

**CONCEPT NOTE**

ARMS MANAGEMENT IN AFRICA: REVIEWING COMMITMENTS BY AFRICAN LEADERS

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## Introduction and Background

The problem of illicit circulation and trafficking of small arms and light weapons continues to have devastating consequences for stability and development in Africa. In particular they sustain conflicts, exacerbate violence, contribute to the displacement of innocent populations and threaten humanitarian law as well as fuel crimes. Unfortunately, during the Cold war era, the nature and magnitude of small arms availability was not fully appreciated partly because attention was on nuclear deterrence between the US and USSR and also the supply of small arms was used as an instrument of diplomacy by the west and east blocs<sup>1</sup>; fuelling tension and hostilities within and across regions across in Africa. It is now evident that even if peace and sustained development become rooted in a community so long as small arms remain in possession of unauthorised persons, they remain a threat to human security.

Having recognized the threat posed to human security by the illicit proliferation and use of small arms, the international community is focusing its attention to the problem. In this regard, scholars policy makers and like-minded stakeholders have held conferences, meetings, and consultations at international, regional and national levels on the subject during the last decade. These gatherings have led to either bilateral and multi lateral Agreements, Protocols and Declarations on small arms and light weapons. These documents serve two main purposes; first they spell out various measures aimed at tackling the problem and secondly they represent a significant political commitment by signatories to deal either singly or collectively with the problem of the illicit proliferation of small arms, which until recently was considered a highly sensitive security issue and could be handled unilaterally and by governments only.

However despite signing and ratifying various instruments, the gap between theory and practice remains wide. African leaders have realised this deficiency and want to be reminded of their performance in relation to compliance. This explains the emergence of the African Peer Review Mechanism (APRM) <sup>2</sup>. It is in the light of this that a meeting of representatives of

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<sup>1</sup> J A.. Pierre *Arms Sales: The Diplomacy in Foreign Affairs*, Winter 1981/82:269 and the *Global Politics of Arms Sales* (Princeton, Princeton University Press, 1982)

<sup>2</sup> APRM is an instrument voluntarily acceded to by member states of the African Union as an African Self Monitoring Mechanism and its primary purpose is to foster the adoption of policies standards and practices that lead to political stability, high economic growth sustainable development and accelerated sub regional and continental economic integration through sharing of experience and reinforcement of successful and best practices including identifying deficiencies and assessing the needs of capacity building. As at 1 August 2003 the following fifteen countries had acceded to the APRM -South Africa, Algeria, Ethiopia, DRC, Ghana, Kenya, Mozambique, Nigeria, Rwanda, Uganda, Mali, Cameroon, Gabon, Burkina, Faso and Senegal

African Civil Society Research Institutes<sup>3</sup> engaged in peace and security issues was held in Pretoria 25-26 November 2002. The Institute for Security Studies (ISS) in collaboration with these core partners developed a proposal for a network of seven established Non-Governmental Organisations (NGOS) to embark upon a process of benchmarking the performance of key African governments in respect of human security issues measured against the commitments taken at the level of African Union (AU/OAU) Heads of State meetings. The initiative which is funded by the UK Department for International Development (DFID) commenced after a planning meeting in Pretoria on 4<sup>th</sup>-5<sup>th</sup> September 2003. The meeting discussed among other things selected commitments, methodologies, partnerships and set timeframe for various deliverables.

### **Statement of the Problem/Justification**

The proposed study will examine the question of compliance in carrying out national commitment in the small arms and light weapons cluster<sup>4</sup>. The particularly inquiry of the study will focus on Uganda, Kenya, Ethiopia, Ghana, Nigerian, Senegal, South Africa and Algeria. These countries form over 50% of those that acceded to the African Peer Review Mechanism (APRM). Some of them like Nigeria and South Africa and Senegal are also on the forefront of advocating The New Partnership for Africa's Development (NEPAD), which bore the APRM. Other countries such Kenya are strategically placed geographically to play key role in the initiative. It will examine the progress made by African countries in carrying out 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). The Commitments are selected from this Declaration because it is the only continental document that states African Common position on the small arms and light weapons. Secondly; it incorporates many points elaborated in various regional declarations on small arms such as the Nairobi Declaration and the Southern African Development Community Protocol for the Control of Firearms Ammunitions and Related materials (SADC Protocol). Furthermore the commitments fit well in the objectives of the AU/NEPAD 2003 consultation in Addis Ababa, which consolidated into a single Plan for Action on peace and security in Africa and called upon all member states to focus their attention on

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<sup>3</sup> Institute for Security Studies (ISS), Africa Peace Forum (APFO), Institute for Human Rights and Development (IHRD), South Africa Institute of International Affairs (SAII), African Security Dialogue and Research ASDR (ASTRA), West African Network for Peace building (WANEP), Southern Africa Human Rights Trust (SAHRT)

<sup>4</sup> African leaders have identified seven broad clusters which they to work in –Governance, Security and Conflict Management, Arms Management, Terrorism and Organised Crimes, Human Security and Civil society, and Corruption

the issues of small arms proliferation in Africa and the implementation of existing regional initiatives and the Bamako Declaration. The fact that small arms have consistently remained high in the agenda of the each African region and continental initiatives in the last three years serves justifies the review of African countries in conducting its implementation of combating and eradication of the illicit trade of small arms and light weapons in all its aspects. Commitments selected are appropriate for review because they allow for a review of both national and collective measures. The selected commitments are;

