the basis for a formal agreement, this group of states nevertheless sees merit in trying to co-ordinate their national decisions on conventional arms exports. The activities of the Wassenaar Arrangement corresponds closely with the definition of a regime applied in social science.² While lacking any formal legal status, the Wassenaar Arrangement has gradually developed rules and procedures as well as a permanent secretariat to enhance the efficiency of co-operation among participating states.

The informal nature of the co-operation reflects the view of participating states that they will not be able to develop legal treaties and conventions that bind their actions. In a sub-regional setting an important group of arms exporting states have begun a process by which conventional arms exports can be discussed and harmonized within the legal framework of the European Union.

The national and multilateral discussions on export control have influenced each other in different ways. In many of the countries that have implemented national controls the government has broadly defined a strategy of integration into different international organizations as a central element in national foreign and economic policy. The general desire to integrate and co-operate stimulated the domestic reform process since a certain level and efficiency in national export controls has been a condition of membership in different organizations.

A reverse dynamic can also be identified in certain cases. Countries that modify their export controls in response to internal political pressures have an incentive to persuade their partners in organizations to adopt similar procedures. If they are unable to do this then their national exporters may suffer a competitive disadvantage.

The General Principles and Scope of Export Controls

The principle underlying most current export control laws is based on the movement of specified items. An item that is subject to control may not legally leave the jurisdiction of the exporting state without the appropriate authorization. Therefore, in developing both national export controls and

in the framework of international co-operation the question of which items are subject to control is of central importance.

There is no generally accepted definition of the term “conventional arms”. Each state and each regime or organization defines for itself the scope of coverage. In general terms, however, there has been a progressive modification of the approach towards control lists for arms or munitions.³ Underlying these discussions is a progressive convergence that is making it harder to draw boundaries between military technology and civilian technology.

In the past, munitions lists were usually confined to items that were specifically designed, developed or modified for military use. However, over time there has been a gradual diffusion of production technology to a wider group of states as well as changes in the nature of military technology. Consequently, applying this narrow definition to lists has become progressively less suited to achieving the objectives of export controls. In particular, states have discussed how to elaborate systems that can control cross-border transfers of advanced production machinery, “high technology” civilian items with potential military applications, the “knowhow” needed to manufacture and operate advanced equipment and intangible technology (such as computer software) effectively.

More recently, there have been discussions about further expanding the scope of export controls in two ways. First is the extension of export controls over items that have few if any military applications. This tendency has been a result of the increased attention paid to human rights, internal security and human security within the foreign policies of some exporting states. Under these conditions European states and the European Union itself have defined restrictive measures that have been applied to trade in specified non-military items that could contribute to gross violations of human rights in Indonesia and the Federal Republic of Yugoslavia.

The second identifiable tendency has been to supplement the main principle on which export controls have been based — control over the movement of goods — with two other principles. The first of these is to move away from list-based controls to end-user controls. This would mean that any export would be controlled if destined for a specified end-user, whether or not the item being exported was included on a control list. The second has been to extend controls over a range of services along with trade in goods.

With this general background in mind, the remainder of the paper turns to a discussion of some issues in national export controls as well as a discussion of regional measures with a specific emphasis on the European Union.

National Measures

In the period after 1990 a large number of countries either introduced entirely new legislation to govern their national export control systems or modified existing legislation. This group included Belarus, Bulgaria, Czech Republic, Estonia, Finland, Germany, Hungary, Latvia, Lithuania, Poland, Romania, Russia, Slovakia, Slovenia, Sweden, Switzerland and Ukraine.⁴

While all national systems have certain specific characteristics that are unique, some generic elements of a law-based export control system can be identified. These elements can be examined under three broad headings: the legal basis, implementation and enforcement.

THE LEGAL BASIS

It is now almost universally accepted in Europe that governments and citizens (including legal persons such as companies and corporations) should be subject to the rule of law. With the collapse of state socialist systems one main objective of the countries of Central and Eastern Europe was to build societies based on the rule of law. Many of the states that made fundamental changes to their national export controls were creating law-based export control systems from “scratch”, having moved away from a system in which controls were characterized by a different approach.

The rule of law involves the determination, adjudication and enforcement of accepted norms by independent institutions, each acting within a framework of general rules established to govern their activities. These independent institutions have an obligation to explain the basis for their decisions to one another and possibly to third parties. These public institutions will be expected to provide one another with defined types of information as part of a process of reassurance.

Prior to the end of the state socialist system controls were part of an administrative system managed according to different principles. Nominally integrated into a coherent administrative system under the control of a single political party, the administrative system under state socialism was not characterized by the internal checks and balances that are needed to provide accountability. Moreover, in an issue area that was part of national security policy, administrative practices were characterized by a high degree of secrecy that also inhibited information flows between different parts of government. As a result, decision processes became highly compartmentalized and were rarely subjected to outside scrutiny.

While a rigid distinction between law and politics is difficult to draw in other issue areas, it is particularly difficult in the area of export control. It is normal for social and political pressures to lead to modifications of the law. However, generally accepted norms do not yet exist to govern the question of how to manage conventional arms exports. In the area of export control legal changes and the evolution of social and political approaches to the issue of arms exports have taken place almost simultaneously. The law is not only being used to codify existing practice but is also helping to shape the debate.

Many of the countries where the export control debate has been taking place in the 1990s also lack both a well-developed democracy and a civil society. A free press has developed that provides some scrutiny of public policy implementation. Very few scholars have taken up the study of security issues or developed their expertise in this area. Those that have tend to focus on broader issues of European security architecture rather than specializing in matters related to military technical policy. As a result, the domestic debate has been largely characterized by a dialogue between representatives of interest groups that have a very direct stake in the outcome.

There has also been a perceived trade-off between efficiency in introducing export controls and democratic development. One reason for basing export controls on national laws is to underline that the agencies and departments responsible for their implementation have derived their authority from decisions taken in democratic institutions. These authorities can then reasonably claim that they are not interfering in the activities of exporters in an arbitrary manner but in order to enforce a norm that enjoys broad support within society. How general or how specific should a law on export control be to fulfil this function?

Creating this broad level of support may be difficult in conditions where the constituency interests of parliamentarians are directly affected by export controls — for example, where there is a significant arms exporting enterprise or facility within the constituency. It may also be difficult in

conditions where the parliament feels the need to support the industrial base for defence policy reasons — for example, in order to safeguard the capacity to produce equipment for the national armed forces.

The effectiveness of the law in deterring exporters from evading controls depends on the likelihood of an unauthorized export being detected and on the capacity to launch a successful investigation and prosecution in case of an alleged offence. If it is impossible for a prosecutor to make a case that will convince a court then the deterrent effect of the law is questionable.

The basic principle underlying export licensing decisions may have a bearing on the probability of being able to prevail in court proceedings. The principle underlying the law may be that all exports of controlled items are forbidden unless a specific exception is made. Alternatively, exports may be permitted unless the responsible authority sees a good reason to prevent them. In the first case responsible authorities need to find positive reasons to approve an exception to the general embargo. In the second case authorities would need to make a convincing argument why an export should be prevented. If exporters seek a judicial review this difference could affect the burden of proof.

In framing legislation government and parliament will need to address many questions. For example, who can legitimately export controlled items? Should the state have a monopoly on the export of arms and military equipment or should private entities also be allowed to engage in this type of foreign trade? What level of information exporters are obliged to share with government authorities will be an important element in decision-making and enforcement. Should laws give authorities the right to make intrusive inspections on private property, to collect information in a clandestine manner (for example through wire tapping), to seize property where an offence is suspected or to limit the rights of exporters to judicial review or appeal against a decision?

To achieve their export control objectives governments may argue for broad discretionary powers on the basis that only such powers allow them to work efficiently. However, while wider discretion may increase the capacity of responsible authorities to implement their policies, on the other hand the extent of discretion is likely to be limited by other factors.

Post-communist societies are understandably suspicious of laws that give government agencies wide discretionary powers even if these powers are said to be justified on national security grounds. In the past individuals and enterprises had no way to protect their interests or to challenge decisions by officials. Another central element of the rule of law is to protect individual citizens from arbitrary or unfair actions by government. A law that is very general, giving authorities wide discretionary powers, carries the risk that this power will be used in an arbitrary and unfair way. Moreover, giving officials far-reaching powers that can directly affect the activities of enterprises or trading companies may increase the risk of corruption.

To offset this risk the law may establish some right to arbitration and procedures by which arbitration must be carried out. Moreover, questions related to export control law were part of a much wider debate about the limits to official power.⁵

Once a set of legal norms and principles have been established through legislation these need to be translated into public policy through actions by the responsible authorities. Therefore, a national export control system needs to have a set of procedures for decision-making and to implement those decisions.

Creating this broad level of support may be difficult in conditions where the constituency interests of parliamentarians are directly affected by export controls — for example, where there is a significant arms exporting enterprise or facility within the constituency.

IMPLEMENTATION

Generally political norms and principles are more difficult to capture in legislation beyond general statements that are open to a range of interpretations. A law including detailed prescriptions may not be flexible enough in an area where governments are unable (or unwilling) to apply very clear and specific rules to all cases.

In general terms three different types of interest need to be reconciled in deciding how to implement controls. These are foreign policy interests, strategic and defence policy interests, and commercial and economic interests. However, none of these will necessarily point to a clear conclusion that can be applied across all cases where an exporter seeks permission to export.

There are likely to be different views on how these general interests affect a specific request to export within as well as across institutions. To illustrate with hypothetical examples, within a Foreign Ministry the desk officer responsible for developing relations with a particular country may favour approving an export about which an official responsible for international security has reservations. Within a Ministry of Defence in a country regularly engaged in international peacekeeping an official may have reservations based on the risk that armed forces will confront weapons supplied by their own exporters. On the other hand, an official responsible for procurement within the same ministry may favour an export that preserves the availability of an item or lowers its unit cost.

In reality resolving the question of whether or not to authorize an export will require consultation within and between government departments and ministries. In effect a decision may reflect the balance among shifting alliances formed between sub-groups across the boundaries of different parts of government.

This decision-making process is usually managed through licensing procedures that provide the information on which a decision can be based as well as defining whose views will be sought and how those views will be weighted against one another. The national licensing procedures of states are extremely heterogeneous, reflecting the wide differences in the administrative arrangements, resources, information and interest of states. In general, however, three basic approaches can be identified.

In some states responsibility for managing the export licensing process is given to one part of government. Depending on the constitutional arrangements of the country concerned, this licensing body might be under the presidential administration or under a specific ministry. There is no general rule about which ministry will be given licensing authority. There are examples where licensing authority rests with a trade or finance ministry, a foreign ministry, a defence ministry or a justice ministry. Under this arrangement the designated licensing office will circulate applications from exporters to other interested agencies and departments for their views before making a decision about whether or not to authorize the export. However, while the advice and views of other agencies are sought, the decision authority (and responsibility) rests with the designated licensing office.

There is a risk that involving several agencies in each decision will reduce the efficiency of decision-making and create competitive disadvantages for exporters without valid reasons.

In a second group of states licensing authority is given to a specially constituted inter-ministerial or inter-agency body — a committee or department — staffed by individuals on secondment from interested ministries and agencies. In these cases, depending on the specific procedures defined for this inter-agency body, decision authority (and responsibility) is shared by more than one ministry or agency since a given export authorization requires consent from several or all representatives.

In a third group of states licensing authority is given to a special office or agency that is independent of any other part of government but operates within a framework of rules and guidelines established by the government as a whole. Under this arrangement decision authority is insulated from any one interest group and from the shifting balances of power between interest groups.

Advocates claim advantages for all three arrangements while each also has potential disadvantages. Under the first arrangement there is a risk that decisions will be “captured” by a single interest group. Under the second arrangement there is a risk that involving several agencies in each decision will reduce the efficiency of decision-making and create competitive disadvantages for exporters without valid reasons. Under the third arrangement there is a risk that what is essentially a political decision does not directly reflect the preferences of an elected government.

