



At Issue ezine

At Issue ezine

a project for people first

- ▲ [Purpose](#)
- ▲ [History](#)
- ▲ [Editorial policy](#)
- ▲ [© Terms of use](#)

Looking ahead . . .

Vol. 18 - Land Rights

Looking back . . .

Ezine issues:

- ▲ [Vol. 1 EDUCATION](#)
- ▲ [Vol. 2 CORRUPTION](#)
- ▲ [Vol. 3 OIL IN AFRICA](#)
- ▲ [Vol. 4 LAND REFORM](#)
- ▲ [Vol. 5 SMALL ARMS](#)
- ▲ [Vol. 6 CHINA IN AFRICA](#)
- ▲ [Vol. 7 ECONOMIC EMPOWERMENT OF AFRICAN WOMEN](#)
- ▲ [Vol. 8 SA IN AFRICA](#)
- ▲ [Vol. 9 CLIMATE CHANGE](#)
- ▲ [Vol. 10 DARFUR](#)
- ▲ [Vol. 11 DRC IN AFRICA](#)
- ▲ [Vol. 12 LIBERATION OF SOUTHERN AFRICA](#)
- ▲ [Vol. 13 LARGE CITIES](#)
- ▲ [Vol. 14 GOVERNANCE AND ETHNICITY IN AFRICA](#)
- ▲ [Vol. 15 MARGINALIZATION IN AFRICA](#)
- ▲ [Vol. 16 GENDER AND GENDER EQUALITY IN SUB-SAHARAN AFRICA](#)

Forum articles:

- ▲ [At Issue Forum](#)

Vol. 5 (January-May 2007)

THE PROBLEM OF SMALL ARMS IN AFRICA

No. 1 - January EDITORIAL: SMALL ARMS – THE WORLD'S FAVOURITE WEAPONS OF MASS DESTRUCTION

By Hugh McCullum Small arms, particularly the ubiquitous AK-47, are the real weapons of mass destruction in the 21st century. They are responsible for more deaths than any other, especially in Africa. AK-47s are too cheap and too available in places like the Horn of Africa (Sudan, Somalia, Eritrea and Ethiopia), the pastoralist areas of East Africa, the Democratic Republic of the Congo and the oil-rich Delta Region of Nigeria. Something must be done to control the supply of small arms whose lucrative source is primarily the five permanent members of the Security Council, the networks of arms brokers who get them to the trouble spots of Africa, and the poverty and unemployment that provide willing hands to use them.

No. 2 - February SMALL ARMS AND LIGHT WEAPONS IN KENYA

By Mbugua Njoroge The proliferation of small arms and light weapons in Kenya poses special problems of security. Kenya has long and undermanned borders with two conflict zones: the Horn of Africa and the eastern region, including northern Uganda. The gun traffickers find ready customers in the crime-ridden city of Nairobi and among the pastoralists of northern Kenya who find it necessary to defend their communities and whose traditions include the carrying of weapons. Sustainable development in Kenya requires special efforts in controlling the traffic and use of small arms.

No. 3 - March SMALL ARMS PROLIFERATION IN SOUTHERN AFRICA: REDUCING THE IMPACT OF "REAL WEAPONS OF MASS DESTRUCTION"

By Noel Stott The Southern Africa Development Community's Protocol on the Control of Firearms, Ammunition and other Related Material, which entered into force in November 2004, is one of only a few multilateral legally binding instruments on the control of small arms and light weapons. As the first in Africa, it is more than a politically binding declaration. It provides a legal basis for dealing with both the legal trade in, and illicit proliferation of, firearms – weapons that exacerbate conflicts, facilitate violent crime, prevent post-conflict reconstruction and undermine long-term sustainable development. This Protocol could serve as a model for other regions in Africa.

No. 4 - April CONTRACTUAL BREAKDOWN: SMALL ARMS, INTOLERANCE AND TRAGEDY IN NIGERIA'S DELTA REGION

By Dauda S. Garuba Small arms – especially such light, cheap, readily available and easy to operate weapons as the AK47 – are a problem everywhere. But nowhere, as this series points out, more than in Africa. Poverty, economic and political instability and ethnic intolerance prove a volatile mix in most regions of Africa. The Niger Delta region, as this article shows, contains these elements in abundance. Oil exploitation holds out the possibility of wealth, the probability of ecological damage to lives and livelihood, and competition among ethnic groups, governments and people.

No. 5 - May NO QUESTIONS ASKED: THE ILLEGAL ARMS PIPELINE TO AFRICA

By Hugh McCullum The worldwide trade in small arms feeds on and prolongs Africa's poverty and instability. This article explores the legal and illegal aspects of the trade. There are the sanction-makers and sanction-breakers. What they share are the lucrative profits from the misery of others.



Murder at Sharpeville, 21 March 1960
by Godfrey Rubens/ CC Wikimedia

SMALL ARMS: THE WORLD'S FAVOURITE WEAPONS OF MASS DESTRUCTION

by Hugh McCullum

Every gun that is made, every warship launched, every rocket fired signifies, in the final sense, a theft from those who hunger and are not fed, those who are cold and are not clothed. The world in arms is not spending money alone. It is spending the sweat of its laborers, the genius of its scientists, the hopes of its children... This is not a way of life at all, in any true sense. Under the cloud of threatening war, it is humanity hanging from a cross of iron. – Former U.S. President, Dwight D. Eisenhower, in a speech on April 16, 1953



Angolan man demonstrates method for deactivating a landmine.

© UN Photo / John Charles Monuz

The statistics are mind-numbing. A decade after Canada spearheaded the campaign that made landmines illegal, 309,000 people were killed this year (2006) by small arms. There are 650 million guns – leave out the smart bombs, giant artillery and tanks, the mortars, the missiles, the weapons of armies, air forces and navies – in circulation worldwide, one for every 10 people on the planet. Put another way, with 16 billion units of military ammunition produced every year, there are small arms and ammunition enough to shoot every man, woman and child on the planet twice.

Such figures on their own mean little, of course, if it were not for the fact that the easy availability of arms, especially in Africa, increases the incidence and impact of armed violence, triggers conflict and provokes local armed struggles into fullscale wars once they break out. Retired UN Secretary General Kofi Annan calls them "weapons of mass destruction in slow motion."

"With 16 billion units of military ammunition produced every year, there are small arms and ammunition enough to shoot every man, woman and child on the planet twice."

It gets worse:

- The five permanent members of the Security Council are the five top exporters of small arms selling 88 percent of the world's supply (rifles, pistols, light machine guns called Kalashnikovs or AK-47s, hand grenades and landmines – the latter are illegal but still widely manufactured and used);
- Late in 2006, the vast majority of members of the UN General Assembly voted to begin working on a treaty to ban small arms; 24 abstained, including China, Russia, Pakistan and India, the world's leading manufacturers and sellers; and one country, the U.S., voted an outright "no" to the treaty. President George W. Bush, a close ally of the US gun lobby, effectively vetoed negotiations on a new global Arms Trade Treaty (ATT);
- Children can easily use small arms. They are simple to transport and hide, ready to use without much prior training and, in most cases, require little maintenance and support. Because of this, small arms have helped create more than 300,000 child soldiers. Children are also primary victims. The increased availability of small arms through illegal channels has contributed to an alarming rise in child casualties in African conflicts where small arms have been used. More than 4 million children have been killed, 8 million have been disabled and 15 million left homeless (UNICEF).
- It is estimated that 100 million small arms exist in Africa, especially around the Horn, including Somalia, Ethiopia, Southern Sudan, the violent belt of Central Africa and many areas of West Africa. Accurate figures are hard to obtain. Even Africa has its manufacturers and illicit sales. Egypt, Ethiopia, South Africa and Zimbabwe all have manufacturing and distribution factories and illicit sales networks. AK-47s can be bought in some countries on the open market for as little as the price of a sack of flour or a chicken. In some countries like Sudan,

Menu:

- ▲ Back to top (issue contents)
- ▲ Email this article to a friend
- ▲ Printable version
- ▲ Bibliography & links

Forum Discussion:

Thanks much for the new e-zine series of articles being published. They touch on an important issue affecting many countries in the region. I am attaching an observation which I wish to share with network members. It's an issue many parents ignore but in a way it is contributing to the increased use of arms among youth:

During a weekend outing, I took time to watch children play. I realized that parents are unconsciously arming children for violence and war like responses to situations through some seemingly harmless products – some types of toys.

As I watched them play, I got deeply concerned by the kind of toys they were using and their games. They were using toy guns to imitate characters they watch on television and video game booths which are now common in many estates in Nairobi. They would chase each other and spray their opponents with water guns chanting their screen heroes war songs. Those who had no toys uses pieces of wood to represent guns.

My concern didn't end there. It triggered my curiosity to see what is on sale for children in supermarkets and toy shops in town. I therefore decided to visit several supermarkets and toy shops in town. I was amazed. There were armoured vehicles, military planes, soldiers in combat just to mention a few. In one of the supermarket, the display was so real-like it reminds one of the Iraq war.

In another supermarket, I had a word with the manager about my concerns. His response was like a responsible parent, he thought such toys psyched children for war-like responses to situations. But as a businessman, he felt there was nothing he could do. "I am here for business and I have to respond to the demands of our customers," he said as he showed me a list of items that customers needed and were not on shelves.

Back on the streets, hawkers had put out their wares. On Moi Avenue, I bumped on one selling toys. In an effort to woo buyers, he was demonstrating how one of his toys works. It was of a soldier in combat that is wound up and then crawls as if in an ambush, while producing the sound of gunfire. And believe you me, within no time, all the toys were bought.

Back home, it was news hour. The headlines summed it all: Four other gangsters gunned down and an AK-47 and ten rounds of ammunition recovered. Those gunned down were aged between 20 –25. Residents urged the police to help them wipe out illegal fire arms that are in the hands of

Somalia and the Democratic Republic of Congo, guns are part of the culture, almost everyone carries a personal weapon. Tanzania, Kenya and South Africa, along with Nigeria and Ghana in the west, blame the proliferation on huge increases in violent crime.

- South Africa's retired Anglican Archbishop Desmond Tutu has described the small arms trade in Africa as "the modern day slave trade which is out of control. It continues because of the corruption and complicity of most governments in sub-Saharan Africa, including I am sad to say my own beloved country, which turn a blind eye to the appalling suffering associated with the proliferation of these weapons. The world could eradicate poverty in a few generations," he stated, "if a fraction of the spending here on small arms was spent on peace." Along with the Dalai Lama and other world religious leaders, Tutu published a letter to the *Times* newspaper in London prior to the UN vote on Oct. 29, 2006.



A UN soldier inspects weapons collected from militias in Guiglo, Cote d'Ivoire.

© UN Photo / Ky Chung

lawless people.

This is the aftermath of the kind of socialization we are giving our children, one that implants war messages on innocent minds. It teaches children that there is nothing wrong with using a gun. It prepares them to grow up accepting violent conflicts. We do not teach them problem solving or negotiating skills.

As the countries grapple with the problem of the insecurity and proliferation of illicit arms it is important to reflect on the kind of socialization we are giving our children. As the preamble to the UNESCO Charter puts it, it is in the minds of men that war begins hence it is in the same minds that defenses of peace must be constructed. Since peace is a matter of mind, we must start making defenses when the minds are young. One way of doing this being keen on the kind of toys we are giving our children.

— **Timothy Gachanga, Nairobi**

"Archbishop Desmond Tutu has described the small arms trade in Africa as 'the modern day slave trade which is out of control.'"

Nothing symbolizes the proliferation of small arms in Africa like the ubiquitous Kalashnikov or AK-47 assault rifle, first invented by the Russian General Mikhail Kalashnikov during World War II. Today it is estimated that between 60 and 70 million of these durable weapons are spread around the world. It's the gun of choice in all of Africa's conflicts and is for sale in many places for less than US\$30. It will remain the most widely-used weapon in conflict zones for at least the next 20 years because it is so poorly regulated. According to a new report by the Control Arms campaign:

The Kalashnikov is manufactured in more countries and is being used to cause more widespread suffering today than at any time in its 60-year history. Many thousands of people are killed every year by the weapon because there is little international control on its production, sale and use. (*AK-47: The World's Favourite Killing Machine*, June 26, 2006.)

The report estimates that up to 70 million AK-47s are found in the state arsenals of at least 82 countries and are produced in at least 14 countries. The widespread availability of surplus Kalashnikovs and the absence of global standards and laws to regulate their transfer make it easy for the weapons to fall into the hands of unscrupulous arms brokers, armed militia and criminals.



UN peacekeeper examines AK-47 magazines from demobilisation in North Kivu, D.R.Congo.

© UN Photo

The widespread availability of the AK-47 and its variants is a legacy of the Cold War. Millions of AK-47s were also supplied to various regimes during the period and these are still in circulation, now being traded by numerous firms and governments across the globe.

"The AK-47 is a symbol of the way in which the arms trade has run amok, destroying lives and livelihoods. Only global rules to control who produces the weapons and to whom they are sold will ensure that they don't fall into the wrong hands," said Irene Khan, Secretary General of Amnesty International.

Kalashnikovs, of course, are not the only small arms being sold illegally. The much prized Israeli Uzi is valued for its strength, lightness and accuracy, but it is many times more expensive than an AK-47. American M19s and a plethora of US sniping rifles are also sold illegally but are too expensive in the developing world for more than a few elites. South Africa produces seven types of assault rifles, also expensive compared with Kalashnikovs.

The purchase and supply of assault rifles, especially AK-47s, was dramatically altered after the Cold War ended. Now, tens of thousands of Kalashnikovs are bought, trafficked and brokered by a new breed of middlemen, international networks of companies, government agencies, and individuals in Europe, the Middle East and North America. These arms merchants are involved in complex supply chains to deliver assault rifles using brokering networks, freight-forwarders, transport firms, offshore bank accounts and other interconnected companies. These are now increasingly being joined by some Western countries (including the US) and associated private contractors who traffic in surplus arms from former Warsaw Pact countries. Notable among these are Bulgaria, the Czech Republic, the Ukraine and Belarus.

"The purchase and supply of assault rifles, especially AK-47s, was dramatically altered after the Cold War ended. Now, tens of thousands of Kalashnikovs are bought, trafficked and brokered by a new breed of middlemen, international networks of companies, government agencies, and individuals."

Critically, small arms trading is not illegal in most countries although the private ownership of such automatic weapons is banned in many countries, except for re-export. But all governments have a duty under international humanitarian law such as the Geneva conventions and protocols to ensure that their armed forces do not use these weapons for indiscriminate attacks on civilians. These standards should also apply to police and security officials and even paramilitaries where possible. Their use of Kalashnikovs and other assault weapons pose a much greater risk to civilians than "normal" police arms.

