



## SESSION ONE

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### Overview of recent progress in tackling small arms proliferation in the Great Lakes region and the Horn of Africa

*Chair: Lt-Col (ret) Jan Kamenju, Director, SRIC*

#### **INTRODUCTION AND OBJECTIVES** – *Paul Eavis, Director, Saferworld*

A great deal of progress has been made in developing initiatives to tackle the proliferation of small arms in the Great Lakes region and the Horn of Africa in the last six months. The Security Research and Information Centre (SRIC), the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders (UNAFRI), the Institute for Security Studies (ISS) and Saferworld held a meeting in association with the Interpol Subregional Bureau in Kampala from 31 January to 1 February 2000. This brought together senior police officers and officials from subregional organisations to draft a subregional action programme.

Small arms proliferation was one of the main items discussed at the East African police chiefs conference in Zanzibar in February. The Kenyan government convened the Great Lakes region and the Horn of Africa conference on the proliferation of small arms and light weapons in Nairobi on 12-15 March. Foreign ministers from the ten countries represented signed the *Nairobi Declaration* which has given significant political momentum to this issue. The International Resource Group and the East African Co-operation (EAC) hosted a meeting in Arusha on 23-25 March to discuss how to tackle the issue in the EAC region.

These meetings have helped to frame the issue and agreement was reached on a number of important proposed measures. The key now is to move towards their implementation.

This seminar will focus on two key areas:

- identifying national and regional priorities for implementing the *Nairobi*

- Declaration* and the draft subregional action programme; and
- clarifying the roles and responsibilities of subregional organisations – what are their strengths, how can an effective division of labour be developed, what capacity-building is required for this?

In doing this, participants should also seek to identify projects to receive technical and financial support from the wider international community.

## **REPORT OF KAMPALA PREPARATORY MEETING AND DRAFT ACTION PROGRAMME**

*Lt-Col (ret) Jan Kamenju, Director, SRIC*

**T**his seminar is a direct follow-on from the meeting in Kampala at the end of January. The Kampala meeting was primarily designed to engage Interpol as it is the only structure which is operational across the whole subregion. This happened very successfully and a network of key actors is developing – governments, the police and non-governmental organisations (NGOs).

Participants in the Kampala meeting were unanimous in wanting to develop a comprehensive practical approach to the issue and identified the key components of a potential subregional action programme.

This programme contains proposals in four key areas:

- *Strengthening legal controls on weapons possession and transfer* – this includes regulating civilian ownership, establishing a legal treaty, marking, controlling manufacturing, increasing transparency, regulating arms dealers and brokers, improving recordkeeping, and controlling small arms transfers into the subregion.
- *Enhancing operational capacity to combat illicit arms trafficking* – this includes establishing a regional illicit trafficking database, enhancing the capacity of law enforcement agencies, improving co-ordination, exchanging intelligence, enabling effective investigation, strengthening border controls, establishing crossborder operations and using information resources.
- *Removing and destroying surplus weapons and developing education programmes* – this includes demobilising and reintegrating former combatants, collecting and destroying surplus weapons, taking inventories of state-held small arms, introducing public education programmes, introducing community policing, protecting witnesses and sources, working with community structures and civil society, integrating marginalised groups and resolving conflicts.

- *Enhancing the capacity of subregional organisations for implementation* – this includes proposals to enhance the capacity of the EAC, the Eastern African Police Chiefs Committee (EAPCCO) and the Inter-Governmental Authority on Development (IGAD).

Participants agreed on the importance of enhancing the capacity of civil society in tandem with subregional organisations to ensure a co-ordinated approach to the control and management of small arms.

## **REPORT OF THE GREAT LAKES REGION AND THE HORN OF AFRICA CONFERENCE AND THE *NAIROBI DECLARATION***

*Mr Philip Owade, Head: Legal Division, Ministry for Foreign Affairs, Kenya*

The Kenyan government decided to convene the conference because existing initiatives to tackle the proliferation of small arms did not cover the Great Lakes region and the Horn of Africa. Kenya also realised the importance of developing a common subregional approach in advance of the United Nations 2001 conference.

The Nairobi conference was attended by all ten countries in the subregion. The only country not represented was Somalia, because it does not have a central government. The conference adopted the *Nairobi Declaration on the problem of the proliferation of illicit small arms and light weapons in the Great Lakes region and the Horn of Africa*. The declaration reaffirms the right of states to self-defence and identifies problems such as illicit trade, cattle-rustling, conflict, refugee movements, and ineffective customs and border controls.

The declaration calls for measures to address the demand for weapons by promoting democracy and good governance, observing human rights and the rule of law, eradicating poverty, and promoting economic recovery and growth.

Parties have specifically agreed to, *inter alia*:

- pursue positive policies and measures to create social, economic and political environments to reduce the resort to arms by individuals and communities;
- urge the strengthening, and where they do not exist, the adoption of national laws, regulations and control mechanisms to govern civilian possession of arms;
- call on states to co-ordinate and publicise their policies, regulations and laws

- relating to the possession of arms by civilians;
- urge source countries to ensure that all manufacturers, traders, brokers, financiers and transporters of small arms and light weapons are regulated through licencing;
  - urge the states in the subregion to monitor and control effectively all transactions relating to small arms and light weapons to licensed entities;
  - call on states to strengthen subregional co-operation among police, intelligence, customs and border control officials in combating the illicit circulation and trafficking in small arms and light weapons, and suppressing criminal activities relating to the use of these weapons;
  - call upon states to strengthen or establish national mechanisms to deal with the problem of illicit small arms, as well as to implement the *Nairobi Declaration* and invite them to hold regular meetings in this regard; and
  - invite the UN in co-operation with the Organisation of African Unity (OAU) and other regional and international organisations to assist countries in the region in carrying out a detailed study of the problem of illicit arms within the region and to draw up appropriate programmes for the collection and destruction of illicit small arms and light weapons. The states parties to this declaration will define the parameters of the study.