ENFORCEMENT

Although national export control systems are based on laws, the scope for and use of the courts in interpreting and implementing these laws seems to be limited in arms export control. There seems to be a very small body of case law related to violations or alleged violations of export control laws.

It is necessary to define as clearly as possible what is forbidden and to develop a credible set of sanctions for cases where illegal actions take place. At the same time the courts cannot be used to determine the outcome of all potential conflicts between exporters and the authorities that regulate them.

This may be because courts regard some of the issues raised in export control cases as essentially political matters and outside the scope of their authority. For example, a court is not equipped to decide whether a licensing authority has fairly interpreted a political guideline such as the impact of an export on regional security or the linkage between an export and the human rights record of the end-user.

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As a result, using the judicial process in enforcement revolves around criminalizing the violation of export licensing procedures. A prosecutor faces a series of challenges in building a successful case against an exporter accused of evading export controls.

Gathering evidence may be difficult if the items have already been exported, the importer or end-user may not be interested in co-operation and the intelligence authorities may be reluctant to present or explain their evidence or the means by which they obtained it in an open court proceeding.

Using the court system regularly would be costly and inefficient and therefore other elements also need to be incorporated into an enforcement system.

First, and perhaps most important, is prevention based on voluntary compliance by exporters. It is preferable if exporters can be persuaded to implement the law through their internal administrative procedures and in close co-operation with national licensing authorities. Ideally, both the law and the way in which governments enforce it should appear reasonable to exporters. If it appears that the law is either arbitrary or ineffective (that is, unable to achieve the objectives it sets for itself) then exporters may be more willing to undermine it.

Second, there must be a significant probability that violations will be detected. Therefore, a range of agencies and institutions first need to exist and second, their activities need to be co-

ordinated with one another. The tasks that need to be performed (monitoring, investigation, inspection and border control) mean that co-operation of the law enforcement agencies is always a central element of enforcement.

These two elements — co-operation by legitimate exporters and a significant probability of detection — may create barriers to evasion even in conditions where it is difficult to use the judicial process to secure convictions.

Recent European National Export Control Measures

As noted above, in the past ten years the progress in developing national export control systems in many Central and some East European states has been remarkable. Many states have given a relatively high priority to developing their national export control systems in what must be considered adverse conditions. This shows a significant political will.

From a legal and constitutional perspective, laws and regulations establishing export controls were introduced in spite of the pressing need to take action in many other legislative areas. This process was undoubtedly accelerated by external economic and technical assistance, almost all of which came from the United States. To a degree the European process reflects the high priority that the United States has given to combating weapons proliferation in the 1990s.

This external influence has had both positive and negative aspects. Without it, Central and Eastern European countries would have found it extremely difficult to write and present draft legislation or establish administrative procedures due to lack of experience. On the other hand, this external connection may have meant that the drafts presented were not fully anchored in domestic political and social realities. As was noted above, the legal base for export controls is closely tied to its enforcement.

This gap between the content of legislation and the environment in which it needed to be implemented may have contributed to enforcement difficulties by undermining the legitimacy of the laws in the eyes of some exporters. However, it should also be noted that enforcement difficulties could have been anticipated in any legal framework because of the prevailing conditions.

The extent to which a national defence industry could be sustained was an important strategic issue in countries that had been members of the Warsaw Treaty Organisation. These countries found themselves outside the framework of any collective security arrangement at a time when the future security environment was extremely unpredictable. Under these conditions, preserving defence industrial capacities was one important priority within defence policy. Consequently officials responsible for defence industrial policy could be expected to cast a sceptical eye over proposals for enhanced controls on exports and seek reassurance that foreign policy controls would not undermine national security policy.

All Central and Eastern European states made deep cuts in their military spending. Moreover, the reductions in budgets for equipment procurement were particularly steep.⁶ In addition to economic policy considerations, these cuts were motivated by the political desire to change direction in societies where many aspects of public life were overly militarized. Nevertheless, the consequence of this change in direction was to create a crisis for enterprises in certain specific cities and regions. With the domestic market for their products shrinking, the inhabitants of these cities and regions and their representatives could also be expected to question the priorities of a public policy that promoted foreign policy gains (that may be difficult to quantify) over more tangible foreign currency gains.

In these questions as well external linkages played a central part in the internal policy debate. Fear of isolation was reduced by the development of a co-operative security system in the framework of the Organization for Security and Co-operation in Europe and (which was probably decisive) through the decision that NATO — the main instrument for European collective security — could be enlarged.

The economic arguments were also reduced through external engagement. The United States maintains strict controls to reduce the risks that technology and goods exported from the United States will not be diverted or re-exported to unauthorized end-users. If they could not satisfy the United States that these re-export controls could be implemented in a satisfactory way, Central and Eastern European states reduced the likelihood of foreign direct investment.⁷

Similarly, part of the process of enlarging the European Union included bilateral Europe Agreements with ten countries.⁸ As part of the Europe Agreements the European Commission evaluated many aspects of economic and trade policy of candidate countries as well as aspects of their foreign and security policies. National export controls were one element of the evaluation and candidate countries therefore saw a direct link between national export controls on the one hand and the prospect and pace of accession to the European Union on the other.

By the end of the 1990s all Central European and many East European countries had introduced legislation creating a national export control system. However, many obstacles to effective implementation and (perhaps in particular) enforcement of national controls remain. Most of these countries also participate in the international co-operation organized through the informal Wassenaar Arrangement. Through its work on licensing and enforcement the Wassenaar Arrangement can be expected to raise the efficiency of national export control systems over time.

Most Central and some East European states saw reform of their export control systems as an important part of establishing the rule of law as well as a necessary step as part of a wider integration process. Among West European countries the prevailing conditions were very different in the early 1990s as most states regarded their existing export control systems as adequate from a legal and administrative perspective.

As a result, the initial discussion among West European governments (prior to the creation of the European Union) was related to what kinds of political guidelines should be applied in decision-making in the wake of the 1990–91 Gulf War. In 1990–91 there was a general expectation that it would be possible to develop a more co-operative international security system in which states could come together to develop and enforce common norms and agreements. As a general proposition the development of export controls as one instrument of collective security seemed feasible under those conditions. For example, in 1991 and 1992 the five permanent members of the Security Council held a number of meetings at which they agreed guidelines for their international arms transfers.⁹

Within Western Europe this discussion led Foreign Ministers to agree on eight politically binding criteria that were contained in a Declaration on Non-Proliferation and Arms Exports.¹⁰ The criteria were seen as one first step in a process and the European Council expressed the hope that ‘on the basis of criteria of this nature a common approach will be made possible, leading to a harmonization of national policies.’ Although during the 1980s it was public knowledge that European countries were important arms suppliers to Iraq, the issue of export control gained a significant political momentum as a consequence of the 1990–91 war.

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In response to a 1990 Franco-German proposal the issue of export control was discussed during the drafting of the Maastricht Treaty. At that time the decision was taken that this question would be regarded as an inter-governmental matter in the framework of a common foreign and security policy rather than as a trade or commercial policy issue.¹¹ Subsequently the West European discussion of arms export policy has taken place in the framework of (and been coloured by) wider questions of the future political and institutional direction of the European Union as a whole as well as background factors including the evolution of security and defence policy and the defence technology and industrial base.

Between 1992 and 1997 governments in France and the United Kingdom argued that arms export policy did not require a harmonization at the European Union level. At present there are substantive differences between the policies of European Union member states on important arms export issues. For example, France and the United Kingdom see arms exports to the Arab states on the southern littoral of the Persian Gulf as a central element of their security policy. This military assistance supports the deployment of French and British troops on the Arabian peninsula in the framework of bilateral agreements with regional governments. Germany and Sweden on the other hand deny authorization to export arms to these countries and have no such agreements with regional states. Similar divergences could be pointed out in respect of the policy of member states towards important countries (such as Turkey) and regions (such as South Asia). Full harmonization of control policies would require some or all European Union states to revise their foreign and security policies.

These factors had a strong influence on the shape of the Code of Conduct for Arms Exports adopted by the European Union in June 1998. The Code of Conduct re-stated the eight criteria agreed in 1991–92 with some textual elaboration. In addition, the Code introduced some measures to stimulate greater dialogue and exchange of information among European Union members.¹²

An inter-governmental dialogue on export controls has also been stimulated by the trend in defence industry restructuring in Europe. Greater co-operation and concentration within the European industrial base has led industry to argue for something approaching free movement of defence goods and services within the European Union. This would mean that exports would be subject to restriction at the point where an item was exported beyond the Community customs boundary. For transfers within the European Union simplified procedures would apply.¹³

In July 1998 defence ministers from six European Union member states (France, Germany, Italy, Spain, Sweden and the United Kingdom) expressed their intention to establish a co-operative framework for future defence industrial development.¹⁴

These six countries — each of which has significant arms production capacity and has historically exported significant quantities of conventional arms — all regard a strong, competitive and efficient defence industry as a key element of the emerging European security and defence policy as well as of the European scientific and technological base.

The negotiations may result in legally binding commitments that significantly reduce the requirement for licences for trade in defence articles and services among these six states. Moreover, where transfers of co-operatively produced defence articles and services to third countries are concerned there could also be significant changes to present licensing practices.

The six states intend to 'promote convergence in the field of conventional arms exports. They will take the necessary measures to develop common rules about defence exports, including the harmonization of their control policies'. Common rules and, if possible, standard procedures for exports to third parties would permit the introduction of simplified procedures for transfers of items among the six states — either for their own use or for re-export within the European Union.

This kind of development could not logically be confined to six European Union member states within the framework of an evolving European Union security and defence policy. At some point this kind of arrangement, if concluded, would have to be placed in the framework of European Union law.

Conclusions

In the early 1990s a process of reforming national export control systems was initiated in Europe. The reform process has continued ever since and in broadly the same direction — albeit at different speeds at different times. With very few exceptions European countries are committed to introduce law-based export control systems.

The national export control systems of European states are very heterogeneous. The differences reflect the specific character of each nation's legal and constitutional arrangements, strategic environment and economic and technological base. Through focussed dialogue in informal regimes — notably the Wassenaar Arrangement — these national systems may converge in the future. However, convergence is not a stated objective of the current international co-operation under the Wassenaar Arrangement.

Within the European Union the progressive elaboration of a common foreign and security policy and recent first steps towards a common defence policy along with the interests of industry are creating a momentum for further harmonization of export controls. New members of the European Union will have to accept the policies and laws of the European Union when they become members. Therefore, enlargement will extend the discussion of any European Union common policy into Central Europe and perhaps, in a future enlargement, beyond.

Under these conditions it will be important for the European Union and the United States not to neglect the issue of approaches to export control. In this way Central European countries that aspire to European Union membership but also wish to maintain close co-operation with the United States (and perhaps aspire to NATO membership) will not be placed in a position of having to choose between incompatible approaches.

Notes

- ¹ A good discussion of this transition is contained in Stephen A. Dursht, *From Containment to Cooperation: Collective Action and the Wassenaar Arrangement*, *Cardozo Law Review*, vol. 19, December 1997.
- ² Stephen Krasner has defined a regime as a set of 'implicit or explicit principles, norms, rules and decision-making procedures around which actors expectations converge in a given area of international relations.' S.D. Krasner, *Structural Causes and Regime Consequences: Regimes as Intervening Variables*, in S.D. Krasner, ed., *International Regimes*, Cornell University Press, Ithaca, 1983, p. 2.
- ³ The development of export controls covering items that could be used in the development, production, use or maintenance of nuclear, chemical and biological weapons is a separate issue from that of export controls for conventional arms. However, it is sometimes difficult to separate the two sets of issues completely.
- ⁴ Since 1997 SIPRI has been building a comprehensive internet-based collection of primary data on the national export control systems of European countries. The collection can be accessed at <projects.sipri.se/expcon/natexpcon/country_matrix.html>
- ⁵ For example, across Central and Eastern Europe there was strong support for the view that government agencies should not be authorized to conduct surveillance or wire taps without authorization from an independent legal officer. Given the history of widespread abuse of power for political purposes by state socialist systems this strong

feeling was understandable. At the same time, there was no independent judiciary in place in these countries, creating a kind of vacuum where law enforcement officers have had to operate with unclear and often inconsistent guidelines about the limit of their authority.

