

PARLIAMENTARY OBSERVATORY



PARLIAMENTARY FORUM
ON SMALL ARMS AND LIGHT WEAPONS

The Parliamentary Forum on Small Arms and Light Weapons was created as an international platform for parliamentarians interested in preventing arms proliferation and armed violence. The purpose of the organization is to support parliamentarians in their small arms related work, contribute to the advancement of the small arms agenda, and provide space for parliamentarians and civil society to meet and join forces.

PARLIAMENTARY OBSERVATORY: SMALL ARMS AND LIGHT WEAPONS CONTROL

The work of Parliaments and parliamentarians to
control the proliferation of small arms and light weapons

Volume I, April 2006

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GLOSSARY

ATT	Arms Trade Treaty
BCPR	UNDP Bureau for Crisis Prevention and Recovery
CICAD	Inter-American Drug Abuse Control Commission
CIFTA	The Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials
ECOWAS	Economic Community of West African States
USA	United States of America
DDR	Disarmament, Demobilization and Reintegration of former combatants
IANSA	International Action Network on Small Arms
MERCOSUR	Southern Common Market of the Americas
NISAT	The Norwegian Initiative on Small Arms Transfers
OAS	Organization of American States
WHO	World Health Organisation
NGO	Non-Governmental Organisation
OSCE	Organisation for Security and Co-operation in Europe
Parlatino	Latin American Parliament
GNP	Gross National Product
UNDP	United Nations Development Programme
PoA	United Nations Programme of Action on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects
SADC	South African Development Community
SALW	Small arms and light weapons
SICA	Central American Integration System
SSR	Security Sector Reform
SURF	Sub-regional Resource Facility (UNDP)
SWEFOR	Swedish Fellowship for Reconciliation
AU	African Union
EU	European Union
UNDDA	United Nations Department for Disarmament Affairs
UNODC	United Nations Office on Drugs and Crime
UNICEF	United Nations Children's Fund
UNIDIR	United Nations Institute for Disarmament Research
UN-LiREC	United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean
USD	United States Dollars

FOREWORD

Each day, more and more of us parliamentarians work for control over small arms and light weapons. We do so because we consider them as the true weapons of mass destruction, bringing each minute, in some part of the world, a life to end. We are convinced that combating the proliferation of small arms is an urgent task for every parliamentarian who is devoted to the promotion of peace, both between our nations, and within our societies.

How do we fulfill that task? In principle, there is no certain or exhaustive answer to that question. The diversity of parliamentary activities is, and always shall be, a fundamental feature of every democratic society. Accordingly, the parliamentary work for disarmament and control over small arms, also takes on various expressions. Some of these are known and put to practice, such as e.g. ratification of the relevant international instruments, while others are still to be identified and explored. What is clear, nonetheless, is that parliamentary measures for arms control, can and should be furthered.

The Parliamentary Forum on Small Arms and Light Weapons, an organisation composed by parliamentarians, is dedicated to promote parliamentary activity in favour of small arms control, to translating the clear political will for such control, into concrete parliamentary action. Seeking to accomplish that objective, it has stood clear that the Forum needs to identify, describe and suggest types and examples of parliamentary initiatives, distilled from that diversity of parliamentary activities for greater control over small arms, which are or could be undertaken. Which measures are at hand? How can they be applied? What can I demand from the Executive power? What international commitments require my parliamentary

attention and initiative? How can I convince my electorate? What have my parliamentary colleagues in other countries promoted? What successful experiences can I share with them?

The Parliamentary Observatory, a mechanism of the Forum, takes on to formulate, channel and respond those questions – from a parliamentary perspective. Hence, this first report of the Observatory is a compilation of best practices, precisely geared towards that idea on furthering the parliamentary work for small arms control. Its aim is to observe the parliamentary actions undertaken for the purposes of reducing armed violence.

Since this is the first report from the Observatory, based on best practices and the parliamentary example, the report will not limit itself to study elements too narrowly defined, nor just those countries which already count with a regular and active participation in the Forum. Rather, the report adopts a generic approach and its analysis is divided into three basic headings: legislative initiatives, control over the Executive power, and aspects regarding awareness-raising and the creation of public opinion. On that account, it is worth noting that the report should not be read as an annual summary of the Forum members' activities. Nonetheless, it is the Forum's intention that this first effort shall lay the grounds for a more systematized and continuous observance of the parliamentary activities in this field, and likewise that those countries, where we look for and find the best practices and the parliamentary examples, do count with members in the Forum.

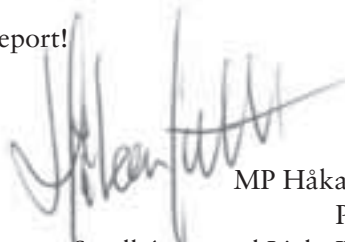
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10 Ever since I started working for small arms control, in the late 90's, the perhaps principal source of inspiration has been precisely the parliamentary example set by my fellow parliamentarians. I have always put great

value to best practices. The parliamentary example in this field serves as a proposal that encourages to take action, it is a suggestion from a colleague on how to alter an intolerable human condition. And when a fellow parliamentarian recommends something, I know that he or she has done so having in mind what it implies to belong to the ruling political bloc or the opposition, and *a fortiori* what it implies to justify ones initiatives and assume responsibility for them: before the voters, before the party and the political bloc, before civil society organizations, before the press and media, and even before the international community. That is the essence of parliamentary exchange.

Since it is based principally on best practices, I am certain that this report – the result of joint efforts made by renowned investigator Daniel Luz and various members of the Forum which have accompanied this process from its start – will be of great value. The report offers parliamentarians incentives, ideas and assistance intended to improve – to further, advance and visualize – their parliamentary work for small arms control. It is a report for us – and likewise for those who want to know more about parliamentary action for the reduction of armed violence, for the solution and managing of conflicts without small arms and light weapons.

I invite you all to benefit from this report!



MP Håkan Juholt
President

Parliamentary Forum on Small Arms and Light Weapons



EXECUTIVE SUMMARY

In many contexts, armed violence is reaching epidemic proportions. What is being done to prevent it? What can be done? The posing of questions has always been the driving force behind science and knowledge. However, political studies often suffer an inferiority complex in relation to pure science, such as physics or mathematics. The lack of objectiveness and the impossibility of isolating oneself from the object of study (society, people) means, despite the insistence of some, that the study of social issues is rarely referred to as scientific in the strictest sense of the word.