As long as governments fail to uphold such human rights and standards and allow the sale and transfer of these weapons and their ammunition, mass civilian suffering will continue and grow. Similarly, as long as governments turn a blind eye, and even encourage, illegal arms merchants to supply criminal groups, mercenaries, rebel groups, smugglers and others who commit atrocities and abuse civilians, the deaths of women, children and the aged will continue unabated. It is just too easy to obtain licences to sell arms in countries such as those sitting on the Security Council.



'Non-Violence' sculpture by Karl Fredrik Reuterswärd at the United Nations.

© UN Photo

In countries like Canada, Britain, France, US, Sweden, and others which pride themselves on democracy and the rule of law and which have signed on to all the international laws against weapons of mass destruction, it is business as usual with the licensed production of small arms. With these "legal" and lucrative production systems comes the multiplication of supply networks. If lives are to be saved these distributors and their access to legally manufactured surplus stockpiles must be interdicted by global standards governing the movement and transfer of small arms.

"In countries like Canada, Britain, France, US, Sweden, and others which pride themselves on democracy and the rule of law and which have signed on to all the international laws against weapons of mass destruction, it is business as usual with the licensed production of small arms."

The Control Arms campaign calls for four life-saving measures by governments and the international community:

- Tough standards on arms transfers covering all small arms and light weapons and negotiations on a new global Arms Trade Treaty. To be effective, these global standards must cover national controls on production, transfer, holding and use of assault rifles of all kinds and other small arms and their ammunition;
- All international arms and ammunition production licenses must be considered on

a case-by-case basis before they are granted and no permits should be issued if there is a risk that transfers to areas of conflict or potential conflict could occur;

- Existing stockpiles in known weapons manufacturing countries must be secured and managed with the accurate and honest record-keeping of inventories including serial numbers of every weapon. Surplus stockpiles should be destroyed;
- Governments must increase efforts to reduce the demand for assault rifles through a series of integrated measures such as: reforming police and other law enforcement agencies; incorporating into law weapons collection strategies in post-conflict situations, peace-building programmes and the removal of surplus and illegal weapons and ammunition from all unauthorized users. Disarmament will benefit the whole community.

The beginning of this editorial quotes General Eisenhower's famous speech of 1953 in which he deplored the military-industrial complex and said that money spent on arms could not be spent on development for the poor of the world. The same argument holds today in countries like Liberia, Sierra Leone, Somalia, Ethiopia, Eritrea, DRC, Uganda, Angola, Sudan, Burundi, Rwanda, Cote d'Ivoire and others rich in resources but poor in development. All are involved, or have been involved recently, in civil wars.

Last year, according to the *International Herald Tribune*, Russia surpassed the US for the first time as the leader in weapons deals with the developing world. These weapons deals in 2005 were part of the highly competitive global arms bazaar in the developing world, especially in the Middle East and Africa, which grew to US\$30.2 billion, up from US\$26.4 billion in 2004, a market the US has regularly dominated. While many of these sales do not fall under the heading of small arms, a significant number, called "conventional arms" in a report by the Congressional Research Service, went to countries such as China, Iran, India, Saudi Arabia, Egypt and Israel. India and China, in turn, sell them in large numbers to Africa.

The huge amounts of money spent on illegal arms and on bribing officials in Africa and other parts of the South diverts massive amounts of money that could be used to develop health care, education, infrastructure, housing and programmes to advance the rights of women and children.

"The huge amounts of money spent on illegal arms ... diverts massive amounts of money that could be used to develop health care, education, infrastructure, housing and programmes to advance the rights of women and children."

As long as arms are cheap and easily available, development experts say, there is little hope of solving the deep and deadly problems that beset Africa – from the brain drain of its most capable and well-educated people to the huge toll from HIV/AIDS, which is often worst in conflict zones. Development goes hand-in-hand with disarmament. However, without the investment that creates jobs for hungry, angry, unemployed young men, countries recovering from civil wars can too easily slip back into conflict. Sudan and Darfur, the Horn of Africa and Central Africa all fit these categories right now.

The failure of most African countries to disarm fully after wars exacerbates underlying problems of poverty and underdevelopment. The situation is made worse by Western trade laws and "shock therapy" economic reform. Structural adjustment programmes and trade violations, many Africans would say, get in the way of development. People suffer greatly and their desperation leads to a spiral of violence, fuelled by easy availability of small arms.

In the articles that follow in this series, regional situations in Africa where the small arms trade flourishes will be examined.

Select bibliography and links:

Arms Without Borders: Why a Globalised Trade Needs Global Controls. A report produced for the Control Arms Campaign by Amnesty International, the International Action Network on Small Arms (IANSA) and Oxfam, 2006.

Focus on Small Arms in Africa (a quarterly newsletter since March 2002). Institute for Security Studies (ISS).

"Implementation of the PoA in Africa", Biting the Bullet Project (International Alert, Saferworld and University of Bradford), 2006.

McLean, Andrew (compiler). **Tackling Small Arms in the Great Lakes Region and the Horn of Africa: Strengthening the Capacity of Sub-regional Organizations**. Safer World 2000 Meeting Report, 7-8 May 2000.

Mirzeler, Mustapha & Crawford Young. **"Pastoral Politics in the North East in Uganda: AK47 as Change Agent,"** *Journal of Modern African Studies*, vol. 38, no. 3, 2000.

Mkutu, Kennedy. **"Pastoral Conflict and Small Arms: Uganda Border Region"**, Safer World, November 2000.

Reyneke, Eunice. **Small Weapons and Light Weapons in Africa: Illicit Proliferation, Circulation and Trafficking**. Proceedings of the OAU Experts Meeting and International Consultation May-June 2000. Institute for Security Studies, South Africa.

Saferworld (an NGO working to prevent armed violence and create safer communities).

Venter, Al. **"Arms Pour into Africa,"** *New African*, no. 370, January 1999, pp. 10-15.

Wood, Brian & Elizabeth Clegg. **Controlling the Gun Runners: Proposals for EU Action to Regulate Arms Brokering and Shipping Agents**. Safer World, February 1999.

SMALL ARMS AND LIGHT WEAPONS IN KENYA

by Mbugua Njoroge



Somali men and their camels in Wajir, Kenya: conflict turns deadly with small arms proliferation.

© 1998 Sammy Ndwiga, Courtesy of Photoshare

Introduction

The proliferation of small arms and light weapons¹ is one of the biggest security challenges currently facing Kenya and the East African sub-region (Uganda, Tanzania and Kenya). The trafficking and wide availability of these weapons fuel instability, conflict and pose a threat, not only to security, but also to sustainable development. The widespread proliferation of small arms is contributing to alarming levels of armed crime, in both rural and urban areas, which exacerbates armed cattle rustling and conflicts in pastoralist areas.

Armed violence disproportionately affects the poor population and is an important factor undermining development and poverty reduction efforts in Kenya. Chronic insecurity impedes the provision of services to the poor in the vast urban slum areas as well as in Kenya's under-developed peripheral regions. Much of this insecurity is fuelled by the widespread availability of

small arms. Due to their easy availability, an illegal pistol sells in Nairobi suburbs for less than US\$80 and larger weapons, such as AK-47s for under US\$140. Pastoralist communities often trade cattle for weapons.

"Armed violence disproportionately affects the poor population and is an important factor undermining development and poverty reduction efforts in Kenya."

There is a large variety of lethal weapons found in Kenya, including AK-47s, G3s, M-16s, Uzis, American carbines, rocket propelled grenades (RPGs), hand grenades, land mines and many brands of pistols.² These arms are illegal and often in the wrong hands.

There is a readily available market, particularly among nomadic communities in northern Kenya, along the Sudanese border, and also among the Kuria people along the Tanzanian border and in the underworld of major cities and towns such as Nairobi, Mombasa, Kisumu, Nakuru and Eldoret. In fact, among African cities, Nairobi has the third worst problem with small arms after Lagos and Johannesburg.

Factors contributing proliferation of small arms in Kenya

Menu:

- ▲ [Back to top \(issue contents\)](#)
- ▲ [Email this article to a friend](#)
- ▲ [Printable version](#)
- ▲ [Bibliography & links](#)

Kenya shares porous borders with some of the most politically unstable countries in Africa such as Somalia and Sudan. Kenya's long and isolated borders with Tanzania, Uganda, Sudan, Somalia and Ethiopia – and its 536 km coastline – are difficult to patrol owing to limited resources and insufficient training. Poor and corrupt policing of the borders between Kenya and its neighbours has facilitated the influx of large quantities of small arms into Kenya. Individuals have been able to acquire weapons for overt criminal purposes. The fact that the borders are not properly and effectively policed means that arms traffickers and bandits find easy entry points along the porous borders. Specifically the rebel movements in Ethiopia, Sudan and Uganda benefit from this state of affairs. Towns on or close to the borders of these countries are major entry points for illegal firearms.³



The sprawling slums of Mathare, Nairobi: a ready market for illegal small arms.

© 2000 Africa Alive/MCGP, Courtesy of Photoshare

"Poor and corrupt policing of the borders between Kenya and its neighbours has facilitated the influx of large quantities of small arms into Kenya."



An 11-year-old in Marakwet, Kenya: many boys leave school to defend their communities in the face of inter-ethnic hostility.

© 2003 RVINET, Courtesy of Photoshare

According to those living in communities in northern Kenya and North Rift such as Samburu, Pokot, Turkana, Borana, Rendille, Somali and Gabbra, national law is not adequately enforced by Kenya police in their marginalized regions. The only option they have is to arm themselves for personal, communal, clan or larger family defence requirements. They do this as a defensive measure against bandits and other clans as well as to advance their own interests, as they define them.

The introduction of modern weaponry into northern Kenya is a direct outcome of the post-independence Shifita conflict. Access to guns grew out of the linkage between the abortive war of Somali self-determination and the banditry which replaced it. Darod Somalis in particular were able to obtain guns by volunteering to join the fight for the Ogaden, and then slipped back into Kenya. In some cases, AWOL Somali soldiers did the same. During the 1970s and '80s the level of banditry in northern Kenya, Tana River, and Lamu directly mirrored

episodes of instability in Somalia.⁴

In the arid parts of Kenya as well as in the greater part of the Horn of Africa, 65 percent of the land is used by pastoralist or nomadic communities. These areas have harsh living conditions, little water and not enough pasture for livestock. In general poverty looms, intensifying competition for scarce resources, which takes the form of violent armed conflict.

"In general poverty looms (in the arid parts of Kenya), intensifying competition for scarce resources, which takes the form of violent armed conflict."

A further source of conflict stimulating arms flow stems from livestock keeping, the only viable occupation in much of the region. By nature, livestock keeping tends to generate conflict over grazing land, access to water and rustling. All of these increase demand for small arms in Kenya.⁵ The population of the livestock keeping (pastoralist) communities in Kenya is estimated at about 20 percent of the total population of the country (i.e. about 6 million people out of a total 30 million).⁶ Most of these people occupy the vast arid and semi-arid region of northern Kenya. They keep cattle, camels, goats, sheep and donkeys.

Kenya, like many countries in the Horn of Africa, does not have the capacity to guarantee the security of her citizens. Facing this reality, Kenya has, overtly or covertly,

opted to arm groups in frontier districts which suffer from marginalization and underdevelopment. This policy has sent unambiguous signals to communities that they should take care of their own security and it has solidified the belief among opinion leaders and heads of ethnic groups that the government itself is unable to take care of this basic need.⁷



Maasai in a traditional ceremony in the Rift Valley, Kenya: fulfilling obligations of a warrior culture.

© 1983 Hugh Rigby, Courtesy of Photoshare

The existence of warrior cultures among pastoral communities cannot be gainsaid. Among other factors, this may be attributed to the competition for meagre natural resources in which the use of force developed gradually as the primary strategy to ensure access to essentials. For instance, among the Maasai and Samburu peoples, initiates must exhibit high levels of aggression before they are admitted to Moran-hood (warrior-hood). The ancient cultural practice of using bows and arrows, spears and machetes has mutated into the use of small arms and light weapons to fulfil cultural obligations.

Sources of small arms and light weapons

The unstable states in the Horn of Africa are one of the principal sources of small arms and lights weapons. Kenya stands at the crossroads between the conflict areas of southern Sudan, Somalia, Uganda and Ethiopia. For the last 50 years these countries have been embroiled in a series of civil wars and unending strife as political ambition has overtaken common sense, resulting in violent changes of government and the release of more tools of violence into society. A few cases are enumerated below:

- Since independence from Britain in 1962, Uganda has witnessed seven military coups, the last one in 1986, when the current head of state, President Yoweri Kaguta Museveni, took over power. Invariably, when one government loses control and the new government assumes control of the state, soldiers – sometimes comprising full units and battalions – flee with their weapons to wage civil war against the coup victors. A number of small arms and light weapons in Uganda trace their genesis to this kind of scenario. In addition, the Lords Resistance Army (LRA) is waging a guerrilla war in northern Uganda from its bases in the Democratic Republic of the Congo. This has helped to fuel the proliferation of arms. A 19-year old soldier in northern Uganda testified: "I especially know how to use an AK-47 twelve inches, which I could dismantle in less than one minute. When I turned 12 they gave me an RPG, because I had proved myself in battle."⁸
- Before the signing and implementation of the peace accord between the SPLA (Sudanese People's Liberation Army) and the Sudanese Government, Sudan had witnessed the longest civil war in Africa (1956-1972 and 1983-2006) causing more than two million deaths and much suffering to the Sudanese people. The SPLA rebels received arms from sympathetic governments like Uganda. They also raided government armouries and purchased weapons from disgruntled government soldiers.⁹ Unfortunately rebel movements do not have mechanisms for tracking and monitoring how arms are used, so many can end up in wrong hands.
- In 1960's and early 70's, during the rule of Siad Barre, the government of Somalia stockpiled arms intended for use in the armed struggle to create a "Greater Somalia", which was to include parts of Kenya, Djibouti and Ethiopia. The government armed the Ogaden National Liberation Front (ONLF) to fight



against Ethiopia and the Shifta to fight against Kenya.¹⁰ The efforts by Somalia failed, however, due to internal wrangles. By the time Siad Barre was deposed in 1992 by Farah Aideed, other clan leaders refused to recognize new government's legitimacy and the country was plunged into an abyss of anarchy. Many ordinary citizens were in possession of small arms. Since then Somalia has become one of the sources and transit points of small arms and light weapons which eventually find a ready market in Kenya. It is compounded by lawlessness, the lack of a legitimate government and the illegal use of the Somali coastline by war lords who continue to reap huge profits from the sale and trafficking of arms in the neighbouring countries.

- Ethiopia is host to a number of armed belligerents in the southern part of the country, including the Ogaden National Liberation Front (ONLF), the Oromo Liberation Front (OLF) and others. Recently Ethiopia has also become involved in Somalia's civil war on the side of the elected government against the Islamic Courts.

Other sources of weapons entering Kenya include arms destined for neighbouring countries which are diverted, arms used for drug trafficking to and from southern Africa, and arms entering with refugees. In some instances, arms are stolen from police stations, from murdered police officers, or from civilians who have gun licences.