- ⁶ Data on military expenditures of Central and Eastern European countries is presented annually in the *SIPRI Yearbook*.
- ⁷ In its annual *Country Reports On Economic Policy and Trade Practices* the United States Department of State includes an evaluation of the national export controls of the country concerned.
- ⁸ Bulgaria, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia.
- ⁹ Details of the United Nations Security Council 'P5' discussions on arms transfers and non-proliferation can be found at <projects.sipri.se/expcon/UN_documents.html>
- ¹⁰ These documents can be found at <projects.sipri.se/expcon/eu_criteria.htm> The European Union criteria are essentially identical with the Guidelines for Conventional Arms Transfers agreed by the P5 on 18 October 1991.
- ¹¹ European Community institutions rather than member states have legal competence to frame and manage the common commercial policy.
- ¹² The Code of Conduct can be obtained at <projects.sipri.se/expcon/eu_documents.html>
- ¹³ The European Commission has taken up this line of argument on behalf of industry. In the document *Implementing European Union Strategy on Defence-Related Industries* the Commission proposed 'a simplified system applicable to intra-community transfers including export and re-export guarantees, and monitoring and surveillance mechanisms'. Communication to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions on *Implementing European Union Strategy on Defence-Related Industries*, COM(97)583 final, Brussels, 12 Nov. 1997. After November 1997 the Commission began preparing a White Paper on arms export policy formulating various options that could lead to a common European Union arms export policy. The objective would be to eliminate limits to defence industrial co-operation among European Union member states. *Action Plan for the Defence-Related Industries*, COM(97)583 final/Annex II, Brussels, 12 Nov. 1997.
- ¹⁴ Letter of intent between 6 Defence Ministers on Measures to facilitate the Restructuring of the European Defence Industry, 6 July 1998, available at <projects.sipri.se/expcon/loi/lointent.htm>

Light Weapons Bibliography and Resource List

Compiled by Joshua MARGOLIN

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The Ottawa Process: Nine-Day Wonder or a New Model for Disarmament Negotiations?

Maurice Bleicher

October 1996-December 1997. Fourteen months to negotiate and adopt a disarmament treaty which, fifteen months later, entered into force with 135 signatory states and 67 states parties.¹ Such dispatch, rare in disarmament matters, is only one of the unusual features of the Ottawa Convention on the prohibition of anti-personnel mines. The "Ottawa Process" which led to the adoption of the Convention was in fact a very special proceeding which overturned the established order of classical multilateralism. It challenged the preponderant role of states, the accepted negotiating forums for disarmament matters and the consensus rule. States espousing the traditional ways of conducting disarmament talks lined up against states and non-governmental organizations (NGOs) advocating a new form of diplomacy.²

Given this new development, it may legitimately be asked what it was that made the procedure, in which few placed much hope, a success. It is also interesting to consider whether the innovative aspects of the Ottawa Process mark the beginnings of a new style of international disarmament negotiation or, less ambitiously, a return to nineteenth century negotiating practice. And one may wonder whether the model will be of lasting value and whether, for instance, it might serve in other areas of disarmament.

The Ottawa Process

Deeply concerned at the widespread injury to civilians caused by anti-personnel mines, France took the initiative in February 1993 of asking the Secretary-General of the United Nations to convene a review conference of the states parties to the Convention of 10 October 1980 prohibiting the use of certain conventional weapons (the CCW)³ and, in particular, Protocol II thereto governing the use of "mines, booby-traps and other devices".⁴

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On 3 May 1996, an amended Protocol II laying down stricter rules on the use of anti-personnel mines was adopted.⁵ By then, a growing number of states believed that the only way to avoid the tragedy caused by anti-personnel mines was to ban them outright, not merely to restrict their use. Fifty states met in Ottawa between 3 and 5 October 1996 to mark a political commitment to the common position that anti-personnel mines should be banned, and to consider what form the future ban should take and where the negotiations should take place. Some states, urged on by NGOs, argued that, in order to avoid the hitches that had been run into during the review talks on Protocol II to the 1980 Convention, they should break away from the traditional negotiating framework and rules, in particular the consensus rule.

It was at that first conference in Ottawa that the Canadian Foreign Minister, Lloyd Axworthy, challenged the international community to sign a treaty banning anti-personnel mines within fourteen months.

The target seemed utterly unrealistic in October 1996, yet it had been well and truly reached by December 1997,⁶ with a Convention signed by 122 states — far more than the man who issued the challenge had hoped.

The challenge worked because a number of “ingredients” came together to help make it a success.

A CAUSE

In the first place, the Ottawa Process owes its success to a situation and a cause that were visible and palpably real in the public mind and the media.

It is estimated that there are some 110 million live anti-personnel mines still buried in about sixty different countries, long after the conflicts during which they were laid have ended.⁷ Openly targeted against the general public, or used indiscriminately against military targets, civilian property and civilians, they kill or injure thousands of people every month. They also make large tracts of land uninhabitable and unsuitable for farming. Clearing them is a long, dangerous and expensive undertaking.

This “humanitarian disaster”, as the former United Nations Secretary-General put it,⁸ assumed unprecedented proportions beginning in the 1980s.

MOBILIZATION OF PUBLIC OPINION

Starting in 1991, NGOs active in the fields of development, human rights and humanitarian assistance mounted a campaign, aimed at international public opinion, to make people aware of the damage caused by anti-personnel mines. They called for a total ban on such instruments of war, believing that it was the only way to put an end to the disastrous humanitarian situation.⁹

The cause mobilized an impressive number of NGOs and increased international pressure for a ban on anti-personnel mines. The movement, launched by six NGOs in October 1992,¹⁰ gave rise to the International Campaign to Ban Landmines (ICBL), which brought together nearly a thousand NGOs and won the Nobel Peace Prize in October 1997. By stirring up public opinion and lobbying states, the ICBL built up real pressure in favour of a total ban and swayed many states in their decisions.

The mobilization of public opinion by this NGO network with media support coincided with the determination of a hard core of states¹¹ to seize the initiative on this issue. These small and

middle powers, advocates of humanist ideals and values, are also looking for a role on the international scene, and often take on initiatives and positions that allow them to act as significant international players. These initiatives generally relate to fields such as human rights, disarmament and peace-keeping.

But beyond the part played by these states, it was one man's initiative that made the Ottawa Process a success.

AXWORTHY'S STRATEGY

Since taking up the post of Minister of Foreign Affairs, Lloyd Axworthy has promoted an international political strategy based on the notion of "human security".¹² Arguing that "the changing nature of violent conflict and intensifying globalization have increasingly put people at the centre of world affairs," he says that "the safety of the individual [...] has become both a new measure of global security and a new impetus for global action." He emphasizes the "need for a new approach to security" and remarks on the paradoxical situation in which "since the end of the Cold War, security for the majority of states has increased, while security for many of the world's people has declined." "Security between states remains a necessary condition for the security of people," but "national security is insufficient to guarantee people's security".

Giving substance to this concept of human security, the Canadian Minister has taken many initiatives in a vast range of fields, from environmental protection to human rights. He has tempered Canadian foreign policy with greater sensitivity to human rights issues (for example, isolating Nigeria), greater involvement in peace-keeping (Haiti and efforts to assemble a force in the Great Lakes region), and disarmament exercises (parliamentary debates on nuclear weapons).

Two recent sets of talks in which Canadian diplomacy has provided a driving force, the ban on anti-personnel mines and the establishment of the International Criminal Court, are described as examples of a new approach to security which takes "people as its point of reference, rather than focusing exclusively on the security of territory or governments."¹³

How the Process Was Handled

The way the initiative was handled was another factor that made for its success. A core group of states dealt with it, "locking out" any possibility of negotiation or amendment to a draft they themselves had put forward until the last minute. Only at the very last stage of the process were negotiations allowed to commence.¹⁴

The short period allowed for negotiations (three weeks), and the obligation to come up with a result (signing the Convention in December 1997), constrained participating states to stick close to the Austrian draft on which the negotiations were based.¹⁵ For the most part, therefore, the amendments made to the draft were not substantive and all efforts by certain states to introduce wording mitigating a total ban ended in failure.

The way the process was handled also marked a departure from the traditional negotiating venues.

The Conference on Disarmament in Geneva, then known as the Committee on Disarmament, was described by the United Nations General Assembly at its first Special Session Devoted to

Disarmament as the “single multilateral disarmament negotiating forum”.¹⁶ It was there or in its precursor bodies (Committee of 18, Conference of the Committee on Disarmament, Committee on Disarmament) that the basic international disarmament agreements were negotiated: the Non-Proliferation Treaty, the Sea-Bed Treaty, the Biological Weapons Convention, the Convention Prohibiting Hostile Use of Environmental Modification Techniques, the Chemical Weapons Convention and the Comprehensive Nuclear-Test-Ban Treaty.¹⁷

It was natural, then, that many states would look to the Conference on Disarmament to begin negotiating a ban on anti-personnel landmines. But the Conference faced opposition from three quarters: States opposed to any fresh ban on anti-personnel mines, some non-aligned states which considered that the Conference should not concern itself with conventional weapons but concentrate on nuclear disarmament, and the promoters of the Ottawa Process who regarded the Conference on Disarmament as a competing body.

The promoters of the Ottawa Process felt there was a danger that the prevailing consensus rule at Geneva and in other United Nations bodies and the pace of work at the United Nations would limit the scope of the future Convention and fail to match the urgency of banning anti-personnel mines. As Mario Bettati puts it, “this way of making haste slowly, so typical of international legal diplomacy, naturally arouses indignation in people whose emergency-dominated agendas demand swift action.”¹⁸

It was for these reasons that the promoters of the Ottawa Process leant towards the convening of an ad hoc diplomatic conference of like-minded states. It was also for these reasons that they were able to reject the consensus rule and opt for a modified system where, in the absence of consensus, votes on matters of substance could be passed by a qualified majority.¹⁹

Innovation or Return To Past Practice?

The innovative character of the process stems essentially from the close cooperation and a new kind of association between states, international organizations and NGOs.

A NEW KIND OF ASSOCIATION

NGOs are increasingly being associated with the preparations for and running of large multilateral events. Only 200 NGOs were represented at the San Francisco Conference in 1945; today, more than 1,600 have been accorded consultative status with the Economic and Social Council (ECOSOC) of the United Nations under Article 71 of the Charter.

NGOs have been particularly active at major conferences organized by the United Nations: the Rio Summit (1992), the International Conference on Population and Development (Cairo, 1994), the World Summit for Social Development (Copenhagen, 1995), the Fourth World Conference on Women (Beijing, 1995), the United Nations Conference on Human Settlements (Istanbul, 1996) and the World Food Summit (Rome, 1996).

There is already a symbiosis between states, international organizations and NGOs in, for example, the field of the environment. NGOs have come together with states, universities and research institutes within the International Union for Conservation of Nature and Natural Resources and play their full part at large international conferences.²⁰

NGOs are also becoming increasingly involved in international criminal law. As Serge Sur points out, a feature of the Rome Conference which led, in July 1998, to the adoption of the convention

establishing an international criminal court was “the influence exerted by many NGOs which, directly or indirectly, played a real part in the negotiations. [They invaded] some delegations, defining their positions and providing supporting arguments, sometimes even speaking on their behalf through the intermediary of members included on the states’ official lists of representatives.”²¹

Nuclear disarmament has prompted a great many campaigns and mobilized numerous NGOs (Greenpeace, International Physicians for the Prevention of Nuclear War — which won the Nobel Peace Prize in 1985, the Pugwash Conferences — which won the Nobel Peace Prize in 1995). NGOs were influential in the application to the International Court of Justice for an advisory opinion on the legality of the threat or use of nuclear weapons. They are even said to have been “largely responsible for the wording of many national statements”.²² The year 1997 saw discussions on the increased role that NGOs should be assigned in debates and negotiations on disarmament in various international forums (First Committee of the United Nations General Assembly, Disarmament Commission, Conference on Disarmament).

