



PARLIAMENTARY FORUM
ON SMALL ARMS AND LIGHT WEAPONS



Inter-parliamentary Seminar

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Erbil, Iraq

“Controlling Proliferation of Small Arms and Light Weapons in Transitional Contexts – Challenges and Opportunities for the Middle East and North Africa”



Organized by the Parliamentary Forum in cooperation with the Iraqi Council of Representatives, Kurdistan Regional Parliament and European Technology and Training Centre (ETTC)

OPENING SESSION

Key note speakers:

- Hon. Ala Talabani: Board member of the Parliamentary Forum on SALW and member of the Council of Representatives of Iraq.
- Hon. Christer Winbäck: Board Member of the Parliamentary Forum on SALW and member of the Parliament of Sweden.
- Dr. Arsalan Baiz Speaker of the Kurdistan Regional Parliament, was unable to attend to conference however welcomed the participants through a message.
- Dr. Dindar Zebari: Kurdistan Regional Government member and the Department of Foreign Relations representative

The session was opened by highlighting the high number of small arms and light weapons circulating amongst the Iraqi civilian population. The topic of SALW in Iraq is very relevant with recent changes in firearms related law. The decision made by the Council of Representatives of Iraq to enact a law permitting citizens to have one gun in their home will have severe national and possible regional consequences. The only condition for emplaced the possession of firearms under the new law is that they must be registered at the local police station. The law, which has solely been justified as a necessity for personal protection, was made public on the 6th of May 2012, despite attempts to prevent its passing.

Outside Iraq, there are regional challenges related to Private Military and Security Companies (PMSC). Primarily, the PMSC found in the MENA region are employed to protect foreign entities. The usage of PMSC in the MENA region, especially for personal protection in the form of bodyguards or security guards, differs greatly from its usage in the rest of the world. In the MENA region, these companies has in fact injured and killed civilians. There is an absence of international transparency requirement of the activities of PMSC. Since these companies operate internationally, it is creates further difficulties in identifying which national jurisdiction applies. The fact that there is a lack of international regulations on PMSC responsibilities and the differing and sometimes inexistent regulations at a national level creates a legal loophole.

There is great expectations concerning the decisions made by the international community to limit the proliferation of weapons are implemented by the Kurdistan Regional Parliament and by the Council of Iraq, especially in relation to the Programme of Action (PoA) and the Arms Trade Treaty (ATT). In regards to transfers of weapons, since the US invasion of Iraq in 2003 there has been less clarity as to which foreign entities are acting within the state. In addition, there is no clear regulation or control of the increasing number of weapons. It is evident that many weapons are moving across the Iraqi border.

After emphasizing the importance of implementing laws to control the proliferation of SALW, Hon. Talabani pointed out the need to improve monitoring instruments which can give clarity in regards to storage, transfers and handling of SALW. Notably, all actors, including the state, NGO's, religious entities as well as the public, have a responsibility to ensure that the usage of weapons is limited and for the right cause. Human right and security must be the primary incentive for the international community in the work to limit the proliferation on SALW. In order to limit the trade and proliferation of SALW, the international community must identify who the main beneficiaries and actors are in the weapons trade.

Throughout the MENA region it is culturally accepted to carry weapons. Therefore, the new generations have to be re-educated in relation to weapons and democracy. In the region, SALW are found in all areas of life, they are carried in official purposes as well as for personal protection or cultural rituals. By educating the next generation and raising the level of national security, the number of weapons used especially for personal protection will be limited.

The suppression and oppression of the citizen rights in the region, has as a consequence turned them to weapons as a mean to protect human and civil rights. The rule of law and the supremacy of the government should protect the citizens, regrettably this has not always been the case. With the new era of the MENA region, stemming from the Arab Spring, the transparency and democracy will help limit the proliferation of SALW.



SESSION 1: THE ROLE OF PARLIAMENTARIANS IN PEACE MAKING

Moderator:

- Sarah Masters: Parliamentary Forum board member. Coordinator for the Global Women Network of International Action on Small Arms (IANSA)

Comments by:

- Hon. Christer Winbäck: Board Member of the Parliamentary Forum on SALW and member of the Parliament of Sweden.
- Hon. Ala Talabani: Board member of the Parliamentary Forum on SALW and member of the Council of Representatives of Iraq.