Initiatives in place to combat the menace

The Fire Arms Act of Kenya (revised 1972) regulates licensing, certification, acquisition, maintenance of premises, and the forfeiture of certificates and firearms. To a great extent the act is clear and adequate; however, some of the sentences and fines are too lenient to deter the illegal possession of firearms. In Kenya, possession of illegal firearms is bailable since it is treated as petty case notwithstanding the gravity of crimes that may be committed.

Recently, the government has recognized the control of small arms should be a priority and is actively engaged at the national and regional levels in advancing effective responses. It realized that initiatives are unlikely to succeed without community involvement. To this end the government launched the Community Policing Initiative in 2005 and encouraged community members to be on the forefront of fighting all forms of crime. The Initiative is still active, particularly in pastoralist communities, where local leaders are encouraged to oppose the possession and use of illegal guns.

"Recently, the government has recognized the control of small arms should be a priority and is actively engaged at the national and regional levels in advancing effective responses."



June 2005: destroying recovered and illicit firearms in Kenya.

© Mbugua Njoroge

In June 2005, the Minister of Internal Security set ablaze over 3,800 assorted illicit and recovered firearms to get them out of circulation and to demonstrate the government's priority on curbing the proliferation of such arms.

Furthermore, chiefs of police from ten countries in the Eastern Africa region (Kenya, Uganda, Tanzania, Burundi, Rwanda, Ethiopia, Seychelles, Sudan, Djibouti and Eritrea) have come together to form the East African Police Chiefs Organization (EAPCO) with the goal of uniting their efforts and sharing resources in the fight against transnational crime in the region. EAPCO targets the proliferation of small arms and light weapons, banditry and cattle rustling, international car-theft syndicates, drug trafficking and money laundering as well as the emerging threat of global terrorism.

Early in 2006, the government of Kenya embarked on voluntary disarmament among the warring communities in Rift Valley, Eastern and North Eastern provinces. A number of firearms were turned in. This exercise was followed in May 2006 by a security operation to collect weapons by force in the North Rift region of Kenya. The action elicited mixed response from different quarters of Kenyan society. Some felt it was timely and a much needed response to the crisis of insecurity and proliferation of arms in the region, while others,

particularly the pastoralist communities, had reservations regarding the motives and the nature of the disarmament.

Kenya is a signatory to the Nairobi Protocol for Prevention, Control and Reduction of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa, which was adopted in 2004 and entered into force on 5 May 2006. The Protocol calls for concerted efforts in controlling the proliferation of small arms and light weapons among the member states, particularly by strengthening sub-regional co-operation among police, intelligence, customs and border control officials in combating the illicit circulation and trafficking in small arms and light weapons and suppressing criminal activities relating to the use of weapons.¹¹

More recently still, the Kenya government introduced the National Action Plan (NAP), following an assessment of the small arms problem. Mandated by the Office of the President, the NAP was officially launched on July 17, 2006 by the Minister of Provincial Administration and Internal Security, though progress had already been made in implementing it with a national small arms policy drafted and over 200 civil society organizations from every province in Kenya trained to take action on small arms issues. The NAP covers a wide range of security and safety issues. They include building the capacity of law enforcement agencies, developing socio-economic alternatives to illegal firearm use and promoting public awareness of the dangers of firearms and the need for peaceful conflict resolution.¹²

However, there remain challenges to ensuring that the progressive and holistic approach to small arms control contained within the NAP is effectively implemented and informs all government responses to this problem in Kenya. The challenges posed by the prevalence of small arms in North Eastern and Rift Valley provinces and recent Government of Kenya efforts to forcibly disarm communities in these areas reinforce the importance of supporting the approach to their control contained within the NAP.

"There remain challenges to ensuring that the progressive and holistic approach to small arms control contained within the NAP is effectively implemented and informs all government responses to this problem in Kenya."

Also in 2006, the Ethiopia-Kenya Joint Border Administration Commission was established to work together to increase border security and ease of travel for their respective citizens and help eliminate the disruptive action of anti-peace forces.

In addition, Kenya has entered into a cooperation pact, courtesy of the East Africa Community, with member states (Kenya, Uganda, Tanzania, Rwanda and Burundi) and this has improved border security particularly with Tanzania and Uganda. The pact aims to deal with the cattle rustling menace and small arms proliferation. The cooperation includes sharing of information, intelligence and ad hoc operations.

Recommendations

To ensure effective control of the proliferation of arms the following measures will be necessary:

- Review the Firearms Act of Kenya and other existing laws and provide stiffer penalties for illegal owners of fire arms;
- Improve data collection and small arms profiling;
- Destroy all weapons collected;
- Increase public awareness through newly launched community policing initiative on the dangers of small arms;
- Improve terms and conditions of law enforcement as incentive and morale boosters in dealing with illegal arms;
- Initiate joint border patrols with the neighbouring countries;
- Utilize the expertise of international law enforcement agencies such as Interpol.

It is a fact that Kenya suffers from small arms proliferation. Yet even after implementing the recommendations above, it will continue to experience problems with small arms and violence unless the reasons why people demand arms are addressed alongside efforts to control them. In rural areas, as indicated earlier, these reasons include communal security, interethnic rivalries, and struggles over scarce resources and the requirements of warrior cultures. And in the cities, they include poverty and unemployment. Solutions to these problems will require a fresh commitment of resources, new education programmes and community participation. Ways must be found to settle problems without violence, to root out corruption, to find new means for

livelihood, and to conserve resources and share them more equitably.

References:

1. Small arms refer to the weapons that a single individual can carry and operate. They may include revolvers, self-loading pistols, rifles, carbines, assault rifles, submachine guns, light machine guns and associated ammunition. Light weapons refer to weapons that can be operated by two or more people. They may include heavy machine guns, hand-held under-barrel and mounted grenade launchers, portable anti-aircraft and missile launchers, recoilless rifles, small mortars of less than 100mm calibre, explosives, anti-personnel mines and ammunition for all of these.
2. G. Khadiagala, "Protection and Poverty: The experiences of community weapons collection initiatives in Northern Kenya." A research report (commissioned by Oxfam GB), Nairobi, 2003.
3. Kizito Sabala, "The Proliferation, Circulation and Use of Illegal Firearms in Urban Centers: Case of Nairobi, Kenya." Bonn: BICC, 2002.
4. Kiflemariam Gebre-Wold, "Understanding the Demand for Small Arms in the Horn of Africa." Bonn: BICC, 2002, pg. 12.
5. Rukia Subow, "The Proliferation of Small Arms and Pastoralists in the Horn of Africa." Bonn: BICC, 2002, pg. 37.
6. Kenya Population and Housing Census, 1999. Nairobi: Government Printers, pg. 107.
7. Kiflemariam Gebre-Wold, et al., "Brief 23: Small Arms in Africa: Challenges, Issues and Perspectives," Bonn: BICC, 2002, pg. 13.
8. Reference & Operational Manual, Kenya National Focal Point, Cap 3, pg. 7.
9. Sabala, 2002, pg. 37.
10. Mohamoud Jama Omar, "Management and Control of Small Arms: The Somaliland Experience." Bonn: BICC, 2002, pg. 19-20. 11. "The Nairobi Protocol for Prevention, Control and Reduction of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa." 21 April 2004. (The signatories are: Burundi, Democratic Republic of Congo, Djibouti, Ethiopia, Eritrea, Kenya, Rwanda, Seychelles, Sudan, Uganda and Tanzania.)
12. "Safe World Submission on EU Country Strategy Paper for Kenya Prioritizing Safety, Security & Conflict Prevention." July 2006.



Left to survive: Beatrice Chebii's husband was murdered by cattle rustlers in Marakwet, Kenya.
© 2003 RUIINET, Courtesy of Photoshare

SMALL ARMS PROLIFERATION IN SOUTHERN AFRICA: REDUCING THE IMPACT OF "REAL WEAPONS OF MASS DESTRUCTION"

by Noel Stott

According to UN estimates, there are over 600 million small arms and light weapons in circulation worldwide: almost one for every 10 people on the planet.¹ These weapons destabilise regions, facilitate violent crime and undermine sustainable development. While one may question whether these weapons are a cause or a symptom of conflict, Kofi Annan, former UN Secretary-General, believes this debate to be sterile. "Arms build-ups can give rise to threats leading to conflict; and political conflicts can motivate the acquisition of arms."² Nowhere is this more true than in Africa.

Small Arms in Africa

Humanitarian crises in Africa are prolonged and exacerbated by the misuse and availability of small arms and light weapons. Their availability has been responsible for turning the traditional communal activities of pastoral societies or inter-communal competitions over resources – cattle rustling, for example - into deadly confrontations in communities in Sudan, Ethiopia, Uganda, DRC, Zambia and Kenya. Another source of the demand for



Helping post-conflict reconstruction: Operation Rachel cache in Mozambique to be destroyed.

© South African Police Service

Menu:

- ▲ Back to top (issue contents)
- ▲ Email this article to a friend
- ▲ Printable version
- ▲ Bibliography & links

Forum Discussion:

What Canadian companies are involved in manufacturing small arms for export?
— Bill Sparks, Toronto

these weapons stems from economic and physical insecurity. Most of Africa's conflicts are in countries in the bottom end of the UN's Human Development Index. Thus it is not only a matter of controlling supply; the demand for small arms also needs to be addressed. By reducing poverty, crime, corruption and political instability and by facilitating and encouraging sustainable development, people's perceived need for small arms can be countered.

While the Southern Africa Development Community (SADC) region is relatively peaceful for the first time in many years, there is still a proliferation of small arms. Rising criminal violence, weak health, education and social services, the wide displacement of people, and declining economic activity are all contributing factors.³ The greater cost of policing leads governments to divert funds from development purposes.⁴ It is also important to note that while the proliferation of small arms is generally associated with conflict and post-conflict situations, "the reality [especially in countries in transition either from conflict to peace or authoritarianism to democracy] has also shown that they are integrally linked to crimes such as robberies, burglaries, hijackings, drug trafficking, gang-related violence, money laundering and stock-theft."⁵ The long and porous nature of Africa's borders and the relative ease of concealing small arms make it difficult to control the movement of weapons. Moreover, the agencies responsible for border control are underfunded and ineffective. Both South Africa and Zimbabwe, for different reasons, are countries where violent crime is common and, in the case of South Africa, small arms have accounted for thousands of murders every year since its first democratic elections in 1994.

"While the SADC region is relatively peaceful for the first time in many years, there is still a proliferation of small arms. Rising criminal violence, weak health, education and social services, the wide displacement of people, and declining economic activity are all contributing factors."

Efforts to Control Proliferation

Efforts have been made to assist African governments in the fight against the proliferation of small arms. They include the legally-binding SADC Protocol as well as others such as the Bamako Declaration of 2000 and the Nairobi Protocol aimed at controlling small arms in the Great Lakes Region and the Horn of Africa. Yet, these two regions are among the areas where civil wars and instability have taken thousands of lives.

The aim of SADC is to create a community providing for regional peace and security and an integrated regional economy. In line with this, member states adopted and signed a Protocol on the Control of Firearms, Ammunition and other Related Materials, which entered into force on 8 November 2004.

Country	Signature	Ratification
ANGOLA	–	–
BOTSWANA	14.08.01	14.08.01
D R CONGO	14.08.01	–
LESOTHO	14.08.01	27.09.02
MADAGASCAR	–	–
MALAWI	14.08.01	24.09.02
MAURITIUS	14.08.01	04.01.02
MOZAMBIQUE	14.08.01	20.09.02
NAMIBIA	14.08.01	Date unknown
SOUTH AFRICA	14.08.01	27.01.03
SWAZILAND	14.08.01	Ratified but not yet deposited
TANZANIA	14.08.01	24.12.02
ZAMBIA	14.08.01	00.01.03

ZIMBABWE	14.08.01	Ratified but not yet deposited
----------	----------	--------------------------------

SADC PROTOCOL ON THE CONTROL OF FIREARMS,
AMMUNITION AND OTHER RELATED MATERIALS IN SADC
Ratification Status as of 1 January 2007

The Protocol requires each member state:

- to enact national legal measures to ensure proper controls over the manufacturing, possession and use of firearms and ammunition;
- to promote legal uniformity and minimum standards as to the manufacture, control, possession, import, export and transfer of firearms and ammunition;⁶
- to ensure the standardised marking of firearms at the time of manufacture; to destroy surplus, redundant or obsolete state-owned firearms and related materials;
- to become party to international instruments relating to the prevention, combating and eradication of illicit manufacturing of, excessive and destabilising accumulation of, trafficking in, possession and use of firearms, ammunition and other related materials;
- to establish as criminal offences the illicit manufacturing, possession, trafficking and use of firearms, ammunition and other related materials;
- to establish national inventories of firearms held by security forces and other state bodies and to enhance their capacity to manage and maintain their secure storage;
- to develop and improve transparency in firearms accumulation, flow and policies relating to civilian owned firearms and to establish national firearms databases to facilitate the exchange of information on firearms imports, exports and transfers.



An unexploded landmine in Angola: destroying arms left over from the civil war.
© USAID / G. Hamlin

Most important of all, Article 11 (2) of the Protocol makes provision for the development of "joint and combined operations across the borders to locate, seize and destroy caches of firearms, ammunition and other related materials left over after conflict and civil wars."⁷ And Article 14 (Mutual Legal Assistance) makes provision for SADC countries to co-operate with each other and "to provide mutual legal assistance in a concerted effort to prevent, combat and eradicate the illicit manufacturing of firearms, ammunition and other related materials and their excessive and destabilising accumulation, trafficking, possession and use."

Implementation: Operation Rachel

A strong example of how the Protocol can work may be seen in the effort to stem the movement of illegal firearms and other small arms and light weapons across the Mozambique-South Africa border.

The democratically elected governments of both Mozambique and South Africa have been faced, since their transitions, with increasing levels of violent crime exacerbated by the proliferation of small arms and light weapons. In 1995, South Africa and Mozambique signed an agreement to jointly combat crime. The aim of Operation Rachel is to destroy arms caches still buried in Mozambique following that country's civil war and transition to democratic rule and relates to disarmament, arms control and crime prevention.

"The aim of Operation Rachel is to destroy arms caches still buried in Mozambique following that country's civil war and transition to democratic rule and relates to disarmament, arms control and crime prevention."

All of the operations are carried out collaboratively with members of the South African Police Service teaming up with police officials nominated by the National Department of Operations of the police of the Republic of Mozambique. In a unique development with respect to disarmament matters, Operation Rachel has received support from both the donor community and from the private sector in South Africa.

Operation Rachel's success is attributable, in part, to consistently well-planned and executed operations as well as a high degree of co-operation between the relevant states. Its objectives are twofold:

- To prevent weaponry in uncontrolled caches from falling into the hands of

smugglers/traffickers who direct them to lucrative underground markets, mainly South African, where they are used to perpetrate horrendous crimes and acts of violence against innocent victims.