But it was really with the Ottawa Process that NGOs were drawn into the thick of disarmament negotiations. The NGOs of the ICBL were very closely associated with the whole of the Ottawa Process, from the production of different drafts of the Convention to the unfolding of the negotiations. The relationship between the states promoting the Ottawa Process and the NGOs may be said to have worked both ways. The NGOs took advantage of the role offered to them to ensure that the Convention would indeed ban landmines outright, and the states relied on the NGOs to mobilize support, press for as many states as possible to join in the process, and provide “moral backing” for their initiative.

At the Ottawa Conference Kofi Annan, the Secretary-General of the United Nations, acknowledged that such a “union of governments, civil society and international organizations” was the “international community of the future”. He also described the Ottawa Process as “a remarkable expression of the new diplomacy”.²³ Jody Williams, ICBL Coordinator and 1997 Nobel Peace laureate, went further, describing the alliance of civil society and governments as a “superpower”.²⁴ Lloyd Axworthy observed that international organizations and conferences had recently been opening up to non-governmental players. Civil society had demanded and obtained a seat at the table and it would now be necessary to come to terms with people power on the international stage.²⁵

When the Nobel Peace Prize was awarded to the ICBL in Oslo on 10 December 1997, the Norwegian Deputy Minister for Foreign Affairs, Jan Egeland, said the process went to show that coalitions of NGOs and governments could work together to change international law more quickly and radically than traditional diplomacy.

The success of the Ottawa Process has, indeed, been ascribed in part to this new kind of collaboration among many parties.

Lloyd Axworthy remarked that states and NGOs, working as true partners, could arrive at results neither would have achieved on their own. He attributed the success of the Ottawa Process to the “new synergies” that had come about.²⁶ That view was shared by Steve Goose of the ICBL, who described the process as a rare occasion when governments had not only listened to civil society but worked with it.²⁷

HUMANITARIAN MOTIVES

It is interesting to note that, unlike recent disarmament treaties, the Ottawa Convention is based on humanitarian principles. As Robert J. Mathews and Timothy L.H. McCormack remark,²⁸ humanitarian principles prompted the negotiation of bans or restrictions on weapons under

international humanitarian law (the 1899 Hague Declaration prohibiting the use of asphyxiating gases, the 1925 Geneva Protocol, the 1980 Convention on Certain Conventional Weapons). As these agreements proved incapable of preventing the use of the weapons they were supposed to ban or restrict (chemical and biological weapons, anti-personnel mines) and the attendant human suffering, the international community turned to disarmament. Although the negotiations that led to the adoption of the 1972 Biological Weapons Convention and the 1993 Chemical Weapons Convention were originally prompted by humanitarian concerns (preventing the “excessive injuries” such weapons caused), these soon gave way to strategic non-proliferation considerations.

By contrast, the Ottawa Convention is a new departure in that it is based exclusively on humanitarian considerations and explicitly rules out any restriction or reservation entered to satisfy military objectives.

A RETURN TO PAST PRACTICE

Despite these innovative features, it is reasonable to wonder whether the way in which the Ottawa Convention was negotiated was not, in some aspects, a return to past practice. Before international negotiating forums became institutionalized (the League of Nations and later the United Nations), many negotiations were launched at the initiative of a state. This was especially true of the law of warfare: it was at Russia’s initiative that the International Military Commission convened in St. Petersburg in 1868, leading to the adoption of the first international agreement regulating the methods and instruments of war. It was also Tsar Alexander II who called for the conference in Brussels that, in August 1874, drew up rules governing the conduct of hostilities and the treatment of persons in the power of the enemy. The First Hague Peace Conference, in 1899, was called by Tsar Nicolas II to “guarantee all peoples the blessing of true and lasting peace and, above all, to halt the progressive development of existing armaments”.²⁹ The Second Hague Peace Conference, in 1907, was called jointly by the United States and Russia.

Furthermore, as Ken Rutherford points out,³⁰ in some ways the manner in which the negotiations on the Ottawa Convention were conducted resembles that of the 1899 and 1907 Hague Conventions.

The choice by the sponsors of the Ottawa Process of a swift negotiating path carries echoes of the short time limits set for the 1899 (18 May to 29 July) and 1907 (15 June to 18 October) Hague Conferences.

The abandonment of the consensus rule, one of the Ottawa Process sponsors’ major demands, perhaps indicates a desire to return to pre-Cold War practice. The 1899 Hague Declarations, for example, were adopted by majority vote. Another similarity that Ken Rutherford mentions is the pointed opposition of the period’s great powers to both the Hague and the Ottawa negotiations.³¹ In 1899, the United Kingdom³² and the United States refused to sign two of the three declarations adopted, while in 1997 the United States, powerless to induce the other delegations to accept its exceptions to the draft Convention, withdrew from the Oslo conference the day before it ended.

Nine-Day Wonder or New Model For Negotiations?

Thus the Ottawa Process displayed a number of features which together helped to make it a success. One must wonder whether this is a nine-day wonder or the harbinger and prototype of a new style of international negotiations on disarmament matters.

A number of people at the Ottawa Conference explicitly mentioned a future role in other disarmament-related topics. Lloyd Axworthy said that the Conference had opened up a new way of conducting international relations and that what held for anti-personnel mines should be true of all weapons of war.³³

Cornelio Sommaruga, the President of the International Committee of the Red Cross, said that anti-personnel mines were only one aspect of ICRC's concerns. He also spoke of small arms, vast quantities of which were in circulation around the globe, and were regularly used in violation of international humanitarian law.³⁴ The Japanese Foreign Minister, Keizo Obuchi, also explicitly mentioned the problem of small arms.³⁵

Since July 1998, several former sponsors of the Ottawa Process (such as Norway and Belgium) have sought to put the combat against the spread of small arms on the international agenda, organizing international meetings in conjunction with NGOs.³⁶ Paralleling these initiatives, nearly 200 NGOs have formed an "electronic coalition" and launched an Internet-based information campaign on the subject, The International Action Network on Small Arms.³⁷

The campaign is overtly modelled on the Ottawa Process and hopes to be similarly successful. If it is to be so, the same factors will have to be brought into play. The problem will probably be to identify and shape a goal and solution. In the case of anti-personnel mines, that was easy — banning them — but this approach cannot readily be transposed to small arms.

When the ICBL was awarded the Nobel Peace Prize, the Chairman of the Nobel Committee, Professor Francis Sejersted, drew a parallel between the anti-landmine cause and the cause of nuclear disarmament, saying that the Ottawa Process, as a model for the future, could prove of decisive importance to the international effort for disarmament and peace. Some states, indeed, are tempted to transpose the Ottawa model to the question of nuclear weapons, even though conditions at present do not lend themselves to such an exercise and the parallel with anti-personnel mines is not easy to draw.

There is a danger that the deadlock in the Conference on Disarmament since 1997 will seriously compromise its credibility as a negotiating forum. Proponents of nuclear disarmament, deploring the lack of activity in the Conference, may be tempted to explore other avenues and call for the kind of large conference on the subject that was suggested by the non-aligned states at the Durban Summit,³⁸ or in resolution 53/77 Y adopted by the General Assembly of the United Nations on 4 December 1998. Such a move would clearly benefit from the precedent set by the Ottawa Process.

The process has thus moved into the "standard", reproducible range that can be applied to other questions relating to disarmament or the law governing armed conflicts, such as that of child soldiers. Some also regard it as a response to the weakness and deadlock found in the traditional multilateral negotiating forums.

The Alliance Between States and NGOs

But it is in the verification of the Ottawa Convention that one key element of the process, the alliance between states and NGOs, is expected to play its greatest part.

Bob Lawson of the Canadian Ministry of Foreign Affairs said at the Ottawa Conference that an idea should be borrowed from human-rights procedures, where most of the information on compliance with international standards comes from NGOs. This system can be transposed to the verification of

the Ottawa Convention. Collaboration with NGOs is needed to build up civil society's capacity to conduct such expert surveillance.³⁹

The suggestion was enthusiastically taken up by the NGOs, which have recently set up a combined verification and warning mechanism.⁴⁰ This has led to an annual report (*The Landmine Monitor*) on implementation of the Convention in all its aspects (ban, demining, stockpile destruction, etc.).⁴¹ Philippe Chabasse, the joint director of Handicap International, says he hopes to create a "surveillance and pressure network, a sort of Amnesty International on mines". Such a mechanism could help to perpetuate the partnership between governments and NGOs that made the Ottawa Process a success.

So a new kind of close cooperation between states and NGOs has emerged from the Ottawa Process. Some, like Serge Sur, may decry the "excessive prominence" accorded to NGOs, which are "developing a parallel diplomacy without any democratic foundation that interferes with relations among states".⁴² There may be worries about the Conference on Disarmament's loss of credibility and paralysis since 1997. On the other hand there are grounds for believing, like Professor Bronislaw Geremek, the Polish Minister for Foreign Affairs, that "henceforth international security will be built more and more around the concept of international civil society in which, along with governments, international organizations, economic and financial institutions, an ever more prominent role will be played by citizens and their spokesmen — the non-governmental organizations."⁴³

At this stage it is hard to determine how long the phenomenon will endure. It might, nevertheless, be the point at which civil society begins to play a genuine role in matters which have hitherto been exclusively official preserves, such as negotiations on disarmament.

Notes

- ¹ The Ottawa Convention entered into force on 1 March 1999.
- ² After the Convention entered into force, UNIDIR dedicated an issue of *Disarmament Forum* to various elements of the Ottawa Convention — such as the role of NGOs, landmine victims, verification, civil society's watchdog function, etc. See issue 4, 1999 of *Disarmament Forum*, "Framework for a Mine-Free World".
- ³ Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects.
- ⁴ Letter dated 16 February 1993 from the Minister-delegate to the Minister for Foreign Affairs, Georges Kiejman, addressed to the Secretary-General of the United Nations.
- ⁵ Review Conference of the States Parties to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, final document, part I: CCW/CONF. I/16 (Part I).
- ⁶ Ottawa Land Mine Ban Signing Conference and Mine Action Forum, 2–4 December 1997.
- ⁷ United Nations, *Assistance in mine clearance*, report by the Secretary-General (A/49/357), 6 September 1994.
- ⁸ Boutros Boutros-Ghali, The Land Mine Crisis, *Foreign Affairs*, September/October 1994, pp. 8–14.
- ⁹ Internet site <www.icbl.org>
- ¹⁰ Human Rights Watch, Medico International, Mines Advisory Group, Handicap International, Physicians for Human Rights, Vietnam Veterans of America Foundation.
- ¹¹ Canada, Belgium, Norway, Austria, South Africa.
- ¹² Lloyd Axworthy, *Human Security: Safety for People in a Changing World*, Ottawa, Canadian Department of Foreign Affairs and International Trade, April 1999.
- ¹³ *Ibid.*
- ¹⁴ Diplomatic Conference on an International Total Ban on Anti-Personnel Land Mines, Oslo, 1–18 September 1997.
- ¹⁵ Draft dated 13 May 1997, reproduced at the Oslo Conference, document APL/CRP.3 of 1 September 1997.
- ¹⁶ New York, 23 May–30 June 1978.
- ¹⁷ The Comprehensive Nuclear-Test-Ban Treaty was negotiated in the Conference on Disarmament but adopted by the First Committee of the United Nations General Assembly.

