



Stopping the Destructive Spread of Small Arms

How Small Arms and Light Weapons Proliferation Undermines Security and Development

Rachel Stohl and EJ Hogendoorn March 2010



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Introduction and summary

The proliferation of small arms and light weapons is an immediate security challenge to individuals, societies, and states around the world and an enormous hurdle to sustainable security and development. Small arms fuel civil wars, organized criminal violence, and terrorist activities. They also undermine multimillion dollar development programs and other assistance to fragile states. Fragile and failing states should be of particular strategic interest to the United States because even small insurgencies, if unchecked, can erupt into larger civil wars and possibly destabilize entire regions. In some cases fragile and failing states can also become bases for terrorist groups directly hostile to the United States.

In many conflict zones small arms and light weapons are the weapon of choice, the main instrument of death and destruction, and are often used to forcibly displace civilians, impede humanitarian assistance, prevent or delay development projects, and hinder peace-keeping and peace-building efforts. When conflicts end or abate small arms often remain in circulation, which may lead to additional violence and suffering since fighting can resume or conflicts may erupt in neighboring regions. In nonconflict areas small arms may be used in criminal violence or may be used in homicides, suicides, and accidents. And they are frequently the primary tools of terrorists bent on sowing chaos and discord.

The weapons can exact a staggering toll. For example, in January 2010 narco-traffickers armed with assault rifles massacred 16 people—mostly teenagers—attending a birthday party in Ciudad Juarez on the U.S. border. In November 2008 roughly two dozen terrorists from Lashkar-e-Taiba with AK-47-type assault rifles, 9 mm pistols, and grenades killed nearly 200 people and wounded 350 in Mumbai, India.

Approximately 875 million small arms are in circulation worldwide, and only about a third are in the hands of legally constituted security forces. Because small arms are simple to use, durable, and easy to conceal they are especially prone to misuse, and their misuse directly and indirectly affects hundreds of thousands of people and severely undermines sustainable development in scores of countries around the world.

As we'll show in this report, the Horn of Africa exemplifies the challenges the proliferation of small arms and light weapons pose for sustainable regional security and development. Somalia is the quintessential failed state that illustrates the cost of small arms and light weapons proliferation and the challenges of recreating the conditions for sustainable

development in a heavily armed environment. Despite numerous internationally sponsored peace conferences and billions of dollars in assistance, much of Somalia remains engulfed in civil war and has become a breeding ground for international terrorism.

The insecurity also spreads across borders. In neighboring Kenya (a close ally of the United States), armed violence is common in the pastoralist areas of the northern and northeastern regions of the country. Access to guns has also exacerbated urban crime and political violence in Kenya.

But small arms and light weapons are not only a problem for poor countries. Mexico is an example of how small arms can plague a medium-income country. Small arms are widely used there by organized criminal groups involved in the drug trade and kidnapping. Their use in Mexico has led to large numbers of homicides, undermined local authority, and greatly increased the cost of security for Mexican citizens. The violence is fed by a stream of readily available and powerful weapons from the United States—Mexico's main source for small arms. At the same time, the U.S. government is spending hundreds of millions of dollars to help the Mexican government combat arms trafficking and criminal violence.

A wide body of international and regional agreements and initiatives has been developed to tackle small arms proliferation, and national small arms policies, programs, and standards vary from country to country. The United States has wide-ranging small arms laws, regulations, and policies, and is often hailed as the “gold standard” for comprehensive policies and practice concerning the transfer, management, and control of small arms and light weapons produced, maintained, and exported within its borders.

But even though the U.S. government has sophisticated laws, regulations, and controls for the legal arms trade, permissive gun ownership laws and lax supervision of certain gun markets have made the United States a significant source of illegally diverted guns, especially in Mexico and other countries in Central America.

The Obama administration has ample opportunities to shape a new and more assertive U.S. position on small arms, but it must navigate the complex domestic political realities of small arms in the United States. A new approach should include greater engagement on small arms issues internationally and stronger domestic efforts to prevent illegal gun trafficking. The United States should actively participate in existing and proposed processes and negotiations and promote meaningful and practical approaches to countering small arms proliferation and misuse.

The administration, Congress, and the public also need to be better educated about the costs and consequences of small arms proliferation and a commitment to develop appropriate U.S. programmatic and policy responses must be cultivated. Raising awareness would counter confusion and misinformation about efforts to address small arms proliferation and misuse and assist real and sustainable progress. Such awareness promotion

would include increasing dialogue, through interagency meetings, reports, and statements, on how small arms proliferation and misuse can undermine U.S. security and development goals. This could then encourage policy initiatives and budgetary support for efforts to combat the illegal spread of small arms.

There are four specific steps the United States can take in the short term at the national, regional, and global level to help promote strategic engagement on the small arms issue.

First, at the national level, the United States should increase its assistance for programs that prevent the proliferation and misuse of small arms and light weapons. Export controls, responsibility, and appropriate vetting of end users are important steps, but it is equally important for the United States to ensure that surplus, obsolete, and potentially destabilizing weapons are removed from circulation. It is these weapons that are most often used in brutal conflicts in countries such as Colombia, Darfur, the Democratic Republic of the Congo, Sri Lanka, and Somalia.

Second, at the regional level, the Senate should ratify the OAS Convention—the 1997 Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and other Related Materials, which aims to combat illicit small arms trafficking in the Western Hemisphere. The United States played a key role in drafting the OAS Convention and made sure it was in line with U.S. laws and regulations. But for more than a decade the convention has languished in the Senate. Ratifying it would send an important and powerful message to the Western Hemisphere that the United States is serious about halting illicit arms trafficking, and it would provide another tool to deal with the flow of weapons between the United States and Mexico.

Sustainable security and small arms

The Center for American Progress's sustainable security approach to U.S. national security policy argues that the challenges arising from stunted economic development around the globe can present very real threats to American security. The core of the sustainable security approach is to use the nexus between development and security as both a means of identifying threats to our interests and a method for dealing with them. Small arms and light weapons, as this paper details, weaken the impact of development assistance aimed at improving levels of human security. Development projects that have involved years of planning and implementation—and millions of dollars—can be reversed with alarming speed.

Sustainable security, in short, looks at how to best utilize U.S. resources and influence to promote peace and security and eliminate threats rooted in instability.

Third, at the global level, the United States should lead the development of a legally binding arms trade treaty that would establish common international standards at the highest level on the export of conventional weapons, including small arms. Under the Obama administration, the United States has already reversed the Bush administration’s position on small arms and demonstrated it is willing to be a constructive partner in developing a treaty and in the U.N. process to control small arms. U.S. laws and regulations comply with or exceed the vast majority of principles that have been proposed in a potential international arms trade treaty, and the United States should ensure its national arms export control system serves as an example for other states.

Finally, the Obama administration should build small arms initiatives into development programs. When the United States undertakes programs on security sector reform and judicial sector reform, particularly in fragile states, the action plan should include steps to address small arms proliferation and misuse. General U.S. support for programs that address weapons demand is critical and requires several key integrated measures, starting with the reform of law enforcement agencies and military forces to ensure they are representative and provide security to all their citizens as well as adhere to international human rights and humanitarian laws.

Top small arms exporters and importers for 2006

The United States is both a top importer and exporter

Top small arms exporters (2006)	Top small arms importers (2006)
United States	United States
Italy	France
Germany	Japan
Brazil	Canada
Austria	South Korea
Belgium	Germany
	Australia

Source: Small Arms Survey 2009: Shadows of War, (Cambridge: Cambridge University Press, 2009) p. 8.

Small arms and light weapons proliferation

Small arms and light weapons are plentiful, cheap, and easy to operate. These weapons are a highly desired and profitable commodity and are often sold with little domestic and international regulation by numerous weapons producers, from surplus military stockpiles, and by private arms dealers. Some states even give away huge numbers of small arms to shore up or undermine foreign regimes.

A huge number of weapons are in public and private hands. According to the Small Arms Survey there are at least 875 million firearms in the world.¹ Of these, 200 million or more belong to state militaries and 26 million or more to law enforcement agencies. The majority of global firearms, however—roughly two-thirds of the estimated total—are in the hands of nonstate actors and civilians.² And many more are being produced.³ The legal trade in small arms was worth approximately \$1.58 billion in 2006, but this does not include unreported and illegal sales. The Small Arms Survey estimates that the total trade in small arms and light weapons, along with spare parts, accessories, and ammunition, almost certainly exceeds \$4 billion.⁴

Small arms defined

Small arms and light weapons are a subcategory of conventional weapons and range from pistols and rifles to mortars, rocket-propelled grenades, and man-portable air defense systems, or MANPADS.

Simply put, small arms and light weapons are military weapons or commercial firearms that can be carried by one person or a small crew or mounted to a vehicle or pack animal. A widely used U.N. definition of small arms includes revolvers and self-loading pistols, rifles and carbines, assault rifles, submachine guns, and light machine guns. Light weapons, according to this U.N. definition, include heavy machine guns, hand-held underbarrel and mounted grenade launchers, portable antitank and antiaircraft guns, recoilless rifles, portable launchers of antitank and antiaircraft missile systems, and mortars of less than 100 mm caliber.

The number of small arms in circulation keeps growing because large quantities of modern infantry weapons are continually produced, and because the weapons are designed to be rugged and easy to maintain they can remain operable for very long periods of time.⁵ Well-maintained assault rifles, as well as properly stored ammunition, can last for 20 to 40 years or more.⁶ For example, some weapons used against U.S. forces in Afghanistan today are from U.S. supplies to the mujahedeen to fight the Soviet Union in the 1980s, while some weapons in Iraq are from post-World War II transfers.

Small arms and light weapons are also relatively cheap. The AK-47 family of assault rifles is currently produced in some 29 countries and cost as little as \$200 new—used they can be much cheaper.⁷ Anecdotes suggest that after many Cold War-fueled civil wars ended, a used AK-47 could be purchased for the price of a chicken.⁸ An estimated 70 million to 100 million AK-47 assault rifles have been produced and are found in the national inventories of at least 58 states. They have been used in over 90 conflicts by militaries, police personnel, nonstate groups, and individuals.⁹

Small arms proliferation was compounded at the end of the Cold War when millions of suddenly surplus weapons were sold at steep discounts or given away as the world's major military powers reduced stockpiles and/or modernized their forces.¹⁰ For example, Ukraine—which had huge reserves of arms and ammunition and had a large domestic military-industrial complex—had a stockpile of excess weapons of over 2.5 million tons.¹¹ It sold off large quantities of these arms for hard currency with very few questions. A Ukrainian parliamentary committee investigating arms transfers in the country found that between 1992 and 1998, \$32 billion worth of armaments were either lost or stolen in Ukraine.¹²

For many countries it makes economic sense to sell their surplus weapons cheaply since it costs money to safely destroy old and excess arms and ammunition. This does not include the cost to international donors, however, who must shell out hundreds of millions of dollars to care for those displaced and rebuild countries destroyed as a consequence of irresponsible arms transfers.