- To remove and destroy unstable explosive devices and material from these caches thereby preventing injury to innocent civilians (including women and children) who reside in the vicinity.

South Africa and Mozambique have thus been acutely aware of the "cross-border" nature of crime and the need to combat it at both a national and regional level. For Mozambique specifically, Operation Rachel is an important means of demilitarising its society. After the UN Peacekeeping Mission in Mozambique (UNOMOZ), an increasing circulation of arms from hidden caches got into the hands of unauthorized citizens, posing a threat to security, peace and social stability. In this connection and in order to reduce the potential of violence, the government of Mozambique defined as a priority the identification, disposal of arms caches and ultimate destruction of the weapons. (It must be acknowledged, however, that the reach of Operation Rachel is limited: Maputo and Johannesburg are still among the highest crime cities in the region.)



Destruction of weapons in Operation Rachel: preventing injury of civilians.
© South African Police Service

The types of weapons and weapon parts and accessories collected and destroyed under Operation Rachel have included anti-personnel mines, hand grenades, magazines, AK47 assault rifles, Uzi submachine guns, Browning, Makarov and Tokarev pistols.

Both Angola and the Democratic Republic of Congo (DRC) are prime candidates for similar initiatives given their recent peace processes and the number of arms caches that are presumed to be located in these two countries. Other SADC member states that could also benefit from the Mozambique-South Africa experience include Tanzania and Zambia.



Illegal arms confiscated in South Africa: implementing arms collection programmes.
© Institute for Security Studies

As well, arms collections programmes are being used in Southern Africa. On 1 January 2005, for example, the South African government launched a firearms amnesty, which by 31 March netted 50,233 firearms. Due to public demand, the amnesty was extended to 30 June. The nearly 28,000 licensed guns surrendered represent just over one year's supply of lost guns that will now not enter the illegal market.⁸

Regulation of Arms Brokers

The need to control arms brokering is also being recognised as an major issue in Africa and there have been important developments at the Southern African level. It is now widely accepted that illicit brokering facilitates access to arms by transnational organised crime syndicates, groups intent on exacerbating political conflicts or those carrying out acts of terror. There is also an increasing recognition that a significant proportion of grey and illicit market weapons used in conflict zones are transferred by arms brokers. The UN exposed their role in trafficking when it embarked upon several landmark investigations, including those in Angola (2000-2001) and in the DRC (2001 and 2004).⁹

"It is now widely accepted that illicit brokering facilitates access to arms by transnational organised crime syndicates."

The SADC Firearms Protocol commits member states to standards relating to:

- the coordination of procedures for the import, export and transit of firearms shipments;¹⁰
- the regulation of firearms brokering; and
- a review of national firearms legislation.

Conclusion

Although armed conflicts in Africa have declined dramatically in the past decade,¹¹ small arms and light weapons continue to exacerbate conflict, civil unrest and criminal activities in Africa. African governments have, however, committed themselves to addressing the proliferation of small arms as one important way to save lives, end human suffering, and create a more sustainable and peaceful future.

While some analysts suggest that regional initiatives in Africa to address the proliferation of small arms are based on the momentum of international efforts such as those of the UN, the truth is that the SADC initiative was far in advance of them with regard to content while perhaps being just one step behind in terms of process. This led to an interesting interplay between the two efforts where "regional initiatives developed alongside the work of UN bodies".¹²

Evidence of this is largely reflected in how the issue is problematised. In contrast to how the UN has framed the issue, the SADC Firearms Protocol was written from the perspective of a post-conflict region struggling to come to terms with the negative impact that small arms were having on development and stability. It was also discernible that the region was witnessing increasing violent crime involving small arms. These factors meant that member states were in solidarity with one another to a much greater extent than UN member states. In addition, the close relations that exist between some SADC member states meant that the Protocol's development was not hamstrung (as was the case with the UN process) by power plays between various groupings and blocs. Because the SADC region is often associated with scarce resources and limited means, closer co-operation between Southern African countries is generally recognised as a necessary pre-condition to the effective development of the region. It is in this context that the introduction of the SADC Firearms Protocol must be seen. Furthermore, regional mechanisms are concrete means by which states can ensure compliance with international trends. The SADC Firearms Protocol is thus "the starting line for practical implementation that will also enable each country to comply with UN principles on small arms and light weapons." Presently it is thus a better working model for other regions in Africa, and the UN might well shape its efforts around this existing mechanism.

Noel Stott is Senior Researcher (Southern Africa) in the Arms Management Programme of the Institute for Security Studies, Pretoria, South Africa.

Annex: Regional Initiatives on Small Arms within Africa since 2003

1. First Continental Meeting of African Experts on Small Arms and Light Weapons

The First Continental Meeting of African Experts on Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons, was held in Addis Ababa in May 2000.¹³ Recommendations made included the need for African states to strengthen national legislation; adopt responsible transfer policies; ensure strict control over stocks; destroy surplus stocks; harmonise legislation at the regional level; and support regional co-operation to enhance the combating of trans-border crime.

2. Bamako Declaration on an African Common Position on the Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons (Bamako Declaration)

The Bamako Declaration on the Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons was adopted in Bamako, Mali, in December 2000 by the member states of the then Organisation of African Unity (OAU) as a politically binding control instrument.¹⁴ The Bamako Declaration recommends that African Union (AU) member states should: encourage the codification and harmonization of legislation governing the manufacture, trading, brokering, possession and use of small arms and ammunition. Common standards should include, but not be limited to, marking, record-keeping and controlling governing imports, exports and the licit trade.

3. Nairobi Declaration on the Problem of the Proliferation of Illicit Small Arms and Light Weapons

The Nairobi Declaration on the Problem of the Proliferation of Illicit SALW, was adopted in March 2000.¹⁵ The Nairobi Declaration is an important political document for the IGAD and Great Lakes countries. Though it is not a binding document in the legal sense, it is however a vital statement of political intent. This document must in future pave the way for practical disarmament in the Horn of Africa.

4. Declaration of a Moratorium on the Importation, Exportation and Manufacture of Light Weapons in West Africa

The earliest regional agreement on small arms controls in Africa, the Declaration of a Moratorium on the Importation, Exportation and Manufacture of Light Weapons in West Africa, was adopted by the Heads of State of the Economic Community of West African States (ECOWAS) in October 1998. At its inception the main aim of the Moratorium was to coordinate a sustained regional approach to control the illicit proliferation of small arms in West Africa. In October 2001 the Moratorium was extended for a further three years. In January 2003, a consultative review of the Moratorium by West African civil society highlighted various issues of concern pertaining to inefficiency of the Moratorium. The issues raised included:

- The view that the implementation of the Moratorium was focussed almost exclusively on importation, at the expense of manufacture, whereas the latter was also widespread within the region.
- The need to popularise the Moratorium, so that its implementation and monitoring can be community-based. A consensus on the need to transform the Moratorium into a regional Convention on Small Arms. The review meeting recommended the need to establish a Small Arms Unit (SAU) within the ECOWAS Secretariat, to replace the Programme for Coordination and Assistance for Security and Development in Africa (PCASED) which was charged with security challenges linked to small arms and peace building in the region, but which was also experiencing heavy financial strains. The main objective of SAU is to

translate the political declaration enshrined in the Moratorium into a legally binding convention for the ECOWAS region. As of April 2006, a proposed ECOWAS Convention was at an advanced stage of development and negotiation - the Draft ECOWAS Convention On Small Arms and Light Weapons, Their Ammunition And Other Related Materials.

5. Declaration Concerning Firearms, Ammunition and Other Related Materials in the Southern African Development Community

The Declaration, adopted in March 2001, stated SADC members' "firm determination... to take all necessary steps to prevent, combat and eradicate the trafficking in, and the illicit proliferation of firearms and ammunition and other related materials in the region", and made a commitment to develop and adopt a legal instrument in the form of a regional protocol on the control of firearms and ammunition and other related materials.

6. Nairobi Protocol for the Prevention, Control and Reduction of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa

The legally binding Nairobi Protocol for the Prevention, Control and Reduction of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa, was adopted in April 2004 and entered into force on 5 May 2006.¹⁶ It elaborates on the original Nairobi Declaration and makes the region only the second in Africa after SADC to adopt a legally-binding instrument on small arms. Under the agreement, governments will be obliged to address the problem of internal conflict, which has served as a magnet for light weapons flowing into central and East Africa. The protocol requires states to pass laws outlawing the illicit manufacture, trafficking, possession and misuse of small arms and light weapons.

7. Nairobi Best Practice Guidelines on Small Arms and Light Weapons

The non-binding Best Practice Guidelines for the Implementation of the Nairobi Declaration and the Nairobi Protocol, was adopted in June 2005.¹⁷

8. African Common Position to the Review Conference on the Progress Made in the Implementation of UNPoA (African Common Position)

From 14 to 16 December 2005, African representatives met in Windhoek, Namibia for the Second Continental Conference of African Government Experts on Illicit Trade in Small Arms and Light Weapons. The outcome of this meeting was the African Common Position to the Review Conference on the Progress Made in the Implementation of UNPoA (African Common Position). This document, endorsed by the Executive Council of the African Union in January 2006, reaffirms the 2000 Bamako Declaration, and identifies the priority issues for African states at the national, regional, and global levels. For example, it calls on African states to consider as priorities for national action the mechanisms recommended in the Bamako and UNPoA frameworks, such as the enhancement of information exchange and cooperation mechanisms to prevent combat and eradicate illicit small arms and light weapons trade.¹⁸

9. ECOWAS Convention on Small Arms and Light Weapons, Their Ammunition and other Related Materials

In 2006, the ECOWAS Moratorium (See above under: Declaration of a Moratorium on the Importation, Exportation and Manufacture of Light Weapons in West Africa) was transformed into a Convention adopted all by the member states. The Convention is a comprehensive instrument that addresses several essential elements of the UNPoA such as manufacture of small arms, their transfer and transparency in their trade.

10. League of Arab States

While the focus is often on the impact of illicit small arms on countries in sub-Saharan Africa, countries in Northern Africa have also committed themselves to taking actions to prevent the proliferation of illicit small arms. For example, in April 2005, an Arab regional disarmament symposium reaffirmed the adverse impact the illicit trade of small arms on regional security and highlighted the need for partnerships and synergies to increase the effectiveness of state action on small arms. This followed from a meeting in December 2003, on the implementation by the Arab States of the UN Programme of Action on the Illicit Trade in Small Arms and Light Weapons, organized by the United Nations in co-operation with the League of Arab States in Cairo, Egypt. This Conference saw the Arab States reaffirm their commitment to work diligently within the framework of the UN Programme of Action to prevent, combat and eradicate this major threat to international and regional peace, stability and security.

In October 2005, the Arab League and Germany signed an agreement on small arms and light weapons control in the Arab world. Under the agreement, Germany will provide money to the League for holding the first meeting on small arms and light weapons control among Arab countries. The agreement will contribute to the implementation of the UN Program of Action on Small Arms and Light Weapons that works to combat and eradicate illicit trade in small arms and light weapons.

11. Economic Community of Central African States

The states of Central Africa have also agreed on the importance of regulating SALW. At a regional consultative seminar, held in May 2003, Member States of ECCAS (the Economic Community of Central African States) agreed on the priority to regulate brokers by establishing an effective licensing system for international importation, exportation and transiting of small arms and light weapons and by controlling the activities of intermediaries and brokers. At this stage, however, it seems that these are included as part of larger efforts to implement the UN Programme of Action to Prevent, Combat and Eradicate the Illicit Proliferation of Small Arms and Light Weapons in All Its Aspects.

From 8-12 September 2003 in Yaoundé, Cameroon, a high level training of trainers workshop on the Control of Arms Proliferation in Central Africa was held in line with the implementation of the 2001 UN PoA. It was organized by the UN Regional Centre for Peace and Disarmament in Africa (UNREC) in collaboration with Economic Community of Central African States (ECCAS) and the Institute for International Relations. The workshop was financially assisted by the government of Japan. From 21 - 25 June 2004, the United Nations Standing Advisory Committee on Security Questions in Central Africa held its 21st Ministerial Meeting in Malabo, Equatorial Guinea. The Committee, whose major objective is to promote peace and security in the Central African region through confidence-building measures, discussed issues including arms limitation and disarmament.

In September 2005, the Institute for Security Studies (ISS), in partnership with the Economic Community of Central African States (ECCAS) and SaferRwanda (an NGO), organised a workshop on a review of the progress made by ECCAS member states in the execution of the United Nations Programme on Small Arms and Light Weapons in Kigali, Rwanda. At the meeting it was agreed that member states without national focal points should strive to establish them in fulfilment of the UN Programme of Action on illicit proliferation of small arms.

12. The Southern Africa Development Community (SADC) Protocol on Firearms, Ammunition and Other Related Materials

The Southern Africa Development Community (SADC) Protocol on Firearms, Ammunition and Other Related Materials is a regional instrument to increase control over the proliferation of small arms in Southern Africa.

13. UN Protocol Against the Illicit Manufacturing of and Trafficking in Firearms

The only legally binding global instrument, the 2001 UN Protocol Against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime has been signed, ratified or acceded to by a number of African countries, including, South Africa, Zambia, Seychelles, Kenya, Uganda and the DRC.¹⁹

14. UN Programme of Action to Prevent, Combat and Eradicate the Illicit Proliferation of Small Arms and Light Weapons in All Its Aspects

The 2001 United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, unanimously adopted the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (UNPoA). The UNPoA identifies national, regional and global measures, which include legislation on illegal manufacturing, possession, stockpiling and trade in small arms; stockpile management and destruction of weapons confiscated, seized, or collected; identification and tracing of illicit arms; international cooperation and assistance to states to strengthen their ability to identify and trace the illicit weapons; and public awareness campaigns. Most African countries actively participate in biennial meetings of states to consider the implementation of the UNPoA and many see this instrument, although only politically binding, as an important framework through which to prevent, combat and eradicate the proliferation of small arms and light weapons in their countries and sub-regions.

