

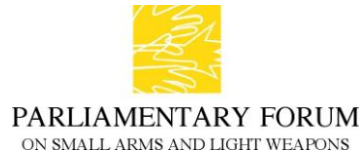
**Inter-parliamentary Conference
25-26 February 2010
Bamako, Mali
Venue: Blondin Beye Peacekeeping Center**

“Parliamentary Action on Small Arms in West Africa”

FINAL REPORT

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Introduction

The ECOWAS Small Arms Control Programme (ECOSAP), the United Nations Regional Centre for Peace and Disarmament in Africa (UNREC) and the Parliamentary Forum on Small Arms and Light Weapons held a Regional Inter-parliamentary conference titled “Parliamentary Action on SALW in West Africa”. The conference was held at the Blondin Beye Peacekeeping Centre in Bamako, Mali on the 25th and 26th of February 2010.

8 parliamentarians from West African states as well as representatives from the Government of Mali and experts representing ECOWAS¹, the Network of National Commissions on SALW control in West Africa, GRIP², the Friedrich-Ebert Stiftung and UNREC participated in the two day conference.

The opening session was held by Mohamed Coulibaly, Director of ECOSAP, Nicolas Gérard (UNREC), Peter Weiderud, Secretary General of the Parliamentary Forum on Small Arms and Light Weapons and Hon. Bourema Dicko, President of the National Defence, Security and Civil Protection Committee, Parliament of Mali. There were about 40 participants present during the opening session including the Deputy Minister for Defence and Foreign Affairs as well as representatives from the diplomatic community.

The speeches focused on the importance of involving parliamentarians in the fight against the proliferation of SALW in the region. ECOSAP has since the programme’s inception found it very useful to involve parliamentarians in its work. Cooperation between the three organisations would therefore be very fruitful. The Secretary General of the Parliamentary Forum on Small Arms and Light Weapons explained how the Forum has grown as a membership based organization with the bulk of its members in Latin America to a global network of parliamentarians, uniting a variety of parliamentarians; women and men, from the political right, left and centre. The method of bringing parliamentarians from different countries together to share perspectives and learning from each other is crucial when dealing with issues of international peace and security.

This meeting is the first to be held in West Africa and will be followed by a second meeting in a few months time in Liberia, and by this the Forum wishes to be able to make a substantial contribution to the important work the participants are doing in their respective countries.

Hon. Dicko highlighted that the proliferation of SALW has created an unpredictable security situation and at the national level the lack of national strategy is a major hindrance. He therefore called on his colleagues in the region to act as ambassadors for the issue. On this note the Conference was opened.

¹ Economic Community Of West African States

² Groupe de Recherche et d'Information sur la Paix et la Sécurité (Group for Research and Information on Peace and Security)



1. Session I: The ECOWAS Convention on SALW, the UN Programme of Action, Firearms Protocol and International Tracing Instrument

1.1. The ECOWAS Convention

Dr. Cyriaque Agn  k  thom representing ECOWAS Department of Peacekeeping and Regional Security presented the ECOWAS Convention to the participants. The ECOWAS Convention is based on experience including knowledge derived from the Moratorium on the import, export, manufacture, stockpile and transfer of small arms and their ammunition and related parts, the active involvement from Civil Society Organisations, other regional and international initiatives, and previous practice of dealing with legal and illicit sides as well as demand and supply.

The objectives of the conventions consist in:

- Provide ECOWAS with a legally-binding instrument to strengthen small arms and light weapons control in the sub-region;
- Consolidate the gains of the 1998 Declaration of the Moratorium on the importation, exportation and manufacture of small arms and its Code of Conduct;
- Perpetuate efforts for the control of small arms and light weapons within ECOWAS;

More specifically the convention includes:

- Scope: SALW, ammunition, related materials;
- First international agreement addressing the issue of transfer: SALW transfer is a state to state activity;
- Dealing with legal and illicit sides as well as demand and supply sides;
- Convention as a confidence-building measure: promotion of transparency, exchange of information on SALW transfer (Exemption Process) and collective decision-making;
- ECOWAS Commission mandated with the technical and financial resource mobilization;
- Monitoring mechanism;
- Sanctions for non-compliance;

The presenter also identified other key issues of importance included in the Convention:

- A tight control of the manufacture of SALW;
- The prohibition of civilian possession of light weapons and a tight control on the possession of small arms;
- The promotion of transparency in the flux of SALW through the establishment of SALW registers;
- Dialogue with arms producers and suppliers;
- The establishment of a Group of Independent Experts to monitor and evaluate the implementation of the Convention by the Member States;
- The possibility of sanctions for the violation of the Convention by a member, in accordance with Article 77 of the 1993 ECOWAS Revised Treaty;



In order to build a foundation for an effective implementation, a five year priority activities plan has been adopted with the following main points:

- Capacity-building of the National Commissions on SALW (NATCOMs, *see session II*) and Civil Society Organisations;
- Better Management and monitoring of the Exemption Procedure;
- Improved SALW and ammunitions stockpiles management and security;
- Effective and efficient border controls;
- Increased public awareness and education;
- Development of coherent and efficient national legal frames;
- Control of local manufacture of SALW;
- Development and management of a regional SALW database and register at the ECOWAS Commission;
- National SALW register established in member states;
- Partnership and resource mobilization for the implementation of the Convention;

In his concluding remarks Mr Agn  k  thom called for the need for the fifteen member states to ratify the Convention, the need for advocacy and awareness raising, as well as the need for strong partnerships. *For more details on the presentation please see annex A1.*

1.2. Tracing Small Arms and Light Weapons

Mr. C  dric Poitevin from GRIP gave a presentation on the aspects and current challenges involved in tracing Small Arms and Light Weapons (SALW) in West Africa and the instruments available to facilitate this task.