Used weapons are widely traded throughout conflict-ridden regions of the world. They are sold in large batches by arms brokers and circulated by small-scale businessmen taking advantage of regional differences in demand and supply. Assault rifles first transferred to Mozambique and Angola in the 1980s and early 1990s were later traded to rebels operating in Liberia and Sierra Leone in the late 1990s and early 2000. Some of these same weapons may now be in the hands of combatants in Côte d'Ivoire.¹³

Increasingly lethal and easy to use

Modern infantry weapons have become more deadly due to technological advances. Scientists have designed infantry weapons to be lighter, easier to use, and more lethal.¹⁴ An AK-47 weighs a little more than 10 pounds—making it easier and less tiring to carry

around and use—and can fire a magazine of bullets in less than a minute to an effective range of 300 meters.¹⁵ A PKM medium machine gun can fire up to 650 bullets per minute—belts of ammunition vary from 100 to 250 rounds—to a similar distance. An RPG-7 rocket-propelled grenade launcher weighs only 15 pounds and can fire a warhead between 300 and 500 meters. And a typical RPG antitank round can penetrate a five-foot-thick wall or nearly a foot of steel, while a high-explosive, antipersonnel round has a reported kill radius of 150 meters.¹⁶

What's more, the relative ease of operation and light weight of modern infantry weapons means armed groups can quickly train men, women, and even children to use these weapons. Accordingly, armies and armed groups can rapidly expand the number of people under arms even if they have little training in other military skills. The typical result is large numbers of well-armed but poorly trained and poorly led combatants. Lack of command and control and discipline in these groups is exacerbated by the need to disperse forces and operate over large swaths of territory. Not surprisingly, these poorly supervised forces often prey on local populations and commit wanton destruction and human rights violations.

Small arms misuse

Since small arms are cheap, widely available, portable, and easy to use, they are especially prone to misuse. They are widely used in civil wars, by organized criminals, by terrorists, and in violent crime. This misuse directly and indirectly affects hundreds of thousands of people and severely undermines sustainable development in scores of countries around the world.

Small arms contribute to deaths and injuries, killing hundreds of thousands and injuring thousands more every year. In fact, one person dies every minute from gun violence according to the International Action Network on Small Arms.¹⁷ Small arms are used to kill, and they are also used in forced disappearances, torture, and for sexual violence, particularly rape and forced prostitution. Conflict and violence fueled by these weapons often force large numbers of people to flee their homes and refugees and internally displaced populations are prevented from returning home after a conflict because large numbers of weapons remain in circulation. Small arms violence also contributes to psychosocial trauma, which takes much longer than physical wounds to heal.

In Uganda, for example, the proliferation of small arms and light weapons helped fuel and perpetuate the two-decades-old and ongoing conflict between the Ugandan government and the Lord's Resistance Army. The LRA, which was armed by the Sudanese government but now mainly depends on the illicit regional arms trade, mostly targets civilians and typically attacks civilian camps, loots supplies, burns huts, and rapes and abducts innocent civilians. Villagers are often mutilated to instill fear and perpetuate insecurity. Children are frequently abducted to serve as porters, troops, and sex slaves.¹⁸

Until recently, large numbers of northern Uganda's population had been displaced by the fighting. In 2005, approximately 1.4 million people—90 percent of the population in the main war-affected region—had been forced to move by insecurity and the government into internally displaced persons camps guarded by the army.¹⁹ Recent Ugandan army successes against the LRA forced the group to move to the neighboring Democratic Republic of Congo, Central African Republic, and South Sudan, where it engages in similar tactics.

The legacy of this kind of violence can last much longer than the immediate acts. Women face widespread sexual and domestic violence in Ugandan internally displaced camps.²⁰ According to Oxfam, children throughout the country have “been denied their right to enjoy a good early-childhood development environment in which they are given a basic education, access to health and recreational facilities, and good nutrition.”²¹ Many children are also orphaned and forced to work at an early age and become heads of households.²² A minority of people also suffer from significant psychosocial trauma.²³

The indirect consequences of small arms proliferation and misuse can be just as difficult for individuals, families, and communities. Small arms may contribute to the deaths or injuries of parents and caretakers or may force a separation of families, undermining traditional family structures, and support systems. Insecurity caused by small arms proliferation also limits health care services, which prevents adequate care for preventable and treatable conditions and diseases. Moreover, conflicts fueled by small arms limit educational opportunities as schools may not open during periods of insecurity or cannot reopen after conflicts because of the death or other loss of teachers, the loss of equipment and books, and the lack of students who flee during violence.

During periods of increased pastoral conflict in northern Uganda children were unable to attend school regularly because of frequent interethnic cattle raids, which had increased due to uncontrolled small arms proliferation.²⁴ Indeed, some schools were forced to close, looted, and burned down, and school development projects were interrupted because of the conflict and threat of conflict in the area.²⁵

A culture of violence and impunity may develop in areas with armed militant groups or organized criminals. Predation becomes commonplace: Civilians may not be able to acquire food, supplies, and other assistance; markets may be closed; and food may be scarce. Aid workers may have difficulty accessing areas of need and development projects may be cancelled or delayed because of security and crime concerns. All of these conditions contribute to the failure of postconflict development and reconstruction.

Many states have legalized the civilian possession of small arms. The type of weapons civilians may own and under what circumstances they may legally own them vary widely from country to country. It is unclear whether permissive gun ownership laws increase violence,²⁶ but differing domestic gun laws can contribute to the illegal trade of small arms from countries with more permissive laws to countries with more restrictive laws. For example, the most significant source of illegal firearms in Mexico is guns purchased in the United States and then smuggled into Mexico (see case study on Mexico).

Risks to security

In many if not most current conflicts the weapons of choice are small arms and light weapons. And even after a conflict ends the proliferation of small arms and light weapons can exacerbate local security dilemmas and greatly complicate efforts to increase security and stability. It can also make it very difficult for states to expand their authority and services to hitherto poorly controlled areas.

Tools of death and destruction

In the wrong hands even relatively small numbers of these weapons can exact a staggering humanitarian cost. Enormous numbers of people can be killed by small groups of people. For example, in Eastern Democratic Republic of Congo the prevalence of small armed groups and private militias—often serving as proxies for a number of African states—drives the ethnic killings and the concomitant displacement and depravation there. In the Democratic Republic of the Congo more than 5 million people have died from the conflict, about 1.4 million people remain internally displaced, and approximately 340,000 Congolese are refugees in neighboring countries, according to Refugees International.²⁷

Armed crime

Guns and other small arms are also the weapon of choice in violent crimes. Debate continues, especially in the United States, about whether easy access to small arms and light weapons increases or decreases crime. Some argue that guns are a deterrent that can increase personal security and thus reduce interpersonal crime.²⁸ Others argue that the increased availability of small arms, particularly easily carried and concealed weapons, leads to higher rates of violent death (homicide, suicide, and accidental deaths), violence, and criminality.²⁹ What is clear is that gun use intensifies violence and increases the case-fatality rate in assaults.³⁰ And armed criminality is particularly violent in postconflict countries where small arms and light weapons are still readily available and opportunities for unemployed youth are very limited.

In Central America many countries still struggle with endemic armed violence years after the conflicts end. El Salvador, which ended its 12-year civil war in 1992, actually saw the

percentage of homicides caused by firearms increase from an average annual rate of 55 percent from 1990 to 1995 to 75 percent in 1999.³¹ Throughout Latin America, gangs combined with uncontrolled small arms are a deadly mix and are responsible for increased firearm homicides and criminal violence.³²

Guatemala, which emerged from its 36-year civil war in 1996, has the highest murder rate in all of Latin America with 70 homicides per 100,000 people.³³ The economic costs of criminal violence in Guatemala were calculated in 1999 to be some \$565 million,³⁴ compared to an estimated \$575 million loss to the country's gross domestic product as a result of war between 1981 and 1985.³⁵ A similar situation exists in other postconflict countries. In El Salvador, for example, the Inter-American Development bank estimated that in the mid-1990s nearly a quarter of annual GDP was spent on addressing violence in the postconflict country.³⁶

Gun violence particularly affects young people. In 2001 the murder rate for young men aged 15 to 24 was 113.8 per 100,000 in the *favelas* of Brazil, and firearms caused 65 percent of deaths among young men aged 15 to 19.³⁷ In Ecuador, a country rarely thought of as dangerous, young people are deeply affected by gangs and gun violence. More than 1,000 informal youth groups are estimated to be involved with organized armed violence in Ecuador. And in Jamaica, the widespread availability of guns resulted in more than 200 children between the ages of 10 and 19 hospitalized from gunshot wounds in 2000.³⁸

Risks to humanitarian aid providers

Relief and development workers providing humanitarian and development services are also at risk for violence in areas with large amounts of small arms in circulation. This increases the costs of these services and reduces the amount of services provided to vulnerable populations.³⁹ The largest global survey ever of its kind, “No Relief: Surveying the Effects of Gun Violence on Humanitarian and Development Personnel,” indicates that armed civilians—including criminals and petty thieves—routinely cause security incidents and operation suspensions, preventing access to people in need of aid (see text box).⁴⁰

The toll of small arms and light weapons violence to victims

According to estimates half a million people are killed by small arms each year: 300,000 people are killed in conflict regions and a further 200,000 are killed in gun violence in non-war-torn countries.⁴¹ The cost of small arms misuse to victims includes both the direct and indirect impact of gun violence.

Survey shows how small arms undermine development

Among the findings of “No Relief: Surveying the Effects of Gun Violence on Humanitarian and Development Personnel”:

- Twenty-one percent of respondents reported that 25 percent or more of aid beneficiaries had been inaccessible in the previous six months due to routine armed threats.
- Aid agencies increasingly employ armed guards to defend against violence, though this is still relatively rare. Thirty-two percent of respondents reported the use of guards in one of their operations. It is possible that these numbers are skewed by the large operations in Somalia, Iraq, and Afghanistan.
- Fewer than half (44 percent) of all respondents indicated that they had received security training from their current agency.
- Victimization rates in Afghanistan and Angola are especially high compared to the global baseline. In both countries the proportion of national staff—as opposed to expatriates—who reported having been personally victimized is higher still.

The direct impacts of small arms misuse include fatal and nonfatal injury, cost of treating those injuries, and the cost of long-term disability.⁴² The Small Arms Survey, for example, found that the average medical cost of a single gunshot wound was \$4,500—almost three times the cost of a stab wound in Rio de Janeiro, Brazil in a 2003 study.⁴³ Overall, gun violence has led to nearly \$90 million in health costs in Brazil and \$40 million in Colombia. At the same time productivity losses have been estimated at \$10 billion in Brazil and \$4 billion in Colombia.⁴⁴

The indirect effects of small arms misuse may include increases in the incidence and lethality of violent crime, the collapse and erosion of social services, a decline in formal and informal economic activities—and a rise in illegal activity—and the distortion of investment, savings, and revenue collection.⁴⁵ Distortions in investment can be both in private investment and domestic savings and by international investors. Small arms violence can lead to internal and external displacement as well, and the malnutrition, disease, and starvation that result from displacement at the point of a gun are in some sense attributable to these weapons.

Gun violence can cause government spending and assistance to be redirected into security rather than development projects. It may also increase individuals’ spending on security and cause them to alter their lifestyles in areas with high violence.