References:

1. Small Arms Survey, 2002, p. 155.
2. Kofi Annan, Lecture at Princeton University, 28 November 2006.
3. Robert Muggah and Peter Batchelor, "Development Held Hostage: Assessing the Effects of Small Arms on Human Development." New York: United Nations Development Programme, April 2002, pp. 6-7.
4. Anatole Ayissi, ed. *Cooperating for peace in West Africa: an agenda for the 21st century*. Geneva: United Nations Institute for Disarmament Research, 2001, p. 79.
5. Rob Wensley, Deputy-Director, Arms Control, Department of Foreign Affairs, South Africa, "Operation Rachel and Bilateral Co-Operation: Political Dimensions." Presentation to an ISS Workshop, 12 August 2002.
6. It is worth noting that both South Africa and Zimbabwe are arms/ammunition manufacturers. Zimbabwe has supplied arms to the DRC and it is not clear how much impact the Protocol has had on the manufacture and sale of arms by South Africa.
7. M. Reynhardt, "Operations Rachel: A regional model?" ISS Workshop, 12 August 2002.
8. Adèle Kirsten, "Guns Under Fire: Initial results of the 2005 firearms amnesty," *SA Crime Quarterly*: No 12, June 2005.
9. See Kathi Austin, "Illicit Arms Brokers: Aiding and Abetting Atrocities," *Brown Journal of World Affairs*, Spring Volume IX, Issue 1, 2002.
10. The word "firearm" in the SADC Protocol means (a) any portable lethal weapon that expels or is designed to expel a shot, bullet, or projectile by the action of burning propellant, excluding antique firearms or their replicas that are not subject to authorization in the respective State Parties, (b) any device which may be readily converted into a weapon referred in paragraph (a), (c) any small arm as defined in Article 1 of the SADC Protocol, (d) any light weapon as defined in Article 1 of the SADC Protocol.
11. See *Human Security Report 2005, War and Peace in the 21st Century*, Human Security Centre, the University of British Columbia.
12. *Small Arms Survey 2002: Counting the Human Cost*, Oxford: Oxford University Press, 2002, p. 128.
13. *First Continental Meeting of African Experts on Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons* (First Continental Meeting on Small Arms and Light Weapons), Addis Ababa, Ethiopia, 17 – 19 May, 2000.
14. *Bamako Declaration on an African Common Position on the Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons* (Bamako Declaration), Bamako, Mali, December 2000.
15. *The Nairobi Declaration on the Problem of the Proliferation of Illicit Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa* (Nairobi Declaration), Nairobi, Kenya, March 2000.
16. *The Nairobi Protocol for the Prevention, Control and Reduction of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa* (Nairobi Protocol), Nairobi, Kenya, April 2004.
17. *Best Practice Guidelines for the Implementation of the Nairobi Declaration and the Nairobi Protocol on SALW* (Nairobi Best practice Guidelines), Nairobi, Kenya, June 2005.
18. *Decision on a Common African Position on the UN Review Process On The Plan of Action on Small Arms And Light Weapons* (DOC.EX.CL/215 (VIII)), African Union, Eighth Ordinary Session. 16-21 January 2006. Khartoum, Sudan. http://www.africa-union.org/root/au/Documents/Decisions/com/AU6th_ord_Council_Decisions_Jan2006_Khartoum.pdf.
19. See http://www.unodc.org/unodc/crime_cicp_signatures_firearms.html.

CONTRACTUAL BREAKDOWN: SMALL ARMS, INTOLERANCE AND TRAGEDY IN NIGERIA'S DELTA REGION

by Dauda S. Garuba

The map of Africa was naturally formed in the shape of a gun. On the map, the ... Niger Delta ... positioned as the trigger point of the gun. We all know that without the trigger the gun is not useful. The stubborn refusal of the state in Nigeria to resolve the national question and the Niger Delta problem has put Nigeria on the brink of Arma-geddon. Let the national question and the Niger Delta problem be resolved, so that the trigger may not be pulled. – Sgt Werinipere Noel Digifa (2003)

Introduction

Violence arising from the proliferation and widespread use of small arms¹ is a severe challenge to human rights everywhere in the world. Since the Cold War ended, the availability of existing small arms together with the illicit trade in weapons has exacerbated intra-state conflicts. Nowhere is this more true than in the Niger Delta region of Nigeria.

In Nigeria, the culture of impunity and the easy availability of small arms diminish people's capacity to be open and tolerant with each other. The possibility of conflict is intensified by the oil exploitation in Niger Delta region, where underdevelopment is caused by environmental damage and the inequitable sharing of petro-dollars. Not even the Federal Government that should mediate conflicts has demonstrated any neutrality. It dispenses more violence invoking the bogey of "national security". This undermines humanitarian principles and poses a challenge for governance, threatening the stability of the country. Peace and security is a *sine qua non* for sustainable development in any society. Thus in the Niger Delta region, where there is a large influx of small arms and where peace and security are noticeably absent, there is a need for concerted analysis and action.



Small arms, conflict and environmental damage: Shell oil spill in a former agricultural area in the Delta.
© Friends of the Earth

"The culture of impunity and the easy availability of small arms diminish people's capacity to be open and tolerant with each other."

This article will explore how the widespread use and proliferation of small arms in Nigeria's Delta region aggravates the problem of the safety and security of lives and property, undermining the prospects of sustainable development. It also suggests ways by which the critical challenges posed to human security in the region can be tackled in order to realise genuine and sustainable development everywhere in Nigeria. Among the questions the article poses are: What is the social base of small arms proliferation around the world and in Nigeria? What are the underlying conditions that propel it in Nigeria's Delta region? How has the change in the nature of the conflict precipitated by the unrestrained proliferation and use of small arms defined the lack of tolerance in the region? How do we mitigate their impact in order to enable sustainable development in the region and in Nigeria at large?

Small but Deadly: Small Arms and Everyday Life

A critical look at the problem of small arms around the world makes one wonder if they are not the real weapons of mass destruction. From the conditions that precipitate their demand to the abuses that their availability facilitate, small arms have proved a fundamental challenge to several nations since the demise of the Cold War (Milmo & Holt, 2006). Although they do not cause conflict, their potential to fuel underlying tensions, deepens the sense of crisis, raising the number of casualties and generating more insecurity (Ero & Ndinga-Muvumba, 2004: 223). Small arms are cheap, readily available, easy to transport and difficult to monitor. Their portability and simplicity allow them to be used even by ill-trained people (including children). They have become the instruments of modern day violence all over the world, causing over half a million deaths

Menu:

- ▲ Back to top (issue contents)
- ▲ Email this article to a friend
- ▲ Printable version
- ▲ Bibliography & links

a year, including 300,000 in armed conflicts and another 200,000 in suicides and homicides (Brown 2003: iii; Boivin 2005: 468). Beyond being an everyday phenomenon, the complete out-of-control status the proliferation of small arms has assumed around the world has further exacerbated poverty and underdevelopment in countries where they constitute a menace. There are 640 to 650 million small arms circulating in the world today and every year about 8 million new guns and 14 billion units of ammunition are manufactured by 1,249 companies in 92 countries – with the United States and the European Union producing about 75 percent (Milmo & Holt, 2006; Jackson et al, 2005:52). Kofi Annan (2000:52) appreciated the magnitude of the human mortality of small arms when he remarked that:

The death toll from small arms dwarfs that of all other weapons systems – and in most years greatly exceeds the toll of the atomic bombs that devastated Hiroshima and Nagasaki. In terms of the carnage they cause, small arms, indeed, could well be described as “weapons of mass destruction”. Yet there is still no global non-proliferation regime to limit their spread.

Added to the foregoing is the fact that a significant proportion of the global trade in small arms is conducted in secrecy. Besides being part of a wider trade that incorporates more lethal weaponry, the existing lack of control of the trend has not only caused the diversion of legally traded small arms into the illegal sector, it has also reinforced an environment in which corruption and the black market thrive (Alpers et al, 2003:98). Thus from the hotbeds of wars in the West African states of Liberia, Sierra Leone, Guinea Bissau and Cote d’Ivoire to the low intensity violence arenas of Niger, Mali and Nigeria’s oil-rich Niger Delta region, the record of internal conflicts sustained by easy access to small arms continues to pose serious challenges and vulnerabilities. This is the context in which the Niger Delta situation constitutes a special case.

"From the hotbeds of wars in the West African states of Liberia, Sierra Leone, Guinea Bissau and Cote d’Ivoire to the low intensity violence arenas of Niger, Mali and Nigeria’s oil-rich Niger Delta region, the record of internal conflicts sustained by easy access to small arms continues to pose serious challenges and vulnerabilities."

Niger Delta, Oil and Livelihood: Diagnosis of a Failure

The Niger Delta is one of the largest wetlands in the world. Covering Nigeria’s states of Bayelsa, Delta, Rivers, and with fringes in Abia, Akwa Ibom, Cross River, Edo, Ondo and Imo states, the region is generally known for its subterranean oil. Although subsistence agriculture and fishing dominate rural land and inland waterways, the discovery of oil in commercial quantities in the region since 1956 and the ecological degradation associated with its production have since reduced the region’s traditional economic potential, thereby making way for white and blue collar jobs and widespread problems of unemployment (Ibeanu, 2006:16).

Oil is the life blood of modern economies. The significance of oil to the contemporary world, with its unrestrained consumption (Roberts, 2004), explains why the oil-rich Niger Delta has become Nigeria’s economic heart (Darah, 2001: 99), the focus of big business and naked politics (Feyide, 1986). Since the 1970s, the importance of agriculture has been replaced by oil. From 5,100 barrels per day (bpd) in 1958, Nigeria’s production quota has oscillated between 2.45 million and 2.6 million bpd since 2006,² although the closure of several oil platforms in the region due to a wave of attacks by militants, which has reached an all-time high since the second quarter of 2006, has led to a loss of 600,000 bpd, representing \$4.4 billion.³

The country’s rentier linkage with oil receipts also reveals that while the mineral resource accounts for 50% of Gross Domestic Product (GDP), 85% of national budgetary revenue and 95% of foreign exchange earning, the states and communities from which the oil is derived have remained wretched areas of the federation. For instance, despite the huge revenue the Niger Delta contributes to Nigerian treasury through oil and gas, statistics of the socio-economic conditions of the people in the region tell of a crisis of governance. This has best been described as the paradox of plenty.⁴ With a per capita Gross National Product that is less than the national average of US\$280, 72% of the households in the region are within the poverty bracket, while the United Nations Development Programme (UNDP) and the World Bank statistics reveal that only 27% and 30% of the region’s households had access to safe-drinking water and electricity, respectively; both indicators are below the national average of 32% and 34% respectively (Garuba, 2006). In 1991, the population of patients per doctor in the



Children carrying water near Port Harcourt: below national average access to safe drinking water.

© FOE / Peter Roderick March 2004

region was estimated at some 132,600:1, nearly 100,000 above the national average of 39,455:1 (see CDD Niger Delta Project, 2002). There is the poor state of infrastructural development in terms of schools for the region's population density of 100 persons per sq. km.; poor transportation, especially for communities in the riverine arteries; and inadequate or complete absence of medical facilities. Primary schools enrolment is about 30% below national average of 76%, while housing and general poverty levels are highly exacerbated and worse in areas such as Rivers and Bayelsa States (Fubara 2002:19).

"Despite the huge revenue the Niger Delta contributes to Nigerian treasury through oil and gas, statistics of the socio-economic conditions of the people in the region tell of a crisis of governance. This has best been described as the paradox of plenty."

In the case of the oil-rich region of the Niger Delta, the inextricable link between the socio-economic impacts associated with oil production and the control of the huge money accruing from it has precipitated varied and far-reaching conflicts in which the widespread use and proliferation of small arms now represents a major problem. The Niger Delta conflict, within the broader rubrics of the struggle for power and control of oil, is particularly instructive in that it has prompted arms brokers and governments to push small arms into the hands of non-state actors for personal gains, thereby granting impetus to the global surge in small arms trade.

Small Arms, Youth and Intolerance

The Niger Delta region is at the epicentre of the numerous violent conflicts that are destabilising Nigeria today. From 1990s to the present, the manifestation of these conflicts, which have reached crisis proportions, is a culmination of long years of neglect and of unstructured and unpredicted struggles that started in the 1960s and continued to the 1980s. From the despair of peaceful protests, petitioning against conditions of poverty, blockading oil platforms, and occasional disruption of oil production, the struggles in the Niger Delta have risen, since the execution of Ken Saro-Wiwa in 1995, to the point of a rebellion in which small arms flow easily through the region's labyrinthine network of creeks and rivers (Hutchful and Aning 2004:212). The violent character of the rebellion now includes the complete shut down of oil installations and platforms, cross-killing and maiming of militants, state security forces and innocent citizens, and the unprecedented practice of hostage-taking and illegal bunkering (a euphemism for oil theft), which has become big business in recent times.

While the Nigerian state has been primarily concerned with regime security, the youth militias involved in the struggle are competing with the state for the control of the resource. The determination of the militants supports Ted Gurr's postulation that men rebel when they are driven by the relative deprivation occasioned by the gap between expectation and actualisation. Having suffered a lot of deprivation and unprecedented repression at the hands of the Nigerian state – which, apart from being a captive of external forces to whom the country's high quality crude is part of a grand strategic energy calculation, has its economic security "fused with its capacity to protect oil multinationals and the creation of oil rents" (Obi 1997:17) – the militants in the Niger Delta "have demonstrated increasing willingness to resort to armed violence ... using available weaponry" (Hutchful and Aning 2004:212). Needless to say, the growth of armed militancy in the Delta region is predicated on the emergence of a more generalised phenomenon of private and community militias such as the Odua People's Congress (OPC), the Bakassi Boys and the Arewa People's Congress and similar



Large wetlands through which arms flow easily: Shell oil spill at Rukpoku, showing no clean up after 3 months.

© Friends of the Earth

groups which are often sponsored by highly powerful and influential elements in the society. The widespread nature of the violent activities of these ethnic militias is revealed in Musah's (2002) estimation that Nigeria is home to one million private small arms.

The unfettered and unlimited access of the Niger Delta youth militias to stockpiles of highly sophisticated and sturdy weapons – largely small arms – suggests their backing by networks of powerful and relatively rich elements. While frantic efforts to uncover the identity of these financiers have not yielded any success, there is nevertheless a consensus about their existence. This is particularly evident in their ability to undermine the (supposed) security mechanism in place as well as the highly rigid laws regulating the possession and use of firearms in Nigeria (Garuba, 2005). The latter makes it unlawful for anybody to possess or operate a wide range of explosives, lethal weapons and ammunition without certification (Ibid; Okezie 2004:23; Firearms Act CAP 146, 1959).

"The unfettered and unlimited access of the Niger Delta youth militias to stockpiles of highly sophisticated and sturdy weapons – largely small arms – suggests their backing by networks of powerful and relatively rich elements."

In explaining the source of the small arms' flow to the Niger Delta, the common position has been to point to politicians who have issued them to hired thugs to eliminate or maim perceived or real opponents. While there is an element of truth in this, in view of the high stakes and inordinate quest for political power among the political class and the spate of high profile assassinations associated with elections (especially those of 2003), the fact that the volatility of the Niger Delta crisis pre-dates the present democratic dispensation warrants other explanations. One can look further in tracing the influx of small arms into the Niger Delta region to local manufacturers, dubious arm dealers/importers who make false declarations of contents in imported containers, and smugglers who take undue advantage of the country's porous borders and sea routes. Beyond the fact that the Delta region has a labyrinthine network of creeks and rivers that facilitate the flow of small arms, there is also the factor of illegal oil 'bunkerers' who work to ensure some measure of hostilities on waterways so as to clear them of traffic for their nefarious activities (Garuba 2005). Security agents (both serving and retired) are also suspected of providing small arms and training in their use to ethnic militias. As well, small arms are re-cycled into Nigeria from conflict zones such as Liberia, Sudan, Somalia, the Democratic Republic of Congo and Sierra Leone, where Nigeria has played peacekeeping roles.