International tracing of SALW has three basic and inseparable elements; *marking, registration and cooperation* and the two main instruments are the UN Firearms Protocol and the Instrument on Traceability. The aims is to identify the paths of illicit arms, what the weapons are used for (crime, conflict, post conflict etc) as well as to dismantle the supply chain, with the final objective being to improve human security.

Correct marking of a weapon allows us to identify:

- Name and country of the manufacturer
- Serial number of the weapon
- Year of manufacture
- Type and calibre of the weapon

Pictures were shown as examples. Please see annex A2.



However, there is not much use of correct marking if the weapons are not registered properly. Registration and establishing databases of the weapons is therefore equally important and files should be kept for as long as possible. 10 years is too short since some weapons date back to World War II.

Registration should include;

- Physical characteristics of the weapon
- Marking
- History from its manufacture (import, export, etc.)
- Identity of the owner
- Possible changes in the gun

The final component is cooperation i.e. to exchange information. This should occur between departments within the state as well as between states since it is a well known fact that SALW easily cross borders from one country to another. Many SALW in West Africa come from China and Europe for example.

The two international instruments presented were The UN Firearms Protocol and the UN international instrument on the traceability of small arms and light weapons.

ECOWAS states are faced with a number of challenges given that the region is a victim as well as an actor when it comes to the circulation of illicit SALW. The ECOWAS Convention on SALW is a very advanced tool with a regional scope which sets high standards for marking and a regional system of records. It is important that this is implemented correctly and efficiently and the effectiveness will depend on the willingness and ability of states. He noted that lack of funds is a problem. The Convention needs to be incorporated into national legislation and administrative procedures. The different actors (governments, parliaments, law enforcement, civil society, etc) need to be involved at all levels (national, regional, international) in the implementation process.

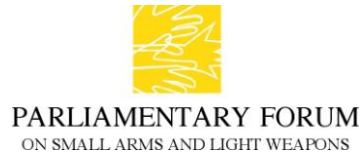
Mr. Poitevin ended his presentation by highlighting the upcoming Biennial Meeting of States (BMS) on the UN Programme of Action on SALW which will discuss the issue of tracing illicit arms. He called on the participants to check if their government is participating.

For more details of the presentation please see annexes A2 and A3.

1.3. The United Nations Programme of Action

Nicolas Gérard from UNREC presented international instruments such as the UN Programme of Action, UN reports on brokering, ammunition, ATT etc.

The United Nations Programme of Action (UN PoA) is, unlike the ECOWAS Convention, not a legally binding document but it sets a series of guidelines to analyse. As mentioned before the next BMS will take place in June 2010.



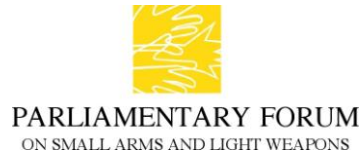
Some of the main themes will be brokering and the issue of licensing. There is a need for a comprehensive database of active brokers as well as to regulate and identify destruction. At national level guidelines need to be in place to avoid diversion i.e. that weapons are smuggled and hence move from the licit trade to illicit sector. The issue of brokering is very complex and involves questions such as who should be classified as a broker. One transaction can involve a number of actors. The example showed that an individual broker in one country can have contacts in a second country, being assisted by a company in a third country, using funds in a fourth country etc. There is clearly a need for better control and cooperation between states.

He also highlighted the issue of Disarmament, Demobilisation and Reintegration (DDR) initiatives which are vital for peace building. Ex-combatants must be reintegrated into society and find jobs and new livelihoods. The presentation was concluded by calling on parliamentarians to contact the national commissions to discuss these issues. The UN is there to help countries, providing tools and instruments.

1.4. Discussion session I:

A number of questions were raised during the debate:

- The presenters clarified that the ECOWAS Convention is very comprehensive and also has the ability to sanction. However, it only applies to ECOWAS countries and not for relations with non- ECOWAS members.
- The Parliamentarians present pointed out that the majority of the weapons are not manufactured in the sub-region. It is therefore very important to have a dialogue with the producing countries.
- West Africa is not isolated. Could the experience of the ECOWAS Convention be shared with other neighbouring regions?
- Apart from externally produced arms, advice was sought on how to handle locally produced arms. Imitations of the AK47 are produced by clandestine way. Since the technology is already there, should this industry be legalised to facilitate better control? The answer given was that more than 90% of SALW in the region are industrially made and used by the military and the police. The locally produced weapons are primarily used by civilians and particularly criminals. There are even classes on how to make weapons. In 2006 when the Convention was negotiated there were discussions on whether to legalise or not. The suggestion from the experts attending the conference was that it is better to enter into dialogue with the blacksmiths rather than making the industry illegal.
- The participants also discussed a strategy for the whole of Africa. The African Union is taking initiative to tackle SALW. A legally binding document for Africa would be helpful but also faces challenges since it is difficult to get some countries onboard. ECOWAS is a pioneer in this area.



- The proposed Arms Trade Treaty (ATT) now has an established timeline with scheduled preparation conferences. It was noted however that the proposed ATT covers all conventional weapons primarily heavier arms.
- Harmonisation of legislation was also brought up and the challenges involved given the different legal traditions in the region (Portuguese, French and English). A guide could however be useful.
- The session was summarised by acknowledging that there are not just technical aspects but also political aspects to deal with.