- ¹⁸ Mario Bettati, *Le droit d'ingérence*, Paris, Odile Jacob, 1996, p. 11.
- ¹⁹ Rules of procedure of the Oslo Conference, APL/CRP. 2 dated 1 September 1997, articles 33–47, 50.
- ²⁰ Jean-Marc Lavieille, *Droit international du désarmement et de la maîtrise des armements*, Paris, L'Harmattan, 1997, p. 113.
- ²¹ Serge Sur, Vers une Cour pénale internationale : la Convention de Rome entre les ONG et le Conseil de Sécurité, *Revue Générale de Droit International public*, vol. 103/1999/1, pp. 29–45.
- ²² Serge Sur, *ibid.*
- ²³ Speech to the Ottawa Convention signing ceremony, 3 December 1997.
- ²⁴ *Ibid.*
- ²⁵ Speech to the opening ceremony of the Ottawa Land Mine Ban Signing Conference and Mine Action Forum, 2 December 1997.
- ²⁶ *Ibid.*
- ²⁷ *Ibid.*
- ²⁸ Robert J. Mathews and Timothy L.H. McCormack, The influence of humanitarian principles in the negotiation of arms control treaties, *International Review of the Red Cross*, vol. 81, no. 834, June 1999, pp. 331–52.
- ²⁹ British Parliamentary papers, 1899, vol. CX, cited in Geoffrey Best, Peace conferences and the century of total war: the 1899 Hague Conference and what came after, *International Affairs*, vol. 75, no. 3, 1999, pp. 619–34.
- ³⁰ Ken Rutherford, The Hague and Ottawa Conventions: a model for future weapon ban regimes? *The Nonproliferation Review*, Spring-Summer 1999, vol. 6, no. 3, pp. 36–50.
- ³¹ *Ibid.*, pp. 44–45.
- ³² The United Kingdom refused to sign Declaration III banning dum-dum bullets, wishing to retain “the liberty of employing projectiles of sufficient efficacy against savage races”. Statement by Sir John Ardagh, First Committee, fourth meeting, 23 June 1899. Cited in James Brown Scott, *The Reports of the Hague Conferences of 1899 and 1907*, Oxford, Clarendon Press, 1917, p. 286; and Ken Rutherford, The Hague and Ottawa Conventions: a model for future weapon ban regimes? *The Nonproliferation Review*, Spring-Summer 1999, vol. 6, no. 3, p. 40.
- ³³ *Op. cit.*, note 25.
- ³⁴ *Op. cit.*, note 23.
- ³⁵ *Ibid.*
- ³⁶ Oslo meeting on small arms, 13–14 July 1998; International Conference on Sustainable Disarmament for Sustainable Development, Brussels, 12–13 October 1998.
- ³⁷ International Action Network on Small Arms, <www.iansa.org>
- ³⁸ Twelfth Conference of Heads of State or Government of Non-Aligned Countries, September 1998.
- ³⁹ Ottawa Land Mine Ban Signing Conference and Mine Action Forum, Round Table 9, Cooperative Compliance: Building Capacities to Monitor the Ban Treaty, 3 September 1997.
- ⁴⁰ *Landmine Monitor* was created by the ICBL in Oslo, in June 1998. Its Core Group comprises Human Rights Watch, Handicap International, Kenya Coalition Against Landmines, Mines Action Canada and Norwegian People's Aid.
- ⁴¹ ICBL, *Landmine Monitor Report 1999: Toward a Mine-Free World*. The first edition was released at the First Meeting of the States Parties to the Convention, Maputo, 3–7 May 1999.
- ⁴² Serge Sur, *op. cit.*, note 21.
- ⁴³ Speech to the Conference on Disarmament, Geneva, 23 March 1999.

Examining the Discourse on Nuclear Weapons

Roya Ghafele Bashi

Nuclear weapons and language — is there a connection? Linguistics is an established science, but what has it got to do with nuclear weapons? This article was inspired by several international disarmament negotiations where I noticed that diplomats work in a communicative reality related to the nuclear arms issue. But is anyone involved in this highly political process aware of the activity of that process — talking? Observations showed that the political problem around the issue of nuclear arms

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is often, among other things, a communication problem. There is a clear lack of research dealing with communicative aspects of the nuclear arms issue.

One of the challenges of science is to look at everyday actions that are usually not questioned because they are so obvious. This article is based on a preliminary empirical case study where officials from seven different countries (Austria, China, France, India, Israel, Japan and South Africa) were interviewed and asked to participate in a short association test. While every country has a particular way of perceiving and dealing with nuclear related issues, these interviews show that language is an essential element. Before presenting the results of the data I collected, I shall outline some basic theories and assumptions underlying the research.

Communication and Meaning

Word problems can be world problems. Communication is a social process involving individuals exchanging messages. Communication is always intentional, but the interactants are not always in the position to rationally control the intention of their communicative act (as in the case of body language, for example).¹ The problem and controversial element of this exchange is that all the interactants have to be familiar with the discourse used, otherwise the communication is not successful or leads to a misunderstanding.

The interpretation and understanding of messages is the result of the “collective labour” of a particular society. The social as well as cultural background of the interactants form the key elements in the process of coding and decoding the discourse, which is basically done by the use of signs.

Most signs are arbitrary; their value or significance depends largely on a sort of collective agreement of the society using them. “Signs are not pre-established ... and they do not possess some natural inner quality ... any event acting as a sign is a sign because it has meaning for someone and, as such, it has semiotic materiality ...”.²

To examine the arbitrary nature of signs related to nuclear issues, an associative test was used. In the test, several commonly used terms related to nuclear arms were defined by officials from various cultural backgrounds. Not surprisingly, very different meanings were attributed to the same term.

Culture and Communication Are Inseparable

There is no culture without communication — and no communication without culture. Culture in itself is difficult to define.³ Here I shall mainly refer to the following definition: “Culture consists of patterns, explicit and implicit, of and for behaviour acquired and transmitted by symbols, constituting the distinctive achievements of human groups, including their embodiments in artefacts; the essential core of culture consists of traditional (i.e. historically derived and selected) ideas especially their attached values; culture systems may, on the one hand be considered as products of action, on the other hand as conditioning elements for further being.”⁴

Culture understood in that sense underscores that the core of culture is communication. Communication is culture’s means of transportation and it is inseparable from the society using it. Nevertheless the importance of culture within communication must not be overestimated: culture forms the framework for communication but the choice of a particular utterance always lies with the individual.⁵

Culture or Cultures?

Of course, a distinction has to be drawn between a national culture and a diplomatic subculture. The international diplomatic culture can almost be regarded as a “double cultural identity” of the interactants.⁶ Undoubtedly influenced by their national identity, the officials I interviewed have gone through a process of adaptation to the international community that most of their compatriots have rarely experienced.

A common international code has emerged through diplomatic language, decorum and protocol. In a way this can be seen as an informal adaptation to intercultural differences. But even when using the same language, different worldviews can be expressed and different meanings can be accorded to the same words.⁷

Communication, Culture and the Reality of Nuclear Arms

The public image of nuclear weapons is not very popular. Nuclear weapons are associated with collective suicide. A global nuclear war would mean complete devastation: no human being, no plant, no animal could survive. These are facts. But within the Conference on Disarmament it is impossible to talk about nuclear weapons in this sense. The facts are too frightening. The discourse on nuclear arms touches the limits of language and imagination.⁸ It is therefore unavoidable to create a different communicative reality, emphasizing other aspects of nuclear arms.⁹

Authors such as Foucault and Bourdieu all stress the fact that language is of predominant importance in the process of interpreting, understanding and perceiving reality. In this sense communication is a form of action that does not re-establish or re-create an already existing reality. Rather it is discourse itself that forms the perception of reality.¹⁰

Empirical Evidence

THE COUNTRIES

The seven countries involved in this study were chosen for a number of reasons. Each country has a particular attitude towards nuclear weapons, which is influenced by various cultural backgrounds, historical experiences, threat perceptions and very different understandings of national defence and security. For example, China and France are recognized nuclear-weapon states, whereas India has only recently joined the “nuclear club” and does not hold any legal rights deriving from these weapons.

Although China and France are both members of the Security Council, their attitudes towards nuclear weapons have little in common; their political concepts and their cultural attitudes vary greatly too. As to Israel there is no official statement concerning the possession of nuclear weapons. But does that mean that nuclear weapons have no relevance for Israel’s self-concept? South Africa too is in a very particular situation. The radical changes in the South African government, constitution and administration had very significant consequences for South Africa’s defence policy, including the dismantlement of nuclear arms.

Japan is the only country that has actually suffered a nuclear weapon attack. While it has a very strong anti-nuclear policy, it nevertheless considers nuclear protection as an integral part of its national security. Austria is a small, neutral state situated in the centre of Europe. As a traditionally anti-nuclear nation, it is interesting to explore how nuclear weapons possessed by other countries are perceived, as well as how defence and national identity can be mastered and defined without nuclear weapons, with particular regard to the country's historical importance.

ASSOCIATION EXERCISE: ONE TERM, MANY MEANINGS

The strong interdependence of the attribution of meaning and cultural and social background has been outlined in the introduction. Let us now look at how the following terms were defined by officials of Austria, China, Japan, Israel and South Africa. The French and the Indian representatives did not participate in the association test. Clear connections between terminology and ideology, value systems and attitudes can be observed in the responses. Even the diplomatic culture became obvious in the things left unsaid.

Nuclear Power

The definitions offered by the officials ranged from "a state with nuclear capability" (Israel) to a "future source of energy" (Japan). Of particular interest is the Chinese response outlining the fact that in Chinese, many different notions of power exist and that it is therefore not possible to give *one* definition, rather a range of various notions. An anti-nuclear attitude is obvious in the statements of South Africa and Austria: "... Positive in the sense that it is at the moment environmentally friendly, but the long-term disposal is a great problem. In South Africa we have mainly coal mine stations and that's a big pollutant." Austria: "Nuclear powers are some few states of the contemporary world thinking they have to protect themselves with nuclear weapons and demand therefore more power."

Defence

Defence was mainly associated with the concept of sovereignty and seen as the right of a nation to protect itself from outside and unjustified attacks. "Each state needs this capability ... weapons are needed in order to deter" (Israel); "Defence is the legitimate right of every sovereign state" (Japan); "It is necessary to protect oneself against unjustified attacks" (Austria); "Being able to have a minimum amount of resources to protect your country from external threat" (South Africa). Even though the Chinese official insisted on the fact that the Chinese concept of defence differed strongly from Western views I did not really perceive a difference: "I know defence could mean very different things in the U.S. or in Europe ... but it has a very positive connotation in China because of the Chinese concept of defending one's own territory."

Modernization

The majority of interviewees agreed that modernization is “the step-by-step improvement of a system or the general conditions of life” as the Austrian delegate put it. Israel defined modernization as to occur “... in every field of life since we live in a dynamic world and you need to update your capability.” The Chinese noted that “modernization is something very positive.” Contrary to other countries South Africa associated the term with basic development: “Everybody has access to water and electricity and education”.

Missiles

A very technical definition was given by Israel and China: “Not directly related to nuclear weapons, there exist conventional warheads, air-to-air warheads, land and rocket warheads” (Israel); “To send arms with nuclear warheads” (China). South Africa and Austria viewed the term very differently: “Very long objects that you can stick things in and that fall on people’s heads, one of the more problematic issues we have to deal with in disarmament in the future” (South Africa); “Render it possible to send the evil to the enemy without risking human lives in one’s own nation ... the modern military’s method of globalization” (Austria). Japan highlighted that “some mechanisms for restraining missile development are necessary.”