While Nigeria's participation in peacekeeping operations has afforded some unpatriotic elements who have served in missions abroad to smuggle and sell arms in the country, others are involved in arms theft from the National Armoury. As far back as 1992, a customs official gave 16 G-3 rifles to some Niger Delta youths as part of his 'contribution' to the Niger Delta cause (Musah 1999:13). Between November 1995 and January 1999, police and custom officials in Nigeria and Benin confiscated about 3,500 assault rifles, 80,000 rounds of ammunition, and some 200 pistols from smuggling syndicates. Also seized around this period were: 10 rifles and 10,000 rounds of ammunitions hidden in a vehicle travelling from Ghana to Nigeria, 5 double-barrelled shot-guns and 22,000 cartridges of live ammunition hidden in a trawler sailing from Ghana to Nigeria. A further 3,000 rifles and 7,000 rounds of ammunition on their way to Nigeria were apprehended by guards at Seme on the Nigeria-Benin border (Ibid). While these cases are a little dated, the situation has been made worse by desperate people who continue to take undue advantage of the change precipitated by the return of the country to civilian rule in May 1999. The boom which the arms-flows has brought to the black-market in Nigeria is largely responsible for the intolerance in all places ravaged by ethnic and religious crises, including the Niger Delta. For instance, it has been observed that youth openly hawk pistols and automatic rifles – "pure water" – for between US\$200 and US\$400 (Musah 1999:13).

Although investigation has confirmed that there is a correlation between retired military officers from these feuding ethnic groups and training on the use of small arms, other persons interviewed in an earlier study⁵ argued that since the arms are light, militants learn to use them on their own through frequent handling and practice. The scenario in the Niger Delta where openly armed youth patrol group territories demonstrates the extent to which small arms have become a symbol of power, dominance and worth. Youth have grown up to believe that violence, especially through the use of small arms, is the only way of "gaining power, obtaining goods and services, and establishing respect, thus perpetuating the culture of violence." (Amoa 2006).

"Youth have grown up to believe that violence, especially through the use of small arms, is the only way of 'gaining power, obtaining goods and services, and establishing respect' ... [yet] the government is no better."

The government is no better. Apart from serving as a cover to perpetrate gross human rights abuses, it has also been a source of small arms. It is common knowledge that in the wake of the escalation of violence in the Niger Delta, oil companies have not only armed private security personnel to render security services, they have also "reached an agreement with the government to import weapons for Nigerian troops" (Musah 1999:13). This is the context for the recent pronouncement by Nigeria's Vice President Atiku Abubakar, during the commissioning of his presidential campaign headquarters in Abuja:

A few weeks ago, this government approved over \$2 billion to buy weapons to suppress the people of the Niger Delta, not to develop the area. I will channel that money to the development of the area because if the area is developed, the people will not carry guns.⁶

Although the President responded to the Vice President's exposé of the administration's covert arms purchase by referring to the allegations as "reckless and barefaced lies"⁷ and a plan design to scuttle the transition programme,⁸ the fact that the statement came from such a high level makes it impossible to ignore. Rather than take the Vice President's statement to mean that there can be a different approach to the Niger Delta question, President Obasanjo 'carelessly' added salt to the wound by revealing at the Port Harcourt venue of the PDP's South-South Presidential Campaign kick-off for Alhaji Umar Musa Yar'Adua that:

We discovered that quite a number of youths, running into thousands ... are establishing camps.... They are also buying arms with a view to overawe the community, overawe the local government, overawe state government and overawe government of Federal Republic of Nigeria. No self-respecting government will allow criminality to overawe it...⁹

The above pronouncements, if anything, make the Niger Delta question a top election issue in 2007.



Shell gas flares near Port Harcourt: "national security" for the protection of multinational oil companies.
© FOE / Peter Roderick March 2004

The True Cost of Small Arms

There are multitudes of militia youth as well as regular government and private security personnel who take part in organised crime in the Niger Delta using small arms. The dynamics of the interface between the struggle for power and the struggle for wealth tend to condition the nature, dimensions and magnitude of the proliferation of the illicit weapons (Ebo 2005:2). While the option of violent confrontation may represent one of the ways in which people have chosen to express their disgust for the unhealthy development, hardship and misery which oil

production has spawned, the Nigerian government's resort to the use of violence – under the bogey of "national security" for the absolute protection of multinational oil companies to whom it is held captive as a rentier state – has worsened the conditions for internal violence, leading to the free flow of small arms and, by extension, exacerbating the existing poverty and underdevelopment in the region.

First is the vulnerability of ordinary civilians who are caught between a predatory state and ruthless militants. Militants have freely used small arms in killing and maiming in Delta, Bayelsa and Rivers States. The post-military Nigerian state has also demonstrated an increasingly militaristic response that raises questions about the civil credentials of President Obasanjo's administration. Massacres by soldiers in Odi, Choba and Gbeji are examples. As things are now, the situation in the Niger Delta has become a Hobbesian state wherein life is solitary, poor, nasty, brutish and short. Beyond the perverse culture of gun-running, killing, maiming, burning and looting that has become a permanent feature of life in the area, one finds militias who have perfected the art of engaging state security in a duel using illicit small arms. Ostensibly determined to own their security where the Nigerian state has failed them, some members of the civilian

population in the Delta region have also organised themselves into militias and civil defence bodies. This situation, as already argued, has further increased the quantity of small arms in the region.

"First is the vulnerability of ordinary civilians who are caught between a predatory state and ruthless militants."

One new line of difference among the youth who are involved in the use of small arms is between those involved in protection services for oil companies and those involved in illegal oil bunkering, a phenomenon the Civil Liberty Organisation (CLO) refers to as their own "resource control." (CLO 2005:374). The violence spawned by this situation has become particularly severe in Rivers State whose capital city of Port Harcourt has regularly witnessed open confrontation between the rival militias of Alhaji Mujahid Asari-Dokobo's Delta Peoples Volunteer Force and Tom Ateke's Niger Delta Vigilantes since 2004.¹⁰ The lull in the violent activities of these two groups has since been ended by the emergence of the Movement for the Emancipation of Niger Delta (MEND) in January 2006. While very little is known about MEND, its activities to date leave no doubt regarding its capacity to destabilise Nigeria's oil industry.¹¹

Another notable effect of the proliferation of small arms in the Delta region is its close linkage to high levels of crime and violence. From banditry, armed robbery, hostage-taking and pipeline vandalism to illegal oil bunkering, the Delta region has had more than its fair share of turbulent times. Several unarmed persons have been reported killed and abduction or hostage-taking of foreign oil workers and attacks on oil platforms have become a recurring phenomenon in the region. Since the first incident in which 16 employees of Shell were taken hostage, and a helicopter and two British engineers working for Shell-contracted Bristol Helicopters were confiscated at gunpoint by militias who demanded US\$100,000 in June 1999 (Musah 1999:12), hostage-taking has grown into big business in the Delta region. And the MEND phase that started in January 2006 represents a new escalation. Besides attracting the attention of the Nigerian state and horrifying the international community, this strategy takes on the character of simple criminal activity which hijacks the Niger Delta struggle.¹²

Added to the image of insecurity that the above conjures up, hostage-taking has an enormous cumulative cost in human, financial and economic terms. For instance, since 2004 there have been frequent sharp reductions in the country's crude oil shipments because of youth militancy involving the use of small arms. In the wake of the attack and killing of seven oil workers (including two American nationals) in Bibi and Olero creek fields of Delta state in 2004, ChevronTexaco suspended production of 140,000 barrel per day (bpd) in the flowstations in these communities, and many other thousands of barrels in four other flowstations – Abiteye, Makaraba, Opuekeba and Otunana – around the area (Garuba 2005). In the same vein, Shell Petroleum Development Company (SDPC) had to close down production in several areas of the Delta region, leading to its inability to meet its normal production quota of half of Nigeria's daily oil output. The series of encounters between Alhaji Asari-Dokubo and his arch-rival, Tom Ateke, which started in 2004, also resulted in the drastic reduction of Nigeria's oil production. Indeed, but for the discovery of oil deposits off-shore, the country's production has really dwindled as a result of sabotage and crime in the Delta region. From Shell's loss of 370,000 bpd and ChevronTexaco's suspension of 140,000 bpd in 2003, and another loss of 25,000 bpd due to an explosion of the entire flow-line leading to the flowstation from Escravos, all in Delta State in 2005, as well as the shutting down of oil platforms in several other areas of the Delta region due to a wave of attacks by militants (which have reached their peak since the second quarter of 2006), it is not hard to predict the financial and economic loss of the free and unregulated use of small arms in the Delta region. The most recent calculation of this cost is contained in a statement credited to Nigeria's Minister of Finance, Mrs. Nenadi Usman, who blamed the 600,000 barrel cut in oil exports (representing 25% of Nigeria's total daily production, and amounting to \$4.4 billion) on "the activities of militant groups demanding more control of Nigeria's oil revenue."¹³ This loss continues to translate into a needless budget deficit with a snowballing effect on not only the people of Niger Delta, but also on the Nigerian population as a whole.

There is also the question of the human development cost of small arms, especially as they do damage to infrastructure, displace people and cause decline in economic activity. The negative impacts of oil production and the highhandedness of an increasingly militaristic federal government, along with the increasingly daring posture of the militant youth, all using small arms to settle their conflicts arising from the inequitable sharing of oil revenue, will only further exacerbate the core problems of poverty and underdevelopment in the Niger Delta.

"Using small arms to settle their conflicts arising from the inequitable sharing of oil revenue will only further exacerbate the core problems of poverty and underdevelopment in the Niger Delta."

The scourge of small arms in the Delta region has exacerbated the already twitchy oil markets precipitated by a series of crises in the Middle East. This has helped to push global oil prices to unprecedented heights. The same thing can be said of the West African Gas Pipeline Project (WAPCO) which is expected to facilitate the supply of natural gas to four countries in West Africa – i.e. Benin, Ghana, Togo, and subsequently Cote d'Ivoire. This project of regional economic integration, which was slated for completion in 2006, has been stalled and derailed as a result of the proliferation of small arms in the Delta region.¹⁴

Concluding Remarks: A Collective Resolution

Resources are a major factor in the conflicts and threats of war in any society. Limited access and inequitable distribution often create patterns and feelings of marginalisation. For a society that is used to settling even the most minor dispute with small arms, it should be expected that natural resources would spawn and sustain major conflicts. This is obvious in the case of Nigeria's Delta region where the legal but unjust exploitation of crude oil has generated an on-going problem made worse by unregulated use and easy access to small arms. It makes no sense to call them "small" arms given the scale of the evil they perpetrate.

The foregoing notwithstanding, there are opportunities for the realisation of a Niger Delta that is free from the proliferation and use of small arms:

- First, the government should create the necessary conditions for the genuine dialogue required for the resolution of the parlous state of underdevelopment which led to the violence in the region. Although the present civilian administration has made some major policy interventions in the Niger Delta question (especially the quarterly Presidential Forum on the Niger Delta),¹⁵ such efforts have become "a hollow, time-wasting, television show, where serious contributions are ridiculed and participants are harangued and shouted down by an all-knowing and comical moderator" as currently personified by President Obasanjo (Fynaface 2007:16).
- Second, the government should demonstrate genuine commitment to stop the flow of small arms in the Niger Delta. For instance, while it is true that Nigeria has established a national committee on the implementation of the ECOWAS Moratorium on the Small Arms, indications are that the efforts made so far lack strategic coordination and consistent implementation (Human Rights Watch 2005:9). Thus, beyond the mere signing of the ECOWAS principle not to allow importation, exportation and manufacturing of small arms, the government should strengthen its control over arms in its armoury and work out necessary measures that would guarantee border security with its neighbours.
- Third, it is necessary to ensure that only the police are deployed to the Niger Delta to keep peace. Even then, it should be the duty of government to ensure that those that are so deployed act professionally and in accordance with international standards.
- Fourth, there is a need to ensure that concrete steps are taken to get oil companies to operate within the framework of international best practices in their prospecting for oil by protecting the Niger Delta environment and to promote community development projects following the principles of corporate social responsibility. Such efforts should include a comprehensive road network that would open up the region and promote agro-allied industry and infrastructural transformation.
- Finally, as a matter of urgency, there is a need for job creation to guarantee the socio-economic security of the vast army of jobless youth in the Niger Delta. This step, apart from helping to give the desired sense of belonging and partnership to the Nigerian project, would also



Cattle near a pipeline in River State: the need for corporate social responsibility and development in

help to anchor the Niger Delta policy in a political process that stresses human capital development and security rather than the one that attempts to foist dubious law and order upon the population. As the country talks about local content in the oil sector, the principle should be taken to a level that provides training in oil industry-related skills and enables these youth to find relevance in the fight against the proliferation and use of small arms and that finally allows the Niger Delta region to achieve its full potential.

Dauda Garuba works with the Centre for Democracy and Development (CDD) Nigeria as Programme Officer for Resources and Publications.