This does not mean that social studies cannot use the techniques and knowledge of other fields of research: from statistics to psychology, biology or medicine. It is in precisely this last field of study that very useful instruments for the analysis of armed violence and arms control can be found. As in the case of medicine, a *diagnosis*, a *prognosis* and a *treatment* are required in the study of armed violence. As in the case of medicine, armed violence is also something that can be prevented and on which it is possible to intervene.

Why arms? It is important to state already from the beginning that arms are not the source of neither conflicts nor violence. Conflicts and violence respond to motivations and root causes that are more complex and difficult to respond to, ranging from struggles for access to natural resources to fight for political control, affected by historical and psychological manipulations, including gender aspects. This is proven by the fact that the continent with less violent deaths in the world – Western Europe – is one of the regions with proportionately more arms, whereas other regions – especially Latin America and Sub-Saharan Africa – have higher arms-related death rates, but a lower percentage of arms per inhabitant.¹

However, guns are violence multipliers – they make violence worse. A massive and uncontrolled presence of arms makes the causes of violence more difficult to manage, more complex and more expensive in human and economic terms.

As stated by Ignacio Cano, professor of sociology at the Rio de Janeiro State University, arms are the main cause of infection in the epidemic of armed violence. Following the parallel with medicine, treatment of epidemics should be made in two directions: on the one hand, attempts should be made to reduce the conditions in which the epidemic reproduces itself (with measures promoting, for example, hygiene or the purification of water) and, on the other, all possible measures should be undertaken to eradicate the multiplying agent (the mosquito or bacteria, for example). Equally, steps forward along the road towards peace-building and the prevention of armed violence require similar measures, influencing the cultural and structural conditions that may generate violence, and controlling (if not eradicating) the accelerators of that violence, such as the easy availability of arms. Just as significant progress has been made in medicine – with the discovery of vaccines and the development of antidotes to tackle illnesses – it should be possible to do likewise with armed violence.

This publication seeks to offer updated and systematised information on what Parliaments can do to remedy the uncontrolled proliferation of small arms and light weapons, including a selection of successful interventions along these lines. As such, it seeks to become a practical tool for those parliamentarians who aspire to use arms control as one of their main personal and professional intervention points.

Primarily, an introduction is offered as to the dimension of the problem and the specificities of the small arms and light weapons (SALW) proliferation circuit, given that the necessary corrective measures require an understanding of the complex nature of the problem. From a parliamentary point of view, these corrective measures can be applied as part of the legislative function, the parliamentary oversight and control of the Executive, or the normative function, as creators and generators of public opinion and awareness. Secondly, parliaments play a crucial role in the struggle for arms control and, consequently, there exists a variety of points of intervention characteristic for parliamentary action, described in this study by subject and by region. This section is complemented with a third and final analysis of measures already undertaken by certain Parliaments, and a selection of what could be considered as lessons learned and to be learnt.

In short, some of the main recommendations of this report can be summarised as follows:

- The international process that since 2001 has been aiming to remedy the proliferation of SALW mostly involves Governments, NGOs and United Nations organisations, while **the role of Parliaments has been relegated almost exclusively to the national level**. However, one of the main measures demanded worldwide is the harmonisation and adaptation of legislations. This is included in both the UN PoA and in other international instruments. Therefore, **Parliaments – and parliamentarians on an individual basis – should demand a more significant role in this global process**.
- One of the specific measures that the UN PoA suggests for efficient arms control is the establishing of National Commissions. The adoption of an institutional structure for the control of small arms is undoubtedly

a crucial measure, which is why **Parliaments should be systematically present in these National Commissions**. This study shows how Parliaments only participate very occasionally in these national coordination bodies, despite one of the main tasks of these commissions being the development of regulations.

- In many countries, the issue of arms control still forms part of the national defence agenda. **Although there is no doubt that the present impact of armed violence partly requires such a perspective, this vision should not be exclusive**. Evidence shows that a wide approach is necessary to prevent and deal with arms proliferation, calling for a multidimensional approach including education, social policies, youth policies and development cooperation policies. Therefore, **the parliamentary arms control agenda should be expanded to include all fields related to broader arms control**.
- Legislative work regarding public security, such as police reforms or the regulation of private security companies, should also contemplate the issue of arms control. **All parliamentary initiatives that could strengthen arms control would gain from including this matter as a basic pillar**.
- This expansion of the agenda should also be accompanied by **major involvement of other Parliamentary Committees** that have not traditionally worked on the subject. The inclusion and greater institutional coordination with other areas, such as education, gender discrimination, health, justice and ethics committees, would contribute substantially towards better arms control.

- **The involvement of parliamentarians in extra-legislative events in favour of arms control is often well perceived and valued**, not only as an example of proximity with NGOs, but also on behalf of the media and the population as a whole. This serves to create personal political profiles in support of specific subjects, for example arms control.
- **Several good quality parliamentary lessons learned could be spread among Parliaments.** One is the establishing of Commissions of Enquiry. For example, in Brazil, where this measure already exists, the Commission could serve to provide information on the illicit circuits of arms trafficking and to combat the corruption that enables the illicit flow of arms. In the United Kingdom a multidimensional committee has been established among different Committees (Defence, Foreign Affairs, International Development, and Trade and Industry) to review and monitor the role of trade in arms export control in an extensive and comprehensive manner.



INTRODUCTION

More than eight million small arms and light weapons (SALW)² and over 16,000 million new bullets are produced every year. This is equivalent to around two and a half bullets for each person each year. The economic volume of the production and subsequent sale of SALW, as well as their ammunition and components, represents less than 0.01% of all industrial transactions worldwide.³ However, this proliferation of arms generates both direct and indirect damages.