Nuclear Winter

The expression nuclear winter is of particular interest. Completely different ideologies were expressed within the definition according to whether the nation in question had nuclear weapons or not: “The survivors will envy the dead” (Austria); “The after effect of a nuclear war, when you are returning to the ice age, when you have destroyed everything, environment, ecology” (South Africa); “I don’t know what it means. Is it historical? There was a winter war between Russia and Finland” (Israel); “Ordinary people would not know what it means. Only very few people know that” (China); “Nothing specially related to nuclear winter” (Japan).

Nuclear War

The term nuclear war revealed similar definitions: “total destruction” (Austria); “basically total alienation of the earth” (South Africa); “Disaster of the world” (Israel); “Hope not to happen” (Japan); “People think that’s something not so easy to handle” (China). Obviously non-nuclear-weapon states defined nuclear war very differently than nuclear-weapon and nuclear-weapon capable states.

Nuclear Test

The definition of nuclear test implied very different worldviews. In the Chinese context nuclear tests were seen in a rather contradictory way: “... they [nuclear tests] represented for many years

something positive, but China committed itself to stopping nuclear testing, but even now the Chinese population has no negative associations related to nuclear testing, but of course the media discourages nuclear testing." Israel outlined that "only a few states have the capability to make nuclear tests, at present the rivalries between India and Pakistan pose a big problem in that context." Other comments included "I hope that this will not happen" (Japan); "Nuclear mushrooms and tunnels in the desert" (Austria); "An unnecessary action" (South Africa).

The Interview

The interviews showed similar results to the association test. A distinction can be drawn between the responses of non-nuclear-weapon states and nuclear-weapon states. South Africa holds a particular position. The official was the only one not to refer to the subject in terms of the Cold War. It seems that the nearly revolutionary change in its political system brought along a completely new language. Further research is suggested to investigate the correlation between the country's political situation and its new understanding and use of language.

General Themes Within the Discourses

DIPLOMATIC AND NATIONAL CULTURE

Some common features can be observed in the way the officials interviewed expressed themselves. On the non-verbal and paraverbal level the diplomats had a tendency to speak very slowly (especially Japan) and to think for some time before answering. Furthermore many officials answered questions without looking at the interviewer, closed their eyes during long periods of the interview (possibly in order to concentrate) and avoided gestures. Diplomats expressed their thoughts in a high standard of language very close to written language.

In the case of China, national cultural influences were dominant over the diplomatic subculture: lots of proverbs, metaphors and examples were used throughout the discourse. The South African official also used a very atypical diplomatic code. He expressed his thoughts in populist, easy to understand language. In general, Western and Eastern officials used different means of expression.

REASONING AND JUSTIFICATION IN THE NUCLEAR ARMS ISSUE

Some discourses began with an excuse, apology or justification of why nuclear weapons or a nuclear umbrella is essential for the country. "China stands for the abolition of nuclear weapons, although China is a nuclear-weapons state. We think that the world should be a world free of nuclear weapons ... why we have nuclear weapons, this has historical reasons." "As you know, Japan is the only country that suffered from the damage of nuclear weapons ... So we don't want nuclear weapons to exist in the world, but at the same time realistically seen, there are nuclear weapons." "India has stood traditionally for nuclear disarmament and belonged to the Non-Aligned Movement ... India's nuclear weapons have to be understood in terms of our security environment." Israel highlighted that there is no official proof of it possessing nuclear weapons. "If we have such capability ... is an

assumption that has never been proved.” Austria and South Africa underlined from the very beginning the necessity of global nuclear disarmament. France did not use such an argument and simply outlined that nuclear weapons are important to France.

HISTORICAL LEGITIMIZATION

Secondly, a historical explanation was offered in order either to justify the possession of nuclear weapons or to legitimize the present situation: “China is in fact the most non-aligned country from the very beginning ... in the fifties and sixties we were threatened by both the former Soviet Union and the US. ... They were considering whether they were going to use nuclear weapons against China ... China was compelled to develop its own nuclear weapons”; “Our defence is based on the possession of nuclear weapons because in former times the principle menace came from one big power — the Soviet Union. ... In response France developed a strategy of nuclear deterrence ... to answer with nuclear weapons; “We needed a nuclear umbrella in the area of the Cold War, when the Soviet Union and the US confronted each other” (Japan).

NUCLEAR WEAPONS AS A REACTION TO THREAT

Related to the historical explanations is the fact that the decision to seek protection through nuclear weapons was a reaction to an outside threat. India exemplifies this position. “We have to respond to our security environment ... and the security situation around us. And naturally any country needs to respond to the security environment.”

Israel too understands its security policy as a reaction to outer threat: “There is one state — Israel — surrounded by several Arab states with huge armies and big arsenals of weapons ... we therefore need strong military capabilities as a deterrent.” South Africa on the contrary has a very different view: “Many countries live still in the past, but not in the future. We have been given the chance of creating a new world with a new thinking, our view of the world is new ... the old system of Apartheid viewed the world very differently.”

No country explained its nuclear arsenal as an offensive policy, but rather as a necessity for defence. Yet if all nuclear countries had to go nuclear because of an outside threat, then a reverse effect could also be possible: nevertheless, this is not so obvious, as explains the Chinese official: “Political things are not that simple,” citing India as an example. “When India developed nuclear weapons they said it was because the other nuclear-weapon states did not disarm, and they particularly mentioned China. ... Later on they got nuclear weapons themselves, but China has committed itself never to use nuclear weapons against India. So why did India decide in favour of nuclear weapons? The real reason? It is not what they say, if you think very carefully. There are some deeper reasons behind: deep power secrets ... whether this is wrong or not, I don’t judge.”

France underlined the fact that all recognized nuclear-weapon states are permanent members of the Security Council.

THE COLD WAR

Nuclear weapons are closely linked to the Cold War. The Cold War came to an end nearly a decade ago, but with the exception of South Africa this époque still strongly influences contemporary arguments and the importance of the nuclear deterrence strategy. “If you want to deter, the question arises *who* do you want to deter. France has no declared enemy. So the nuclear arms are not pointed against any particular target since we do not have an enemy. This is logical, but we live in a dangerous world where new enemies can appear.” The repeated references to logic in the French discourse (five times within the interview) seems to be a product of national culture.

Austria’s defence concept seems equally determined by the experience of the Cold War: “We used to maintain the security concept of ‘the high entrance fee’. ... In the case of a confrontation between the Warsaw Pact and NATO, the Austrian concept was to try to stop the enemy as long as possible. ... As to the present security concept the interior political discussion is not yet able to tell to which degree Austria will join the EU security policy.”

NATIONAL IDENTITY, THE ROLE OF THE ARMY AND NUCLEAR WEAPONS

When asked to define national identity most representatives referred to a common historical experience, shared values, religion, language and habits. How this self-definition was related to national defence and security doctrines was viewed in different ways: “India as a nation is strong, believes in democracy and it has thousands of years of history and civilization. I don’t see nuclear weapons in that sense as part of the national identity. It was a reaction to our environment and not because we have a lack of national identity.” Here the question was clearly interpreted as to whether India needed nuclear weapons to create national identity.

Israel and Japan questioned the connection between security and culture: “The security concept of Israel has nothing to do with national identity, which is based on the Bible, the land, 3000 years of history. ... The army is a basic need. It plays a basic role in the integration of society. There are many ethnic groups and there is a division between religious and non-religious groups ... now the army brings all those people together in one framework ... but we are not different from other states, we are a normal society.” Here too the question was interpreted in a sense of “being different from others”. Japan’s statement seemed almost contradictory: “National identity has nothing to do with defence concept,” yet later continued, “of course, our defence concept is related to how we see the world ... but there are given factors around Japan and this has nothing to do with Japan ... we are just defending ourselves, but this has nothing to do with national identity.”

France clearly stood out in its reasoning and explanation. The possession of nuclear weapons is not understood as filling a gap in national identity, but the army and nuclear weapons are viewed as an integral part of French culture: “It has to be said that France is a country that maintains a certain pride in her army, the fact of having an army, to greet the army on the 14th of July, the French National Day, is something very French. ... It is related to nationalism in the positive sense, it is the idea of France. ... I think that there is a strong link between the identity of the country and the possession of nuclear forces ... it is an interactive process.”

Nuclear weapons influence national identity even in non-nuclear Austria. Their existence contributes to the creation of national identity in the sense that Austria traditionally stands for pacifism, perceiving its role in the international community “as a contributor to nuclear disarmament”.

The discourse of South Africa showed a very clear historical division between the pre-1994 era and the present situation. One can hypothesize that the fundamental changes in South African society strongly contributed to a new form of discourse. "We are a rainbow nation ... we are proud of having come through a harsh past and almost a rebirth has taken place ... before you had a country against a system. The military was there to protect the system, not the country, to protect the values of the elite. Equally the new South Africa doesn't seek protection in nuclear weapons, since we view the world very differently than did the old white minority regime."

At the end of the interview, the official was asked to describe in his or her own words a post-nuclear war scenario. Most representatives had great difficulties in doing so and rather started to explain why this could never happen. Unlike the others, Austria and South Africa answered very directly: "Massive destruction, questioning of human survival on earth, climatic changes, darkness" (Austria); "Some kinds of thoughts of basically nothing" (South Africa).

Conclusion

The intention of this article was to show the complexity of communication and terminology and to contribute to a better understanding in discussions on nuclear disarmament. Only by being aware of what a term or phrase means in the cultural context of the interactants is constructive discussion possible and miscommunication might be avoided.

This preliminary research shows that the associations and connotations of terminology are very much influenced by a person's cultural and social background, value systems and the worldviews prevailing in his or her country.

There were several similarities in the way the subject was discussed in the interviews. Representatives of nuclear-weapon and nuclear-weapon capable states apologized in a short introduction for the possession of nuclear weapons by their country, gave a historical explanation, stressed that nuclear weapons are an arm of defence and are a reaction to outside threat. Most officials, with the exception of France, did not see a connection between the country's national identity, its defence policy and the nuclear arsenal. Austria's strong anti-nuclear attitude seems to be related to national identity. The South African official viewed the country's nuclear policy as an outcome of its political and social change.

In conclusion, three main points can be noted about the interrelatedness of culture, language and nuclear weapons.

First, there is a strong link between language and the culture of nuclear weapons. A Chinese does not speak like a South African, an Austrian does not use the same language as a Frenchman or Israeli. No doubt national culture influences expression, as seen in the repeated references to "logic" by the French official or the use of metaphors and flourish in Chinese.

Second, it appears that the possession or non-possession of nuclear weapons plays an important role in the cultural identity of the national representatives interviewed, even though the self-perception of the interviewed might not agree with this view. To have or not to have nuclear weapons influences a country's threat perception, self-definition and national identity. In that respect, common historical experience plays an important role. South Africa has experienced that historical circumstances can change given the political will. Most other countries have not gone through that process and reasoning, their arguments are strongly based on a collective past related to the Cold War. In this sense I would even claim that the Cold War forms an integrative part of western culture.

Finally it must be once more pointed out that this preliminary research not only revealed important aspects of each country's national culture, but also of diplomatic culture. Obvious in the subtle mixture of silence and spoken word, each diplomat carefully evaluated what one can say, what one should say and what one has to be silent about.

Notes

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- ³ Baard B. Knudsen, The Paramount Importance of Cultural Sources: American Foreign Policy Research Reconsidered, *Cooperation and Conflict, Nordic Journal of International Politics*, No. 22/2, 1987, p. 82.
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- ⁵ Mary Jane Collier and Thomas Milt, Cultural Identity: An Interpretative Work, in: Young Kim and William Gudykunst, *Theories in Intercultural Communication, International and Intercultural Communication Annual Vol. XII*, London, Sage, 1988, p. 112.
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- ⁸ Pertti Joenniemi, Decoding Nuclear Winter: Has War Lost its Name?, *Current Research on Peace and Violence; War, Peace and Culture*, No. 10/1, 1987, p. 24.
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- ¹⁰ Michel Foucault, *The Archaeology of knowledge*, Paris, Tavistock, 1971; Pierre Bourdieu, *Ce que parler veut dire, l'économie des échanges linguistiques*, Paris, Fayard, 1982.