References:

1. The 1977 UN panel of experts on "Small Arms" categorised small arms as those lethal weapons such as revolvers and self-loading pistols, rifles, carbines, sub-machine guns, assault rifles, shoulder fire rockets, otherwise known as 'bazookas', which are designed for individual, personal use. Light weapons such as handheld under-barrel and mounted grenade launchers, portable anti-tank missile and rocket systems, heavy machine guns, portable anti-aircraft missile systems and mortars with calibres of less than 100 millimetres made for a team or crew or more person, as well as crude implements such as machetes, knives and clubs, which have been commonly adopted to prosecute internecine wars in Africa, are part of this classification. See Comfort Ero and Angel Ndinga-Muvumba, "Small Arms, Light Weapons", in Adekeye Adebajo and Ismail Rashid (eds.), *West Africa's Security Challenges: Building Peace in a Troubled Region*, Boulder and London: Lynner Rienner Publishers, 2004, pp. 224-225; Adedeji Ebo, "Small Arms Proliferation in Nigeria: A Preliminary Overview", in Okechukwu Ibeanu and Fatima Kyari Mohammed (eds), *Oiling Violence: Proliferation of Small Arms and Light Weapons in the Niger Delta*, Friedrich Ebert Stiftung, Abuja, 2005, p. 2.
2. The 2.45 million bpd figure is quoted from *Africa Confidential*, vol. 47, no. 2, 20 January, 2006 and *The Punch* (Lagos), Tuesday, August 2, 2005, p. 1; while that of 2.6 million bpd is taken from Alexis Akwagiyam, "Working in a Danger Zone", BBC News, <http://newsvote.bbc.co.uk/mpapps/pagetools/print/news.bbc.co.uk/2/hi/africa/4625390.stm> (Retrieved on 10th January, 2007). The projection of the President Olusegun Obasanjo Administration is to increase oil production to 4 million bpd, with 40 billion barrels as reserves by 2010.
3. The figure of 600,000 bpd was given by Nigeria's Minister of Finance, Mrs. Nenadi Usman. See <http://newsvote.bbc.co.uk/mpapps/pagetools/print/news.bbc.co.uk/2/hi/africa/6245137.stm>.
4. See Kayode Fayemi, "Introduction: Towards Integrated Development in the Niger Delta", in Kayode Fayemi, Stella Amadi & Ololade Bamidele (eds), *Towards an Integrated Development of the Niger Delta*, Centre for Democracy & Development, Lagos, 2005, pp. v-xiv; T.L. Karl, *The Paradox of Plenty: Oil Booms and Petro-States*, University of California Press, Berkeley, 1997.
5. See Dauda, S. Garuba, "Gunning for the Barrel: The Oil Dimension to Inter-communal Violence in the Niger Delta City of Warri", paper presented at the 15th Biennial Congress of the African Association of Political Science (AAPS) held in Cairo, Egypt from September 19 – 21, 2005.
6. See *ThisDay* (Lagos), Thursday, February 1, 2007, pp. 1, 4.
7. See *The Guardian* (Lagos), Thursday, February 1, 2007, p. 1.
8. See Senior Fyनेface, "'Atikulating' the Niger Delta Question", *ThisDay* (Lagos), Monday, February 12, 2007, p. 16.
9. *The Guardian on Sunday* (Lagos), February 4, 2007, p. 1.
10. For details on this, see Human Rights Watch, *Rivers and Blood: Guns, Oil and Power in Nigeria's Rivers State*, A Human Rights Briefing Paper, New York, February 2005.
11. <http://newsvote.bbc.co.uk/mpapps/pagetools/print/news.bbc.co.uk/2/hi/africa/4732210.stm> (Retrieved January 10, 2007).
12. See interviews by Sofiri Joab-Peterside and Anyakwee Nsirimov with *The Guardian* (Lagos), Saturday, September 9, 2006, pp. 11, 14.
13. <http://newsvote.bbc.co.uk/mpapps/pagetools/print/news.bbc.co.uk/2/hi/africa/6245137.stm> (Retrieved January 10, 2007).
14. See *The Guardian* (Lagos), Tuesday, February 13, 2007, p. 3.
15. Among these interventions are: implementation of the 13% derivation, establishment of the Niger Delta Development Commission (NDDC), Composition of the Gen. Ogomudia-chaired Committee on Security in the Niger Delta, Constitution of James Ibori Presidential Standing Committee on the Niger Delta, Constitution of NNPC-Niger Delta Youth Committee, Maj-Gen Mohammed Presidential Committee on Peace and Reconciliation in the Niger Delta, and Niger Delta Peace and Stability Strategy (PASS).

Select bibliography and links:

Alpers, Hilip et al (2003), "Insights and Mysteries: Global Small Arms Transfer", in Peter Batchelor & Keith Krause (eds), *Small Arms Survey 2003: Development Denied*, Geneva: Graduate Institute of International Studies, pp. 97-123.

Annan, Kofi (2000), *We the People: The Role of the UN in the 21st Century*, Millennium Report to the United Nations General Assembly, New York: United Nations.

- Amoa, B.D. (2006), “**The Role of Small Arms in African Civil Wars**”, *Pambazuka* <http://www.globalpolicy.org/security/smallarms/articles/2006/0921roleinafrica.htm> (Retrieved on 16th November, 2006).
- Boivin, Alexandra (2005), “**Complicity and Beyond: International Law and the Transfer of Small Arms and Light Weapons**”, *International Review of the Red Cross*, vol. 87, no. 859, pp. 467-496.
- Brown, M.M. (2003), “**Foreword**”, in Peter Batchelor Keith Krause (eds), *Small Arms Survey 2003: Development Denied*, Geneva: Graduate Institute of International Studies, pp. iii.
- Darah, G.G. (2001) “**The Socioeconomic and Political Challenges of the Niger Delta**”, in Peter I. Ozo-Oson and Ukoha Ukiwo (eds), *Challenges of the Niger Delta*, Port Harcourt: Centre for Advance Social Science.
- Digifa, W.N. (2003), “**Voice of Izon**” in Tunde Babawale (ed), *Urban Violence, Ethnic Militias and the Challenge of Democratic Consolidation in Nigeria*, Lagos: Malthouse, pp. 121-124.
- Ebo, Adedeji (2005), “**Small Arms Proliferation in Nigeria: A Preliminary Overview**”, in Okechukwu Ibeanu and Fatima Kyari Mohammed (eds), *Oiling Violence: Proliferation of Small Arms and Light Weapons in the Niger Delta*, Abuja: Friedrich Ebert Stiftung, pp. 1-6.
- Feyide, M.O. (1986), *Oil in World Politics*, The J.I.C. Taylor Memorial Lecture Series, Lagos: University of Lagos.
- Ero, Comfort and Angel Ndinga-Muvumba (2004), “**Small Arms, Light Weapons**”, in Adekeye Adebajo and Ismail Rashid (eds.), *West Africa's Security Challenges: Building Peace in a Troubled Region*, Boulder and London: Lynner Rienner Publishers, pp. 223-243.
- Federal Government, *Firearm Act, CAP 146*. Lagos: Government Press, 1959.
- Fubara, B.A. (2002), “**The Politics of the Niger Delta**”, in Peter Ozo-Eson & Ukoha Ukiwo (eds), *The Niger Delta Development Commission: Towards a Development Blueprint*, Proceedings of the Fourth Memorial Programme in Honour of Prof. Claude Ake, Port Harcourt: Centre for Advance Social Science.
- Fyneface, Senior (2007), “**‘Atikulating’ the Niger Delta Question**”, *Leadership* (Kaduna), Monday, February 12, 2007, p. 16.
- _____ (2006), “**Oil and the Natural Resources Curse in Nigeria**”, *AfricaFiles (Africa Ezine)*, vol. 3, no. 2, <http://www.africafiles.org/printableversion.asp?id=10928>.
- _____ (2005), “**Gunning for the Barrel: The Oil Dimension to Inter-communal Violence in the Niger Delta City of Warri**”, being paper presented at the 15th Biennial Congress of the African Association of Political Science (AAPS) held in Cairo, Egypt from September 19 – 21 2005.
- Human Rights Watch (2005), *Rivers and Blood: Guns, Oil and Power in Nigeria's Rivers State*, A Human Rights Briefing Paper, February.
- Hutchful, Eboe and Kwesi Aning (2004), “**The Political Economy of Conflict**” in Adekeye Adebajo and Ismail Rashid (eds.), *West Africa's Security Challenges: Building Peace in a Troubled Region*, Boulder and London: Lynner Rienner Publishers, pp. 195-222.
- Ibeanu, Okechukwu (2006), *Civil Society and Conflict Management in the Niger Delta: Scoping Gap for Policy and Advocacy*, Monograph Series No. 2, Lagos: CLEEN Foundation.
- Jackson, Thomas et al (2005), *Who Takes the Bullet? The Impact of Small Arms Violence*, Understanding the Issues 3, Oslo: Norwegian Church Aid.
- Karl, T. L. (1997), *The Paradox of Plenty: Oil Booms and Petro-States*, Berkeley: University of California Press.
- Kayode Fayemi (2005), “**Introduction: Towards Integrated Development in the Niger Delta**”, in Kayode Fayemi, Stella Amadi & Ololade Bamidele (eds), *Towards an Integrated Development of the Niger Delta*, Lagos: Centre for Democracy & Development, pp. v-xiv.
- Milmo, Cahil & Kate Holt (2006), “**Global Arms Trade: Africa and the Curse of the AK-47**”, *Independent*, <http://www.globalpolicy.org/security/issues/sudan/2006/0406curse.htm>.
- Musah, Abdel-Fatau (2002), “**Small Arms: A Time Bomb under West African Democratisation Process**”, *Brown Journal of World Affairs*, vol. 9, no. 1, Spring, pp. 239-249.
- Obi, C.I. (1997), “**Globalisation and Local Resistance: The Case of Ogoni Versus Shell**”, *New Political*, vol.2, no. 1, pp. 137-148.
- Okezie, Ben, “**Illegal Arms and National Security**”. *Sunday Sun*, April 11, 2004, p. 23.
- Roberts, Paul (2004), *The End of Oil: On the Edge of a Perilous New World*, New York: First

NO QUESTIONS ASKED: THE ILLEGAL ARMS PIPELINE TO AFRICA

by Hugh McCullum

There's a true story that gets told around the tawdry arms trade circles. It is said that when the notorious heavyweight boxer Mike Tyson applied for permission to fight in Scotland, his promoter defended the convicted rapist by saying: "It's not as if he's an arms dealer."

A tawdry trade, indeed. Arms dealers forge documents, bend national and international regulations out of all shape, bribe officials, form shell companies that change sometimes daily and are based all over the world. They resemble drug dealers except that they wreak far more death, destruction and chaos. However, there's no billion-dollar-a-year war on arms like there is on drugs.

Viktor Bout

Take the case of Viktor Vasilevich Bout (pronounced "butt" or "bott"), one of the world's leading dealers in arms who is connected with conflicts all over Africa in places like Liberia, Sierra Leone, the Democratic Republic of Congo (DRC), Angola, Equatorial Guinea and a dozen other countries over the last 10 years.



'Merchant of death': a rare photograph of Viktor Bout (on left) taken by two Belgian journalists in the Democratic Republic of the Congo.

He was condemned in 2000 by Peter Hain, then the British minister responsible for Africa, as "the chief sanctions-buster, and a merchant of death who owns air companies that ferry arms for rebels in Angola (Jonas Savimbi's UNITA) and Sierra Leone (Foday Sankoh's Revolutionary United Front RUF) and others of the diamond, mining and oil wars in sub-Saharan Africa."

The Tajikistan-born Bout was included in Britain's list of mercenaries. He was supposed to have had his assets frozen by the UN Security Council for his role in selling millions of dollars of small arms to Liberian dictator Charles Taylor. The French have him at the top of their mercenary list. Bout briefly shifted operations into Sudan and Somalia, after Liberia and Sierra Leone achieved a degree of peace, to maintain his lucrative business in Africa. He then saw Iraq and the Coalition forces of Britain and the U.S. as people who could use his services and contacts. To this end, his airline British Gulf still stays in business. In recognition of these services the U.S. and British governments have been opposing French efforts to include Bout on the UN mercenaries list. The French allege the British have removed him from their list under U.S. pressure.

"We are disgusted that Bout won't be on that [UN] list even though he is the principal arms dealer," according to a French diplomat involved in the UN negotiations over the list. "If we want peace in that region [West Africa], it seems evident Bout should be run out of business. Now Iraq has become another business location," the French say at the UN Security Council.

His airline is believed to have changed names now. There are few footprints left behind by mercenaries, but the UN knows him well from Africa, where he is still known as 'Viktor B' and uses at least five aliases and different versions of his last name. He is now 39 and began his career as an arms dealer in 1991 after the Soviet Union left Afghanistan. Intelligence documents list his African relationships with former Zairean president Mobutu Sese Sekou, Libya's President Moammar Ghaddafi, Taylor, Savimbi, Sankoh and just about every other warlord in Africa. His airlines flew arms to Hutu extremists and also carried UN peacekeepers to Somalia and East Timor.

"There are few footprints left behind by mercenaries, but the UN knows him (Viktor Bout) well from Africa... His airlines flew arms to Hutu extremists and also carried UN peacekeepers to Somalia and East Timor."

Menu:

- ▲ Back to top (issue contents)
- ▲ Email this article to a friend
- ▲ Printable version
- ▲ Bibliography & links

In Africa he ran a myriad of companies employing some 300 people. The companies operated between 40 and 60 aircraft, including the world's largest fleet of the huge cargo aircraft, the six-engined Antonov. It was one of Bout's six planes that carried Mobutu out of Gbadolite in Zaire, as the rebel army invaded the dictator's favourite hideaway. The end of the cold war left a stockpile of some \$32 billion worth of small arms in Ukraine alone and the Russian mafia made good use of them, through contacts like Bout, to lucratively dispose of these state assets, fuelling anarchy and terrorism in Africa.

Bout is reputed to be a friend of Russia's President Vladimir Putin and lives lavishly in Moscow. He also has holdings in the United Arab Emirates (UAE), Dubai, the Gambia in West Africa and, until the Belgians shut him down, his main base was in Ostend. The International Consortium of Investigative Journalists (ICIJ) has huge files on this merchant of death, although Bout adamantly denies he is involved in weapons trafficking, or that he is anything other than a legitimate air cargo entrepreneur.

Loopholes

Bout may be one of the most notorious but he is in no way the only arms trafficker and dealer in human misery. Respectable western democracies are thigh-deep in the muck of the arms industry. One wonders how they get away with it. Three factors enable sales to human rights abusers and countries under arms embargoes:

- the arms industry is notorious for finding loopholes in regulations;
- the globalization of the arms trade since the end of the cold war; and
- the unregulated dumping of massive amounts of small arms by the former Soviet Union.



The Control Arms Campaign (CAC), involving Oxfam International, Amnesty International and the International Network on Small Arms (IANSA) has issued a damning report about countries which should have neither truck nor trade with the Bouts of this world. For example, the U.K., Canada, the US and the European Union allow companies to circumvent arms regulations by selling weapons components and by sub-contracting the manufacturing of arms.

The report details how weapons, including trucks and helicopters, as well as conventional small arms, are being assembled from foreign

components under license in countries including Egypt, India and Turkey. These weapons then end up in African hotspots such as strife-ridden Sudan. As well, they are supplied to police and military in countries such as Somalia, Eritrea, Ethiopia, Kenya, Uganda, Zimbabwe and Nigeria where, the report says, the arms are used for the killing, subjugation and displacement of civilians.

"They are (also) supplied to police and military in countries such as Somalia, Eritrea, Ethiopia, Kenya, Uganda, Zimbabwe and Nigeria where, the report says, the arms are used for the killing, subjugation and displacement of civilians."

There are two major loopholes that allow arms manufacturers to circumvent arms regulations and embargoes:

- You can't sell it whole but you can sell it in single pieces. Despite an EU arms embargo against China, the U.S. and Canada, who, though they "honour" the embargo, sell weapons parts and technology for China's new Z-10 attack helicopters. These attack helicopters have been sold to a number of countries, including Sudan, which is under a full EU weapons embargo, Similarly the Apache helicopter used by Israel in the recent Lebanon crisis is made up of 6,000 parts, manufactured world-wide including the U.K., Ireland and Holland in violation of the EU code of conduct.
- You can't sell it from here, but you can sell it from there. In May 2005, Uzbek

security forces fired on demonstrators, killing hundreds of people. The Land Rovers used by the Uzbek troops during the massacres were made up of 70 percent British parts. These had been sent "flat-pack" to Turkey, where they were assembled into military vehicles and supplied to the Uzbek government. The U.K. exercises no control over such deals and there are many in Africa, as well, because the vehicles were not assembled and converted into military vehicles in the U.K.