SALW proliferation has become one of the major and most dangerous global problems affecting the modern world posing serious international challenges. Armed crimes are a common occurrence across the world. With recent events such as the Utoya massacre in Norway 2011, which took the life 69 civilians, the importance of controlling the trade of SALW has amplified. SALW is not only easily accessible in the sense of availability but it is also financially accessible. Given that the proliferation of SALW is a direct threat to human security, it should be monitored and limited since it cannot be completely abolished.

The history of Iraq has seen SALW used with bad intent and in breach of human rights by governments. The current national situation in Iraq, which was contributed by the 2003 US invasion, sees weapons still being excessively present and misused by PMSC, terrorists, civilians etc. The amount of weapons in Iraq has resulted in 102 identified storage units. When SALW fall into the hands of non-state actors, there is no restriction on the spread of SALW and it is a catalyst for violence. Many crimes, such as school shootings, would not have occurred if accessibility had been prevented. More limitations should be placed in relation to possession of weapons, this including the carrying of weapons in official duty. Iraqi parliamentarians have expressed that the rights of those carrying weapons in the line of duty should be narrowed.

Another concern of Iraqi parliamentarians has been the recently passed gun law, allowing each citizen to keep one registered weapon in their household. There are currently 6 million registered weapons in Iraq and the new law virtually guarantees the number to increase. It is a formidable task to attempt to control the use of firearms by civilians in private household. Something that is important to mention is that the wish to limit the rights to possess weapons does not stem from a wish to impede the right of self defense. There is a need to guarantee security at a national level in order to create a sense of safety. In the last 6 months, there have been more than 100 000 organized crimes in Iraq. If the citizens felt protected by the national security forces, they will not feel the need to arm themselves.

Since not all parliamentarians are aware of the devastating impact of SALW, awareness raising amongst them is crucial. As parliamentarians are the only ones who have the political and legislative power to make changes, it is essential that they take an active role and make use of the organizations and networks, such as the Parliamentary Forum, to gain further knowledge on effective methods of control, tracing, monitoring etc.

There is also a need to raise awareness amongst civilians. As there is a cultural acceptance in relation of possession, citizens should be informed to enable them to reject the normality of SALW. The cultural acceptance ranges from buying toy guns to young children to guns being a custom political gift that states of the MENA region gives to other states. Weapons can also be found as a decorative item in homes, which further highlights their accessibility. Overall, guns are not limited to a negative context in the MENA region, as they are often used in celebratory occasions. In some areas of the MENA region, weapons are a part of the existence of the citizens. Therefore, it is crucial that the parliamentary work in the limitation of proliferation of SALW is connected to a cultural movement.

Weapons have become a very important commodity. As governments export weapons, responsibility is placed upon both parliaments and governments to regulate their trade. In Sweden, the parliament is reconsidering the criteria of weapon trade. Some parliamentarians have suggested limiting the trade to the countries that qualifies as a democratic state, which consequently minimizes the accessibility for civilians and terrorists.

Parliamentarians need to understand the market of SALW and its relevant actors. As with any commodity, if there was no demand there would not be supply. Both the legal and illegal SALW market has become lucrative ones. In countries, such as Iraq, with many international borders, there is a high risk of illegal transfer. As a region in which there is a high volume of weapons in circulation, it is imperative to monitor the international borders effectively to avoid regional spreading. Furthermore, the actors involved in the trade of weapons should also be identified and monitored. Parliamentarians could minimize the need of weapons by demanding higher security at national and international levels and implement instrument to mark and track the weapons. Overall, through effective awareness raising, parliamentarians can affect the proliferation on SALW. In Sweden, there is a committee within the national Parliament highlighting the affects of SALW. This method directly involves the parliament as a whole, which encourages individual parliamentarians to consider the matter. With parliamentary engagement, legislative implementation difficulties can be limited to achieve the intended impact.

SESSION 2: Proliferation and Trafficking of SALW

Expert speaker:

- James Bevan: Weapon and Conflict Analyst specializing in tracing illicit weapons and ammunition, United Kingdom

Moderator:

- Hon. Ala Talabani: Board member of the Parliamentary Forum on SALW and member of the Council of Representatives of Iraq.