Local defense forces, homeguards, and private militias

In a number of countries governments have armed civilians, often called “local defense forces” or “homeguards,” or police reserves in response to low-level insurgencies or the rise in armed criminality. Because these groups are usually poorly trained and supervised, however, such measures are often counterproductive and the government-provided arms are also employed in crime and banditry that exacerbates insecurity, poverty, and lack of human development (see case study on Kenya).⁴⁶

Impeding development

States and international development organizations recognize that small arms and light weapons threaten sustainable security and development. At the United Nations Millennium summit in 2000, states acknowledged that the availability and misuse of illicit small arms and light weapons undermined efforts to alleviate poverty and promote economic growth.⁴⁷ A U.N. High Commission on Refugees study concluded that curbing the spread of small arms and light weapons “would be the single most important contribution to greater stability, peace, and security.”⁴⁸

Liberian President Ellen Johnson Serlief summed up in 1997 how conflict hurts African development:

*... on top of the human misery suffered by millions during armed conflict, these conflicts cost Africa billions of dollars each year. This is money Africa can ill afford to lose. The sums are appalling: The price that Africa is paying could cover the cost of solving the HIV and AIDS crisis in Africa, or provide education, water, and prevention and treatment for TB and malaria. Literally thousands of hospitals, schools, and roads could have been built, positively affecting millions of people. Not only do the people of Africa suffer the physical horrors of violence, armed conflict undermines their efforts to escape poverty.*⁴⁹

Armed conflict, fueled by the availability of small arms, is clearly a major cause of underdevelopment. The Inter-American Development Bank estimated in 1999 that violence cost Latin America \$16.8 billion, or 14.2 percent of its GDP,⁵⁰ and that the per capita GDP in Latin America would be 25 percent higher if crime rates were more on par with the rest of the world. Similarly, a 2007 report by Oxfam, the International Action Network on Small Arms, and Saferworld estimated that the cost of armed conflict to Africa’s development has been an estimated \$284 billion since 1990. This sum is roughly equivalent to the total aid to countries in or transitioning from armed conflict over that time.

Simply put, the proliferation and misuse of small arms around the world undermines growth, threatens human welfare, obstructs business operations, threatens investment, and hinders development.⁵¹ It can also hugely complicate efforts by the United States and the international community to rebuild states such as Afghanistan or Somalia.

Undermining fragile and failing states

The proliferation of small arms and light weapons can also undermine fragile and failing states. In these states central governments are unable to provide security to all their citizens. Vulnerable groups are therefore forced to obtain—either legally or illegally—arms for self-defense. But, paradoxically, this can further undermine state authority since more weapons can exacerbate violent conflict and make it more difficult for the state to extend its authority. What's more, readily available weapons make it easier for rebel movements or criminal gangs to challenge the state's authority.

Fragile and failing states should be of particular strategic interest to the United States because even small insurgencies, if unchecked, can erupt into larger civil wars and possibly destabilize entire regions. In some cases fragile and failing states can also become bases for terrorist groups directly hostile to the United States.

In West Africa a civil war that started with several hundred insurgents in Liberia in 1989 later triggered fighting in neighboring Sierra Leone, Cote D'Ivoire, and Guinea. The conflicts were fueled by a steady supply of small arms and ammunition.⁵² It took more than a decade of effort by the international community—principally through arms embargoes and peacekeeping operations—to stem the fighting.

The fighting caused widespread death and destruction, triggered huge refugee flows, and undermined development throughout the region. The cost of the conflict in Liberia alone was enormous. By the time the war ended in 2003 the United States had spent more than \$430 million in Liberia, mostly on food aid.⁵³ The regional peacekeeping operation, ECOMOG, cost more than \$4 billion.⁵⁴ The United Nations observer mission, UNOMIL, cost some \$104 million from 1993 to September 1997. The current U.N. mission, UNMIL, which peaked at approximately 15,000 personnel, cost several billion dollars between 2003 to 2007.⁵⁵

The Liberian conflict's long-term effects were tremendous. The educational system collapsed during the course of the war and the adult literacy rate fell from 61 percent in 1990 to 44 percent in 2002. Life expectancy had fallen to 42 years in 2005, and the mortality rate for children under five years was an estimated 235 deaths per 1,000 live births.⁵⁶ This was due to malnutrition and disease and to the health care system's collapse. According to World Bank estimates there were less than 0.05 physicians per 1,000 people in Liberia in 2005.⁵⁷

Liberia's economy crumbled during the war. The civil war destroyed much of the remaining infrastructure and caused the flight of almost all Liberian human and financial capital. Between 1989 and 1995 real GDP declined to one-tenth its prewar level and remained largely flat through 2004.⁵⁸ During the war most formal economic activity ground to a halt, and life in much of the country was reduced to subsistence existence. Of the country's infrastructure, most of the road network was badly damaged, railroad connections were ruined, and the distribution of electricity and safe water was halted.⁵⁹

The impact in the region has been similarly dire. The West Africa conflicts killed hundreds of thousands of people, cost the international community billions of dollars, and caused massive underdevelopment. Despite its natural wealth West Africa continues to be one of the poorest regions of the world because of conflict and mismanagement. According to the Human Development Index, the region has the lowest life expectancies, the highest child mortality rates, and the lowest rates of primary school enrollment in the world.⁶⁰

The same trend applies to other regions and the effects of these conflicts can also have a more direct impact on U.S. interests. In Central Asia the legacy of the Afghan pipeline—when the United States and its allies covertly shipped huge amounts of small arms and light weapons to the mujahedeen to fight the Soviets—has left the region saturated with weapons. These weapons have sustained conflict in Afghanistan, triggered widespread conflict and insecurity in Pakistan, and destabilized the entire region.

They have also triggered transnational terrorism. The Al Qaeda operatives that attacked the World Trade Center towers were trained and organized from Afghanistan. Terrorists that attacked the U.S. embassies in Kenya and Tanzania were also trained there and supported by like-minded groups based in Somalia.

Proliferation problems in lower-income countries

The Horn of Africa

The Horn of Africa illustrates the challenges that small arms and light weapons proliferation and their misuse can pose for sustainable security and development. Much of the Horn of Africa is awash with small arms, particularly Ethiopia, Somalia, Sudan, and Uganda, and all of these countries have seen long periods of unrest and internal armed conflict.

Arms fueling these conflicts originated from many sources. During the Cold War huge quantities of arms were pumped into the Horn of Africa by the United States, the Soviet Union, and their allies. When the Cold War ended, the flow of free or subsidized arms subsided significantly, but arms have continued to pour into the region from numerous arms producers such as China, Iran, Russia, and Ukraine.⁶¹ The fall of regimes in Ethiopia (1991), Rwanda (1994), Somalia (1991), and Uganda (1979 and 1986) as well as conflicts in other African countries have also contributed to the steady stream of weapons into the region.⁶²

Furthermore, some governments and private dealers supply rebel forces in other countries with guns and ammunition—deliberately adding to the number of weapons in circulation. For example, the government of Sudan has supported insurgents in Ethiopia, Eritrea, and Uganda; the governments of Uganda, Eritrea, and Ethiopia have supported the Sudanese opposition in the South; and Eritrea and Ethiopia—because of their unresolved border conflict (they fought a war from 1998 to 2000)—have supported opposing groups in Somalia and rebel groups operating in each other’s countries.

Corruption is also a problem. This is particularly the case with Yemen, which has become the single largest private source of arms for war-torn Somalia and possibly other conflicts in Africa.⁶³ Yemeni arms predominantly come from two sources. First, reports indicate that some high-level Yemen government officials are willing to provide Yemeni end-user certificates and facilitate the sale and delivery of weapons (Yemeni officials deny this).⁶⁴ Second, Yemeni businessmen are supplied both by major importers licensed by the Yemeni government and the general population of Yemen,⁶⁵ which is heavily armed due to former massive military assistance to both North and South Yemen, a long series of bloody civil wars, and an extremely permissive gun ownership policy.⁶⁶ Arms are widely available and sold throughout the country.⁶⁷

There are credible reports that the Yemeni private arms market continues to be a major supplier to the Horn of Africa. The Somalia Monitoring Group Reported in December 2008 that “commercial imports, mainly from Yemen, remain the most consistent source of arms, ammunition, and military materiel to Somalia ... Insurgent groups in Ethiopia also procure arms and ammunition from Yemen, which then transit Somalia in violation of the arms embargo. A smaller traffic in arms and ammunition flows from Somalia to Yemen, allegedly in support of Yemeni insurgents.”⁶⁸

Somalia: A failed state

Somalia is an example of how difficult it is to recreate the conditions for sustainable development in a heavily armed environment. Chronic conflict and instability have decimated Somalia’s economy and the population’s welfare. According to the 2001 U.N. Development Program Somalia Human Development Report, Somalia’s “Human Development Index” is among the lowest in the world.⁶⁹ Average life expectancy is 47 years, the mortality rate for mothers giving birth is greater than 10 percent, nearly a quarter of all Somali children die before they turn five, and only an estimated 18 percent of the population is being educated.

The Somali central government collapsed in 1991 after long suffering from multiple insurgencies. After the government’s collapse Somali armed groups initially acquired most of their weapons from government stockpiles and the poorly managed disarmament campaign in Ethiopia, which had just ended its civil war. Later, Somali warlords obtained arms from covert government sponsors and Somali businessmen.

Somalia was already heavily armed prior to the outbreak of multiple insurgencies in the 1980s. The Soviet Union provided military assistance and is estimated to have delivered some \$260 million in arms to Somalia in the five-year period from 1973 to 1977 alone.⁷⁰ Cold War imperatives and Somalia’s strategic position prompted the United States and Western European countries—principally Italy and West Germany—to provide large amounts of military assistance after 1978 despite the Somali government’s dubious record of governance. According to U.S. government sources the United States delivered some \$154 million in arms to Somalia between 1981 and 1991 and Italy delivered some \$380 million between 1978 and 1982.⁷¹ Muslim Somalia also received military assistance from the Islamic world, most notably Egypt, Saudi Arabia, and Iran. China also became a significant arms supplier to Somali during the 1980s.

Arms continue to flow into the country today despite a U.N. arms embargo imposed on Somalia after the collapse of the government. Some of these arms are provided covertly by states for their own geopolitical purposes. Others are smuggled from Yemen.

The war in Somalia has been greatly complicated by the conflict between Ethiopia and Eritrea (1998-2000), when it became a proxy battlefield for the two states. For example, the Eritrean government supported Hussein Aideed, who apparently also agreed to allow the Oromo Liberation Front, an Ethiopian rebel group, to operate from bases in Somalia.⁷²

The Ethiopian government in turn supported a number of Aideed's enemies. Ethiopia's support to Somali factions included military supplies and training and direct military assistance.⁷³ Ethiopia supported the creation of the northeastern Somali region of Puntland, too, which remains Ethiopia's most significant Somali ally.⁷⁴

After the Islamic Courts Union took control of Somalia's capital Mogadishu in 2006, Ethiopia decided to again intervene directly in the civil war on behalf of the beleaguered Transitional Federal Government, or TFG. The intervention backfired, however, and triggered a broad-based, largely Islamist insurgency that ultimately forced Ethiopia's troops to leave in 2009.