In a direct manner, it is calculated that half a million people die every year due to the use of SALW, although the indirect damages are even more significant: social violence, forced displacement of people, disrupted access to health and education systems, declined economic activity,

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- 2 Small arm or light weapon refers to the definition developed by the 1997 United Nations Panel of Governmental Experts (A/52/298). The category small arms includes those arms that can be used by one person (such as guns, revolvers or assault rifles), while light weapons require a group of people for useage (such as heavy submachine guns, portable anti-aircraft guns or portable missile systems) and their ammunition and components. The terms “small arm”, “light weapon”, “firearm”, “gun” or simply “arm” shall be used indiscriminately in this publication.
 - 3 These data refer exclusively to new production and, therefore, the importance of the “second-hand” product market would have to be added. There is no reliable information on this secondary market, although some estimates consider 8 old arms to be sold for every new one produced.

spending of government resources (economic and human), damages to the social structure and, in short, a burden to human, economic and social development.

An ambitious process to combat the uncontrolled proliferation of small arms was initiated in 2001 by governments as well as non-governmental instances. The main landmark of this process is the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, adopted in July 2001 and reviewed in July 2006. However, this Programme of Action is not the only instrument developed by the international community; in addition to other complementary international instrument, significant progress has also been made on this matter at national and regional level.

Main instruments on SALW control

International instruments

United Nations Programme of Action. This establishes a series of minimum standards that the States must consider, although it is not a binding document. Adopted in July 2001

United Nations Firearms Protocol. This is a supplement to the United Nations Convention against Transnational Organised Crime and constitutes the first legally-binding instrument for the regulation of small arms and light weapons. It entered into force in July 2005.

Regional instruments

Africa:

- ECOWAS Protocol on Small Arms and Light Weapons, their Munitions and Other Related Materials (2006)
- Nairobi Protocol for the Prevention, Control and Reduction of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa (2004).
- SADC Firearms Protocol (2001)
- Bamako Declaration of the Organisation of African Union (2000)
- ECOWAS Moratorium on the Import, Export, Manufacture and Distribution of Small Arms and Light Weapons (1998, renewed in 2001)

America:

- SICA Code of Conduct on Arms Transfers (2005)
- Andean Plan for the Prevention, Combating and Eradication of the Illicit Trafficking of Small Arms and Light Weapons in all its aspects (2003)
- MERCOSUR Decision 07/98
- Organization of American States Firearms Convention (CIFTA) (1997)
- CICAD Model Regulations (1997)

Europe:

- OSCE document on small arms and light weapons (2000)
- EU Code of Conduct on Arms Exports (1998, currently being reviewed)

One of the main actors in this global process are parliamentarians. Parliamentarians have the authority to legislate at the national level, hold their governments accountable, and assist in generating social awareness and sensitisation. Parliamentary action is therefore one of the cornerstones in ensuring true and effective control of arms proliferation.

Understanding the problem in order to have an impact: the new anatomy of armed violence

The widespread use and presence of arms, with high mortality rates and high levels of destruction, has often been encountered in situations of war. Nowadays, this is, however, not always the case. As Mary Kaldor⁴ indicates, the current wide availability of arms has complicated the distinctions that previously existed between *wars* (these being understood as violence for political reasons between States or politically organised groups), *organised crime* (violence for individual reasons, normally for greed and carried out by organised private groups) and *large scale violations of human rights* (violence against individuals by States or organised private groups). This is a new panorama that Kaldor describes as the “new wars”.

These *new wars* arise in contexts where the autonomy of the State has eroded and, in certain extreme cases, may have even disintegrated. These can be situations in which, for example, revenues from States are decreased by economic depression, leading to an expansion of criminal activities, corruption, and governance inefficiency, and where violence is increasingly privatised, leading to a dilution of political legitimacy on behalf of the State.

The current availability of arms also questions the traditional concept of the State, coexistence and social contract. At present, the mass proliferation of arms causes, for the first time, a degeneration of Governments’ monopoly over coercion and armament control. States are no longer the

4 Kaldor, Mary: *New and old wars. Organized violence in a global era*, Stanford University Press, Stanford, 1999

only actors in possession of arms with the capacity to coerce. Violence is becoming increasingly privatised.

One of the more defining features of this new situation is the emergence and atomisation of armed actors who, as indicated, are characterised by their private nature: paramilitaries, mercenaries, despots, criminal bands, drug dealers, etc., mostly formed by young *men* fed by frustration and bitterness.

The States in which these phenomena occur are often characterized by an incapacity to preserve sovereignty, control the territory and inspire support among the people, which reduces cohesion and generates a spiralling loss of legitimacy, disorder and social fragmentation. This leads to the generating of a self-survival logic among private actors, resulting in the creation of predatory interests. In such situations, the satisfactions of one's own private interest becomes more attainable due to easy availability of instruments of violence, such as firearms. Consequently, in the lack of a State guaranteed minimum level of security, both private actors and the civil society as a whole aims to first and foremost guarantee their own security.⁵

For centuries, States have focused on an exclusive view of the concept of security, understanding it mainly as the security of the territory against any external aggression, or as the protection of its own interests. With this restrictive vision, other concerns have gone by the wayside, although just as – or even more – important than the former, given their greater impact on the daily lives of the civilian population. Security must therefore also

5 It is estimated that there are 649 million firearms circulating worldwide, of which almost 60% are in the hands of the civilian population.

be understood as the protection against the lack of opportunities and expectations, against crimes and repression. It should also mean protection against the perception of threats, which can sometimes be the driving force leading to the legitimization of violence. Consequently, a vision of security with a more humane dimension is required.⁶

The armed actors: a problem of gender and youth

Most users and victims of firearms are men, particularly young men aged between 15 and 44. This finding indicates two important problems to be considered: armed violence has a gender, and it implies future large scale problems, given that whole generations are marked by armed violence.

Over the past decade, 2 million minors have been killed due to armed conflict, whereas another 6 million have been disabled or injured for life. Around 300,000 minors are still exploited as soldiers and tens of thousands of girls are raped and suffer from other forms of sexual violence.⁷ Since 2003, over 14 million children have been displaced inside and outside their countries of origin and between 8,000 and 10,000 minors are killed or maimed every year due to land mine explosions. The impact suffered by minors in contexts of violence in countries considered ‘at peace’,

6 UNDP: *Report on Human Development*, UNDP, New York, 1994

7 An additional problem is the invisibility of girl soldiers, given that the shame and fear of the social stigma make it difficult for them to accept that they are ex-combatants and, therefore, the real figure of child soldiers is probably greater.

such as in Rio de Janeiro, Cape Town, San Salvador or Guatemala City,⁸ must be added to these figures.