Effective implementation will require international support. The declaration appeals for financial, technical and political support from the international community and recognises the need for participation by civil society. The Kenyan government is mandated to co-ordinate follow-up activities.

## **ANALYSIS OF THE STATE OF PLAY IN THE SUBREGION AND PRIORITIES FOR DEVELOPMENT**

*Virginia Gamba, Head: Arms Management Programme, ISS*

**T**he challenge at present is to stop being observers of an intellectual or political process and to become actors. The key agency to tackle the issue will be the police.

At the Kampala meeting, police officers identified the complexity of the problem and developed an action programme. The Nairobi meeting followed on from this and expressed political will and support. The declaration articulates measures to strengthen controls and regulations, enhance operational capacity, and collect and destroy illicit small arms – the three main pillars identified in the Kampala action programme.

Crucially, the *Nairobi Declaration* identified the need for national and regional policies and a comprehensive approach. It stresses the importance of tackling education, poverty and development.

This is groundbreaking. There is an opportunity now to develop a long-term comprehensive package, not just an emergency measure. This calls for more research and investigation to lay the ground for the long-term prevention of the problem.

## **KEYNOTE ADDRESS**

*Mr Omari Iddi Mahita, Inspector General of Police, Tanzania*

It is a delight and indeed a great privilege and honour to have been invited as the guest of honour to this important occasion. I consider your invitation significant because it shows your recognition of the role that the police as stakeholders can play in the crusade to stop the proliferation, misuse and illicit trafficking in small arms and light weapons in the Great Lakes region and the Horn of Africa.

### **The problem of small arms proliferation**

The availability and proliferation of illegal firearms throughout Africa among ordinary unscrupulous offenders, organised criminal groups, terrorists and quasi-militias pose a dangerous threat to public safety. Furthermore, the misuse of small arms and light weapons give rise to a state of lawlessness. The emerging economies of African states are severely affected as potential investors shy away and refrain from investing in places where their lives and investments would be in danger. Incidents of violent crime involving the misuse of small arms and light weapons have become commonplace in many parts of Africa. The gravity and frequency of such violent crimes are inevitably forcing many states to consider responsive measures to tackle the problem effectively.

### **The history of small arms proliferation in Tanzania**

The problem of the proliferation, misuse and illicit trafficking in small arms and light weapons in Tanzania has had a tangled history due to the country's unique geographic location and its role in African liberation wars. During the 1970s and 1980s, Tanzania was the centre of liberation movements for Southern African countries that were under colonial rule. Tanzania offered military training to freedom fighters belonging to these movements. However, these liberation movements also had their own command and organisational structures and

were solely responsible for the distribution of small arms, light weapons and ammunition to their troops without interference by the host country.

This was done without any effective control mechanisms being in place, so that it was difficult to know at any given time how many firearms had gone to the frontline and what stock remained in armouries. Some unscrupulous freedom fighters took advantage of this by cheaply selling firearms issued to them to indigenous people. Others sold firearms on their way to war zones, only to return to command posts and ask for new weapons on the pretext that they had lost theirs in the course of battle. This would explain why, since the 1980s, so many small arms and light weapons have been circulating in Tanzania.

The other factor with regard to the small arms problem in Tanzania is the effects of the Idi Amin war. Tanzania participated effectively in the 1978/79 war to oust dictator Idi Amin from power in Uganda. After the war was over, some unscrupulous soldiers went home with their firearms instead of surrendering them to the authorities. These firearms were clandestinely rented out to criminals, who later used them in armed robberies and cattle-rustling. Efforts to impound them have met considerable success.

To the north-west, Tanzania shares a border with the Democratic Republic of Congo (DRC), Rwanda and Burundi. On the one hand, there is an ongoing war between the DRC and the various warring factions in the country, with interstate conflicts between the DRC and Rwanda, on the other hand. There is also ethnic conflict in Burundi. These conflicts generate refugees who flee to Tanzania for fear of persecution. They often carry firearms and find their way easily into Tanzania by using unofficial entry points. The refugees sooner or later rent these firearms to criminals who use them for criminal activities. In the first eight months of 1997 alone, 294 firearms were seized in Tanzania during operations conducted by the police in refugee camps in north-western Tanzania close to the border with the DRC, Rwanda and Burundi. This problem is further compounded by the fact that some African countries have not enacted appropriate laws and regulations on the effective control of firearms.

### **The need for a subregional approach**

Apart from these factors, recent developments in science and technology have made it even easier to transfer people, goods and information throughout the world. Consequently, a large number of small arms and light weapons can easily and frequently cross national borders in total disregard of territorial sovereignty.

The problem is pan-territorial and no single country can solve it alone. There is clearly a need for countries to collaborate in the fight against the proliferation of small arms and light weapons. Meetings like this one are ideal forums to address the problem. The problem is complex, but something can be done to control it:

- There is an urgent need for political will among the leaders of African governments torn by civil strife to promote good governance. Without a commitment to good governance, turmoil in their countries will never end and the exodus of refugees, often with firearms, will continue.
- Countries afflicted by the problem without laws and regulations on the effective control of firearms should enact legislation that should include severe penalties for gun-related offences. For countries that already have laws and regulations on firearms, they must ensure that these are enforced to the letter.
- Neighbouring countries should enter into bilateral or multilateral agreements relating to mutual assistance in criminal matters so that it is possible for them to conduct joint border operations to impound illegal firearms.

I have considered the agenda items for this meeting and am impressed by the way that the issues to be addressed have been articulated. I hope that they will be seriously addressed and that participants will propose practical recommendations that will guide us on the way forward.