At present, the Somali Islamist insurgency, loosely organized into two groups, al-Shabaab and Hizb al-Islam, controls much of south and central Somalia. A new Transitional Federal Government, led by a moderate Islamist—and former member of the Islamic Courts Union—Sheikh Sharif Sheikh Ahmed, only controls parts of Mogadishu and relies on an African Union peacekeeper, or AMISOM, and extensive international support to survive. Eritrea allegedly provides support to Islamist insurgents.⁷⁵ Ethiopia provides assistance to groups allied to the TFG and AMISOM and the international community provides assistance to the government. The United States in particular has provided some 40 tons of small arms and ammunition to the TFG as well as between \$5 million to \$10 million to purchase arms on the private arms market in Somalia.

The Somali private arms market is quite large and sophisticated. The most significant external source of weapons for the private arms is Yemen, whose shipments can often be quite large. Ali Khalif Galaydh, the prime minister of the Transitional National Government from September 2000 to December 2001, admitted to the U.N. Panel of Experts on Somalia that the Transitional National Government procured some \$600,000 of light arms and ammunition from Yemen in 2001. This included \$400,000 for the government and \$200,000 for private businessmen.⁷⁶ While this was not an official Yemeni transaction, high-level Yemeni officials were involved in their private capacity.⁷⁷

The prices for arms and ammunition at Somali arms markets rise and fall predictably with periods of heavy fighting, which brings greater demand and generally less supply, and calm, which brings less demand and generally greater supply. So, for example, when Somalia's Council of Islamic Courts controlled Mogadishu—a period of remarkable calm—the prices of arms dropped dramatically. For example, the price of a ZU-23 anti-aircraft gun dropped from \$70,000 before Islamic Courts Union was in control of Mogadishu to \$10,000. In the same time frame the price for a PKM machine gun dropped from \$12,000 to \$6,000. The prices for ammunition dropped accordingly.

It's difficult to quantify the total loss of life and lost development of Somalia's prolonged conflict, but it is undoubtedly enormous. The extremely chaotic period of fighting in the late 1980s in northwest Somalia and the collapse of the central government in late 1991 and 1992 in south and central Somalia produced heavy casualties. Since 1992, there have been repeated periods of relative stability with few reports of large-scale casualties. Estimates made from surveys by the U.N. Development Program and the World Bank, however, suggest even during relatively quiet periods the proportion of deaths as a result of "war" or mines may be in the range of 12 percent of all deaths.⁷⁸

In addition to those directly killed a huge population of displaced Somalis fluctuates with the ferocity of fighting. The number of Somali refugees in 1992 was estimated at 800,000 and the number of internally displaced persons was between 556,000 and 800,000—but some estimates numbered the IDP as high as 1.6 million.⁷⁹ This number declined in the latter half of the 1990s, but it recently skyrocketed again.⁸⁰

As of October 2009 the UNHCR estimated that fighting and insecurity had displaced 1.5 million people inside Somalia and 60 percent of Mogadishu's population, 600,000 people, had fled the former capital. Returnees and those still displaced are among the poorest people in Somalia. They live in urban areas in rudimentary structures with inadequate sanitary facilities, no access to safe water, and without the money for health care and education (with the exception of Islamic schools).

A significant proportion of Somalia's population suffers from acute malnutrition as well, and the malnutrition level varies significantly by how stable a given Somali region is: The level is less than 10 percent in the Somaliland—though this would still be enough in other countries to trigger a "humanitarian emergency"—between 10 percent to 15 percent in the northeast Puntland, between 15 percent to 20 percent in central and southern Somalia, and a dire 20 percent-plus in the southern corner neighboring Ethiopia and Kenya.⁸¹ Long periods of instability and hunger in Somalia have led the Food Security Analysis Unit of the U.N. Food and Agriculture Organization to adopt a position in its reports where the word "normal" when referring to malnutrition rates is deliberately avoided because the rates in Somalia that are "normal" are rarely seen elsewhere.⁸²

Somalia also ranks near the bottom of all countries in human development.⁸³ Health indicators suggest that health standards in Somalia are among the worst in Africa, but like Somalia's malnutrition the standards vary widely by region and the degree of stability experienced in a given area. Overall adult literacy is estimated to have declined from the already low level of 24 percent in 1989 to 17.1 percent in 2001.⁸⁴ According to the UNDP Human Development Report, "the collapse of Somalia's educational system constitutes a societal emergency, which will constrain development for decades."⁸⁵

The prolonged conflict, lack of law and order, and the need for money by faction leaders has led to increased crime and illicit activity both in Somalia and the region. Somali warlords, as well as businessmen and top politicians, engage in a range of illicit and destructive

activities, including extortion, smuggling, counterfeiting, and overharvesting of natural resources to raise money to pay for and supply their militias. Much of this illicit activity is facilitated by unscrupulous regional partners and thus is further corrupting and undermining other regional states as well.

Unremitting conflict, crime, corruption, and poverty have also radicalized large numbers of young people and led to the rise of the extremist group al-Shabaab. The group claims ties to Al Qaeda, publicly calls for international jihad, and has become a magnet for foreign terrorists. Somalia is not only a humanitarian tragedy, but has become a threat to the region and the United States and its interests.

Kenya: A fragile state

“Leakage” of weapons from Somalia—as well as other war-torn countries—has also increased insecurity, undermined development, and in some areas led to the growing militarization of Kenyan society. In Kenya, armed violence is common in the northern and northeastern regions of the country. Access to guns has also exacerbated urban crime and political violence.

Most small arms in Kenya appear to enter illegally from neighboring war-torn areas.⁸⁶ Ammunition comes from both neighboring countries and from Kenyan security forces, principally the police and police reserves.⁸⁷ Weapons are smuggled into the country a few at a time and sold by traders in secret markets, with some larger-scale illegal trading also reportedly taking place.⁸⁸ Yet the impact of even a modest increase in weapons has been significant.

The proliferation of small arms and light weapons is most serious along Kenya’s northern and western borders where pastoralist communities have ready access to assault rifles and other military weapons. The introduction and spread of such sophisticated weapons among these communities has intensified conflict and blurred the line between longstanding ethnic competition—manifested in cattle rustling—political violence, and crime. Guns are now widely used to carry out acts of banditry and cattle rustling in Kenya and have been responsible for growing numbers of human casualties, including during armed confrontations that pit ethnic groups against each other.

Just as disturbing is the increasing political violence by Kenya’s ruling elite. The current trend began in 1992 when then-President Daniel Arap Moi was forced to hold multiparty elections. Since then Kenyan election cycles have invariably been characterized by large-scale violence, culminating in massive riots in disputed elections in December 2008. In those elections alone more than 1,300 people were killed and some 350,000 displaced into temporary camps, with an equal number seeking refuge with friends or relatives.

Agricultural activity was seriously hampered as farmers moved away from their fields, posing long-term risks for the country's food security, which was already threatened by drought and soaring fertilizer prices. The education and health sectors were also compromised by the large-scale displacement of professionals.⁸⁹

High-ranking ruling party officials have been directly implicated in instigating the 2008 violence and the perpetrators have largely escaped punishment.⁹⁰ While many of the rioters were armed with traditional weapons such as bows and arrows and machetes, rioters armed with guns enabled others—armed with clubs, machetes, and other crude weapons—to kill, burn, and loot with impunity.⁹¹ Ethnic communities are also increasingly forming “self-defense” groups. These groups include the Mungiki (Kikuyu),⁹² the People's Liberation Army, Group of 41, and the Sabaot Land Defense Force (Kalenjin).⁹³

During Moi's presidency the Kenyan government also made use of so-called “homeguards” or police reserve units to protect civilians from armed cattle rustlers. Unfortunately, this seems to have only exacerbated the problem of pastoral conflict and armed crime in northern Kenya.⁹⁴ Weapons distributed to the homeguards were supposed to be carefully controlled, but many have fallen into private hands.

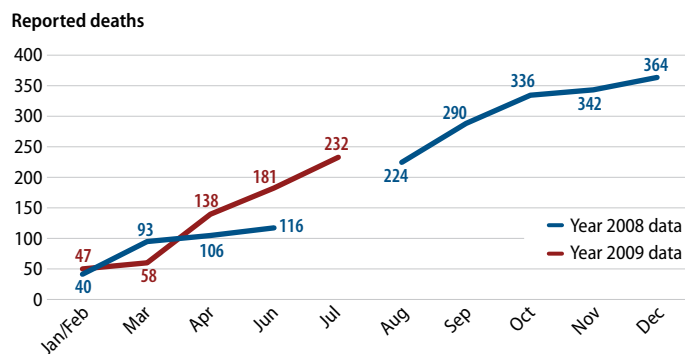
Guns are readily available, if relatively expensive, in Kenya, where it is very difficult for private citizens to own guns. Prices do vary by region and by demand. One survey found that the price of an AK-47 rifle was 25,000 Kenyan shillings (\$385) in the North Rift, 35,000 Kenyan shillings (\$540) in Marakwet District, and up to 50,000 Kenyan shillings (\$770) in East Pokot district.⁹⁵

It now appears that most pastoral families have weapons. This presents a huge and nonproductive investment for these desperately poor people. The cost of small arms proliferation has been particularly severe for pastoralists, who are greatly affected by large-scale cattle raiding. According to one study the estimated economic loss of cattle raiding in Sambura district was some \$5 million over a three- to four-year period.⁹⁶

Population increases, extended drought, and the increased availability of small arms have all contributed to increased tribal conflict and violence. For example, on September 15, 2009, 400 cattle raiders attacked the village of Kinampiu in Laikipia North district. By the time the brutal assault was over, 21 villagers had been killed and 11 of the raiders were

Reported killings in Kenyan pastoral areas for 2008 and 2009

Population increases, extended drought, and the increased availability of small arms are all contributing to increased conflict and violence, leading to more deaths



dead. According to the U.N. Office for the Coordination of Humanitarian Affairs there were 364 reported killings in pastoral areas in 2008 and 306 so far this year.

Kenya is an important U.S. ally and a linchpin of economic development in the entire region. Were insecurity to increase in the country, decades of nurturing democracy and economic development could be squandered.

The problem of small arms and light weapons in middle-income countries

Mexico

Mexico isn't suffering from an armed insurgency like Somalia or Kenya, but small arms are frequently used in armed violence throughout the country. They are widely used by organized criminal groups in Mexico involved in the drug trade and kidnapping, which has led to large numbers of homicides, undermined local authority, and greatly increased the cost of security for Mexican citizens. The violence is fed by readily available and powerful weapons that mainly come from the United States.