Firearms tend to especially affect the life of women, although not being directly in the line of fire. In situations of war, women often become the main providers of support and carers when men die or are injured or disabled due to armed violence. Women are likewise displaced and forced to flee their homes, and, like men, suffer from the general impact of armed violence during war as well as peace times.⁹

However, the attitudes of women may sometimes contribute negatively towards the powerful cultural condition that equates masculinity with the possession and use of a firearm, making it acceptable for men to use arms. In certain cases, women openly encourage men to fight and, in a more subtle manner, support the attitudes and stereotypes promoted by the culture of arms. There are also women and girls who actively participate in many of the world's conflicts, either voluntarily, under coercion, financial pressure or because they have been kidnapped and forced to fight. However, in many countries and contexts, women have first and foremost proven to be a lever for change and a key actor in peace-building.

8 For further information on youngsters in organised armed violence, see: Dowdney, Luke: *Neither war nor peace*, Viva Rio, Rio de Janeiro, 2005 y www.coav.org.br

9 For further information on the impact of guns on women, see: Control Arms: *The impact of guns on women's lives*, Amnesty International, 2005 and www.iansa.org/women

The acknowledgement of the fact that women and girls play an important role in peace-building processes was stipulated, among others, in the United Nations Security Council Resolution 1325 (Women, Peace and Security). This resolution urges the full involvement of women in the decision-making, prevention, management and conflict resolution processes of violent conflicts and in peace-building. A specific measure for acknowledging the particular impact suffered by women due to firearms could therefore be, for example, an expansion of the current debate on arms control: putting emphasis only on on illicit weapons leaves aside important issues such as domestic violence, where mainly women suffer from high rates of mortality due to legally-purchased arms.

Reducing the size of this problem and establishing the foundations of a long-term strategy will, undoubtedly, be a basically educational task.¹⁰ The culture of violence, prioritising and glorifying the use of arms, is the result of the confluence of different factors upon which corrective measures and counterweights must be established: the mystic of masculinity, glorification of strength, repression of feelings and disapproval for empathy, care and affection; the limited capacity to value the meaning and loss of life, the association between courage and the risk of death, as well as between power and violence.

These associations are the basis upon which many individuals conduct their behaviour every day. With the support of a lethal instrument – the gun – providing security and power to its proprietor, this is done at the cost of eliminating and destroying human relationships and mutual trust.

Consequently, education as received in both school and in the family, community or political surroundings, is the best tool to transform the roots of this problem. As indicated initially, the identification and condemnation of the end instrument (the gun), will therefore be useless without simultaneously initiating educational and social programmes to promote an in-depth change in the behaviour forming the culture of violence.



PURPOSE AND METHODOLOGY

The proposal to create a Parliamentary Observatory on SALW control, following several rounds of discussion, began to take shape during the Second Meeting of Representatives of the Parliamentary Forum on Small Arms and Light Weapons. This meeting was held in the Parliaments of Sweden and Finland on 22–24 of September 2004. The agreements reached during this meeting established the following objectives:

- To follow-up on and develop reports on parliamentary activities concerning control of SALW.
- To perform comparative studies to offer support to Parliaments and parliamentarians in their work.
- To offer feedback to Parliaments and parliamentarians on the issue of the SALW proliferation.
- To encourage and highlight the positive experiences of Parliaments and parliamentarians on the issue.
- To work closely and maintain relations, of principally advisory nature, with relevant international institutions, as well as with both international and national Non-Governmental Organisations.

Swedish MP and member of the Forum, Christer Winbäck – who prepared, guided and convened the working group on the Observatory at the Stockholm and Helsinki meeting – was given the assignment to lead the consultations regarding the Observatory. These focused on a specific activity of the Observatory, namely a questionnaire on parliamentary SALW-related work and the subsequent report based on the findings from the questionnaire.¹¹

Thus, the Forum's board was commissioned to start creating this Observatory, seeking the necessary economic and human resources. Particular attention was paid to the need to ensure that efforts were not duplicated, taking into account initiatives and projects already underway.

Justification

In their capacity as key actors for establishing and upholding small arms control, MPs are responsible for legislating at the national level, ratifying international treaties, monitoring the performance of Governments, holding them accountable for their actions and, creating public opinion and awareness through their role as key social actors.

The United Nations Programme of Action on SALW – to mention just one of several international arms control instruments – includes numerous direct references to the role of parliamentarians for its correct implementation:

Programme of Action to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects

I. Preamble

22. We resolve [the Member States of the United Nations] therefore to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects:

11 Gómez, Efraim and Rosemberg, Pontus: *Parliamentary Observatory on Small Arms and Light Weapons: Secretariat Proposal*, Parliamentary Forum on Small Arms and Light Weapons, Annual Assembly of Representatives, Mexico City, 19-21 October 2005

- a) *Strengthening or developing agreed norms and measures at the global, regional and national levels* that would reinforce and further coordinate efforts to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects;
- b) *Developing and implementing agreed international measures to prevent, combat and eradicate illicit manufacturing of and trafficking* in small arms and light weapons;

II. Preventing, combating and eradicating the illicit trade in small arms and light weapons in all its aspects at national level

2. *To put in place, where they do not exist, adequate laws, regulations and administrative procedures to exercise effective control* over the production of small arms and light weapons within their areas of jurisdiction and over the export, import, transit or retransfer of such weapons, in order to prevent illegal manufacture of and illicit trafficking in small arms and light weapons, or their diversion to unauthorized recipients.

3. *To adopt and implement, in the States that have not already done so, the necessary legislative or other measures to establish as criminal offences under their domestic law the illegal manufacture, possession, stockpiling and trade* of small arms and light weapons within their areas of jurisdiction, in order to ensure that those engaged in such activities can be prosecuted under appropriate national penal codes.

4. 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. This should include aspects of the illicit manufacture, control, trafficking, circulation, brokering and trade, as well as tracing, finance, collection and destruction of small arms and light weapons.