Small arms and light weapons (SALW) is a commodity that is highly financially profitable however it is also a very dangerous one. In the MENA region, the biggest state actors in the trade of SALW are China, Israel, Iran, Romania, Russia and Sudan. Though states do not necessarily directly trade SALW illegally, the legal trade trickles down to the illegal market. There is no global mapping of the trade of SALW, though there is an international UN based register for legal SALW trade. However, the UN register is not mandatory and therefore does not provide an overall representation of the market. The circulation of SALW in the MENA region can be established through networks of traffickers and trafficking routes across the region and into adjoining regions. When considering trafficking of SALW, it is crucial to view it on a regional or international basis since the nature of SALW violence cannot be limited by borders. Therefore, when considering proliferation and trafficking of SALW, the focus must be placed on national and international control measures as well as non-state actors.

Non-state actors obtain weapons through illegal trade or systematic stockpile misplacement, which provide SALW to civilians, coalition groups, PMSC or rebel groups. The primary issue of the MENA region, in relation to proliferation and trafficking, is diversion. It includes the unauthorized transfer of weapons and ammunition from lawful users to the illicit market through loss, theft, deliberate re-transfers to non-state parties and the effects of major stockpile redistribution following insecurity or state collapse. The latter has in recent years shown its magnitude, especially in the MENA region. In cases of state collapse, whole national stockpile is at risk of falling into the hands of non-state actors. In Iraq, estimates suggests that as many as 7 million SALW and 50 000 tones of conventional ammunition and explosives were lost into civilian hands in connection with the US invasion in 2003.

Another important concern is state support to non-state actors. This is a current occurrence in the MENA region, where Iran is one state that has been found to support the non-state actor Hezbollah. However, the support of non-state actors is not limited to states for instance NATO has provided weapons to non-state actors in Libya. It is a threat to regional security when weapons are uncontrollably transferred to non-state actors, as there is limited control as to what the weapons are used for and what happens with the weapons when the non-state actors breaks down or ceases to exist.

The lack of stockpile management systems is also a factor in the diversion of SALW. There is a lack of security and accounting of SALW, which makes it a target of theft. Some stockpiles are stored in unsupervised location, sometimes without doors and roofs. In Iraq, during 2004-2005, the

mismanagement of stockpile by the Coalition Provisional Authority (CPA) resulted in the diversion of 190.000 assault rifles. By acknowledging or providing the basic required security, stockpile management would improve.

The diversion of SALW leads to weapons and ammunition being used for other reasons and actors than intended by the original seller. For instance, the trade of Iranian ammunition to the Kenyan security forces is such an example. The ammunition was diverted through Kenya continuing to Ethiopia, South Sudan, Democratic Republic of Congo, and later found in Guinea, Mali, Ivory Coast and in Nigeria. The transfers of the Iranian ammunition occur through illegal resale, theft and supplying non-state actors. Links of diversion of SALW could also be established in other parts of the MENA region, such as between Libya and Sahel as well as in Mali. Libyan diversion has also been connected with Al Qaeda activities in the Islamic Maghreb.

Though, in the MENA region there are good examples of stockpile management. Such as in the case of Jordan, who upholds 24 hours security on their national stockpile as well as daily account of the SALW. Overall the stockpile management in the majority of the MENA region is poor and there is a dire need to improve security. This can be achieved through marking and inventorying of weapon stocks. By marking and registering all national stockpiles it can identify the origin region and state, owner and serial number. This system enables tracing of SALW, which consequently means that illegal diversion can be traced back to the original owner. This serves as a deterrent from illegal trade. In addition, national inventory is vital when monitoring diversion. If a state does not know what their national stockpile contains, it is impossible to keep track of lost, stolen or sold SALW. Therefore weapon inventory and control needs to be implemented. This would make the effect of arms reduction programmes on the controlling of the proliferation of SALW stronger.