There were reportedly more than 6,200 murders in Mexico in 2008, and almost 10 percent involved law enforcement officials and military personnel.⁹⁷ Much of the recent increase in violence in Mexico is linked to the increasing strength of Mexican drug cartels and the government's decision to combat the cartel's activities and control drug violence. Mexican cartels have been around for a long time, but they've become more powerful with the demise of the Columbian Cali and Medellin cartels in the 1990s. Arrests of key cartel leaders have also led to increased drug violence as cartels fight for control of lucrative trafficking routes.⁹⁸

The killings can be disciplined. Mexican cartels have created "enforcer gangs" to perpetuate violence and intimidate Mexican citizens and public officials. Los Zetas are the elite soldiers of the Gulf Cartel. They are believed to be former Mexican special forces operators from the military and security services. With their military expertise and sophisticated weapons Los Zetas can carry out sophisticated paramilitary operations against rivals and the Mexican government. Other cartels have created their own elite units to counter Los Zetas.⁹⁹

According to Mexican authorities some 55,000 weapons and 5.2 million pieces of ammunition have been seized since 2006.¹⁰⁰ The main source of weapons for the cartels is the United States. Last year, Mexican Attorney General Medina Mora proclaimed the illegal trafficking of U.S.-source firearms the "number one" crime problem affecting the security of Mexico.¹⁰¹ And U.S. and Mexican officials say the firearms seized in Mexico have become increasingly powerful and lethal in recent years.¹⁰²

In U.S. fiscal year 2008, 25 percent of the firearms seized and traced in Mexico were AK and AR-15-type semiautomatic assault rifles brought from the United States, which fire ammunition that can penetrate body armor used by Mexican police.¹⁰³ According to the Government Accountability Office, in the last five years about 87 percent of firearms seized by Mexican

authorities and then traced had originated from the United States.¹⁰⁴ Most of these came from U.S. Southwest border states, particularly Texas, California, and Arizona.¹⁰⁵

Many of these weapons are obtained through “straw purchases” and then smuggled in repeated trips with one to three guns across the border in what is known as the *ant* or *hormiga* run.¹⁰⁶ The small arms are sold by licensed gun shops, unlicensed sellers at gun shows, and in private sales. The U.S. Gun Control Act of 1968 does not require unlicensed sellers to conduct background checks of gun purchasers or limit the number of weapons sold at a given time.¹⁰⁷ Most states, including Texas and Arizona, also do not require background checks or limit bulk purchases.¹⁰⁸

Repeated modest purchases can quickly add up. For example, one U.S. Bureau of Alcohol, Tobacco, and Firearms investigation into a convicted felon found he used straw purchasers buying from an unlicensed dealer at gun shows to traffic more than 1,000 weapons, many across the border to Mexico.¹⁰⁹ But even licensed—and monitored—gun dealers can be a ready source of arms for Mexican criminals. X-Caliber guns in Phoenix sold more than 700 weapons—mostly assault rifles including AK-47s—to straw purchasers the owner knew were buying on behalf of Mexican drug cartels.¹¹⁰ Despite solid evidence of aiding gun trafficking, weak federal and state gun laws allowed the owner to escape prosecution.¹¹¹

Mexico’s violence has triggered costly law enforcement efforts and cost Mexico much in lost tourist revenue. After a battle in June 2009 between suspected drug traffickers and Mexican soldiers in the beach resort of Acapulco resulted in 18 dead—16 gunmen and 2 soldiers—many tourists stayed away from Mexican resorts.¹¹² In the summer of 2009 the government pledged to spend \$90 million in advertising to convince U.S. tourists to visit Mexico.¹¹³

The violence has also led to a profound sense of insecurity among ordinary Mexican citizens. In a 2005 survey 54 percent of Mexicans reported feeling unsafe in their states of residence.¹¹⁴ One manifestation of this insecurity is the explosive growth of private security services. At the turn of the century Mexico’s private security industry had some 10,000 firms employing an estimated 153,885 personnel, only 20 percent of whom were registered with the government. These private security services have sometimes become private forces for powerful individuals and have also been implicated in Mexico’s criminal violence. In some border areas private security firms outnumber uniformed police and are often better armed, according to analysts.¹¹⁵

The violence in Mexico has had an impact across the border, too. Currently most of the Mexico-linked violence in the United States is limited to intergang violence, but it has the potential to expand to U.S. law enforcement officers as it has in Mexico.

The United States invested some \$700 million in 2009 to enhance Mexican law enforcement and judicial capacity and coordinate efforts against the cartels.¹¹⁶ This is of course welcome assistance, but it also represents money that could have been used for other humanitarian purposes either in Mexico or elsewhere.

Past and current attempts to regulate and control small arms

Since the mid-1990s various forums have considered the challenge of small arms proliferation and misuse. The primary impetus for work on small arms was the success of the International Campaign to Ban Landmines, or ICBL, which inspired governments and civil society to tackle the problems caused by another weapons system.

To address the negative consequences of small arms proliferation and misuse, states, with the assistance of civil society, developed a large body of international and regional treaties, agreements, declarations, model regulations, and resolutions. While the scope and implementation of these instruments varies tremendously, the development of more than 30 of these agreements is impressive.

International and multilateral efforts

The United Nations initially took a leadership role in the small arms issue with the publication of then-U.N. Secretary General Boutros Boutros Ghali's 1995 "Supplement to An Agenda for Peace," which introduced the concept of "microdisarmament," which he defined as "practical disarmament in the context of the conflicts the United Nations is actually dealing with and with the weapons, most of them light weapons, that are actually killing people in the hundreds of thousands." Boutros Ghali believed more attention should be given to the weapons the United Nations encountered in areas of conflict and acknowledged "the contemporary significance of microdisarmament is demonstrated by the enormous proliferation of automatic assault weapons, antipersonnel mines, and the like."¹¹⁷

In 1996 the United Nations established a U.N. Panel of Governmental Experts to develop a U.N. agenda on small arms, which encouraged continued U.N. involvement and suggested convening an international small arms conference. A U.N. Group of Governmental Experts followed up on these recommendations in 1999 and established the U.N. small arms conference process. The United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects was held in July 2001 and resulted in a Programme of Action, or PoA, a politically binding agreement that outlines specific steps to combat the proliferation of small arms on national, regional, and global levels. Biennial conferences on the implementation of the PoA were held in 2003, 2005, and 2008, and a review conference was held in July 2006, which resulted in no outcome document or agreement due in part to the unwillingness of the United States to compromise on a few key issues.

The Programme of Action is seen and used as a global small arms control framework in the absence of a comprehensive legally binding treaty. Although the PoA has significant limitations—it addresses only illicit small arms, it is not legally binding, and it has no enforcement mechanisms—it does serve as a useful tool for states to use in their nonproliferation efforts.

Moreover, it provides a framework for action by states, regional organizations, and international institutions to organize programs, policies, and initiatives that address small arms proliferation and misuse. This framework is found within the “10 pillars” of action in the PoA, which help states develop small arms policies and practical steps to combat proliferation: establishment of national points of contact and national coordination agencies; legislation, regulations, and administrative procedures; criminalization regimes; stockpile management and security; weapons collection and disposal; export, import, and transfer controls and regulations; brokering; marking, tracing, and record keeping; disarmament, demobilization, and reintegration of ex-combatants; and assistance and international cooperation in tackling different aspects and consequences of the illicit small arms and light weapons trade in all its aspects.¹¹⁸

The PoA has led to three additional small arms processes at the United Nations. First, in December 2005 the United Nations adopted the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons.¹¹⁹ The instrument enhances international cooperation for marking and tracing weapons and leaves up to member states the method for marking weapons as long as the mark is unique and includes the year and country of import. States also agree to mark or destroy unmarked weapons within their borders and keep accurate and comprehensive records of marked small arms, including manufacturing records for 30 years and import and export records for 20 years. On the tracing side states can choose their own tracing systems and are encouraged to request assistance from other states to help trace weapons found within their borders.

Second, the PoA established a Group of Government Experts in December 2005 to address the prevention and eradication of illicit brokering of small arms and light weapons. It submitted a report to the United Nations in July 2007 recommending that states enhance national implementation of brokering legislation, strengthen international cooperation and information sharing, increase assistance and capacity building, promote reporting on brokers and their activities, and enhance implementation of U.N. Security Council arms embargoes and sanctions.¹²⁰

A third PoA follow-up process has been the pursuit of an Arms Trade Treaty that would establish common international standards for the import, export, and transfer of conventional arms. In December 2006 the U.N. General Assembly approved by a 153-1 vote—the one negative vote coming from none other than the United States—a resolution asking the U.N. secretary-general to ascertain member states’ views on a treaty “establishing common international standards for the import, export, and transfer of conventional arms” includ-

ing small arms.¹²¹ The United Nations then established a group of governmental experts to assess the scope, parameters, and feasibility of an Arms Trade Treaty in 2008.

The group recommended the United Nations continue working toward an Arms Trade Treaty, which led to the establishment of an Open-Ended Working Group on the Arms Trade Treaty by a U.N. resolution in December 2008. Again, the United States was the only country to vote against the General Assembly resolution, which led to the working group's commencement in 2009. In October 2009, 153 countries, including the United States, voted in favor of beginning negotiations at the United Nations that would culminate in a conference on the Arms Trade Treaty in 2012. Preparatory meetings for this conference will begin in July 2010.

U.N. member states also negotiated a legally binding treaty on illicit small arms trafficking and manufacturing in 2001 known as the U.N. Protocol Against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components, and Ammunition. This treaty supplements the United Nations Convention Against Transnational Organized Crime's U.N. Firearms Protocol—the first legally binding international small arms control agreement.

The treaty, which was negotiated through the U.N. Economic and Social Council's Commission on Crime Prevention and Criminal Justice, aims to “prevent, combat, and eradicate the illicit manufacturing of and trafficking in firearms, their parts, and components and ammunition.” Ratifying states must commit to adopting national legislation that makes the illegal manufacturing or trafficking of firearms a criminal offense. The treaty uses a law enforcement perspective and establishes cooperative mechanisms to combat illicit firearms around the world, establishes a national arms licensing system, and creates a marking and tracing system for firearms.

Although the protocol was agreed to in 2001 it had only 79 state parties and 52 signatories who had not yet ratified it as of June 2009. The United States has not signed or ratified the protocol.

Small arms control efforts are also found within numerous U.N. Security Council and U.N. General Assembly resolutions. These range from arms embargoes to effective disarmament and demobilization programs.

While the United Nations has been the most active global organization on small arms, other multilateral forums have taken up the issue. For example, the 40 members in the Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies, or WA, focus on the transparency and responsibility of conventional weapons exports, including small arms and dual-use goods and technologies. The group established the Best Practices Guidelines for Exports of Small Arms and Light Weapons in 2002, which outline standards for the denial of small arms export licenses, including if:

- The arms might encourage terrorism
- Hinder the security of another state
- Be diverted to terrorists
- Go against any other international arms control agreements
- Aggravate existing conflicts
- Endanger the peace or regional security
- Be re-exported or sold without licenses
- Be used for repression or human rights abuses
- Facilitate organized crime
- Be used for any other purpose besides the “legitimate defence and security needs of the recipient country”¹²²

Member states further agreed to notify the original exporting state if small arms are re-exported, consider carefully small arms exports to nonstate entities, and consider the stockpile management and security procedures of a state before exporting any arms.¹²³ WA also adopted the Elements for Export Controls of Man-Portable Air Defence Systems in December 2003, which requires member states to issue individual licenses for MANPADS exports and use government brokers in their transfers, among other regulations.¹²⁴ And WA adopted Elements for Effective Legislation on Arms Brokering in December 2003, in which states agree to develop and implement national laws and regulations to control the activities of arms brokers.¹²⁵

The Organization for Security and Cooperation in Europe or OSCE’s 56 member states developed a Document on Small Arms and Light Weapons in 2000, which outlines specific export criteria for small arms transfers. The document also contains norms and principles for international coordination, including stronger export controls, more uniform marking procedures for firearms and ammunition, increased stockpile security, more concerted stockpile destruction efforts, and more successful disarmament, demobilization, and reintegration programs in postconflict situations.¹²⁶

The OSCE coordinates assistance among states on issues including arms transfers and in 2003 published the “Handbook of Best Practices on Small Arms and Light Weapons,” which recommends specific practices for small arms manufacturing; marking, record-keeping, and traceability; stockpile management and security; brokering controls; export controls; surplus weapons; small arms destruction; and disarmament, demobilization, and reintegration processes.¹²⁷

Regional efforts

Regional initiatives on small arms proliferation and misuse began taking shape while global and multilateral action was unfolding, and in many regions initiatives have been farther reaching and more comprehensive than international ones. This is in part due to

the ease with which states can reach consensus within a region where they are also able to address issues that matter to the countries within that region. A Project Ploughshares study found, for example, that:

... regional mechanisms are tailored to regional requirements, and understandably, display differences in emphasis and scope. For example, a common concern about violent crime among members of the Organization of American States led to the CIFTA convention on firearms and Inter-American Drug Abuse Control Commission model regulations, which apply to trafficking of firearms, but not state-to-state transfers of military small arms and light weapons. In contrast, the Nairobi Declaration and Protocol have both given primary attention to illicit transfers of the military small arms that are at the centre of the pervasive armed violence in the Horn and Great Lakes subregions of Africa.¹²⁸

Myriad regional agreements exist, but more than 40 states do not belong to any regional agreements, particularly states in Western Asia, Southeastern Asia, Southern Asia, and Oceania. On the other hand, some states belong to multiple regional or subregional organizations, which can result in conflicting obligations and standards. But despite limitations to regional agreements and initiatives—they only affect the region involved, for example—they can provide examples for other regions and establish global norms and standards.