2. Session II: National Commissions on SALW

Under the UN Programme of Action on Small Arms (UN PoA), unanimously adopted in 2001, member states are encouraged to 'establish, or designate as appropriate, national coordination agencies or bodies and institutional infrastructure responsible for policy guidance, research and monitoring of efforts to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects. Similar commitments are contained in a number of regional agreements, including the ECOWAS Convention.

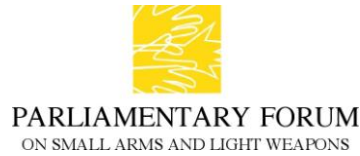
2.1. Network of National Commissions in West Africa

Emmanuel Moïse represented the Network of National Commissions in West Africa and gave a presentation on the structure and operation of these bodies.

For the national commissions to work properly, it is important to have structures both on national and international level. Hence, there has been established an umbrella for the National Commissions in West Africa and this structure is chaired by Emmanuel Moïse, Senegal.

The initial decision was to form commissions or committees in all member states, to act on behalf of ECOWAS and national needs. The UN PoA proposed focal points at state levels. However, it was not clear how these focal points should be built. With support from the United Nations Development Programme (UNDP) ECOWAS decided to set up National Committees in all 15 ECOWAS member states. The Moratorium in 1998 was a starting point and the Code of Conduct of December 10, 1999, provided the legal base. The formal decision was made by the ECOWAS Heads of States and the groups included the Ministries for Security and Defence, Foreign Affairs, Finance etc as well as civil society. However there was great diversity between countries. Some did not include civil society.

In 2004 it became clear that there was a strong need to coordinate the efforts. Not all states had commissions and those who had worked without coordination. Today all but one member state have commissions and these are composed of a minimum of five appointed members. However,



every country is free to add members if there is a need. The Commissions are therefore different in size and composition.

As part of the revision of the make up, it was suggested that also ministries of trade, education, migration, etc should be included since all stakeholder can play key role.

Each commission has a chair and a permanent secretariat. Normally they should have sub-committees. In anglophone countries this has to be decided by parliament and in francophone countries it is made by government decision. The aim is to appoint members as high up in the decision making structure as possible. The performance is linked to the level of appointment.

The permanent secretariat can sometimes only consist of one person working part time. The stability of chair and secretary is linked to performance. When these functions change, momentum is lost. The commissions are also responsible to securing its own funding.

2.2. The National Commission of Mali

The Chairperson of the National Commission of Mali, Col. Abdoulaye AG Hamado gave a power point presentation of the composition, structure, activities and tasks of the commission.

In 1994 Bamako hosted a peace conference during the Presidency of Alpha Oumar, in which the idea of arms control through initiatives such as National Commissions was initiated and a moratorium was proposed on the import, export, manufacture, stockpile and transfer of small arms and their ammunition and related parts in the West African sub-region, which came into being in 1998. The National Commission of Mali was established their Commission in 1996.

This National Commission has made significant progress in many aspects related to the fight against the proliferation of SALW. Mali has for example ratified the ECOWAS Convention and was the third country to ratify the UN Firearms Protocol. He added however that a number of challenges have been found. One weakness is the lack financial resources to implement relevant activities. He also found that there was a reluctance among donors in the field.

To effectively tackle the proliferation of SALW it is also essential that focus is not only on the element of control but also proactive and preventative measures such as awareness raising, education and the promotion of a culture of nonviolence and mediation as well as a broader perspective; reducing poverty overall, create political stability and promote democratic governance economic development and social development.

For more details please see annex A5.

2.3. Discussion session II

The following points were debated:

- In order for National commissions to operate effectively they must have an independent structure with their own budget lines and bank accounts, a permanent secretariat, staff, equipment, fuel etc. Parliamentarians have key role to play here to ensure that these necessities are in place.



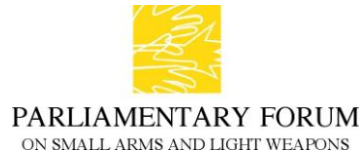
- The importance of funding for the above mentioned criteria.
- Parliamentary participation in the work of the National Commissions and/or the lack of thereof. Parliamentarians can sometimes feel powerless in these situations. Their role in supervising the executive can also complicate participation. The important issue is however that parliamentarians need to be informed properly of the work done in order to fully support the existence of the commission.
- Following the above discussion, transparency is very important.
- The challenges involved in parliamentary turnover. Working in networks to sustain sensitisation, knowledge and momentum was identified as a solution.
- The issue of homemade weapons which easily cross borders in the sub region. The recommendation from the experts was to dialogue with the producers and to aim for regulation rather than a ban.
- The parliamentarians have a role in raising awareness in their constituencies about SALW issues and the work of the National Commissions.

3. Session III: African continental strategy on SALW control

This session aimed to identify the level of contribution in the implementation of the initiatives in the fight against small arms as well as to discuss an African continental strategy on SALW.

The representatives from ECOWAS, the National Commissions, the United Nations and civil society were interested to find out what parliamentarians see as being necessary in this strategy. These are some of the issues discussed.

- It was noted that the states within the sub region are on very different levels in a number of aspects.
- Participants highlighted that the implementation of the Bamako Declaration has not been satisfactory and there is a need to look at other areas. The African Union is of course a platform where this issue can be discussed. ECOWAS has the mandate to set up the back up force in its own region. Other sub regions should be encouraged to set up similar units.
- The participants had different views on whether it was better to focus on sub regions or Africa as a whole. Africa is a continent with 52-53 states which are all very diverse. However, they agreed on the point that the West Africa model (ECOWAS) is an approach which should be exported to the other sub regions or where sub regional bodies are already in place, these need to be strengthened. AU has a role to help integrating the sub regions and ensure there is capacity in place.