14. *To develop adequate national legislation or administrative procedures regulating the activities of those who engage in small arms and light weapons brokering.* This legislation or procedures should include measures such as registration of brokers, licensing or authorization of brokering transactions as well as the appropriate penalties for all illicit brokering activities performed within the State's jurisdiction and control.

23. *To make public national laws, regulations and procedures* that impact on the prevention, combating and eradicating of the illicit trade in small arms and light weapons in all its aspects.

III. Implementation, international cooperation and assistance

6. With a view to facilitating implementation of the Programme of Action, States and international and regional organizations should seriously consider *assisting interested States, upon request, in building capacities in areas including the development of appropriate legislation and regulations*, law enforcement, tracing and marking, stockpile management and security, destruction of small arms and light weapons and the collection and exchange of information.

* The numbers refer to the paragraph of each chapter of the PoA. The parts in bold text have been highlighted by the author.

Until now, no mechanism has existed that systematically engages with the compilation of arms control data from a parliamentary perspective. Meeting this demand has been a prioritized and natural task for the Forum. The establishing of this Observatory therefore has a value added of its own, not only for MPs, but also for Governments, international organisations and non-governmental organisations.

Methodology

Given the purpose of this project, this report has established a series of indicators to define the object of study. These indicators represent two analytical perspectives: thematic and geographic.

The Parliamentary Forum seeks to strengthen and promote parliamentary activities related to SALW control. Hence, three circles of activity related to regular parliamentary action was defined that, as indicated above, refer to:

- Legislative initiatives
- Governmental Control
- Creation of public opinion and awareness-raising

Some of the main *ingredients* included into those circles of activity, constituting the main items of analysis of parliamentary action, can be summarised as follows:

Legislative initiatives

- Regulation of arms possession
- Regulation of production and sale
- Regulation to control import and export, as well as transits and brokering
- Promotion of the so-called disarmament practices (amnesties, collection and destruction campaigns, etc.)
- Security sector reform
- Incorporation of international instruments

Governmental Control

- Transparency and accountability
- Control of national and/or multilateral export policies
- Control of arms possession

- Control and supervision of production and storage
- Control and/or reduction of stocks
- Marking and transparency
- Development of greater controls on private actors (traders, brokers, transporters, etc.)
- Capacity building of government officials responsible for arms control (police, customs officials, courts, etc.)
- Public expense on arms control measures

Creation of public opinion and awareness-raising

- Level of conflict and insecurity
- Prevention and awareness-raising campaigns
- Incorporation of gender issues
- Attention to youth programmes
- Peace education programmes
- Efforts to develop the building of security
- Support for public and civil society campaigns

With regards to the geographic analysis, a series of criteria was established to select the countries to be reviewed. The main selection criteria were as follows:

- Previous participation in Forum activities
- Presence of an active national Parliament with jurisdiction in arms control
- Active national Members of Parliament motivated by arms control issues

The countries and regions analysed have therefore been reduced to Latin America, Sub-Saharan Africa and Western Europe.

Different elements should be highlighted within these three criteria. First, only parliamentary activity at the national level has been considered in this study, although the issue of arms control in many countries (e.g. the USA) also belongs to the jurisdiction of sub-national levels (States, Counties and even Municipalities). Likewise, supranational parliaments or interparliamentary institutions such as the European Parliament or the Parlantino, very active in terms of arms control, have remained on the fence in this study for the same reason.

A second aspect that should be taken into account is the scarcity of countries where arms control forms a significant part of the parliamentary agenda. Many countries simply lack legislation on the matter, pay it marginal attention or maintain it as an issue exclusively controlled by the Government. For this reason, the study of some countries was made difficult or impossible, although this does not decrease the level of significance of the study for these cases. On the contrary: the Observatory could function as an instrument in the search for advice, ideas and lessons learnt for all parliamentarians.

The information relating to the countries appearing in this study has been obtained via research questionnaires sent to the parliamentarians included in the Parliamentary Forum database. This information has been complemented and reviewed through different sources, such as the national reports sent to the United Nations in compliance with the UN PoA, the information appearing in IANSA's Red Book (through the follow-up of its three editions), information found on Parliaments' websites and thanks to the help and support of different civil society organisations and certain research centres.

ANALYSIS OF PARLIAMENTARY ACTIVITY IN SALW CONTROL, BY SUBJECT

The first step in designing a parliamentary strategy for impacting on SALW proliferation should involve creating an understanding of the complexity of the problem, i.e. making a diagnosis, which is a prerequisite for defining the correct treatment. From a parliamentary perspective, this treatment can be applied from three different angles:

- **Legislative action**, elaboration, review and updating of laws and regulations aimed at effective arms control.
- **Government control**, either of the actions or omissions of the Executive, ranging from adequate compliance with international, regional and national regulations, to ensuring that sufficient human and budgetary resources are provided for an effective policy of arms control and a reduction in armed violence.
- **Creation of awareness and sensitisation**, taking into consideration Parliaments as a key point in the creation of public opinion and awareness and, likewise, in developing public campaigns in favour of restrictive measures and disarmament.

Diagnosis for an adequate parliamentary action

Small arms comprise various singularities. This means that a previous examination of these elements must be made in order for them to be correctly managed.

SALW proliferation differs in many aspects from the usual production and sales circuit of other types of weapons, such as conventional heavy weapons and weapons of mass destruction. The reasons for the prolifera-

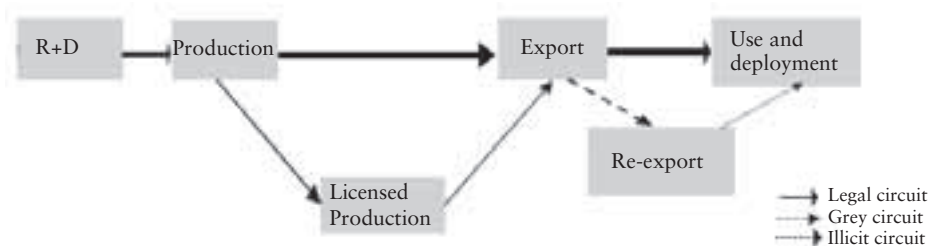
tion of SALW are, for example, more complex than in all other types of weaponry. For instance, the existence of a range of products whose use is not exclusively reserved for wars makes it necessary to talk about the existence of *civil weaponry*. This generates the debate as to whether certain instruments of violence (guns, for example) should be used by private actors which do not, in effect, hold public authority to coerce. The possession of arms by private actors (either citizens or companies) undermines the principle of exclusivity in the monopoly of coercive power that forms one of the pillars of the idea of the modern State. Consequently, a wide international consensus exists on the fact that civilian possession of small arms and light weapons may become a destabilisation factor.¹²