Since states are main actors in the legal trade of SALW, parliamentarians have an important role to monitor and scrutinize their own governments. The enforcement of international obligations and maintaining a level of security in relation to SALW would minimize diversion. Specific committees on SALW would also further establish the already existing platform that parliamentarians have. National security forces also play a factor, as they contribute to the security of the state. The security or lack of security in a state can determine the mentality of civilian population and thereby their need to possess SALW. If the parliamentarians can regulate the national security forces, security of the state would improve and accordingly civilians would not feel the need to arm themselves.

Parliamentarians can also control and limit the trade of SALW by companies through legislation. There should also be control as to the sale of SALW to non-state actors and proxy forces, as legal trade is the catalyst for illegal trade.

Recognizing and implementing effective control measures is the first step in proliferation control of SALW. With diversion and transfer of SALW, it is vital to comprehend the magnitude of the proliferation, transfer and its actors. One needs to understand the motivation behind trafficking, as it is not a realistic aim to control all borders. When these elements are identified then it can be targeted effectively. The main priority is to abolish SALW as a desired commodity and limit it to one of necessity.

SESSION 3: Women, Gender and Gun Violence in the Middle East

Expert Speaker:

- Sarah Masters: Parliamentary Forum board member. Coordinator for the Global Women Network of International Action on Small Arms (IANSA)

Moderator:

- Hon. Christer Winbäck: Board Member of the Parliamentary Forum on SALW and member of the Parliament of Sweden.

Civil society organizations play an important role in bridging the gap between the work of parliamentarians and advocacy on SALW. IANSA facilitate international NGO actions and places their efforts in limiting the proliferation of SALW, by reducing the demand, improving firearm regulation and strengthening controls on arms transfers. IANSA is currently advocating for the inclusion of gender equality and the prohibition of violence against women in accordance with existing international instruments and commitments in the development of the Arms Trade Treaty (ATT). Additionally, IANSA has also developed, with the UN Office for Disarmament Affairs, practical guidelines to mainstream gender in legislative implementation.

Women, as a gender, experience a particular vulnerability in armed conflict, as they are subjected to sexual, armed, physical violence and financial dependency. The UN Committee on the Elimination of Discrimination against Women (CEDAW) defines gender based violence against women as *“directed against women because she is a woman or that affects women disproportionately”*. There is a need to highlight the disproportionate impact on women in relation to men, as well as using a gender sensitive approach when tackling issues related to SALW. IANSA conducted a research in 2011 on *‘Women, Gender Gun Violence in the Middle East’* (available online), covering Jordan, Palestine and Lebanon. The research indicated some regional trends concerning the effects of SALW related violence, types of violence, women participation and gender issues, in relation to SALW.

Violence against women affects communities as a whole, which is more evident in societies where women are considered to be ‘possessions’ of men. Though there are regional effects of SALW related violence against women within the MENA region, such as armed domestic violence and honour crimes, the highest risks for women in is in their home. This is risk is shared by women all over the world. In Lebanon, from 1998 to 2003; 78% of the acts of violence against women occurred in their homes. Studies have shown that domestic violence is the most common form of gender based violence in the region. It is difficult to assess any figures since women seldom seek help and when they do, it is often within their social circle. Also, a sense of shame plays a role when seeking help from public institutions, which further discourage women to speak out. The position of women is further exposed due to the insufficiently developed and implemented laws to protect women’s rights. Additionally, in the MENA region, private justice is often viewed as legitimate and punitive measures for crimes committed in the name of honour are considered with leniency.

The MENA region has stocks of SALW and ammunition, both legally and illegally obtained, however most of the stocks are in the possession of men. This is also reflected in the SALW related death rates, where most victims are male. Women represent a small number of the deaths stemming from SALW related violence, however they represent an even smaller minority of users and owners of SALW. Since women are seldom in contact with SALW, the impact of SALW in their lives is disproportional.

The consequences of the SALW related violence are not only short term but also long term. As men in the MENA region are often the primary bread winner, when they are injured or die those dependent on them will permanently suffer socially, financially and psychologically. In Palestine, 60% of all women suffer from the direct or indirect consequences of violence. On the other hand, when women are the injured party they are considered an added burden to the family, which occasionally leads to rejection.