- At national level a strong partnership between parliamentarians and civil society is needed.
- There is a need to tackle the demand for arms which is fundamentally a result of bad governance. When governments fail to provide security the people take up arms.
- Violence among young people has started to become a more neglected issue. Something needs to be done and parliamentarians and civil society has a role to play in this area.
- The flight over national resources is a serious issue in many West African and other African countries. When people feel that the natural resources are used fairly and wealth is distributed fairly they will not take up arms.
- Early warning systems should be put in place. Violence does not happen suddenly and without warning. There is always escalating human rights violations and struggles before an outbreak of violence but we need mechanisms there to detect these early warnings.

4. Session IV: The role of parliamentarians in enhancing arms control and human security: Promoting regional and international instruments

4.1. The Role of Parliamentarians

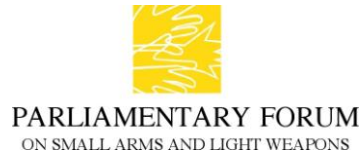
Sebastian Sperling from the Friedrich-Ebert Stiftung gave a presentation on the role of parliamentarians and results of a parliamentary workshop held in Lomé in December 2009. International and regional instruments on Small Arms Control - How to make use of them at the national level?

Mr Sperling identified the following components as key roles of parliament: shape international treaties, oversee implementation, oversee security sector, develop legislation, sensitize, build confidence, and ratify international agreements and conventions.

Furthermore, the presentation emphasised on the key relations of parliaments: National Commission, Civil Society, Security Forces, Government, International Community, Parliaments in the region, and ECOWAS parliament.

A clear overview of the status of NATCOM's and the results from the workshop in Lomé held 2009 can be found in annex A4.

On the 10th of December 1999 in Lomé, Togo, the Authority of Heads of State and Government decided to establish National Commissions to *“assist the relevant national authorities in the conception, development and implementation of national policies for the fight against the proliferation and illicit circulation of small arms”* in each member state. The objective was to enhance the implementation of the Moratorium (on the Importation, Exportation and Manufacture of Light Weapons now transformed to Convention).



The establishment of the ECOSAP and ECOWAS Small Arms Unit, in which the National Commissions will play a critical role in the implementation of the major activities, a consensus has been reached that the effective functioning of these commissions is the key step to ensure the success of the fight against small arms proliferation in the ECOWAS sub-region. It is also important to report that in compliance with Article 4 of the Code of Conduct of the ECOWAS Moratorium, all the member states have complied with this provision except for a few countries that established national committees or focal points.

Current situation and challenges:

One of the objectives of ECOSAP is to facilitate the functionality of the NATCOMs for the fight against Small Arms and Light Weapons, and the programme has worked towards such an objective.

The importance of political will power; ECOSAP has since its inception worked to revive the NATCOMs in terms of their functionality, although importantly notice should be given to the fact that the implementation of the programme largely depends on the existence of basic structures provided by national governments. It must therefore be realised that it requires political will to create and install NATCOM's. Each member state's unique situation must be taken into consideration, civil and political unrest in some cases among other factors.

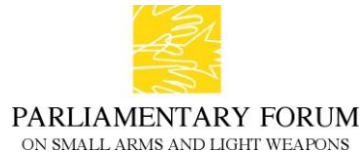
ECOSAP is playing a key role; During the past three years, ECOSAP has been jointly engaged with the ECOWAS Commission in order to further persuade member states set up mechanisms as a platform for implementation of activities by the NATCOMs and in view of the ECOWAS Convention. The past years shows that ECOSAP has played a key role in the legal establishment of the National Commissions in various countries.

The ongoing establishment of NATCOM's in West Africa; The Programme in collaboration with the ECOWAS Commission is closely following up with the legal establishment of the NATCOMs of Nigeria, Liberia and Sierra Leone, which are at advanced stages in their parliaments awaiting ratification of the bills.

The major challenges confronting the NATCOM's effective functionality could be summarised as followed:

- Political will;
- Office space;
- Information exchange;
- Problem of coordination and internal/external institutional relationships;
- Decentralisation;
- Human resource management (lack of staff);
- Administration and finance;
- Lack of technical capacity;

For the full presentation please see annex A6.



4.2. Parliamentary response Sierra Leone

Honorable Ibrahim Sorie, Chair of the Parliamentary Network on SALW in the Parliament of Sierra Leone and Deputy Chair of the Legal and Judicial Affairs Committee of the ECOWAS Parliament, gave a presentation on small arms control and state building practices in Sierra Leone since the end of the 10 years conflict, highlighting the role of the parliament in ensuring peace. The presentation brings up four important elements:

1. How has Sierra Leone Parliament contributed to peace and state building, small arms control and enhancing human security?

The answer to this can be found in the role that the parliament of Sierra Leone played before, during and after the war period. Since the independence in 1961, Sierra Leone has had several systems of governance and electoral systems. During all of these various systems the parliament has been a significant player in the name of national efforts of nation building. The parliament of Sierra Leone is the institution that is vested with the constitutional authority to make laws for peace, stability and good government of the State of Sierra Leone. Apart from its lawmaking function, it has a representational and oversight role as provided for in the 1991 Constitution. Some of the fundamental principles of state policy are stated in chapter II in the Constitution. The parliament of Sierra Leone should:

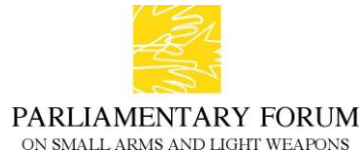
- Legislate and work for the peace, stability and good governance of the State;
- Work for unity of Sierra Leone and cater for the welfare of its people by harnessing our natural resources for the economic development of our country;

2. The Role of Parliament in the Security Sector Reform Process, its engagement in small arms control, and enhancing Human Security

Drawing upon its experience during the years of war, Sierra Leone is combining security and development in order to be successful in this field. The parliament of Sierra Leone has supported the reforms initiated for the modernization of the security sector.