The existence of arms in the hands of the civilian population is, besides increasing the number of weapons produced and in circulation, generating questions related to the acceptance of coexistence with these instruments of violence. For example, the presence of arms is a constant theme in many cultural broadcasting channels, whether it be cinema, television, literature or even games. While generating high visibility, it also creates a wide social and cultural acceptability of arms. In fact, very few people are nowadays horrified by scenes of violence starring guns or machine guns. These products have become items that are present and constant in our daily lives – a vital aspect in understanding the reason behind SALW proliferation.

Another aspect that increases and feeds the presence of this type of weapons, as well as the cultural acceptability mentioned above, is the fact that their production and sale differs to that of other weaponry due to their technical characteristics.

12 Despite this consensus, the issue of civilian possession was withdrawn from the United Nations PoA due to the opposition of the USA.

Small arms do not require a high technological level for production, and it is estimated that they are currently produced in at least 70 countries. This is a high figure in comparison with any other type of armament, multiplying the difficulties behind their correct control. Furthermore, licenced production¹³ is very widespread, which is uncommon in the defence industry, where manufacturers normally are very apprehensive of protecting their technology.



An increasingly significant percentage of the production of SALW is in private hands, whereas companies producing heavy weaponry are essentially State-owned. This provides companies producing SALW with greater freedom to act, as they are not restricted by national interests or Govern-

13 Licenced production involves the sale or transfer of patents for their production to other countries or companies. Some examples of this are the Belgian FAL rifle that is produced in 15 countries, the Russian AK47 in a minimum of 14, the US M-16 in 7 and the German H&K family in 18 (*Report by the Panel of Governmental Experts on Small Arms, A/52/298* dated 27 August 1997 Par. 35).

ments' foreign policy. The SALW sector therefore has a more private and commercial nature than that of other armaments.

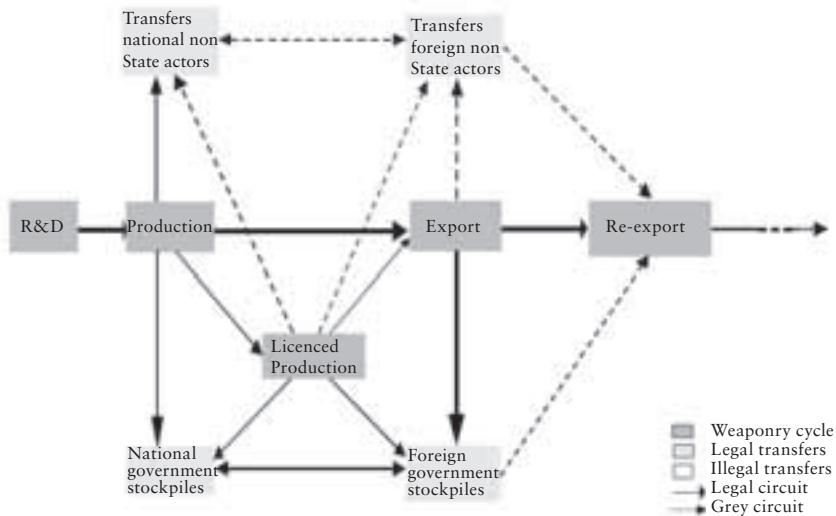
Another significant singularity in understanding the proliferation of SALW lies in comprehending the importance of re-exports and the “second hand” market, which exceeds the volume of the new production market. This is due to various factors. One is that many countries has undergone modernisation processes, reducing their armies and generating large amounts of surplus weapons. These have subsequently been exported – legally or illegally – to other countries. Yet another factor contributing to this recirculation of weapons is the ending of armed conflicts. Unless an adequate arms-collection process is carried out, these situations generate large pools of weapons that run the risk of being distributed to other regions, causing instability and insecurity.

The incapacity of many countries to control the arms circulating in their territory must also be taken into account. Some States lack legislation to control arms or have large areas of porous borders or ports for the illicit trafficking of arms. Some States also lack real control over their own stock-piles, enabling corrupt members of the Armed Forces or security forces to become the source of “arms leaks” into the illicit market.

One of the more controversial aspects in the debate on the control of SALW refers to the problems arising from the destabilising or excessive accumulation of significant amounts of weaponry; in other words, what is meant by the terms destabilising and excessive, and how can this be measured (and by whom)? Some countries lack all kind of restriction on production, transfer or purchase of arms, implying that arms transfers can be pursued beyond merely defensive needs, and that these arms can be easily used for criminal purposes or in actions which constitute breaches of domestic or international law. On all accounts, establishing where the pres-

ence of arms involves an additional risk – because of excessive quantities or destabilising factors – is a key element in making progress towards their control, as it would allow for their circulation to be limited.

In this publication, an excessive or destabilising level of weapons is understood as that which exceeds the level or number considered essential by the Armed Forces or security forces of Governments and/or where a series of risks may be generated for national and international security and where the peaceful development of society is hindered.¹⁴



14 Laurance, Edward: *Surplus Weapons and the Microdisarmament Process*, Monterrey Institute of International Studies, Monterrey, 1995

Whereas major weaponry transactions are basically made at government level,¹⁵ the area of SALW includes two or even three different types of circulation with their corresponding singularities.