The Western Hemisphere is home to one of the strongest regional agreements—the 1997 Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and other Related Materials, or CIFTA, adopted by the Organization of American States. CIFTA, which focuses on illicit small arms trafficking in the Western Hemisphere, aims to increase controls over, traceability of, and international cooperation on small arms trafficking in the hemisphere. It was the first legally binding regional agreement on illicit firearms trafficking.

CIFTA requires member states to:

- Adopt legislation making illicit arms trafficking a crime under state jurisdiction
- Mark firearms with manufacturer and importer information
- Confiscate illicitly made or transferred firearms
- Ensure the security of transferred weapons
- Issue licenses for import, export, and transit of arms
- Strengthen security at export points
- Keep tracing records of illicit trades
- Guarantee the confidentiality of shared information and share information on arms production and transfers with other member states
- Provide assistance and cooperation in implementing the convention¹²⁹

To support CIFTA the OAS also adopted Model Regulations for the Control of the International Movement of Firearms, Their Parts and Components, and Ammunition

in 1998, which recommends procedures for the export of firearms and ammunition by member states, including suggested templates for export, import, and transit certificates for firearms.¹³⁰ Similarly, in 2003, the OAS adopted Model Regulations for the Control of Brokers to help states develop national legislation to control the activities and procedures of arms brokers. Although the United States was instrumental in CIFTA's development it has yet to ratify it, joining only Canada, Jamaica, and St. Vincent and Grenadines as the only countries in the hemisphere not party to the treaty.

The 1998 Economic Community of West African States, or ECOWAS, adopted a moratorium prohibiting the import, export, and manufacture of small arms that is among the most far-reaching agreements to control small arms and was the first moratorium on small arms in the world. All 16 ECOWAS states agreed to the moratorium, which was renewed in 2001 for an additional three years.¹³¹ The U.N. Programme for Coordination and Assistance on Security and Development, or PCASED, assisted ECOWAS states in the moratorium's implementation.¹³²

The moratorium was plagued with significant problems in its early years. It was not legally binding, had ambiguous language, was difficult to enforce, and was slow in implementation. ECOWAS replaced PCASED with the Economic Community of West African States Small Arms Project, or ECOSAP. With ECOSAP's assistance, a process was developed in 2003 to move the ECOWAS moratorium into a legally binding convention. NGOs became frustrated with the slow progress on the convention, however, and the West African Action Network on Small Arms, with the support of Oxfam, provided their own draft for ECOWAS to consider. Finally, in June 2006, the ECOWAS Convention on Small Arms and Light Weapons, Their Ammunition, and Other Related Materials was adopted with the aim of controlling and preventing the accumulation of small arms. It is still too early to determine if the convention will be more successful than its predecessor.

The 52 countries of the African Union—which was then the Organization for African Unity—adopted the Bamako Declaration in 2000, a common African position on the illicit proliferation, circulation, and trafficking in small arms. The declaration was intended to assist African states in their approach to the 2001 U.N. Small Arms Conference and address both the supply and demand for small arms. Although the declaration is a political agreement only, it is significant in that it marked the first time Africa as a whole identified priorities for small arms action and developed an action plan for states to implement.

The Bamako Declaration also led other African subregions to adopt their own small arms initiatives. The Southern African Development Community¹³³, or SADC, adopted its own legally binding Firearms Protocol in 2001, which entered into force in November 2004 and helps states develop national controls on arms trafficking and possession.¹³⁴ The 2004 Nairobi Protocol and subsequent 2006 Nairobi Guidelines were developed by the East

African countries to prevent, combat, and eradicate the illicit manufacturing of, trafficking in, and possession, use, and excessive and destabilizing accumulations of small arms and light weapons.¹³⁵ The protocol is legally binding and outlines the specific national laws and regulations necessary to meet the protocol's goals, covering issues ranging from marking weapons to regulating security companies. The guidelines, which are politically binding, help states harmonize their legislation and provide guidelines for weapon transfers.

While the region has made political commitments to limiting the negative consequences of small arms and light weapons, they remain a practical and political challenge. Governments within the region continue to supply small arms that fuel wars and conflicts within the region.

Europe has adopted numerous small arms initiatives. In 1997 the European Union adopted the E.U. Programme for Preventing and Combating Illicit Trafficking in Conventional Arms, which was then complemented by the 1998 E.U. Joint Action on Small Arms. The European Union endorsed a Code of Conduct on Arms Exports in 1998, which outlines specific export criteria and contains a denial notification and consultation mechanism for considering arms exports.

The E.U. Code of Conduct requires member states to deny arms exports that are not consistent with obligations of U.N., OSCE, and EU arms embargoes and the Wassenaar Arrangement. It prohibits arms export licenses if there is a risk that the weapons may be used for internal repression, if they will provoke or prolong conflict, or if they will be used aggressively against another country. And the code requires states to carefully consider arms exports to countries where human rights abuses have taken place. Among other factors, exporters must also consider national security, international behavior, and the risk of re-export.¹³⁶

The European Union also adopted The Common Position on the Control of Arms Brokering in 2003, which requires states to develop and implement domestic legislation on arms brokers and to enhance and improve cooperation on information exchange on arms brokers activities, among other responsibilities.

The North Atlantic Treaty Organization, or NATO, developed the NATO/Euro-Atlantic Partnership Council Working Group in July 1999—a shift in NATO's previous attitude that arms trade issues were the responsibility of member states. The working group and NATO's focus on small arms is centered on stockpile management; disarmament, demobilization, and reintegration programs; border security and export control assistance; and enhanced exchange of information on export controls and regulations.¹³⁷ NATO also created the Partnership for Peace Trust Fund in September 2000 to help NATO members destroy antipersonnel landmine stockpiles, but this program was expanded to provide assistance for small arms and light weapons destruction as well.¹³⁸

Existing small arms instruments

There are a large body of international and regional treaties, agreements, declarations, model regulations, and resolutions

Existing small arms and light weapons instruments	Year	Level of participation
Convention on Certain Conventional Weapons (CCW)	1981	105 state parties
CCW Protocol I	1983	103 state parties
CCW Protocol II	1983	90 state parties
CCW Protocol II [amended]	1996	89 state parties
CCW Protocol III	1983	98 state parties
CCW Protocol IV	1996	89 state parties
CCW Protocol V	2006	42 state parties
U.N. Firearms Protocol	2001	52 signatories, 73 state parties
U.N. Programme of Action on Small Arms and Light Weapons	2001	Open to all U.N. member states, participation varies
U.N. International Tracing Instrument		Open to all U.N. member states, participation varies
Mine Ban Treaty	1997	155 state parties
Wassenaar Arrangement	1995	40 participating states
WA Best Practice Guidelines on SALW	2002 (amended 2007)	40 participating states
WA Best Practice Guidelines on MANPADS	2003 (amended 2007)	40 participating states
Inter-American Convention on Transparency in Conventional Weapons Acquisitions	1999 (entered into force 2002)	20 signatories, 12 ratifications (34 member states)
CIFTA	1997 (entered into force 1998)	33 signatories, 29 ratifications/accessions (34 member States)
Organization of American States Model Regulations for the Control of Firearms	1998	34 member states
OAS Model Regulations for the Control of Brokers	2003	34 member states
Organization for Security and Co-operation in Europe (OSCE) Document on Small Arms	2000	56 member states
OSCE Principles Governing Conventional Arms Transfers	1993	56 member states
Central American Code of Conduct	2005	7 member states
ECOWAS Moratorium	1998, 2001	16 ECOWAS member states
ECOWAS Convention	2006	16 ECOWAS member states
Nadi Framework	2000	8 member states
Nairobi Protocol	2004	11 signatories, 8 ratifications
Nairobi Guidelines	2006	11 member states
SADC Protocol	2001	14 member states
Andean Plan on SALW	2003	5 states
Antigua Declaration	2000	46 signatories (organizations and individuals)
Bamako Declaration	2000	52 OAU states in 2000
Nairobi Declaration	2000	10 states

The United States and national practices

The United States has wide-ranging small arms laws, regulations, and policies. Indeed, the United States is often hailed as the “gold standard” for comprehensive policies and practices concerning the transfer, management, and control of small arms and light weapons produced, maintained, and exported by the United States.

During the Bush administration the United States chose to focus primarily on programmatic and bilateral responses to small arms proliferation, and it often shunned—and indeed obstructed—multilateral small arms processes. As a result several international efforts failed to reach consensus or conclusion or were weakened by U.S. redlines. When the United States engages in multilateral or national efforts, however, it is generally successful in implementing effective measures to stem small arms proliferation.

On the international front the United States almost fully implements the United Nations’ Programme of Action. In a biannually produced matrix submitted to the United Nations the United States highlights all its programs and policies on small arms, particularly as these relate to PoA’s implementation. The matrix underlines U.S. laws and regulations and identifies the gaps in its implementation of the PoA. As part of the matrix process the United States has reviewed its assistance programs, laws, and enforcement of all laws related to small arms and light weapons since the 2001 U.N. Small Arms Conference.

The United States marks, secures, and transfers its own weapons. The Bureau of Alcohol, Tobacco, and Firearms administers the National Tracing Center, which traces firearms that are believed to be of U.S. origin and have been used in or are suspected to have been used in criminal activities for U.S. and foreign law enforcement agencies.

U.S. laws and regulations identify the guidelines, practices, and rationales for U.S. arms transfers that include weapons contained in the U.S. Munitions List. U.S. law is primarily governed by the Arms Export Control Act and Foreign Assistance Act of 1961 and carried out by the International Traffic in Arms Regulations, or ITAR.

To safeguard U.S. weapons the U.S. government maintains two end-use monitoring programs: the Blue Lantern program, which is administered by the State Department, and the Golden Sentry program, which is administered by the Defense Department. The Blue Lantern program is responsible for end-user and pre-license checks on commercial small arms transfers while Golden Sentry handles U.S. government to foreign government transfers.