Since the end of the war in 2002, the parliamentarians of Sierra Leone have actively been engaged in the fight against the illicit proliferation of small arms and light weapons. In the process, parliamentarians have been able to forge valuable partnerships with government institutions, civil society and international organizations that work on small arms issues. Such engagements lead to that the parliament was linked to the implementation of the 2001 United Nations Programme of Action on Small Arms and Light Weapons (UNPOA). Since then, the parliament has participated in various international meetings, including the Review Conference held in New York, USA, in June 2006 and at the Biannual Meeting of States (BMS) held in June 2008.

The parliament of Sierra Leone has ratified both the ECOWAS 1998 Moratorium on the importation, exportation, manufacture and production of small arms and light weapons, and their related parts and ammunitions, and the ECOWAS Convention on Small Arms in June 2007 (which effectively replaced the ECOWAS Moratorium of 1998 and its related protocols). Since 2006 the parliament is also engaged in the ECOWAS small arms program (ECOSAP).



The participation in the campaign against the spread of small arms gave the parliament of Sierra Leone the opportunity to engage with parliamentarians from countries both producing and importing arms. Thus during 2002-2010 the parliamentarians have participated in various regional conferences as well as hosted a seminar in December 2009 in the parliament to discuss the upcoming bills on the establishment of the Sierra Leone National Commission on Small Arms, (SIENCOSA) and a new fire arms legislation.

3. Good Governance – The Role of Parliament and the Legislative Agenda

The Parliament of Sierra Leone believes that the effective control of small arms and light weapons derives from promoting and implementing good governance principles and practices. The great interest for parliamentarians is the reforms on good governance and democracy, the promotion of human rights and the rule of law, public sector reforms and the strengthening of state institutions. The parliamentarians of Sierra Leone are also well aware of the threat agenda to human security and have therefore demonstrated ample support for sustainable peace building efforts and preventive diplomacy by championing various issues, including: democratic governance and clean election, the rule of law, and the promotion of human rights.

Moreover, the parliament has also supported the government in seeking development assistance and cooperation to address inequalities in the distribution of resources and opportunities, promotion of economic growth, better terms of trade and permitting greater access to external markets, encouraging necessary economic and structural reform, and technical assistance for strengthening regulatory instruments and institutions.

4. The need for Capacity Building for Parliamentarians

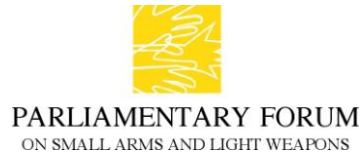
To ensure that parliamentarians play important roles in peacebuilding, including the fight against the proliferation of small arms and light weapons, the parliament of Sierra Leone is conscious of the need for a sustained capacity building programme for parliamentarians to fully discharge their expected roles. There is a need for a strong and vibrant parliament - a strengthened parliament that is well resourced and with committees that are effective tools for peace and state building.

In his concluding remarks, Honorable Ibrahim Soire, calls for the strengthening of parliaments in Africa by providing the requisite infrastructure such as offices, staff, communication, resource centers and well equipped library with state of the art ICT. Furthermore, Honorable Soire also states that the forging of partnerships between African parliaments and their international networks, the civil society and other development partners in peace and state building process, including the fight against illicit spread of arms and enhancing human security cannot be overemphasized.

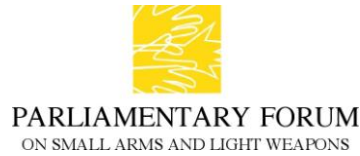
For the full response please see annex A7.

4.3. Discussion session IV

- Hon. Soire's presentation was celebrated by his colleagues as an appeal from his heart to parliamentarians in the region.



- The Members of Parliament from Mali added that the executive power in Mali is very powerful and parliamentary budget control was therefore a challenge. Then the National Commission was launched the Parliament had wished to provide the National Commission with a budget line but this task had not been easy. They were aware that the Commission was struggling.
- The participants of the conference come from countries with very different governmental structures which date back to colonial times. The participants therefore discussed how different procedures such as budget approvals are handled in their respective home countries.
- West Africa relies heavily on international assistance which is of course greatly needed. However, the parliaments of the sub region need to make provisions for SALW control and allocate national funds.
- The need to establish parliamentary networks nationally and in the sub region was identified. Internationally this already exists in one of the three organisers of the event i.e. the Parliamentary Forum on Small Arms and Light Weapons.
- SALW is a complex issue and in many aspects no longer a matter for the national defence. Africa has and is basically only experiencing internal conflicts.
- The relationship between the National Commissions and the Parliament was once again discussed. Both parties involvement will be mutually reinforcing. Parliamentarians need to support the National Commissions and they in turn need to be proactive to involving parliamentarians.
- Individual parliamentarians should be active in exercising control over their governments. This can be done through oral and/or written questions. These questions can lead to concrete action.
- Many West African countries need to focus on reintegration of ex-combatants. There is always a risk that these groups take up arms again; in armed conflict or in criminal activities.