"Arms trade laws are so outdated that the sales of army helmets are more regulated than the components assembled into deadly weapons. What the world needs is an effective international Arms Trade Treaty that will halt the flow of arms to those who commit human rights abuses," says Irene Khan, director-general of Amnesty International.

What Ms Khan is talking about can be easily illustrated by the region of Central Africa stretching from Burundi, Rwanda and Uganda, across the Democratic Republic of Congo, to Angola and the Congo Republic (Brazzaville). It has been, and still remains, one of the most serious crisis zones in the continent. Military actions are more recently inter-linked with those in neighbouring regions including West Africa, the Horn of Africa and southern Africa. Governments and armed opposition groups in such crisis zones bear responsibility for targeting civilians through acts of reprisal killing, arbitrary arrest, abduction and torture. The most common means by which such international crimes are committed is through small arms and associated equipment. Over the past five years, these arms have flowed to the perpetrators in Central Africa from member states of the Organisation for Security and Co-operation in Europe (OSCE), as well as from certain other states, such as China, Israel, and South Africa. In effect, these countries have aided and abetted the perpetrators, usually in disregard of appeals by the UN, EU and international humanitarian and human rights organizations.



"Serious crisis zone": No-weapons sign in Ituri region prior to the 2006 elections in the DRC.

© 2006 Wendy MacNaughton, courtesy of Photoshare

Arms Brokers

This influx of arms is the result of the activities of EU-based arms brokers, shipping agents and associated sub-contractors. They take advantage of loopholes in their own countries— as well as those in unregulated Eastern Europe, Asia and Africa, where most of the arms trafficking takes place. Even where governments have taken steps to control the activities of brokering and shipping agents, their efforts have often been inadequate, and are frequently undermined by brokers simply stepping over the border into another state with even more loopholes in order to conduct their transactions. In this way, unscrupulous arms dealers have been able to undermine the stated policies of the EU, the UK and their partners.

Arms brokering and shipping agents have shown themselves to be capable of operating regardless of the existence of binding UN or regional arms embargoes. A UN embargo requires all countries to implement prompt and effective measures to enforce the embargo - both at the sending and receiving end. But there is irrefutable evidence that arms brokering and shipping agents, are breaking their own laws, especially in the EU. (Canada, the US and other arms peddlers in Asia and Latin America have weaker laws and even weaker enforcement arrangements).

"Arms brokering and shipping agents have shown themselves to be capable of operating regardless of the existence of binding UN or regional arms embargoes."

For example, in a high profile case, which recently came to light, the UK company Sandline International arranged the transport of arms from Bulgaria to "rebel" forces seeking to reinstate Ahmed Tejan Kabbah as president of Sierra Leone. Furthermore, another UK company, Mil Tec, and its partners are known to have arranged shipments of arms to Rwanda before and during the 1994 genocide. Unfortunately, most governments do not take adequate steps to implement international embargoes; therefore unscrupulous individuals, agencies and companies are able to exploit weaknesses and inconsistencies in many national arms export control systems.

Rwanda



Investigations by governments, NGOs, human rights organizations and the UN into the 1994 Rwanda genocide show how UK and South African based arms-brokering agents and their network of shipping and other subcontractors in other countries violated the international arms embargo against Rwanda in 1994. As did France's state arms manufacturing firms and the state-owned bank, Credit Lyonnais; so did the Chinese government who exported a million new machetes (pangas) to fuel the low-tech massacres; as well, the Ukraine and Belarus provided the airlines and crews to fly in the instruments of cruel death and genocide. They all did this by evading inadequate national laws in their home countries, and by easily disguising the routes of their deliveries, choosing to operate where there were loose customs, transport and financial regulations.

The UN Security Council imposed the arms embargo more than a month after the genocide began in early April 1994. It was too late but the situation was compounded when, after the UN embargo, even more small arms and ammunition were supplied to the perpetrators via routes inadequately monitored by international observers. Amnesty International and Human Rights Watch reported arms deliveries via airports in former Zaire. Goma airport in particular, along with its twin lakeside city of Bukavu, became the main delivery point for the supply of arms and ammunition to the perpetrators of the genocide. The Zairean authorities collaborated in this build-up. The wars and violence of Eastern Congo still use Goma and Bukavu as the main staging areas for arms coming in and minerals going out sponsored by the unregulated mining industry of the same countries involved in gun-running.

Human Rights Watch exposed officially sanctioned Chinese and French arms deliveries, as well as supplies by South African and Zimbabwean traders. Amnesty International reported that supplies of small arms were delivered from Albania, Bulgaria and Israel by UK-based traders using secret international networks.

"Supplies of small arms were delivered from Albania, Bulgaria and Israel... the UK brokers and traders had used a host of sub-contracting companies to conceal their activities."

Interviews by investigative journalists with aircrew associated with arms deliveries revealed that the UK brokers and traders had used a host of sub-contracting companies to conceal their activities. For example, UK aircrew stated that aircraft flew empty from Ostend in Belgium to Tirana in Albania where small arms were loaded under Israeli supervision and then flown to Goma in the former Zaire with no checking of documentation, despite a refuelling stop in Cairo. Secret documents from the military archives of the exiled Rwandan armed forces reveal that a UK company, Mil Tec, registered in the Isle of Man, was centrally involved during April to July 1994 using links in Albania, France, Israel and Italy. Mil Tec is still a major small arms supplier to conflicts in Africa.

As a result of international public pressure, the Security Council decided to establish an International Commission of Inquiry to investigate the matter and recommend action. But to date there have been no prosecutions for those responsible for arming the perpetrators of the Rwandan genocide, even though such complicity is a crime under the Convention on the Prevention and Punishment of the Crime of Genocide (1948) – not the UK, EU, China, France, Ukraine, Belarus, Russia or anyone else, or even Canada.



The best that has happened is a few half-hearted apologies to Rwanda, a virtual conspiracy of silence in the DRC and

gutless decision by EU governments to exercise caution with regard to arms transfers to sensitive regions. An increasing body of evidence suggests that EU nations, especially since expansion, continue to undermine such controls by brokering and shipping arms from third countries to such crisis zones.

Congo-Brazzaville

While Rwanda, Sierra Leone, Liberia, Somalia and Sudan have received some sense of notoriety in public awareness, hundreds of so-called "lesser" wars are started and continue with the direct support of the arms trade and their scurvy alliance of mercenaries and international corporations from the North. An example that shows the extent and sophistication of these illegal arms gangs can be cited from little-known Congo Republic. (oil-rich and dwarfed by the DRC, it is known as Congo-Brazzaville, after its capital city).

Fighting amongst political factions, involving deliberate attacks on civilians, erupted in June 1997 and reached catastrophic proportions by 1999. At least 5,000 Congolese civilians were killed and many more injured. The belligerents used small arms and heavier weaponry, including attack helicopters supplied by two West European dealers.

Documents found in the offices of the ousted government of the Congo Republic showed that, between June and September 1997, a German arms broker and a Belgian arms trader supplied millions of dollars worth of military equipment to the forces of the beleaguered President Pascal Lissouba. The German dealer negotiated orders for a wide range of military equipment totalling \$42.4 million. Both dealers operated from South Africa where some of the equipment was obtained using companies registered in a number of countries and using Belgian, French and UK bank accounts. Italian traders supplied the Congo with 15 tonnes of cartridges worth over one billion lire.

"Documents found in the offices of the ousted government of the Congo Republic showed that, between June and September 1997, a German arms broker and a Belgian arms trader supplied millions of dollars worth of military equipment... Both dealers operated from South Africa."

Amongst the documents seized from the presidential palace by the militia of the new head of state, President Denis Sassou-Nguesso, was one signed by the German broker as chairman of CED Marketing, acknowledging an order from the Congo-Brazzaville government for the purchase of two transport helicopters (they are actually attack helicopters) and an option buy five more. This deal was made with the Belgian manager of a company called Sablon Trading, which had an account at the First National Bank in Johannesburg. According to the letter, the helicopters were ordered from an "East-European" supplier.

The new Congo-Brazzaville government said that this was a crime against humanity and has handed evidence to the UN, and the French, Belgian, German, Italian and US governments. Nothing public has been done.

Congo-Kinshasa

One last example in this litany of horrors and the part played by democratic, freedom-loving countries rounds out the international nature of the vicious, greedy and illegal arms industry and shows how the world's "open skies policies" are rife with phony and illegal air transport.

At Issue Forum (**Congo's Hidden Tragedy**, no. 13, November 2006) recently recounted the rape, torture and disease that have characterized the civil wars of Africa's potentially richest country where 4 million have died since 2001. The story catalogues the human misery caused by faction fighting fuelled by massive mineral exploitation by unregulated mining companies from such democratically "respectable" countries as Australia, Canada, US, Belgium, France and the UK among others. Arms merchants fed the war.

Despite this well-known catalogue of misery, British pilots and air cargo companies have been allowed by the UK government to supply weapons to armed factions in the DRC responsible for massive human rights abuses. Under UK law, as long as the weapons are collected and routed outside UK territory to a destination not embargoed by the UN such arms trafficking is perfectly legal. The traffickers simply use other EU countries or those outside EU jurisdiction to circumvent the embargo which has been in place since 1993 on arms sales to the DRC.

A dramatic taped interview with a British pilot described how, from 1999-2001, he flew

AK47s from Rwanda and Uganda to Kisingani, Goma and Bukavu in the Great Lakes district of the DRC. He claimed the planes were registered in Swaziland for Planetair and New Gomair. These are companies the UN knows well – Gomair, not only for its gun-running capacities but also for carrying illegally extracted minerals such as coltan, gold and diamonds from Eastern Zaire (later DRC) to Kigali (Rwanda) and Entebbe (Uganda). Full planes both ways, both illegal, make high profits for the small arms racketeers.

In the interview, the British pilot said: "Mostly the stuff we carried were brand new AKs plus the ammunition. They're all packed in plastic and in beautiful condition. It's really quite a standard operation and the Ukrainians are tops at it, supplying both planes and pilots but there's lots of others – Brits, Poles, Canadians, Americans, French, you name it. We know there's a war on but we are not involved because we're just charter pilots. We do about 80-90 hours flying a month (the Ukrainians do a lot more but some of them are not licensed) very easy. Leave the five star hotel they put us up in, do a little hour over there [to Kisingani or Goma] spend a couple more hours on the ground, and hour back in time for dinner."

"Mostly the stuff we carried were brand new AKs plus the ammunition... We know there's a war on but we are not involved because we're just charter pilots."

Amnesty International has identified Planetair as having offices in West London run by the same person who manages Sky Air Cargo, a company registered in Liberia with a plane known to have flown arms to Charles Taylor's forces in Liberia and the late Jonas Savimbi's UNITA rebel group in Angola, as well diamonds coming out of Sierra Leone.

Later the registration of these various planes was switched from Liberia to Equatorial Guinea. One of Gomair's aged Boeing 707s was identified by the Guardian newspaper as having been contracted to fly arms from Bulgaria and Slovakia to Harare in Zimbabwe apparently destined for Zimbabwean forces in DRC who were named by the UN for looting DRC of diamonds and gold during the fighting led by the late Laurent-Desire Kabila, father of the current president of the DRC. The plane's handlers used the facilities of a UK cargo company in Ostend, Belgium.

Conclusion

One argument which is invoked against the development of comprehensive small arms controls on the activities of arms brokering and shipping agents outside their own laws is that these agents are already required to comply with the export control laws of the foreign exporting country. Arms traders supplying illegitimate customers exploit loopholes or weaknesses in national arms control systems and in those of third countries. Countries with weak export and import controls may be targeted and vague legal definitions, poor licensing procedures, corruption, and a lack of capacity to enforce customs controls provide arms brokering and shipping agents with an opportunity to move arms along clandestine supply routes.

Figures contained in the 2004 report by IANSA, the first of its kind ever done, show that since 1998 there has been an 11-fold increase (1100 percent) in the numbers of arms components licensed for export. This loophole has allowed arms components to be sold to a list of countries including Zimbabwe.

"These are not just nuts and bolts. These components include firing mechanisms, bomb-making equipment, guidance systems and gun barrels. Western governments have put many civilian lives at risk by setting up false and dangerous double standards. Whether a machine gun arrives on a gun runner in pieces or readymade, the suffering it can cause in the wrong hands is just the same," said Justin Forsyth of Oxfam.

"Western governments have put many civilian lives at risk by setting up false and dangerous double standards."

"Components for deadly weapons are being sold to known human rights abusers and arms merchants. It doesn't take much to reassemble them and from there it takes even less to kill, to torture or to rape at gunpoint. This is another of the many loopholes that must be closed immediately," he said.

The failure of many disarmament programs is caused by many related and unrelated issues:

- few are willing to take on the entire arms industry, one of the most lucrative in the world, and the mainstay of manufacturing in most northern countries, especially in a "war" on terrorism;
- the arms industry is also one of largest research and development components of high technology and employ millions of scientists, engineers, computer specialists and skilled workers; and
- all arms industries whether privately or publicly owned have enormously close ties to their governments who are, of course, their main purchasers and subsidizers. The military-industrial complex is alive and thriving in the developed world.

A greater source of failure, especially in the control of small arms, is the system of globalization. The underlying problem of poverty and underdevelopment is made worse by the "shock therapies" of western economic reform. What many westerners see as a breakdown in African governance, security and economies, many Africans would say is a breakdown in the type and style of development that has been applied to Africa.

People suffer economically. The failure of western-style democracy in many countries is exacerbated by the easy access to guns, complicating peace efforts in Darfur, Somalia and southern Sudan. Troubles migrate and, as recently shown in the Horn of Africa, there is no real trust between governments. When trouble arises, the weapons are there to migrate as well.

Sources:

1. Amnesty International.
2. Biting the Bullet Project, Program of Action 2003.
3. British Broadcasting Corporation (BBC).
4. Control Arms Campaign (CAC).
5. *The Guardian Newspaper*.
6. International Action Network on Small Arms (IANSA).
7. International Coalition of Investigative Journalists (ICIJ).
8. Inter Press Service (IPS).
9. Oxfam International.
10. South Africa Press Association (SAPA).
11. Wood, Brian and Elizabeth Clegg. *Controlling the Gun Runners: Proposals for EU Action to regulate Arms Brokering and Shipping Agents*. London: Saferworld, 1999.

Disclaimer

Opinions expressed in the articles appearing in this ezine are those of the writer(s) and not do necessarily reflect the views of the AfricaFiles' editors and network members. They are included in our material as a reflection of a diversity of views and a variety of issues. Material written specifically for AfricaFiles may be edited for length, clarity or inaccuracies.