Tactical Nuclear Weapons

UNIDIR, in cooperation with the Monterey Institute of International Studies and Peace Research Institute Frankfurt, has launched a research project on the urgent issue of tactical nuclear weapons (TNWs). The project will address such topics as the definition of TNWs, numbers, the roles of TNWs in various military and political doctrines, and future measures to address the TNW problem. The project will be carried out over a period of nine months at UNIDIR. The Institute will commission papers from experts and coordinate the research and related research meetings. The main findings of the study will be ready for discussion prior to the May NPT Review Conference. The project will result in the publication of a Research Report in the UNIDIR series and a “UNIDIR Brief” setting out the main findings of the study in succinct form for broad distribution.

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The Costs of Disarmament

In order to present the cost-benefit analysis of disarmament, UNIDIR proposes to take key countries as examples and carefully research what their commitments to disarmament treaties means to them in terms of financial and resource costs. In addition, the project will try to ascertain what each country perceives are the benefits brought to them through their participation in the agreements and whether there is consensus that there is a net gain to the state in question. The aim of the project is to achieve a better understanding of the costs and benefits of disarmament agreements with a view

All correspondence can be addressed to UNIDIR, A.570, Palais des Nations, 1211 Geneva 10, Switzerland. The Institute's fax number is (+41 22) 917 0176.

to assisting policy-makers decide how money is spent on such commitments, which budget lines are best structured to handle such spending and how states could approach this aspect of negotiations in the future.

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Peace-building and Practical Disarmament in West Africa

UNIDIR is currently running a project on peace-building and practical disarmament in West Africa. The project is undertaken within the framework of the West African Moratorium on Importation, Exportation and Manufacture of Light Weapons, signed on 31 October 1998 in Abuja (Nigeria). The project aims at strengthening the necessary participation of West African civil societies in the implementation of the moratorium. The broad objective is to build grass-root capacities through research on peace and security issues and to empower ordinary citizens in such a way that civil society organizations become determinant constituencies for disarmament and arms control.

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Information Technology Warfare

As part of the response to General Assembly resolution 53/70 on "Developments in the field of information and telecommunications in the context of international security", the Department of Disarmament Affairs and UNIDIR held a discussion meeting in Geneva on 25 and 26 August 1999. The meeting was attended by over seventy participants from more than forty countries.

The meeting aimed to raise awareness among Member States of security issues relating to developments in Information and Communications Technologies (ICT) and to initiate multilateral dialogues. The workshop provided the first forum of its kind at this level for governmental and non-governmental experts to discuss these issues. A conference report is being prepared.

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UNIDIR Handbook on Arms Control

UNIDIR is producing a handbook that will explain the major concepts and terms relating to arms control. The handbook will be used as both a primer for an audience with limited familiarity with arms control and as a reference for students, scholars, diplomats and journalists who are more experienced in arms control matters.

The handbook will be organized as a thematically structured glossary of approximately 400 terms relating to arms control. Each term is situated within its wider context so that, on the one hand, a specific term can be looked up quickly, and on the other hand, an entire issue can be covered. Cross-references to other terms and concepts will point the reader to relevant related issues. The researcher designing and drafting the handbook will be assisted by an editorial committee consisting of regional and arms control experts.

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Fissile Materials

In April 1999, UNIDIR published *Fissile Material Stocks: Characteristics, Measures and Policy Options* by William Walker and Frans Berkhout. The publication is intended to support the Conference on Disarmament in its thinking on the range of options available to deal with stocks of fissile material. Additionally, UNIDIR has commissioned a report on fissile material inventories to provide an up-to-date account of fissile materials, assess national policies related to the production, disposition and verification of fissile materials, and identify facilities and locations which might be subject to safeguards under a treaty.

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UNIDIR Disarmament Seminars

UNIDIR occasionally holds small, informal meetings on various topics related to disarmament, security and non-proliferation. These off-the-record gatherings allow members of the disarmament community, missions and NGOs to have an opportunity to discuss a specific topic with an expert. Recent topics covered include fissile materials, the prevention of war, peace-building in West Africa, reducing nuclear dangers, and biological and chemical weapons programmes. Speakers at recent meetings have included William Walker, Ambassador Jonathan Dean, Michael Krepon and Peter Batchelor.

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DATARIs

In cooperation with SIPRI (Stockholm International Peace Research Institute), UNIDIR has developed an online database of disarmament, arms control, security and peace research institutes and projects around the world. The database can be accessed through UNIDIR's website and institutes can update their information via a password.

If you would like for your institute to be included in DATARIs, please contact:

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Geneva Forum

Together with the Programme for Strategic and International Security Studies of the Graduate Institute of International Studies and the Quaker United Nations Office, UNIDIR organizes an ongoing discussion series called Geneva Forum. Thanks to the generous support of the Government of Switzerland, Geneva Forum focuses on issues related to small arms and light weapons. Invited speakers deal with specific thematic and/or regional dimensions of the issue. Geneva Forum is an occasional seminar held at the Palais des Nations that addresses contemporary issues. The series targets the local missions and organizations in an effort to disseminate information on a range of security and disarmament topics. The series seeks to act as a bridge between the international research community and Geneva-based diplomats and journalists.

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PUBLICATIONS

Peacekeeping in Africa: Capabilities and Culpabilities

African regional and subregional organizations have an important role to play in the promotion of peace and security on their continent. The United Nations Security Council has relied on them excessively, however, in large part because it has been reluctant to authorize United Nations peacekeeping operations. Although there is merit to strengthening indigenous capabilities, the issue of whether Africans are prepared for the challenge of assuming primary responsibility for responding to conflicts is another matter. What can African states and organizations do to enhance their peacekeeping capabilities? How can the international community better tailor its initiatives to the needs of African actors? This book answers such questions.

Part I of this book describes challenges to African peace and security and discusses the reasons why the United Nations Security Council has changed its peacekeeping policy. Part II examines African attempts to manage and resolve conflicts on their continent. Part III reviews African peacekeeping experience outside of African regional, subregional and ad hoc initiatives. Part IV describes and analyses efforts made by non-African states to address the deficit. The study concludes with a series of recommendations on how to make current approaches more effective. It provides concrete suggestions for strengthening African regional and subregional efforts and for improving Western capacity-building programmes. It also emphasizes that the United Nations must assume a greater role in both promoting and undertaking peacekeeping on the African continent.

Preface by the Secretary-General

PART I Setting the Stage

PART II African Organizations and Ad Hoc Initiatives

PART III Understanding African Peacekeeping Abilities and Limitations

PART IV Efforts to Develop African Capacities

Conclusion

Annexes and Selected Bibliography

Eric Berman and Katie Sams

ISBN 92-9045-133-5

Sales number G.V.E.00.0.4

West Africa Small Arms Moratorium: High-Level Consultations on the Modalities for the Implementation of PCASED

*A report of the Experts' Meeting and the Civil Society Meeting
23–24 March 1999, Bamako, Mali*

Recognizing the threats to national security posed by the proliferation of small arms and light weapons, West African States have sought to address the issue through a subregional grouping, the Economic Community of West African States (ECOWAS). Inspired by the “security first” approach, on 31 October 1998, in Abuja, all sixteen ECOWAS member states signed the *Declaration of a moratorium on the importation, exportation and manufacture of light weapons in West Africa*.

The Moratorium — commonly known as the West African Small Arms Moratorium — entered into force on 1 November 1998, for a renewable period of three years. This Moratorium is an innovative approach to peace-building and conflict prevention. It is not a legally binding regime but rather an expression of shared political will. In order for the Moratorium regime to be effective, concrete measures need to be adopted to ensure that West African governments remember this political commitment and to mobilize national, regional and international support for its implementation. Located in Bamako, the Programme for Coordination and Assistance for Security and Development (PCASED) is the designated implementation mechanism for the Moratorium.

On 23 and 24 March 1999, ECOWAS, the UN Development Programme and the UN Regional Centre for Peace and Disarmament in Africa hosted high-level consultations with West African and small arms experts to elaborate the modalities for the implementation of PCASED. This report outlines the various discussions that took place within both the Experts' Meeting and the Civil Society Meeting about these priority areas.

Jacqueline Seck

United Nations Institute for Disarmament Research
United Nations Regional Centre for Peace and Disarmament in Africa

GE.00-00475
UNIDIR/2000/2

Small Arms Control: Old Weapons, New Issues

The twenty-nine papers collected in this volume were originally prepared for four regional workshops organized by the United Nations Department for Disarmament Affairs to inform the work of the United Nations Panel of Governmental Experts on Small Arms. These workshops were held during 1995–96. Most of the papers were updated in 1998. Authors include academic, military, governmental and activist experts.

The editorial committee consisted of: Jayantha Dhanapala, Under-Secretary-General for Disarmament Affairs, United Nations; Mitsuro Donowaki, Ambassador and Special Assistant to the Minister for Foreign Affairs of Japan; Swadesh Rana, Chief, Conventional Arms Branch, Department for Disarmament Affairs, United Nations; and Lora Lumpe, Senior Researcher for the Norwegian Initiative on Small Arms Transfers (NISAT) at the International Peace Research Institute, Oslo (PRIO).

The publication is divided into four parts:

Causal Factors and Policy Considerations

The Problem of Small Arms and Light Weapons in Africa

The Proliferation of Small Arms and Light Weapons in Latin America and the Caribbean

The Plague of Small Arms and Light Weaponry in South Asia

Jayantha Dhanapala, Mitsuro Donowaki, Swadesh Rana and Lora Lumpe

Editors

UNIDIR/Ashgate publication

ISBN 0 7546 2076 X

Fissile Material Stocks: Characteristics, Measures and Policy Options

In 1998, on the basis of the Shannon Mandate, the Conference on Disarmament (CD) established an ad hoc committee for negotiating a fissile materials treaty. The treaty is intended to achieve a ban on the production of fissile materials for military purposes in a non-discriminatory, multilateral and internationally verifiably manner. Stocks of fissile materials have accrued transnationally due to armament and disarmament processes, as well as to civil uses of nuclear power. However, very little is known in the public domain about the nature, size and whereabouts of such stocks, and the complexities surrounding their regulation and control. UNIDIR's report on fissile material stocks seeks to begin to redress this problem by providing factual background information on all of these important matters. The report categorizes and quantifies fissile material stocks, and examines the measures which have heretofore been developed regarding their control and management. The report also includes an overview of broad policy options available to states in addressing the stocks issue, which could prove valuable in informing negotiations in the CD.

Fissile material stocks: function, scale and distribution

Characterization by type of inventory

The scale, type and location of fissile material stocks

Measures relating to fissile material stocks: recent developments

Military inventories: continuing absence of international regulation

Transitional inventories: towards regulation and disposition

Civil inventories: the extension of transparency

Policy strategies and options

Stocks and the FMT: possible diplomatic approaches

Possible measures for reducing risks posed by fissile material stocks

Fissile materials and their production processes

International safeguards and physical protection

William Walker and Frans Berkhout

Sales no. G.V.E.99.0.15

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Sensors for Peace

United Nations peace operations have a tradition of several decades, and their scope and importance has increased markedly since the end of the Cold War. Peacekeeping operations, both of the traditional and the extended type, comprise monitoring tasks as a central part of their mandates. Agreements or resolutions, whether they demand withdrawal behind a cease-fire line, keeping a buffer zone demilitarized, or banning heavy weapons in control zones or safe havens, require that compliance is checked reliably and impartially. The more comprehensive the monitoring, the more likely the compliance. In practice, however, monitoring duties often require the surveillance of such large areas that United Nations peacekeeping units cannot provide continuous coverage. Thus, peacekeeping personnel are permanently deployed only at control points on the roads or areas deemed most sensitive. Minor roads and open terrain are covered by spot-check patrols. This creates many opportunities for infractions and violations.