5. Session V: The role of parliamentarians in enhancing arms control and human security: Discussing small arms issues

The session focused on discussing the role of parliamentarians in initiating discussions on new issue areas to address specific SALW problems of a given country general; the parliamentary oversight of the security sector; gender and violence against women; security sector reform and technical small arms issues.

5.1. Government – parliament - civil society collaboration

Mr. Baffour Amoa, President of the West Africa Network on Small Arms (WAANSA) represented civil society in West Africa and gave a presentation called ‘Collaboration: government, parliament and civil society in controlling SALW – Ratification of the ECOWAS convention as a case study’

Mr. Amoa recalled that SALW can cause a lot of harm with disastrous effects to follow. SALW is a problem due to the fact that existing control regulations and laws are weak. In his presentation, Mr Amoa, not only urged the society to respond to the issues raised in a cooperative manner in order to successfully control SALW, but also identified key stakeholders:

- Civil society organization: voice of victims and advocate preventive measures;
- Legislators – Parliament: advocacy, review draft laws and pass laws;
- Executive – Government: propose laws, police implementation of laws;
- Judiciary – Courts: apply the law;

The ratification of the ECOWAS convention – timeline:

September 2005; Civil Society Organisations adopt a draft ECOWAS convention in Bamako, Mali.

October 2005; WAANSA hands over the draft convention to ECOWAS commission for action.

14 June 2006; ECOWAS convention signed by head of states and governments in Abuja, Nigeria.

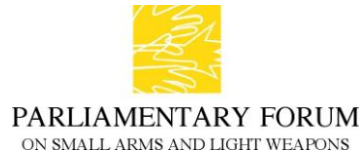
Next step; Ratification by 9 Member States to enable convention to enter into force.

ECOWAS strategy; work with WAANSA-ECOWAS –Civil Society Organisations strategic partners to lobby and campaign for member states to ratify convention.

March 2007; ECOWAS peace and security officials at highest levels travels to Togo, Burkina Faso, Mali, and Ghana with the President of WAANSA with the aim to lobby.

Next; WAANSA builds capacity of national networks and coalitions to carry on the lobby with funding from ECOWAS, UNDP, OXFAM AMERICA, OXFAM GB and ECOSAP.

Next; WAANSA launches its programme with capacity building in lobbying and campaigning. “Visit to countries” purposely to lobby and campaign for member states to ratify the ECOWAS convention and drum support for an Arm Trade Treaty.



WAANSA initiates a programme to strengthen national networks/coalitions on SALW made up by CFOs and NGOs interested in peace and security.

Lobbying actors:

- WAANSA President/National Network visited sensitive countries, i.e. Cape Verde, Liberia, Sierra Leone and Cote d'Ivoire
- WAANSA Zonal Coordinators assigned to specific countries to lobby with National Networks.

In country collaborators and lobby targets:

- On arrival in each country, WAANSA Delegations met with National Network Executives to review programme for the visit;
- Call on National Commission on SALW officials;
- Called on relevant high level (Ministerial) Government Officials;
- Parliamentary leadership and relevant Select Committee;

Conclusion; “Visits to countries”-programmes have brought tremendous results and significant impact in the ratification process: from 2007 to date.

Results; 10 countries have ratified the ECOWAS Convention: Niger, Burkina Faso, Mali, Senegal, Sierra Leone, Togo, Nigeria, Liberia, Benin, Cape Verde.

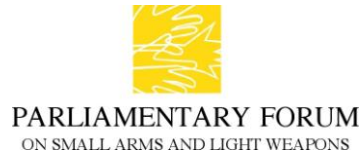
Mr. Amoa concluded his presentation by informing the audience briefly on the establishment and objectives of the West African Action Network on Small Arms:

WAANSA was founded on the eve of the signing by ECOWAS leaders of the Moratorium in Abuja, October 1998, by civil society leaders who met in the sidelines of the ECOWAS summit to lobby for the signing of the Declaration. WAANSA's founding conference was held in Accra, from 20 to 21 May 2002 with the participation of 54 representatives of West African Nations and sub-regional civil society organisations. WAANSA organised its first General Assembly to adopt its constitutions and elect its first Executive Committee in January 2007.

WAANSA's vision is to contribute to the building of a secured environment for the development of the sub-region by:

- Serving as a forum for the exchange of information, views, experiences and strategies in combating the proliferation of SALW in West Africa;
- Working for the reduction of the causes of the demand and the negative impact of small arms and light weapons in West Africa;
- Being a rallying force/point for all those who work in the area of small arms;

For the full presentation please see annex A8.



5.2. Parliamentary Response to Small Arms Related Violence

Mr. Peter Weiderud, General Secretary of the Parliamentary Forum on SALW focused his presentation on Parliamentary Response to Small Arms Related Violence and shared some of the Forum's experiences.

Prevention of violent conflict is the civilised, sustainable and political responsible way to act but does not happen on its own. Mobilization of political will is needed.

He started by making an interesting comparison. Wars and response to wars do not normally need advocates. When the fire is on, it is usually possible to mobilize the financial, diplomatic or military resources needed to deal with the emergency. However, it is more difficult to muster the resources needed to ensure that the fire never started, although these efforts are cheaper and would save thousands of lives.

This is a dilemma in international affairs, similar to the one in medicine, where it is the heart surgeon who is considered the hero, while the dietician who can prevent heart attacks more efficient is given less attention. The international community will never be able to drum up all the resources needed if we are to wait and respond to conflicts after their out break.

The Parliamentary Forum on Small Arms and Light Weapons is the only global organization for parliamentarians with the specific objective of preventing armed violence and small arms proliferation. Over the last few years there has been a clear development of the work of the Forum moving from a focus on control issues, towards a deeper and wider approach, aimed at comprehensively targeting armed violence and dealing with the root causes.