The United States also has sophisticated brokering laws. The 1996 U.S. Law on Brokering was passed as an amendment to the 1976 Arms Export Control Act and requires all U.S. exporters and brokers of items contained in the U.S. Munitions List to register with the State Department’s Directorate of Defense Trade Controls and obtain a license for each

transfer. The law contains a component of extraterritoriality, too, which means that all U.S. citizens and foreign nationals are subject to the U.S. brokering law whether they operate domestically or in another country.

The cornerstone of U.S. small arms policy is its focus on practical steps to reduce the excessive and destabilizing accumulation of small arms worldwide. The United States operates the world's largest small arms assistance program, which provides technical and financial assistance to help countries around the world destroy surplus and obsolete weapons and safeguard weapons in government arsenals.

The destruction program is run by the State Department's Office of Weapons Removal and Abatement. Since 2001 the United States has spent over \$27 million to destroy more than 1.3 million weapons and more than 50,000 tons of ammunition in 36 countries. It has also helped destroy more than 30,000 man-portable air defense systems in 29 countries.¹³⁹ In FY 2009 \$24.4 million was spent on the weapons destruction programs and \$75 million has been appropriated for FY 2010.

The Physical Security and Stockpile Management program is run by the Department of Defense's Defense Threat Reduction Agency, or DTRA. The program has secured stockpiles in more than 37 countries, conducted 38 assessments, and held 30 seminars.¹⁴⁰ The Weapons Removal and Abatement and DTRA programs work together to maximize resources and often conduct joint evaluations and assessments to best recommend appropriate strategies and options.

But while the U.S. government has advanced laws, regulations, and controls for the legal arms trade and maintains strict control over arms exports, permissive gun ownership laws and lax supervision of certain gun markets have made the United States a significant source of illegally diverted guns (see case study on Mexico).

The role of nongovernmental organizations and civil society

The influence of NGOs and civil society on small arms programs and policies cannot be overstated even though these groups are absent from policymaking. In some countries NGOs are the only parties responsible for developing and implementing such programs. And in many instances nongovernmental organizations are more forward looking than various national, regional, and international forums and have pushed governments to go further and faster than they would have otherwise.

The International Action Network on Small Arms, or IANSA, was launched in 1999 with the aim of uniting NGO action on small arms and serving as a focal point for exchanging small arms information. IANSA now has over 800 members in 120 countries. The Control Arms Campaign, run by Amnesty International, Oxfam, and IANSA, was launched in 2003 and calls for an international legally binding treaty to stop the unregulated and irresponsible arms trade.

Nongovernmental organizations have also organized nationally and subregionally. In Rio De Janeiro, Brazil, for example, the organization Viva Rio has been instrumental in addressing the gun violence in the country that is among the highest in the world. Viva Rio has run collection and destruction programs in partnership with the Brazilian government with great success. Additionally, Brazilian NGOs worked together to push the October 2005 national vote to ban guns and ammunition in Brazil. Although the referendum failed it was the first vote of its kind and encouraged continued awareness raising and work on small arms issues in Brazil.

In West Africa the West Africa Action Network on Small Arms, or WAANSA, was behind the development of the legally binding ECWOAS Convention. After years of governments stalling on the measure WAANSA presented their own Draft Convention on Small Arms and Light Weapons to the ECOWAS Secretariat on October 5, 2005. With the impetus of civil society ECOWAS finally adopted the convention.

Obstacles to global small arms action

The abundance of small arms-based initiatives and programs since the mid-1990s has not eliminated the problems caused by uncontrolled small arms proliferation and misuse. On the contrary, small arms continue to contribute to devastation around the world. Why have these initiatives failed?

There are several reasons. Some of them are based on the dynamics of the arms trade—of political and economic pressures—while others have more to do with priorities and agendas.

As we've shown, numerous treaties, agreements, and programs exist to address the excessive and destabilizing accumulations of small arms, but they do so in many different ways. Some governments may simply ignore new agreements, but it is also often difficult to ascertain the implementation of existing instruments because of ambiguous language, a lack of verification regimes, or the absence of enforcement mechanisms.

For some countries signing a treaty or agreement is all that is accomplished. The lack of implementation could be due to a lack of capacity or resources or could be linked to what plagues the small arms issue above all—a lack of political will. Governments may not have the financial or technical resources or the actual manpower or know-how to implement effective programs, policies, and actions. Still others may be uninterested in pursuing the small arms agenda—other issues may top their priority list—or they have political or economic reasons not to act as the agreement requires.

Many global small arms initiatives are undermined by the inherent limitations of the United Nations itself. First, the United Nations is a consensus-based body, so in many cases a lower denominator outcome is negotiated to gain consensus, leaving little impetus for those already in compliance with the agreement to do more. Moreover, at times the United Nations has been slow to act and is unimaginative in their efforts. The small arms issue has been pigeonholed in the disarmament community, which means issues of development or demand are often left out of the arms control, supply-sided focus of current initiatives. These approaches often have little relevance for countries affected by small arms and so little action is taken by them.

What's more, some governments have refused to develop small arms initiatives until other issues are addressed first and have demanded action on nuclear agreements before future

work is done on small arms (such as some Middle Eastern countries claiming that work on small arms cannot begin until Israel's nuclear program is dealt with).

Other small arms issues have been viewed as too controversial to consider both politically and economically, and thus solutions to small arms proliferation have missed many opportunities. For example, some states, including the United States, have been loath to mention restrictions on civilian weapons ownership, the legal trade and manufacture of small arms and light weapons, or on the sale of small arms and light weapons to entities other than governments. Arms exporters want to maintain their market opportunities and not have economic or foreign policy considerations impede their trade. States also want to maintain deniability if their arms are used for unintended or illegal purposes.

U.S. domestic and political realities

The United States has a unique political and social context for addressing small arms issues that must be taken into account when developing and implementing policies and programs. And because the U.S. Congress and other policymakers are relatively uninformed about the impact of small arms proliferation and misuse, they tend to be overly cautious and deferential to pro-gun perspectives and views, which view the small arms issue and U.N. efforts on small arms as direct threats to constitutional gun rights issues.

Calls to address the problem of small arms proliferation and misuse are often confused with domestic gun control, and the consequences of international gun violence do not tend to attract much attention from American audiences. The connection between small arms and human suffering—the “how does this affect me?” scenario—has not been made successfully by the U.S. government or advocacy groups, and thus the American public has not demanded action, as was done on landmines.

The U.S. position on and attitude toward small arms is also shaped by the political context, which is currently influenced by the economic crisis, the war on terrorism, and the wars in Iraq and Afghanistan. To date the Obama administration’s primary focus is on nuclear issues, with the one small-arms-focused policy statement coming in the form of Obama’s support for U.S. ratification of the OAS Convention. The United States also has economic interests in the small arms trade: A key strategy of both the “global war on terror” and economic recovery has been ensuring that U.S. allies are able to acquire U.S. weapons as quickly as possible. Even though arms constitute only a small part of total U.S. arms exports, the defense industry has made the claim, and Congress and the administration have accepted it, that arms exports are good for U.S. jobs and the economy.

U.S. policy on small arms has been fairly consistent since the mid-1990s and the Clinton administration. It is rooted in the beliefs that small arms should not end up in the hands of dangerous or illegal recipients, that policies should focus on bilateral and regional approaches, and that practical steps and best practices should be the focus of U.S. policy efforts. That focus has been in place for over a decade, but the Bush administration’s tone on the issue—it was particularly hostile toward the United Nations and opposed multi-lateral processes—made it appear that differences between the United States and other countries were far greater on small arms than they are.

The consistency in U.S. policy can be credited to two reasons. The first is that the civil servants in the U.S. State Department and other agencies who are responsible for developing and implementing small arms policies are not political appointees and thus do not change with new administrations. For the most part the same small group of people has been working on small arms issues over the past 10 years.

Second, the core principles of U.S. small arms policy will likely not change regardless of the party in charge. For example, the United States will continue to oppose prohibitions on small arms transfers to nonstate actors or limits on civilian possession of weapons irrespective of the party in charge.

The State Department has traditionally taken the lead on small arms issues, with the Office of Weapons Removal and Abatement in the Bureau of Political-Military Affairs implementing programmatic initiatives but playing a limited role in policy development. WRA is a programmatic office that carries out U.S. weapons destruction programs among other priorities. Policy decisions on small arms are often made at the assistant secretary and undersecretary levels, though the White House does often play a role in particularly significant small arms decisions.

Arm Trade Treaty policy is presently being handled by State Department's Bureau of International Security and Non-Proliferation Office of Conventional Arms Threat Reduction. The leadership of this office demonstrates the United States's focus on arms control on the ATT. The bureau engages in arms export control policies such as the Wassenaar Arrangement and shows that the United States is not considering the ATT solely a small arms or illicit trafficking issue. This is a different approach from the Bush administration, which viewed the ATT primarily as a small arms issue that did not support U.S. national interests.

The U.S. Congress has played a minimal role in U.S. small arms policy. Sens. Dianne Feinstein (D-CA), Patrick Leahy (D-VT), and Daniel Akaka (D-HI) introduced numerous small arms resolutions in the early 2000s and several "Dear Colleagues" letters have been distributed on small arms issues—particularly around the U.N. conferences—but little has been done on the small arms agenda in Congress. Senators and representatives are often hesitant or uninterested in developing small arms legislation because of a lack of education on the issues or fear of backlash from the National Rifle Association and other pro-gun groups. Congress has regularly increased funding for small arms initiatives, such as WRA's destruction program, but it has been cautious in authorizing and appropriating funds for new small arms policies and programs.

Since the mid-2000s U.S. NGOs have cut their involvement in international small arms issues. For the most part NGOs work on issues based on funding and opportunities for action. The current financial decline has negatively affected foundation and indi-

vidual giving, causing many programs and staff that work on small arms issues to be cut. Foundations are also currently prioritizing nuclear weapons work, and they have cut or eliminated funding on many conventional arms issues. Until organizational and foundation thinking shifts to value work on conventional weapons, including small arms, the quantity of groups working on small arms will remain limited.

Opportunities for the future

The new Obama administration provides ample opportunities for a new U.S. position on small arms. But a new U.S. position will take time to evolve in the new administration, and a variety of competing national and international priorities will make it difficult to raise the profile of the issue in the near future. Involving members of Congress will remain challenging and time consuming as well. Some signs, however, indicate the president's sensitivities to the issue and potential opportunities in the future.

Although President Obama was supportive of small arms initiatives when he was in the Senate, he now must navigate the complex domestic political realities of small arms in the United States. He has certainly shown interest in the issue: As a senator, the president joined Sen. Richard Lugar (R-IN) in introducing the Lugar-Obama Bill, which included legislation on conventional arms destruction and upped the money spent on conventional arms issues within the State Department. He also signed a letter to Secretary of State Condoleezza Rice encouraging Bush administration support for the Transfer Control Initiative in the U.N. PoA, which was a precursor to the Arms Trade Treaty.

President Obama encouraged U.S. ratification of CIFTA while attending the Summit of the Americas in April 2009, which the United States signed in November 1997. The United States' absence as a treaty participant has undermined the success of CIFTA and given a pass to those who willfully chose to ignore it. The U.S. position in the past has made little sense. The United States was a key drafter of the convention, but an administration has never pushed for ratification and CIFTA has remained in the hands of the Senate Foreign Relations Committee awaiting action since 1998.