Unattended ground sensor systems allow all this to change. Unattended ground sensors are suited to permanent, continuous monitoring. They can be deployed at important points or along sections of a control line, sense movement or the presence of vehicles, persons, weapons, etc. in their vicinity and signal an alarm. This alerts peacekeepers in a monitoring centre or command post, who can send a rapid-reaction patrol immediately to the site to confront the intruders, try to stop them, or at least document the infraction unequivocally.

Unattended ground sensor systems generally have not been used in peace operations. Thus, the wider introduction of unattended ground sensor systems in future United Nations peace operations requires fresh study from operational, practitioner, system design and legal perspectives. *Sensors for Peace* is an excellent first look at this timely issue.

Introduction — *Jürgen Altmann, Horst Fisher & Henny J. van der Graaf*

The Use of Unattended Ground Sensors in Peace Operations — *Henny J. van der Graaf*

Questionnaire Answers Analysis — *Willem A. Huijssoon*

Technical Potentials, Status and Costs of Ground Sensor Systems — *Reinhard Blumrich*

Maintaining Consent: The Legality of Ground Sensors in Peace Operations — *Ralph Czarnecki*

Conclusions and Recommendations — *Jürgen Altmann, Horst Fisher & Henny J. van der Graaf*

Jürgen Altmann, Horst Fischer and Henny J. van der Graaf

Editors

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The Implications of South Asia's Nuclear Tests for Non-proliferation and Disarmament Regimes

On 7 and 8 September 1998, UNIDIR held a private, off-the-record meeting on *The Implications of South Asia's Nuclear Tests for the Non-proliferation and Disarmament Regimes*. This "track one and a half" meeting was designed to address the needs of policy-makers — governmental and non-governmental agents — in their assessment of the impact of the nuclear-weapons tests carried out by India and Pakistan in May 1998. The governments of Australia, Denmark, Italy, Norway, New Zealand and the United States generously sponsored the meeting.

More than fifty people from over twenty-five countries attended the conference. Each participant attended in his or her personal capacity as an expert and not as a representative of a country or a NGO. At the end of this two-day meeting, there was general agreement among participants that neither India nor Pakistan had enhanced its own security or international status by conducting the tests, but that the risk of nuclear war in the region is now greater. Also, it was recognized that the NPT and the CTBT had been in difficulty prior to the tests, although they remained the best solutions available to reduce potential for further conflict and therefore remained crucial. Finally, many participants expressed their concern that if India and Pakistan were rewarded in any way for demonstrating their nuclear capabilities, this may cause some NPT members to reassess their membership in the regime.

International response to the nuclear tests in South Asia was inadequate: there is a need for more coherent and collective action. Participants focused on practical suggestions to policy-makers to reduce the risk of war; to save the non-proliferation and nuclear arms control regimes; and to anticipate the effects of the tests on areas of regional tensions, particularly the Middle East.

The Responses to the Tests

Causes of the Tests

Consequences of the Tests

Regional Security

Consequences for Non-Proliferation and Disarmament

Damage Limitation

Developing the Non-Proliferation and Disarmament Agenda

Conclusions and Policy Options

Main Summary

Prevention of Nuclear War

Saving the Non-Proliferation and Arms Control Regimes

The Effects on Regional Tensions, Especially in the Middle East

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UNIDIR/99/2

A Peace of Timbuktu: Democratic Governance, Development and African Peacemaking

Mali is admired for two recent accomplishments. The first is the country's transition to democracy, which took place in 1991–1992. This effort included the overthrow of Moussa Traoré's twenty-three year military dictatorship on 26 March 1991 — a process of military and civilian collaboration which fostered national reconciliation, a referendum for a new constitution, and elections which brought to power Mali's first democratically elected president, government and legislature. The second achievement is the peacemaking between the Government of Mali and the rebel movements in the northern part of the country: this process successfully prevented the outbreak of civil war and presents useful lessons in preventive diplomacy for the international community. The peacemaking culminated in a ceremony known as the Flame of Peace, when rebel weapons were incinerated in Timbuktu on 27 March 1996. This study of the events surrounding the uprisings in the North of Mali and the measures which restored peace (and those which will maintain it) is the result of a collaboration between the United Nations Development Programme and the United Nations Institute for Disarmament Research.

This peace process was remarkable for the way in which the United Nations agencies were able to help, discreetly dropping oil into the machinery of peacemaking. For a cost of less than \$1 million, the United Nations helped the Malians to avoid a war, and lit the Flame of Peace. With less than \$10 million, the United Nations became the leading partner of Mali's Government and civil society, in peace-building, disarming the ex-combatants and integrating 11,000 of them into public service and into the socio-economy of the North through a United Nations Trust Fund. The experience shows that not only is peacemaking better than peace-keeping, but that it is much cheaper.

A Peace of Timbuktu includes in-depth coverage of the following topics:

- Mali's History and Natural Environment
- The Build-up to the Crisis in Northern Mali
- The Armed Revolt 1990–1997
- Peacemaking and the Process of Disarmament
- The International Community as a Catalyst for Peace
- Ensuring Continued Peace and Development in Mali
- The Flame of Peace Burns New Paths for the United Nations

United Nations Secretary-General Kofi Annan has written the preface. The book includes maps, texts of relevant documents and laws, and a bibliography, as well as photographs by the authors and peace drawings by the children of Mali.

Robin Edward Poulton and Ibrahim ag Youssouf

Sales No. G.V.E.98.0.3

ISBN 92-9045-125-4

Updated second edition now available in French

Curbing Illicit Trafficking in Small Arms and Sensitive Technologies: An Action-Oriented Agenda

Illicit trafficking affects both the stability of states and the safety of their populations. There are no national or regional boundaries delimiting this type of traffic: the problem is truly global and has multifaceted ramifications. Curbing its further development and proliferation calls for a better assessment of the phenomenon and a new way of looking at problems and identifying solutions. In a world of growing interdependence, one of our greatest challenges today is making bold decisions establishing new priorities and starting innovative cooperative ventures, while changing old ways of thinking and working.

Issues and Aspects — *Jasjit Singh*

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Trafficking in Delivery System Technologies and Components — *Genaro Mario Sciola*

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Central America and Northern South America — *Daniel Ávila Camacho*

The Role of Manufacturers and Dealers — *Carlos Fernández*

National and International Initiatives — *Wilfrido Robledo Madrid*

African and European Issues — *Stefano Dragani*

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A New Agenda for Control Regimes? — *Luis Alberto Padilla*

Final Recommendations — *Eduardo Pelayo, Péricles Gasparini Alves & Daiana Belinda Cipollone*

Péricles Gasparini Alves and Daiana Belinda Cipollone

Editors

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Nuclear-Weapon-Free Zones in the 21st Century

The establishment of nuclear-weapon-free zones (NWFZs) through the initiative of regional parties, approved by the United Nations General Assembly, and endorsed by the relevant external states, is an important contribution to non-proliferation, disarmament and, above all, to international security.

Jointly with OPANAL (The Organization for the Prohibition of Nuclear Weapons in Latin America and the Caribbean) and the Government of Mexico, UNIDIR convened an international seminar on “Nuclear-Weapon-Free Zones in the Next Century” in Mexico City on 13–14 February 1997 — the thirtieth anniversary of the Treaty of Tlatelolco’s opening for signature. This book analyzes the role of the Treaty of Tlatelolco as the first effective expression of a NWFZ in a densely inhabited part of the globe. It also covers other NWFZs (existing or proposed). The relationship between NWFZs and peace processes, as well as cooperation among existing NWFZs, is also noted.

- Towards the Consolidation of the First NWFZ in the World — *Sergio González Gálvez*
 Precursor of Other NWFZs — *Enrique Román-Morey*
 Tlatelolco and a Nuclear-Weapon-Free World — *William Epstein*
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 A Nuclear-Weapon-Free Space in Central and Eastern Europe — *Alyaksandr Sychou*
 A Possible NWFZ in Central Europe — *Michael Weston*
 NWFZ in the Middle East — *Nabil Elaraby*
 Middle East: Future Perspectives — *Yitzhak Lior*
 Central Asia: Future Perspectives — *Jargalsaihan Enkhsaikhan*
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Editors

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Increasing Access to Information Technology for International Security

The European security landscape is undergoing a profound transformation at present, and there is an increasing need to improve mutual understanding of regional security issues in a rapidly changing world. Institutes and related organizations working in the field of international security have an important role to play in this regard.

This book contains a forward-looking appraisal of how information technology can best serve institutes and the security dialogue. It addresses issues such as how to promote concrete cooperation between research institutes in Europe and North America. Of particular importance is the appraisal of present and prospective demands for cooperative ventures between and among institutes in Europe, the United States and Canada. It also provides insight on how to put together intellectual, human, material and financial resources to foster cooperation, notably in the identification of partners, information needs, connectivity issues and fund-raising strategies. In this respect, a number of innovative recommendations are made in a plan of action to increase cooperation in the late 1990s and well into the next millennium.

- Assessing Partnership Initiatives — *Andreas Wenger & Stephan Libiszewski*
 Identifying the Needs of International Organizations — *Anthony Antoine & Gustaaf Geeraerts*
 Increasing Interregional Exchanges and Partnerships — *Seyfi Tashan*
 Information Needs and Information Processing in International Security — *Gerd Hagemeyer-Gaverus*
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The Transfer of Sensitive Technologies and the Future of Control Regimes

This book comprises papers by fourteen international experts from the diplomatic, military and academic communities in which they identify tomorrow's key technologies in both weapon systems and components, particularly emerging technologies that may become objects of control and constraint eight to ten years hence. This includes conventional weapons and weapons of mass destruction, but special attention is also given to sensor technologies and technologies for the collection, processing and dissemination of information. The authors attempt to identify cooperative technology transfer controls which are likely to forge *new* approaches to solve *old* problems. In this connection, the book presents imaginative and challenging ideas as regards the relationship between technology supplier and recipient states. This publication is essential to those who are interested in following the trends in the transfer of sensitive technologies in the next decade, as well as those concerned with the political and diplomatic issues related to such developments.

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Non-Offensive Defence in the Middle East?

Non-offensive defence (NOD) emerged as a proposed remedy to the military security problems of East and West during the latter part of the Cold War. Grounded in the notion of “cooperative security”, NOD is premised on the postulate that states in the international system are better off pursuing military policies which take account of each other’s legitimate security interests than they are in trying to gain security at each others’ expense. Competitive military policies which seek to achieve national security through a build-up of national military means, may well be counter-productive and leave states more insecure. Seeking to procure national military security through a build-up of national armaments raises suspicions as to the purpose of these armaments, which in turn trigger countervailing armament efforts which ultimately lower the level of security for all. By making the defence of domestic territory the sole and clear objective of national military policies, NOD aims to strike a balance between the imperatives of ensuring adequate national military security and of avoiding provocation.

NOD aims towards national military defences strong enough to ensure adequate national military security, but not strong enough to be seen as threatening by others. The provision of adequate yet non-threatening military defence can be highly useful in a region such as the Middle East where political and military confrontations are inextricably linked, and where political settlement in the absence of military security is inconceivable. In the Middle East, NOD could reduce prevailing military tensions and open the way for broader political arrangements on the future of the region.

The introduction of NOD in the Middle East would not require that all Middle Eastern states adopt the same NOD model. Rather, each Middle Eastern state can select the particular NOD model most suitable to its requirements.

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Building Confidence in Outer Space Activities

This book sets out to clarify some of the prerequisites and modalities of a confidence-building process in outer space. It is the result of efforts undertaken by several experts on outer space matters who examine the role of earth-to-space monitoring in enhancing the safety of outer space activities and preventing the deployment of weapons in that environment. The book concludes by proposing the creation of an International Earth-to-Space Monitoring Network (ESMON) as the most appropriate means to improve both transparency and predictability in outer space activities.

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