

INTRODUCTION

Your country is a state party to the Bamako Declaration on African Position on Illicit Proliferation Circulation on Trafficking of Small Arms and Light Weapons 2000 herein called the Bamako Declaration. Under the Declaration, State parties committed themselves to undertake certain activities to stem the proliferation of small arms and light weapons in Africa.

However despite signing and ratifying various regional and international instruments on small arms and light weapons, the level of compliance have been dismal. African leaders have realized this deficiency and want to be constantly reminded of their performance and obligations in relation to compliance. This explains the emergency of the New Partnership for Africa's Development (NEPAD)-African Peer Review Mechanism (APRM). It is in the light of this that a meeting of representatives of African Civil Society Research Institutes engaged in peace and security was held in Pretoria, South Africa 25-26, November 2002. The Institute for Security Studies (ISS) in collaboration with these core partners developed a proposal for a network of African civil society organizations to embark upon a process of benchmarking the performance of selected African governments in respect to human security issues measured against the commitments taken at the level of African Union (AU) or its predecessor i.e. the Organisation of African Unity (OAU). The Initiative, which is funded by the UK Department of International Development (DFID), commenced following a planning meeting in Pretoria, South Africa on 4-5 September 2003

Africa Peace Forum (APFO) a Nairobi based non-governmental organization, which is handling the arms management cluster. In this regard it is undertaking a survey to find out how state parties have leaved to implement the commitment that they made. Specifically, the purpose of this research is to examine of the question of compliance in implementing selected commitments in the small arms and light weapons cluster and to appreciate the progress made by African countries in carrying out only eight commitments that have been agreed upon in the Bamako Declaration on an African common position on the illicit proliferation circulation and trafficking of small arms and light weapons, (December 2000). I will therefore appreciate if you can provide responses to the following questions.

The questions are around six thematic strands namely: Institutional arrangement and legal frameworks, Establishment of national co-ordination points, capacity building development and implementation of national programme bilateral agreements co-operation between security related organs at regional and continental level public awareness and landmines.

1. Institutional arrangements and legal frameworks

Identify the institutions that exist on small arms and light weapons in your country? List and discuss their mandate

Where they are located i.e. ministries?

How many staff that are directly dealing with small arms within the identified institutions?

Budgetary issues: How do they get financial resources?

Identify the actual programmes (on paper and those being implemented) aimed at addressing the problem of small arms and light weapons.

Do they (institutions) have action plans? When was it developed and it is for which period? Can you glance through? What are the key activities that are listed in the plan?

What kind of collaboration or networking exists between these institutions? Identify areas of co-operation

What should be done to enhance the capacity and performance of these institutions in dealing with the problem of small arms and light weapons and related aspects?

Do the institutions have a database on small arms and related aspects?

List all the legislation that touches on small arms?

What are the various legislation that exist on small arms and light weapons in the country. A listing and probably the year they were enacted and revised

Has the country signed the Bamako Declaration on African Position on Illicit Proliferation Circulation on Trafficking of Small Arms and Light Weapons?

Has the country domesticated elements of the Bamako Declaration?

If the response to the above is NO, do you think they requires revision to inco-operate the missing provisions as stated in the Bamako Declaration

How does the country intend to actualize/implement such instruments within its jurisdiction, e.g. domestic legislation?

Is there a regional institution that deals with the problem of small arms? If yes, when was it established where is located it is functional what is its mandate? Identify the composition of the staff (nationalities)

What capacity equipment, organizational structure, human resources and finances? How is it funded?

What are the achievements and constraints since the regional institution was established? How to they monitor the progress of the partner states?

What international and regional instruments relating to the prevention, combating and eradication of illicit manufacturing of, excessive and destabilising accumulation of, trafficking in, possession and use of firearms, ammunition and other related materials is the country party to, or considering becoming party to:(linked to the question on bilateral agreement).

Which one of this has the country ratified? When was its instrument of ratification deposited with the relevant authority? Were any statements or formal understandings made at the time of ratification? Do you have a copy of the instrument of ratification? What is your analysis of that instrument?

Did the country participate in the 2001 and 2003 UN Conference on the Illicit Trade in Small Arms and Light Weapons in All its Aspects and the Bamako Declaration? Did it make any statements at these meetings?