One aspect of the problem is the attitude towards gun possession. This is by some considered to be connected with masculinity and honour. The possession and usage of SALW is not only for self defence but also for celebratory purposes, which gives SALW a positive association. The Arab Spring further re-affirmed the justification for possession, when armed resistance was considered legitimate. Libya, where women opponents were subjected to sexual violence, experienced a very aggressive presence of SALW with many casualties during the Arab Spring. Conversely, it was established that armed violence is not necessary to achieve justice, as seen in Egypt where both women and men aligned.

Women of the region require support and assistance to tackle this somewhat unspoken problem. This can be achieved by, as suggested by organisations in Lebanon, shifting the focus on SALW control from being a political issue of disarmament to a matter concerning security. In Jordan, women's groups believed that a starting point for any work would be the UN Security Council Resolution 1325. Whilst in Palestine, they were interested in working alongside the national authorities on raising awareness to break the links between masculinity, guns and violence. Overall, it is important to tackle the issue from both ends, protect the victims of SALW but also to discourage men and boys to use them.

The proliferation of SALW hinders democratic processes and the cultural tradition sees an absence of female participation in peace and security matters. The Arab Spring exemplifies the desire of democratisation and throughout the IANSA research, women strongly expressed their interest to partake in SALW control, disarmament, peace and security processes. Since women suffer from the consequences of SALW, they too wish to limit them. However, the two main challenges women faces in the participation can be described firstly as women's situational positioning and exclusion from legislation and policy making. Secondly, is the marginalisation of the human aspect in action and discourse whilst sidelining gender in security dialogue. For women's participation to be successful, coordinated efforts from all relevant actors needs to be put in place.

Four suggestions have been made by IANSA to minimize SALW related violence against women. Firstly, strengthen and develop research and data collection on the link between small arms, gender and violence against women. The research will be a useful tool to understand the problem and formulating public policies on the issues. Secondly, building women's capacity to influence policy and

support them to lead their own trainings. Thirdly, supporting women's advocacy and campaigning efforts on SALW and disarmament. Lastly, build regional and national networks of women working on SALW control, which would empower and provide an opportunity to establish national action plans on Resolution 1325.

There is no national or international border in relation to violence against women. The research showed the need to obtain further data on SALW, gender and violence against women in the region, since it currently does not exist. The hope is to enable women to voice opposition, promote peace education and an alternative, gender-responsive form of institutional security.

SESSION 4: Privatization of Security

Moderator:

- Hon. Ala Talabani: Board member of the Parliamentary Forum on SALW and member of the Council of Representatives of Iraq.

Expert Speaker:

- James Bevan: Weapon and Conflict Analyst specializing in tracing illicit weapons and ammunition, United Kingdom

Regional Comments:

- Hon. Abdul Karim Sultan Sinjari, Minister of Interior, Member of the Kurdistan Regional Government, Iraq

Private military and security companies (PMSC) are used on both small scales and large scale. They provide body guards, diplomatic services, protection of aid agencies, guarding of civilian and military establishment, supplying weapons and ammunition etc. Since security is a necessity for democratic development, the market has rapidly increased since the 1980's. Small Arms Survey estimates that PMSC are in the possession of between 1.7-3.7 million weapons. There are approximately 25 million individuals employed within PMSC, which outnumbers the number of police personnel in the world.

These, often foreign, PMSC are authorized to use lethal force in their work, though they are not under the same jurisdiction and duty as military personnel. The legal dilemma arises from the conflict with national jurisdiction. PMSC's should be subject to the national jurisdiction of the country of operation. However, if the country of operations has different laws than the origin state of the parent company of the PMSC, it becomes a conflict as there is disagreement as to which national jurisdiction the PMSC is under. Further, though the parenting countries may put in place restrictive laws on their PMSC operating internationally, it is difficult for them to control or keep track of the PMSC activities. PMSC are thereby able to use weapons in the host country which would not be permitted in their parent company.

Since the PMSC are mainly in charge of their arms management, they are able to set their own standards. They usually acquire their own weapons in the country of operations, which places them under national laws. However, some countries, specifically those in transitional periods, may not have adequate legislation on firearms. In Iraq, some PMSC personnel bought weapons directly from the civilian market, in spite of domestic laws. Moreover, weapons are seldom inventoried, unsecured, kept in the personnel's residences and some personnel have been found to resell and rent their weapons. Due to the lack of government control, the use of weapons by the PMSC is largely unrestricted.