For example, Keith Krause, from the *Institute of International Studies* in Geneva, differentiates between primary circuits and secondary circuits. In the primary circuit (or legal market), reference is made to legal or legal transactions between producers and customers, whether they be domestic or international.¹⁶

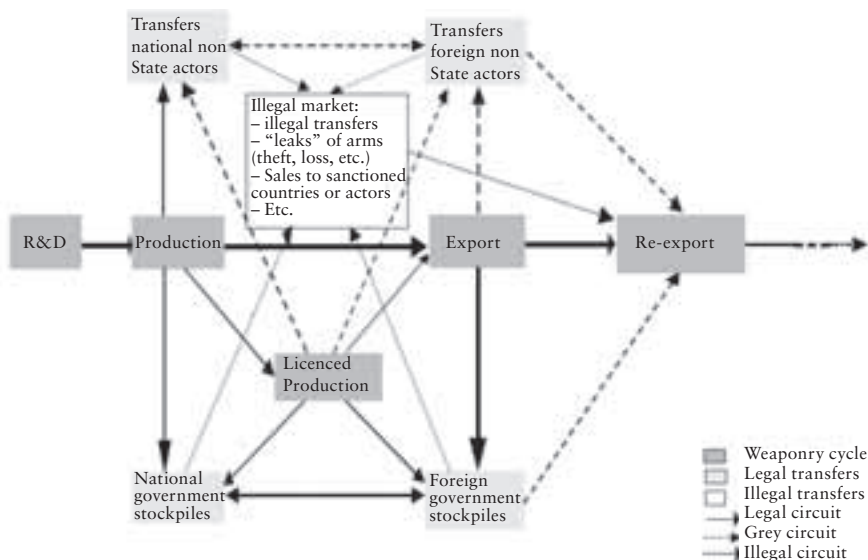
However, the secondary circuit (or illicit market) includes transactions not appropriately sanctioned by governmental authorities. This comprises the “leaks” of legal arms (thefts, losses, illegal transfers, etc.), purchases by sanctioned actors (due to an embargo, for example) and hidden transfers.

This second circuit is marked by ambiguity, as it is difficult to differentiate between that considered legal and illegal. In other words, there is an extensive illegal market that borders the so called grey market. The “grey market” might be legal, but is difficult to differentiate from the illegal market due to secrecy or shortfalls in the authorisation process.¹⁷

15 i.e. the end consumers of this products are mostly Governments, despite the arms producers and distributors being private companies.

16 As one can see, reference is made to transactions and not so much to illicit production, as the illicit production of SALW is thought to be a marginal percentage of trade at the global level.

17 Krause, Keith: *Small Arms and Light Weapons: Proliferation Processes and Policy Options*, International Security Research and Outreach Programme, International Security Bureau, July 2000



Almost all arms have been perfectly legal at some point in the circuit, either when produced or when purchased. This is an important feature affecting how the public authorities deal with arms proliferation. Although the proliferation of SALW is the result of many different factors – including the vague division between the legal and the illegal market – many intervention points are still at disposal to improve its management. Most of these are complex and require extensive political commitment.

To date, the vast majority of political intervention strategies in favour of greater arms control have focused – almost entirely – on the illegal market, thus excluding several important aspects: firstly, as already indicated, the fact that the majority of all arms have legal origins; and, secondly, that

harmful effects of the proliferation of arms are not exclusively due to illegal weapons. Furthermore, an element of legitimacy and responsibility must be added: how can a government combat the illegal arms market if, due to action or omission, the government itself allows killings and human rights violations with legal arms?

The question, therefore, is not whether a weapon is legal or illegal, but what consequences a weapon may have on people's security and what can be done to improve it.

A proposal for treatment: Possible points of parliamentary intervention for effective arms control

Based on a synthetic diagnosis of the characteristics of SALW proliferation, the current section aims to offer some points of intervention that can be used by Parliaments. It is worth clarifying that these points of intervention do not imply a *policy* in themselves; various types of political instruments can be used to back up each one of these interventions, whether at national or multilateral level, and either with political or legal agreements.

LEGISLATIVE ACTION

Limits in the development and research of new arms and technologies:

The first step in the proliferation of arms is the research and development (R&D) stage. This stage should not be underestimated, although SALW do not make up a leading production sector in the area of weaponry research.

International Humanitarian Law establishes certain limitations and restrictions for the production of specific types of arms. An initial group of measures involves the restriction on the production and use of products considered to cause superfluous injury or unnecessary suffering, such as dum-dum bullets or blinding weapons. These measures are already included in the Geneva Conventions and its Additional Protocols, as well as in the United Nations Convention of Certain Conventional Weapons.

To date, very little has been done to expand these legal instruments to include a larger number of potentially dangerous products.¹⁸ However, based on information from the specialist press on the development and testing of certain new types of light weaponry, an effort could be made to include this element for consideration.

As a concrete measure, codes of ethics could be developed with the purpose of limiting the arms research, particularly in countries where such activities are carried out.

Legislation on arms possession:

All policies related to the control of the purchase, sale, possession, distribution, transport and use of arms are important elements in guaranteeing national security. There are still several States without legislation on these

18 One of these initiatives is the SIRUS project, which stands for “superfluous injury or unnecessary suffering”, led by the International Committee of the Red Cross. This project seeks to develop a series of clear criteria on what is considered to be “superfluous injury or unnecessary suffering” to be able to develop a legally-binding international instrument restricting the invention of new types of arms.

aspects or with out-of-date or insufficient regulations (see section on regional analyses). Therefore, the adaptation of these legal measures is a priority issue for an adequate arms control policy.

Incorporation of the gender dimension in national legislation:

Gender-based and domestic violence is a contemporary burden in many countries, even in those regions not suffering from armed conflicts. The adoption of measures to eradicate this type of violence can be undertaken by Parliaments, for example, by prohibiting abusers of women or individuals with a record of sexual offences from possessing arms, or by placing greater emphasis on programmes for assistance and protection of women in armed and post-war contexts (specific DDR-programmes, specific medical aid, post-trauma assistance, etc.).

Establishing controls on the activities of arms dealers, brokers and transporters:

As indicated above, one of the singularities of the proliferation circuit of small arms and light weapons is the narrow line between legal and illegal transfers. This situation has been exploited by many private actors in ambiguous operations, taking advantage of legislative loopholes to triangulate arms transfers and thus avoid the specific controls of certain countries. Legislative action based on international agreements is required to bring about a change to this situation.