2. Regional and National Co-ordination Agencies

Identify the national co-ordination agency/ies and their/its mandate. In other words Does the country have a national coordination agency or body that is responsible for policy guidance, research and monitoring of efforts to prevent, combat and eradicate the illicit trade in SALW in all its aspects?

If so, please give details.

Does your country have a national point of contact to act as liaison with other States on matters relating to the implementation of the Bamako Declaration and other regional instruments?

If so, please give details.

When they were established do they have a work plan? If the work plan exists what are the key activities and programmes? Can you have a look at it? Establish whether the work plan has been shared and with who/

Is there a database on small arms?

Are there policy guidelines on research monitoring and information sharing?

Has there been any research initiated and undertaken /commissioned by the agency?

Establish the relationship between the national co-ordination agency and the regional co-ordination agency. What kind information is shared with the regional /co-ordination point/secretariat and how often?

How do the agency/ies monitor and ensure the implementation of the Bamako declaration?

What do you see as your achievements since you were established?

What is the current status of the co-ordinating bodies?

Human resource

Infrastructure

Organisational structure

Financial resources-funding /budgeting

3. Capacity Building for Law Enforcement Agencies

What capacity exists in detection, destruction etc

Has there been any capacity assessment if so what was the outcome? What is being done to enhance the capacity of the law enforcement agencies in the area of small arms? If a training has been undertaken indicate area/s of focus and when. Can you look at the program/agenda and the report?

What challenges are faced in trying to enhance the capacity of the law enforcement agencies to effectively tackle the problem associated to the illicit proliferation and use of small arms?

What are the critical areas that you think should be addressed in capacity building

4. Develop and Implement

Has the country does it intend to enact the necessary legislation and take other measures to establish as criminal offences under their national law to prevent, combat and eradicate, the illicit manufacturing of firearms, ammunition and other related materials, and their excessive and destabilising accumulation, trafficking, possession and use. If so, how and when?

Does the country have a national policy for the disposal of confiscated or unlicensed firearms that come into the possession of state authorities? If yes, please describe the policy

What programmes exist on voluntary surrender for people in possession of illicit small arms?

What programmes, if any, has the country undertaken to identify and adopt effective programmes for the collection, destruction and responsible disposal of firearms rendered surplus, redundant or obsolete through, inter alia,:

- peace agreements;(where applicable)
- demobilisation or reintegration of ex-combatants, Youth. In other words what programmes exist on reintegration of youth (who have been leaving by a barrel of a gun) into civilian life? (Where applicable)

Which of this (for each of the above three questions) are being implemented for example has the country destroyed recovered/surrendered weapons if yes when how many including land mines.

How does the country develop joint and combined operations across the borders to locate, seize and destroy caches of firearms, ammunition and other related materials left over after conflict and civil wars?

Has the country introduced programmes to encourage:

- lawful firearm holders to voluntarily surrender their firearms for destruction by the State, and has it considered paying compensation in cash or in kind; and
- illegal firearm holders to surrender their firearms for destruction, and, in such cases, has the State considered granting immunity from prosecution?

Is destruction the means used to dispose of such stocks?

What national measures exist to safeguard such stocks prior to their disposal?

Are all confiscated, seized or collected SALW destroyed?. Please give details, including information concerning any exceptions to destruction.

What methods has your country used to destroy surplus stocks of SALW designated for destruction?

Please give details of any information on SALW confiscated or destroyed within your jurisdiction that is submitted to relevant regional and international organizations.

What is the level of institutionalisation and functional arrangements?

5. Bilateral Agreements

Identify both bilateral and multilateral agreements in the field of security that the country has entered into. List them and the dates they were signed (respond to the third last questions on institutionalisation and legal arrangements will effectively answer this question also)

Which of these agreements make a direct reference to small arms and light weapons?

If the response is No implicitly can the issues on small arms be inferred in those agreement/s

6. Strengthening co-operation between security agencies at region and continental level

Is there a mechanism for co-operative/joint arrangements (both administrative and functional) among the security related organs such as the police the custom officers and immigration officers on prevention controlling eradicating illicit proliferation circulation and trafficking of SALW?