The primary principle which the PMSC should follow is based upon minimal use of force, where direct force is only to be used when there is a direct threat against the personnel, persons or assets the company has been ordered to protect. Nevertheless, the excessive use of force exercised by the PMSC as well as their stocks of arms has been the main cause for concern. There is a supposition that PMSC personnel are relatively free to act as they see fit.

Reports from the US Department of Defense suggested that approximately a third of all firearms discharges by PMSC's were 'negligent'. These incidents are seldom prosecuted. In Iraq, it was not until after the Status of Force Agreement those US personnel, including PMSC, no longer had immunity from Iraqi law. Incidents, such as Blackwater shootings in September 2007, exemplify how some of the PMSC are poorly trained. Since companies are able to create their own training modules, there is need to have harmonized standards and rules of engagement as well as international accreditation system in the training, use and management of firearms.

There is a clear absence of control instruments in relation to PMSC. The nature of PSMC often places them in countries where there is political or national security instability. Due to the limited government oversight, there is a dire need to control the activities of these companies, which has been expressed by many governments. In August of 2010, President Hamid Kazai commanded all PMSC to cease operations in Afghanistan by December 2010, as he considered them a 'cause for insecurity'. They are still operating in Afghanistan.

The individuals that work within the PMSC field should conform with international requirements in regards to background checks, work and license permits. They should also be educated in the relevant laws their activities fall under, both domestic and international ones. By having international requirements for the personnel of PMSC to fulfil, it can limit the risk of having individuals who are not suitable to gain access to weapons.

In Kurdistan a specific committee has been set up to regulate PMSC and some companies have been brought to trial. The companies are normally issued a warning and if they fail to comply they are either brought to court or banned from Kurdistan. As of now there has been no civilian killing in the region by PMSC. Also, within the region the PMSC are paid by the state who require them and not by the Regional Government.

Internationally, the 2008 Montreux Document on PMSC, which was signed by 35 states, provides guidelines for states in relation to the companies. Further international efforts were made with the 2010 International Code of Conduct for Private Security Providers (ICoC). The ICoC was adopted by 58 states and some of them have expressed their intent to prioritise the companies that has signed ICoC.

Worryingly, the market continues to grow and the current international agreements are vague in regards to SALW. Within the Montreux Document and the ICoC there have not been any standards set for the acquisition of firearms, accounting and record-keeping of weapons, use of force and training requirements. By having set international standards and supervision, alongside effective legislation, the PSMC can be utilized in a manner which does not threaten international, national or human security.

SESSION 5: see Session 8

SESSION 6: The UN processes on SALW, ATT and PoA

Expert speaker:

- Sokol Kondi: Head of the Regional Office in Erbil, United Nations Assistance Mission for Iraq (UNAMI)

Moderator:

- Sarah Masters: Parliamentary Forum board member. Coordinator for the Global Women Network of International Action on Small Arms (IANSA)

The year of 2012 is an eventful one for the United Nations (UN), with the Conference on the Arms Trade Treaty (ATT) being held in July as well as the Second Review Conference on the Programme of Action (PoA) being held in August. The UN legal framework started its work on SALW in the 1990's. The PoA and ATT are armed control processes taking place within the framework of the UN. Within the UN, the legal framework is established upon the lowest common denominator amongst member states. Therefore it is crucial that the states and parliamentarians are persistent in the negotiations of treaties and agreements in order for effective instruments are implemented.

The ATT focuses on the transfers of conventional weapons. It was initiated in 1993 by the President of Mali, through his request of assistance on SALW transfer issues. The difference in laws and regulations between states creates dangerous loopholes in international transfers. For instance, States that abuse human rights or states with precarious control of its stockpiles are able to acquire weapons. These are some of the reasons that motivated an international unified agreement to regulate cross-border activities. The first step was given with resolution 2007. In which many countries from the MENA region abstained. It is noteworthy to mention that many countries of the MENA region abstained from voting for the ATT. The US was the only country who voted against the ATT. With the Obama administration overturning the previous decision, the ATT gained the support of the biggest arms exporter.

