

# Executive summary

This monograph sets out to measure the extent to which the governments of Ethiopia, Ghana, Kenya, Nigeria, Senegal, South Africa and Uganda have implemented the Bamako Declaration on an African Common Position on the Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons (2000)<sup>1</sup> on the one hand; and the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction (1997)<sup>2</sup> on the other. The emerging evidence suggests that the seven countries have taken, and continue to take, the necessary measures to implement their commitments under both these agreements, albeit with varying results.

Remarkable progress has been recorded in establishing co-ordinating agencies at the regional and national levels as required by the Bamako Declaration. Although at varied levels of development, six countries have established either a national co-ordinating agency or a point of contact. Kenya, Uganda and Nigeria have relatively more active agencies than Ghana and Senegal. At the regional level, all the three regions, namely, the Great Lakes and Horn of Africa, the Economic Community of West African States (ECOWAS) and the Southern African Development Community (SADC) have established co-ordinating agencies.

All the seven countries have legislative provisions that govern the manufacture, possession, use and trade in small arms and light weapons (SALW). However, the data presented here does not reveal the depth and effectiveness of these provisions. Ethiopia, Ghana and Nigeria are presently reviewing their legislation to make them more stringent. South Africa's new Firearms Control Act (No 60 of 2000) came into force on 1 July 2004. South Africa is also the only country of the seven examined with an elaborate legal framework regulating arms brokers and arms brokering activities.

1 Hereafter referred to as the Bamako Declaration.

2 Hereafter referred to as the Mine Ban Treaty or MBT.

Only Kenya, Senegal and South Africa have destroyed all or some of the confiscated/seized or redundant/obsolete small arms.

Efforts to improve the capacity of the national law enforcement agencies to deal with SALW have been less than impressive. However, there is commendable progress at the regional level, particularly in West and Southern Africa.

There is no significant progress in the realm of concluded bilateral agreements on issues of small arms, but a host of multilateral frameworks exists. The multilateral agreements guide the inter-agency co-operation among law enforcement actors. It has emerged that co-operation is higher in Southern and West Africa than in the Great Lakes and Horn of Africa region. However, inter-agency co-operation among the law enforcement agencies between regions is almost non-existent.

On raising public awareness, significant progress has been achieved. A combination of the actions of state and non-state actors singularly or via networks (workshops, seminars, print and electronic media) has kept the issue of small arms alive. Ethiopia, Senegal, South Africa and Uganda are the only countries with a public awareness programme on the landmine problem.

With respect to the Mine Ban Treaty, six of the seven countries studied have signed and ratified and/or acceded to the Treaty. Ethiopia has, as yet, not ratified. Kenya and South Africa are the only countries that have not only destroyed all their mines but also continue to regularly submit their annual progress reports to the United Nations Secretary-General as required by the Treaty.

It can therefore be concluded that progress in implementing the Bamako Declaration and the MBT by the seven countries has been mixed. While significant progress has been registered in some areas, performance in others remains a challenge.