Do you co-operate at regional and continental security related agencies--police customs immigration etc. or in other words please describe any initiatives your country has undertaken to enhance cooperation and exchange of experience and training among competent officials, including customs, police, intelligence and arms control officials, at the national, regional and global levels in order to combat the illicit trade in SALW in all its aspects.

In what areas do you co-operate with regional or continental security agencies

If they co-operate how do they do this. Distinguish regional from continental and bilateral

When and where did you last a joint meeting on co-operation? What was discussed (establish if small arms featured) and can they share with you the agenda and report/minutes

Specifically (if it did not come in the first question) does co-operation include sharing of information if yes what kind of information

Please describe any regional and international programmes for specialist training on small arms stockpile management and security that your country has developed or supported.

Please give details of any action-oriented research aimed at facilitating greater awareness and better understanding of the nature and scope of the problems associated with the illicit trade in SALW in all its aspects that your country has developed or supported.

How does the country intend to improve the capacity of police, customs, border guards, the military, the judiciary and other relevant agencies to fulfil their roles in the implementation of this Protocol and to:

- co-ordinate national training programmes for police, customs and border guards, the judiciary and other agencies involved in preventing, combating and eradicating the illicit manufacturing of firearms, ammunition and other related materials and their excessive and destabilising accumulation, trafficking, possession and use;
- establish and improve national data-bases, communication systems and acquire equipment for monitoring and controlling the movement of firearms across borders; establish inter-agency working groups, involving police, military, customs, home affairs, foreign affairs and other relevant agencies, to improve policy co-ordination, information sharing and analysis at national level regarding firearms, ammunition and other related material; and
- undertake joint training exercises for officials, from countries within the Region drawn from the police, customs and other relevant agencies, including the military where it is involved with border control, and explore the possibility for exchange programmes for such officials within the Region, and with their counterparts in other regions?

7. Public Awareness

Please describe any public awareness and confidence-building programmes on the problems and consequences of the illicit trade in SALW in all its aspects that your country has developed and implemented (including the public destruction of surplus weapons and the voluntary surrender of SALW). More succinctly identify programmes that have been developed to raise public awareness on small arms and light weapons.

Please describe any education and public awareness programmes on the problems of the illicit trade in SALW in all its aspects that your country has encouraged.

Is there a mechanism to assess the effectiveness of such programmes. Is there a feedback mechanism.

Which channels campaign were or are used for these type of programmes public gathering meetings radio/TV programmes. Who /what organs oversee these programmes?

What are the specific activities that are in place to achieve this goal?

List any challenges in educating the public on the dangers of having illicit arms in civilian hands and what re you doing to address them

What other players are involved in raising awareness?

8. To Sign and Ratify the Landmines Protocol

Find out if the country has signed and ratified the Ottawa convention on landmines indicate dates

Has the country been a producer or importer of landmines? If yes is it still producing or has it ceased production or importation?

Has it destroyed what was in stock if yes when if No any efforts being made to destroy the same

How often does the country submit as reports as required Article 7 to the UN Secretary-General? Give a brief overview of the content of these reports.

9. Regional Co-operation

Please describe any involvement the country has had in the establishment of sub-regional or regional mechanisms with a view to preventing, combating and eradicating the illicit trade in SALW across borders (in particular trans-border customs cooperation and networks for information-sharing among law enforcement, border and customs control agencies).

Please describe any initiatives your country has undertaken to encourage regional and sub-regional action on illicit trade in SALW in all its aspects in order to, as appropriate, introduce, adhere, implement or strengthen relevant laws, regulations and administrative procedures.

Describe the country's regional and sub-regional involvement in preventing the proliferation of landmines and in lifting those already emplaced.

End

Tsegaye

I have read through your questionnaire and incorporated some of the questions in the standard questionnaire.

You will notice that most of the questions are covered in the standard questionnaire.

To all (Final standard questionnaire)

You will notice that most of the standard questions are just statements and therefore it means that formulation questions around the issue when conducting the interviews.

You will notice that responses are likely to overlap over a number of issues. For instance responses to the third last question will effectively also respond to their first question under bilateral agreements.

I will therefore recommend that the adoption of the standard questionnaire so that you can cover as much ground as possible when collecting data.