The PoA, which introduces the International Tracing Instrument (ITI), was initiated in 2001 however the process was slow until 2006. Since the 2006 Review Conference, bi-annual meetings have been held on the PoA with the biggest meeting being held in 2011. The second Review Conference on the PoA will consider the past, present as well as the future of the program. It will also assess the separately agreed International Tracing Instrument implementation.

In relation to the ATT, 68 members have filed their national reports on their arms trade to the UN. The 68 members only represent 1/3 of the members of the UN.

Disarmament has only been successful in Albania. However, the disarmament attempt in Sudan and Kosovo were less successful. The experiences of the UN disarmament efforts have made clear that

the involvement of local and regional stakeholders is of outmost importance for effective implementation efforts.

It is crucial that we consider the causes and not only focus on the symptoms. Taking short cuts can have disastrous consequences especially since weapons outlive humans.

SESSION 7: A future without Land Mines

Moderator:

- Hon. Ala Talabani, Parliamentary Forum board member and member of the Iraqi Council of Representatives.

Expert:

- Mr Sirjaz Barzani, Head of Iraqi Kurdistan Mine Action Agency (IKMAA).

Landmines are one of the few weapons used in war that continues to be dangerous after the end of the conflict. They are lethal objects which do not discriminate in terms of who it injures. Mines can be found all over the world and is an effective way to contaminate large areas. After they are placed they can remain active for 50 years. The two most common types of anti-personnel landmines are blast mines, which are triggered by pressure and explode upwards, and bounding fragmentation mine, which propels to chest level and explodes. They are a low cost weapon, which does not require maintenance, with devastating impact. Whilst the manufacturing price of a mine can be as low as \$3-5, the cost to remove one landmine can amount to up to \$ 1,000.

IKMAA has during the last 20 years cleared minefields in Iraq and the Kurdistan region. They also provide victim support and conduct Mine Risk Education that raises awareness in affected areas and with particularly vulnerable groups. However, the work of IKMAA has not abolished the presence of mines. With the growth of societies, the previously remote minefields are coming closer. IKMAA recently merged with General Directorate of Mine Action to further their regional work.

There are several factors which has hindered effective demining in the MENA region. An expressed need for a detailed map of the placements of landmines has been called for. Since some of the minefields are 20-30 years old and they have been disrupted and removed, it is difficult to establish their current location. Therefore it is not easy to certain how far the removal process has reached. Furthermore, it is difficult to effectively demine when the locations of the minefields are not identified. There are other practical factors such as weather, terrain, lack of demining personnel and demining equipment.

There have been international efforts to tackle the threat of landmines. The Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction (also known as the Ottawa Treaty) was signed in 1997 and has to date 169 signatories and 40 countries have ratified it. The purpose of the treaty is to eliminate anti-personnel landmines in all the signatory countries. The treaty enforces a 10 year deadline from the day of ratification for each country to be declared landmine free. Thus far, Tunisia is the only country in the MENA region that has been declared landmine-free. There are several countries within the region who has not even signed, which are Iran, United Arab Emirates, Syria, Saudi Arabia, Armenia, Egypt, Morocco, Bahrain, Libya, Oman, Israel and Lebanon. This further highlights the necessity of awareness raising.

Parallel to landmine removal awareness raising is a priority. The MENA region has severely suffered from the presence of landmines and education is an effective method to minimize the threat. The complex removal procedure must be complimented with educating the societies in the affected areas. The Mine Risk Education includes information on common landmines, warning signs and what one should do when in the presence of mines. Education on practical information of land mines is particularly beneficial for children, who can easily be injured due to lack of awareness. IKMAA has together with UNICEF hosted specialized summer programmes for children, who are a particularly vulnerable group. The programmes consist of courses in different areas and specifically educating the children on first aid, types of land mines, children's rights and so forth. It is also an opportunity for the children to experience areas free from mines.

To date, landmines have had many victims from all ages and gender. The consequences to the individual are severe however they do not end at physical injury. There are social and economic consequences for the individual, their family and their society when injured or killed by landmines. For those injured, they can be considered as a financial and emotional burden to their families and society as a whole.