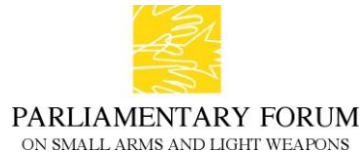
The Forum currently works on a number of issues which are all closely related to conflict prevention, reduction of armed violence and small arms proliferation, namely:

The Arms Trade Treaty (ATT)

Parallel to working with other instruments mentions during the conference, there is a need for a comprehensive instrument on the arms trade: combining all conventional weapons, targeting all types of international arms transfers. The ATT is now formally a UN process and is making great progress. In autumn 2009 the largest arms producer, the US, got on board after an agreement was made to negotiate on the basis of consensus. While a workable ATT needs the main arms producer on board there is a risk that reluctant countries will weaken the treaty. Parliamentarians have an important role in putting pressure on governments who are reluctant to have strong human rights criteria in a treaty.

Privatisation of the security sector

States increasingly outsource functions, which were traditionally undertaken by military or police, to private contractors. While private security companies can make a valuable contribution to security, central concern is the lack of legitimacy and accountability. Poor national legislation and limited international conventions and structures have an impact of human rights. This development might also challenge the state monopoly of the use of force and make security available primarily to those who can afford it. There is a strong need to formulate legislative and



regulatory framework and develop effective mechanisms for control and oversight in order to better address the growth and expansion of the private security industry.

Gender

Although the majority of the users and casualties of small arms are men, firearms affect the life of women in a number of ways. Widows are left alone to fight for the survival of the family, small arms are used to terrorise women and they facilitate crimes such as rape and other forms of sexual abuse. Women are far too often excluded from peace negotiations and their special needs and their important experiences are not taken into account. Implementation of United Nations Security Council Resolution 1325 on women, peace and security is difficult, even for the UN itself. Another aspect is that attitudes of women may sometimes contribute towards the cultural condition that equates masculinity with the possession and use of a firearm, making it acceptable for men to use arms or glorify guns.

Stockpiling of conventional ammunition

Accidental explosive events are far too common and result in thousands of deaths and destruction but despite the risks, conventional ammunition stockpiles continue to receive relatively little international attention. It is important to develop, implement and enforce national legislation. The Forum has produced a handbook for parliamentarians on the topic.

Aid and security

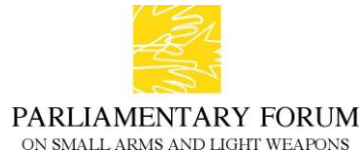
The development and security nexus is at the forefront of the political agenda.

After 9/11, tendencies in the debate suggested that the links between poverty and terrorism are inseparable, that funds towards poverty reduction will reduce terrorism. As a result, aid funds was redirected to serve military purposes and thus contributed to the securitisation of development but not necessarily the other way around. Poor communities run the risk of being overlooked. It therefore of outmost importance to be very careful when dealing with these issues and allocating funds. Development cooperation needs to be safeguarded in its own right.

Religion and conflict

Religion is an important part of a person's identity and can be considered an essential bearer of culture, tradition and history as well as a major social force that serves to bind a community together. Throughout history religion has been used as a pretext for conflict, violence and war, and after the end of the Cold War, religion has re-entered both the world stage as well as conflict areas, challenging some of the modern understanding of secularism.

At the same time, religious leaders have held important positions in peace and reconciliation processes in many conflict-ridden societies and have contributed to the promotion of peace and the reduction of violence all over the world. There is a need for political awareness and interaction from parliamentarians with religions in order both to make use of their possible contribution to peaceful development, as well as counteract their potentially destructive role in situations of political tension. In West African countries and contexts where Muslim and Christian leaders have formed inter-religious councils, the communities have found mechanisms to decrease tension and prevent the spread of conflict.



Model Legislation

The Forum has developed a model law together with NGOs and the Latin America Parliament. By providing a unique framework, which combine control as well as disarmament aspects of small arms, the Forum has been able to offer a working tool for parliamentarians to use in comparing their own country's legislation with this tool. We are currently working on providing a similar tool for African needs, should there be such an interest also in the African context.

6. Session VI: Discussion session

The participants were divided into two working groups to debate the draft document 'Action points for parliamentarians'. The draft was discussed point by point and the points changed can be seen annex B.

After final document had been agreed upon the issue of setting up national parliamentary networks was discussed. WAANSA is a key partner and will be able to assist the formation of parliamentary networks on small arms in the respective national parliaments, with the view to create a sub regional umbrella network on SALW. ECOWAS could provide the general funding support.

Representing the three co organisers Mr. Coulibaly, Mr. Gerard and Mr. Weiderud thanked all participants and the venue providers the Blondin Beye Peacekeeping Centre. They thanked the Parliament of Mali for their support and the Mali Government who had authorised the event.