1. The institutionalisation of national and regional programmes for action aimed at preventing, controlling and eradicating the illicit proliferation, circulation and trafficking of small arms and light weapons in Africa;
2. Put in place, where they do not exist, national coordination Agencies or bodies and the appropriate institutional infrastructure responsible for policy guidance, research and monitoring on all aspects of small arms and light weapons proliferation, control, circulation, trafficking and reduction;
3. Enhance the capacity of national law enforcement and security Agencies and officials to deal with all aspects of the arms problem, including appropriate training on investigative procedures, border control and specialized actions, and upgrading of equipment and resources;
4. Develop and implement, where they do not exist, national programmes for:
  - Voluntary surrender of illicit small arms and light weapons;
  - Identification and the destruction by competent national authorities and where necessary, of surplus, obsolete and seized stocks in possession of the state,
  - The reintegration of demobilized youth and those who possess small arms and light weapons illegally
5. Enter into binding bilateral agreements, on a voluntary basis with neighbouring countries, so as to put in place an effective common system of control, including the recording, licensing and collection of small arms and light weapons, within common frontier zones.
6. Strengthen regional and continental cooperation among police, customs immigration and other border control services to address the illicit proliferation, circulation and trafficking of small arms and light weapons. These efforts should include, but not be limited to, training, the exchange of information to support common action to contain

and reduce illicit small arms and light weapons trafficking across borders, and the conclusion of the necessary Agreements.

7. Develop and implement public awareness programmes on the problem of proliferation and the illicit trafficking of small arms and light weapons
8. To sign, ratify cease to use, develop, produce, otherwise acquire, stockpile, retain and transfer of land mines <sup>5</sup>.

## **Concepts and Definitions**

### **Institutionalise programmes- How do we define this?**

**Voluntary surrender** – the physical return by an individual/s or community of small arms and light weapons to the legal authorities or an international organisation with no further penalty

**Destruction**-the process of final conversion of weapons ammunitions and explosives into an inert state that can no longer function as designed

**Reintegration of the youth (where applicable)**- Assistance measure provided to youth who have been previously using weapons that would increase the potential for their economic and social integration into a society

### **Research Methodology**

To collect data, both desk research and interviews will be adopted. Below are some of the guiding questions/issues that will inform the research. They are modelled around the selected commitments for review, which will later on form the thematic strands.

**Institutionalise programmes**-are the existing institutions embedded in institutional frameworks?

**Establish national and regional co-ordination agencies and appropriate institutional infrastructure for** policy guidance, research and monitoring and mechanisms to co-ordinate and harmonise efforts. Which agencies/institutions exist? Are they national? What is their mandate? Identify whether there are policy guidelines, research and monitoring and information sharing? Are there any research undertaken? Have research areas been identified? Have work plans been developed? Whom have they been shared with? Is there a database, a dissemination strategy? Are there exchange programmes between and among personnel for the purpose of information sharing? Is there a newsletter? Do we have a regional secretariat? Is it functional –staffing etc what is it's mandate? Does it have a plan has it developed standard operating procedure and has it shared relevant documents with regional states? Does it receive relevant documents from regional states?

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<sup>5</sup> Maputo Declaration of the States Parties to the UN Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction, 7 May 1999, Par 6.

### **Capacity building for law enforcement agencies**

Has there been an assessment of the capacity of the law enforcement agencies at both national and regional levels? What was/is the strength and lacunas of the process. What is the financial status -Mobilization of resources? Does the regional secretariat have the capacity? What is being done at regional level? How is the progress monitored? Has there been joint training? What capacity exists for detection of illicit weapons?

### **Develop and implement National programmes for-**

What programme exist on voluntary surrender?

What programmes exist on destruction? What capacity exists for destruction?

What programmes exist for reintegration of the youth? (Where applicable)

**Enter into Bilateral agreements**-identify all the existing agreements whether bilateral or multilateral in the field of security. Is there a direct or mention of small arms. If not is there possible of inferring issues pertaining to small arms in the agreement?

### **Strengthen the co-operation of police and custom officers at regional and continental level-**

What has been done to improve exchange of information?

### **Develop and implement public awareness programmes on the problem of proliferation and the illicit trafficking of small arms and light weapons**

What programmes exist to raise public awareness on the problem? How effective is it?

## Appendix 1

### *A research matrix summarizing variables, indicators and associated methodologies*

<b>Commitment</b>	<b>Indicators/variables</b>	<b>Data Collection</b>	<b>Data Analysis</b>
Institutionalise programmes	Identify the control and management programmes at both national and regional level and determine the status of institutionalisation	Review of Declaration Interviews with relevant personnel-the police, immigration customs) Surveys and focus groups of communities.	Descriptive analysis
To establish or enhance Co-ordination Agencies	Identify bodies that are meant to co-ordinate the following; <ul style="list-style-type: none"> <li>• Policy formulation</li> <li>• Research</li> <li>• Monitoring</li> </ul>	Review of any policy paper and pronouncements Interviews	Descriptive analysis
Capacity building for law enforcement Agencies etc	No and nature of training undertaken so far –dates and venues Future training Equipment and resources What is the budget	Review of reports Interviews	Descriptive analysis
Develop and implement National programmes for-Surrender Destruction Reintegration of the youth (where applicable)	Which programmes exist on surrender Destruction etc. If undertaken indicate the progress for example how many small arms How many have been destroyed, plans for future destruction?	Review of concept note/s on the same Interviews	Descriptive analysis
Enter into Bilateral agreements	Number and nature of agreements	Interview and review of the agreement where possible	Descriptive analysis
Strengthen the capacity for police custom officers at regional and continental level	Number and nature of training undertaken so far –dates and venues Future training Equipment and resources What is the budget	Review of reports Interviews Content analysis of the training elements	Descriptive analysis