Overall the work of the IKMAA limits the threat of anti-personnel landmines and unexploded ordnance within Iraq and Kurdistan Region. However, only a small fraction of the work has been completed. As in Kurdistan where there are still of mine fields. The task undertaken by IKMAA and their partners is a formidable one especially considering the high number of landmines present in post-conflict areas. It is evident that international framework on mines needs to be implemented across the region as many of the minefields are in areas of international borders.

SESSION 5 and 8: First and Second Discussion about Final Declaration

The session was conducted by the Secretary General of the Parliamentary Forum, Mr. Peter Weiderud. The purpose of the two sessions was to give an opportunity to all participants to contribute collectively in the creation of the final declaration for the Inter- Parliamentary Seminar on *“Controlling Proliferation of Small Arms and Light Weapons in Transitional Contexts – Challenges and Opportunities for Middle Eastern and North African States”*. The first draft was prepared having in consideration the observations and concerns expressed by parliamentarians along the sessions. This draft was then discussed in the first discussion about the final declaration. After this, another draft was prepared including the observations on the first version.

MENA is a region which has been plagued by international and domestic conflicts. These conflicts continue today and have contributed to the proliferation of SALW. The conference has highlighted and raised awareness on SALW related violence, which has affected the MENA region. There is an aim to find non-violent solutions to the conflicts experienced in democratic development. With the lasting aftermath of the Arab Spring, the international community has the duty to make efforts to limit and reduce SALW proliferation.

The final declaration reflects the ideas and thoughts presented by the participating parliamentarians. The expertise and regional commentary has raised important concerns on the proliferation on SALW. Below are the main recommendations made by the Parliamentarians, which served as the foundation to the final declaration:

- Continue the important parliamentary exchange to keep SALW on the agenda, implement effective international and national legislation and utilize existing instruments.
- Having stronger presence in national, international, regional and sub-regional negotiations on SALW such as the ATT and the UN PoA.
- Advocate for SALW and ammunition to be incorporated into the ATT agenda during the 2012 conference.
- Support the implementation of national committees on SALW within parliaments and governments. This will make the national legislative process more effective and bridge the gap between international instruments, such as the UN PoA, with national efforts. Also in accordance with the PoA, urge government to submit their national reports to the UN Office for Disarmament Affairs.
- Limit trafficking and smuggling by tightening border control. The harmonization of laws between international borders as well as the implementation of stronger punitive measures will function as a deterrent for illegal weapons smugglers.
- Limit weapon transfers to civilians and non-state actors by enhancing security and national trade regulations for SALW.
- Discourage states from supplying weapons to governments that are in breach of Human Rights, suppliers of non-state actors or have poor stockpile management.
- Improve stockpile management by incorporating comprehensive inventory, accounting, security, marking and tracing.

- Encourage the role of women in security and peace making, set out in UN Security Council Resolution 1325. Further the research on women and armed violence.
- Enhance the cooperation between civil society organization and parliamentarians to improve efforts during the transitional period of the MENA region.
- Limit and regulate the activities of PMSC in the MENA region. Requiring the same standards for PMSC as state security forces, by international standards for training and education of PMSC personnel.
- Promote education to change the cultural affiliation with SALW and protect youths from accidents.

It is evident that parliamentarians hold a unique role, which gives them the required platform to address the multifaceted aspects of the proliferation of SALW. They have a monitoring power on both a national and international level, to regulate and ensure that legislation is implemented. The monitoring is a necessity to limit illegal proliferation of SALW. Also, to ensure that SALW are bought and stored in accordance with national and international regulations and laws.

Proliferation on SALW cannot be limited to a domestic issue, therefore the inter-parliamentary conference creates an opportunity to tackle the illicit trade and raise awareness of the legal market. The dynamic transitional period of the MENA region gives the parliamentarians the possibility to take a stronger approach and impact democratic development. The distinctive culture of the MENA region and its relationship with SALW, reaffirms the importance of these recommendations. The high number of SALW circulating amongst civilians makes the matter even more urgent, especially since human security has become a major cause of concern. Overall, the parliamentarians of the MENA region urges for the effective legal implementations of laws limiting the illicit trade and the general proliferation of SALW.