7. Final Document

RECOMMENDATIONS FOR PARLIAMENTARIANS FOR THE CONTROL OF SMALL ARMS AND LIGHT WEAPONS IN THE ECOWAS REGION

1. Promote the ratification of international and subregional instruments on small arms such as the UNODC Firearms Protocol and the ECOWAS Convention on Small Arms,
2. Drafting national legislations
 - propose legislation or encourage the governments to draft legislation to integrate and domesticate international and sub-regional instruments on small arms in national legislation,
 - harmonize legislations on small arms,
 - encourage the governments to put forward legislation on small arms,
3. Development of an administrative framework
 - bureaus of the respective parliaments to strengthen the capacities and means of the Defence and Security Committees and their members,
 - make recommendations to the governments for the strengthening of the National Commission on Small Arms to allow them to function effectively, notably by creating a specific budget line for the NatComs,
 - make recommendations to the government for the definition of the respective attributions of different government offices in the fight against illicit SALW,
4. Oversight of the government and of armed and security forces
 - increase the oversight of government action in the area of defence and security by requesting periodic reports on the implementation of the national legislation on small arms and the National Plan of Action on small arms,
 - be associated as an observer with all the activities of the National Commission on Small Arms,
5. Participation in the dialogue on SALW control
 - encourage dialogue and synergies with civil society,
 - work in parliamentary constituencies to raise awareness on the dangers posed by small arms,
 - highlight specific small arms problems encountered in parliamentary constituencies to the governments and the National Commission on Small Arms,
 - create national networks of parliamentarians working on small arms issues within each parliament and with an umbrella network for the ECOWAS region, ECOWAS and WAANSA to assist in the creation of these national parliamentarians' networks,
 - participate in national delegations to international or subregional negotiating conferences on SALW, such as the Biennial Meeting of States or ECOWAS meetings,



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- national parliaments to call on ECOWAS to host a yearly meeting of representatives of parliamentary defence and security committees of all the parliaments of the sub-region, to coincide with a meeting of the ECOWAS Parliament and to discuss small arms issues.



8. Participation list

Members of Parliament	Organisations
<p>Burkina Faso Hon. Drissa Sanogo Foreign Affairs and Defence Committee</p> <p>Cote d'Ivoire Hon. Laurent Akoun President of the Security and Defence Committee</p> <p>Liberia Hon. Worlea-Saywah Dunah Member of Parliament</p> <p>Mali Hon. Bourema Dicko President of the National Defence, Security and Civil Protection Committee</p> <p>Hon. Abdou Abdoulaye Sidibe Member of Parliament</p> <p>Sierra Leone Hon. Ibrahim Sorie Chair of the Parliamentary Network on SALW in the Parliament of Sierra Leone Deputy Chair of the Legal and Judicial Affairs Committee of the ECOWAS Parliament</p> <p>Senegal Hon. Mamadou Bamba Ndiaye Defence and Security Committee</p> <p>The Gambia Hon. Mahummadou M5 Jallow Defence and Security Committee</p>	<p>ECOSAP (ECOWAS Small Arms Programme) Mohammed Coulibaly Programme Manager</p> <p>Oumar Kandé Deputy Director</p> <p>Hawa Sidibe Specialist in Small Arms</p> <p>Isac Armstrong Specialist in Small Arms</p> <p>ECOWAS Dr. Pawoumotom Cyriaque Agnekethom Head - ECOWAS Small Arms Division, Directorate for Peacekeeping and Regional Security ECOWAS Commission Abuja, Nigeria</p> <p>Friedrich-Ebert Stiftung Sebastian Sperling Regional coordinator on security policy</p> <p>GRIP (Group for Research and Information on Peace and Security) Cedric Poitevin Project Manager "Arms Transfers and Small Arms</p> <p>Ministry of Foreign Affairs and African Integration Al Mamoun Keita, Secretary General of the Minister</p> <p>Network of National Commissions Emmanuel René Moise Director of the Cabinet of the Minister of State, Ministry of the Armed Forces Senegal</p> <p>Parliamentary Forum on Small Arms and Light Weapons Peter Weiderud Secretary General</p>



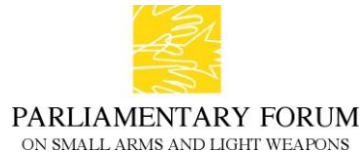
	<p>Teresa Dybeck Programme Officer</p> <p>UNREC (United Nations Regional Centre for Peace and Disarmament in Africa) Nicolas Gerard Political Affairs Officer, Deputy Director</p> <p>WAANSA (West Africa Action Network on Small Arms) Baffour Amoa President</p> <p>West African journalist network for security and peace Amadou Maiga President</p>
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9. Annexes

A. Presentations

The following annexes consist of the full presentations and PowerPoint presentations of the experts of the meeting. These can be downloaded from the Parliamentary Forum website www.parlforum.org or sent out upon request.

1. The ECOWAS Convention (Dr. Agn  k  thom, ECOWAS)
2. Tracing Small Arms and Light Weapons (Mr. Poitevin, GRIP)
3. Marquage et tra  age, Mr. Poitevin, GRIP
4. Status of National Commissions
5. National Commission of Mali
6. Role of Parliamentarians, Mr. Sperling FES
7. Parliamentary response Sierra Leone, Hon Sorie
8. Cooperation civil society, Mr. Amoa, WAANSA



B. Changes to final document

DRAFT RECOMMENDATIONS FROM PARLIAMENTARIANS FOR THE CONTROL OF SMALL ARMS AND LIGHT WEAPONS

1. Ratification of international and subregional instruments on SALW
 - Firearms Protocol
 - ECOWAS Convention
2. Drafting national legislations
 - initiating legislation
 - following-up with the government for legislation to be presented
 - integrating provisions of international and subregional instruments into national legislation
3. Development of administrative framework
 - define the respective attributions of different Government offices in the fight against illicit SALW
 - reinforce the National Commission (budget, etc.)
4. Oversight of the executive branch and of armed and security forces
 - Review of implementation of legislation and of National Plan of Action
 - Participation as observer in the National Commission
5. Participation in the national dialogue on SALW control
 - Interaction with civil society and constituency and awareness-raising
 - identification of specific SALW problems
 - participation in national delegations to international or subregional forums and conferences on SALW