The Federation of American Scientists, which has written extensively on the OAS Convention and worked with the law firm Covington & Burling on a comparative review of U.S. law and CIFTA, found that the treaty is consistent with U.S. law and U.S. ratification would require no new laws. Regulations have been adjusted to fit the OAS Convention and only minor changes could be possible in the future.¹⁴¹ The Bush administration seemed to support the convention, including it on a list of treaties that they wanted to see ratified and, according to the Bush State Department:

The convention will make the citizens of the hemisphere safer by helping to shut down the illicit transnational arms market that fuels the violence associated with drug trafficking, terrorism, and international organized crime... While strengthening countries'

*abilities to eradicate illicit arms trafficking, the regional agreement protects the legal trade in firearms and lawful ownership and use of firearms and it is modeled on U.S. laws, regulations, and practices.*¹⁴²

What's more, the United States had emphasized the OAS Convention's importance and reiterated U.S. support for its implementation prior to the attention given to illicit gun trafficking to Mexico and the Obama Summit of the Americas speech. The Principal Deputy Assistant Secretary for Western Hemisphere Affairs Ambassador Charles Shapiro said in an October 27, 2005 speech to the Inter-American Defense College:

*The OAS has made important contributions towards reducing the problem of illicit weapons proliferation and the U.S. encourages the Organization of American states and its member states to continue to make progress in this area. The entry into force of the Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition and Explosives in 1998 made the OAS a leader in multilateral efforts to address the problem of illicit weapons trafficking. As a CIFTA signatory, the U.S. supports the Convention and OAS states parties' efforts to aggressively implement it. Effective export and import controls and their enforcement are the cornerstones of any successful effort to mitigate the problems of illicit trade in small arms and light weapons.*¹⁴³

Even with stated U.S. support, CIFTA still has not been the subject of a Senate Foreign Relations Committee hearing. The likeliest reason for this is the previous administration's abhorrence of international treaties, particularly one that could be painted by pro-gun groups as international gun control—even though CIFTA does not focus on the legal trade nor relate to legal civilian possession of weapons. It is also worth noting that at the time of CIFTA's drafting the National Rifle Association was reportedly satisfied with the treaty text and its ability to influence the negotiating process.¹⁴⁴

The most significant shift in U.S. policy on small arms issues was in October 2009. In a short press release titled "U.S. Support for the Arms Trade Treaty" Secretary of State Hillary Clinton described a long-standing U.S. commitment for strong international standards on the international arms trade and outlined the conditions for success on an ATT in the United Nations forum. Clinton argued, to the disappointment of many, that the 2012 U.N. Conference on the Arms Trade Treaty must operate "under the rule of consensus decision making" to prevent states interested in undermining the treaty from creating loopholes.

In Clinton's statement, however, she emphasized that "The United States is committed to actively pursuing a strong and robust treaty that contains the highest possible, legally binding standards for the international transfer of conventional weapons." This was the first time that the United States officially and publicly supported the pursuit of an ATT at the United Nations. The U.S. role and position as the ATT moves forward has yet to be made public, but the United States is actively engaged in the process—a tremendous first step for seeing a significant and meaningful international treaty.

Recommendations

The global proliferation and misuse of small arms compels the international community to develop a variety of programs and policies to combat challenges around the world. The United States has engaged in multilateral and regional processes to varying degrees and implemented its own unilateral and bilateral initiatives. As the Obama administration is engaged in an overall policy review on export controls, the time is right for a new U.S. strategic approach to small arms proliferation.

This new approach's goal should be greater engagement by the United States on small arms issues internationally. It should actively engage in existing and proposed processes and negotiations and promote meaningful and practical approaches to countering small arms proliferation and misuse. But greater engagement will require a greater awareness within the administration, Congress, and the public of the costs and consequences of small arms proliferation and misuse and a consensus to develop appropriate programmatic and policy responses.

There are four specific steps the United States can take at the national, regional, and global levels in the short term to help promote strategic engagement in the small arms issue. Within each of these steps, the United States should make every effort to promote public, government, and media awareness of the problems associated with small arms proliferation, both as a security and development threat.

Raising awareness would counter confusion and misinformation about efforts to address small arms proliferation and misuse and assist in real and sustainable progress. Such awareness promotion would include increasing interagency dialogue on small arms issues, citing examples of small arms proliferation and misuse in reports and statements on national and sustainable security, and encouraging policy initiatives and budgetary support for efforts to combat the illegal spread of small arms.

Increase programmatic assistance at the national level to fight proliferation

First, at the national level, the United States should increase its programmatic assistance for practical steps that prevent the proliferation and misuse of small arms and light weapons. Export controls, responsibility, and appropriate vetting of end users are important

steps, but it is equally important to make sure that surplus, obsolete, and potentially destabilizing weapons are removed from circulation. It is these weapons that are most often used in brutal conflicts such as Colombia, Darfur, the Democratic Republic of the Congo, Sri Lanka, and Somalia.

The destruction of surplus or obsolete weapons should be a priority. When such weapons remain in a country they can easily find their way into the black market or be used for violence and crime. The United States currently provides the largest amount of funding for destruction efforts around the world, but destruction efforts could easily be expanded. Through the State Department's Office of Weapons Removal and Abatement the United States has spent over \$27 million to destroy small arms and MANPADS. These programs are relatively unknown and operate on a very small budget, but they have made a tremendous impact. Thus, they should be given increased funding, staffing, and profile to ensure they continue their important work.

The three subaccounts—demining, small arms, and the International Trust Fund for Mine Action—that fund the Office of Weapons Removal and Abatement's work could also be combined into an umbrella conventional weapons destruction account to respond more effectively to potential threats that arise from uncontrolled and unsecure stockpiles of weapons, including to development. This accounting fix would eliminate the time spent on bureaucratic processes and allow flexibility for destruction assessments and programs.

Ratify the OAS Convention

Second, at the regional level, the Senate should ratify the OAS Convention. The United States played a key role in drafting the OAS Convention to make sure it was in line with U.S. laws and regulations. But the convention has languished in the Senate for more than a decade. Ratifying the convention will send an important and powerful message to the Western Hemisphere that the United States is serious about halting illicit arms trafficking, and the convention will provide another tool that establishes practical steps to deal with the flow of weapons between the United States and Mexico.

The National Rifle Association has led a successful campaign against the convention, but its concerns are unfounded. The preamble states that “this convention does not commit states parties to enact legislation or regulations pertaining to firearms ownership, possession, or trade of a wholly domestic character...” The convention, in other words, can only help fight illicit arms trafficking in the hemisphere, not undermine U.S. rights and laws.

Lead on developing a legally binding Arms Trade Treaty

Third, at the global level, the United States should play a leadership role in developing a legally binding Arms Trade Treaty that would develop common international standards at

the highest level on the export of conventional weapons, including small arms. Under the Obama administration the United States has already reversed the Bush administration's position and demonstrated it is willing to be a constructive partner in the development of a treaty and in the U.N. process.

U.S. laws and regulations comply with or exceed the vast majority of principles that have been proposed in a potential ATT and the United States should work to ensure that its national arms export control system serves as an example for other states. Active participation in the ATT process will ensure that U.S. policy and practice is the standard undertaken by the treaty negotiations. The United States should work to find common ground with other countries that have been skeptical of the ATT in the past and make sure that the ATT is comprehensive—includes both small arms and heavy conventional weapons—and meaningful—prevents legitimizing troublesome arms exports.

Build small arms initiatives into development programs

Finally, the Obama administration should build small arms initiatives into U.S. development programs. In other words, when the United States undertakes programs that focus on security sector reform and judicial sector reform, it should include ways to address small arms proliferation and misuse in the action plan.

The United States must support programs that tackle weapons demand. This requires several key integrated measures starting with the reform of law enforcement agencies and military forces to ensure they are representative and provide security to all their citizens as well as adhere to international human rights and humanitarian laws. Such reforms will build public confidence in security and will better enable governments and international agencies to incorporate weapons collection programs into peace-building strategies—both as immediate postconflict disarmament programs as well as longer-term projects aiming to remove as many surplus and illegal weapons and ammunition from unauthorized users as possible.

At perhaps the most basic level, the U.S. Agency for International Development must be brought into policy and programmatic discussions of small arms. Although USAID staff were regularly part of the interagency process on small arms during the Clinton administration, since the mid-1990s USAID has been absent from such meetings. This means development perspectives have not been built into policy and programmatic approaches. This differs greatly from the United Kingdom approach to small arms and arms transfers, which pushes sustainable development as a key component of their arms export control strategy.

Conclusion

Small arms and light weapons proliferation and misuse, as this paper details, can increase insecurity and undermine the impact of development assistance. Small arms proliferation can lead to a more rapid spread of violence and magnify violence's devastating effects. In countries not at war, the ready availability of these weapons make the countries less safe—including increasing crime—erodes prospects for development, contributes to social disintegration, and makes the resort to violence more likely and more deadly. Development projects that have involved years of planning and implementation and millions of dollars can be reversed with alarming speed. What's more, insecurity in one country can undermine development in an entire region, as happened in West Africa in the late 1980s and early 1990s.

Small arms insecurity can also create direct security challenges to the United States. Not surprisingly, some of the countries currently of greatest security concern—Afghanistan, Somalia, and Yemen—are awash with weapons, and recurrent conflict and underdevelopment have radicalized large numbers of frustrated youth. These youth are eager and willing to take up arms against U.S. interests. Likewise, well-armed narco-traffickers in Mexico and other parts of Latin America have frustrated local and U.S. law enforcement efforts to stem the flow of illegal drugs, exacting a huge human and economic toll in transit countries and in the United States.

Because of this issue's effect on development, sustainable security and development planning and programming need to confront the challenge of small arms proliferation head on. Limiting illicit arms proliferation and removing excess and potentially destabilizing arms from circulation should be both a security and development priority for the Obama administration. There are clear diplomatic and political opportunities in this area—such as supporting negotiation of an Arms Trade Treaty and ratifying CIFTA—that can promote both U.S. security and development objectives.

Small arms initiatives should also be built into security assistance and development programs. Programs that focus on security sector and judicial sector reform must address small arms proliferation and misuse. The United States should also support programs that address the demand for weapons. For one, demand would be significantly reduced if countries reform their law enforcement agencies and military forces to ensure they adhere to international human rights standards and represent and provide security for all their citizens.

Such reforms would build public confidence in security, reducing the incentive for people to obtain and keep weapons, and would also help governments and international agencies to incorporate weapons collection programs into peace-building strategies—both as post-conflict disarmament programs as well as longer-term projects aiming to remove as many surplus and illegal weapons and ammunition from circulation as possible.

Only by incorporating these goals can development efforts be sustainable and durable.

Endnotes

- 1 *Small Arms Survey 2007: Guns in the City* (Cambridge: Cambridge University Press, 2007).
- 2 "Global Small Arms Inventories," available at <http://www.smallarmssurvey.org/files/portal/issueareas/inventories/inventories.html> (last accessed March 2010).
- 3 There are more than 1,200 companies in 90 countries that produce small arms. *Small Arms Survey 2004: Rights at Risk* (Oxford: Oxford University Press, 2004).
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