Establishing controls of private security companies:

The experience of many countries, especially in Central America and the Great Lakes region, shows that greater controls are required related to the management of private security companies. This industry has exponen-

tially multiplied its turnover during recent years, today including hundreds and even thousands of employees. Without a series of appropriate measures (monitoring the purchase of weapons and ammunition, establishing of suitably equipped and monitored armouries, appropriate training for employees, etc.), these companies may become a source of insecurity and arms leakage for the illegal circuit.

Incorporation of transparency measures:

One of the most effective measures to fight the illegal trafficking of small arms is to increase transparency, both of supply and demand sides. This would prevent the ambiguity of dividing licit trade from illicit and, therefore, generate effective arms control. States should therefore develop transparent procedures in regards of issuance of licenses for the purchase and sales of weapons, involving Parliaments in this process. Governments should also be accountable to Parliaments as to the management of their police and military stockpiles, making all measures related to arms control transparent and clear. Parliaments could play an important role in this sense, although it would require full access to available information.

Promotion of the incorporation of international and regional instruments into national legislation:

Given that efficient arms control requires internationally agreed action, Parliaments should ensure that their national legislation includes as many as possible of the measures promoted on this level, be they regional or international. This requires thorough knowledge on behalf of the parliament related to the different instruments proposed, the instruments signed by the respective Governments, and those gained binding force through ratification.

One specific proposal that could be taken under consideration by Parliaments is the initiative promoted by various international organisations (Amnesty International, IANSA and Oxfam) to elaborate and support an Arms Trade Treaty (ATT). This proposal aims to facilitate the regulation and prohibition of transfers of products that are susceptible to be used for human rights abuses, breaches of International Humanitarian Law, genocide, war crimes and crimes against humanity.

Prohibition of transfers to non-state actors:

The idea of a treaty that prohibits international transfers of SALW to non state actors was originally a Canadian initiative, promoted in different international fora. This measure could be a key element to spell out the division between licit and illicit transfers. For example, at present, transfer of weapons to an insurgent or terrorist group that has been properly authorized by the issuing country is perfectly licit.

The proposal to prohibit these transfers was therefore developed and discussed already at the United Nations Conference on SALW control in 2001, but the US opposition prevented its adoption. Some actors, like the EU, have nevertheless adopted this practice unilaterally, and this measure should be further promoted by parliamentarians.

Obligatory marking of arms and ammunition:

The purpose of marking is to establish strict control on behalf of States in order to prevent illicit trafficking and the illegal use of arms, as well as to locate subsequent flows and transits in cases where arms transfers reach illicit uses or destinations. As mentioned earlier, over 95% of all weapons are legally produced, and, as such, equally legal during the first step of its sales circuit. Given the characteristics of this type of product – it is plenti-

ful, financially attainable and with a durability of up to a hundred years – it is likely that many subsequent sales will occur. This means that legally sold products often end up in illicit uses and destinations.

An efficient marking of arms and ammunition would therefore be a key measure to allow for a tracing process and an identification of the channels and weaknesses that facilitate illicit arms trafficking.

Promotion of amnesties and practical disarmament measures:

Practical Disarmament Measures (such as buy-back programmes and exchange for goods programmes, etc.) have been used in a wide range of situations: by United Nations mandate, in towns and cities in developed countries (such as the USA), and in post-conflict contexts (Central America, Africa, the Balkans, etc.). Most of these programmes operate under the principle of anonymity, combining this with an amnesty for illegal owners of arms. These programmes are normally combined with other measures, such as the announcing of greater sanctions or increased police persecution following the completion of these programmes. Others are also combined with long-term projects such as educational and rehabilitation/reinsertion projects for ex-combatants in post-war areas.¹⁹

Parliaments considering legislative changes for greater arms control could also take these kinds of measures into account. Although it is important to limit access to arms, it is also crucial to withdraw the surplus weapons that may be in circulation.

19 Luz, Daniel: *Los programas de recolección de armas*, UNESCO Chair on Peace and Human Rights, Barcelona, 1999

Use of economic-legal measures

The cost of armed violence is alarming, especially in Latin America (according to a recent study by the UNDP, armed violence in El Salvador accounts for 11% of GNP). This economic impact is particularly faced by the health system that, in itself, already suffers many shortfalls. In light of this situation, economic-legal measures could be developed, aiming at the internationalisation of these costs by institutions and actors responsible for developing activities with arms. Some of these measures may include *inter alia* the establishing of specific taxes (as with tobacco, fuel or alcohol), exceptional tariffs, insurance, and compensation for misuse. Commercialisation quotas and plans could also be established.

GOVERNMENT CONTROL

Ensuring that international instruments are incorporated into national legislation:

The United Nations Firearms Protocol, the only legally-binding instrument at international level for the control of SALW, has so far been signed by only 49 States. Out of these, 19 have still not entered into the process of ratifying the instrument. This is a concrete example of what remains to be done to incorporate international arms control instruments into national legislation.

Control on arms production levels:

One measure to avoid the excessive and destabilising accumulation of weapons could involve the establishing of controls or limits on arms production. To date, very few initiatives are undertaken related to this matter,

particularly depending on the fact that most of the attention has been focused on controlling already existing arms. However, a concrete measure that could be undertaken by parliaments of arms producing countries is, for example, the establishment of production quotas based on purely defensive requirements.

Monitoring the respect for national and international controls on exports and imports:

The United Nations Charter grants Member States the right to self-defence, which is why the arms trade constitutes a legal activity. However, given that this type of activity generates a potential risk for national and international security, Parliaments should ensure that the area is managed correctly. Parliaments could, for example, promote the establishing of Codes of Conduct for the import and export of arms, ensure the due respect of embargos and international restrictions on arms, and, by closely monitoring transfers, guarantee that arms are not diverted or triangulated.

These measures could be especially important in regions, such as Western Africa or Central America, that have the benefit of holding their own instruments aimed at avoiding the destabilising accumulation of SALW. Backing by other countries, for example through parliamentary transfer control, is key for maintaining the functioning of these instruments.

Control and reduction of governments' arms stockpiles:

An important characteristic of small arms is that they are extremely long-lasting – weapons can function for a century with minimum maintenance. This tend to generate large stocks. Many weapons that may appear old and, therefore might be renewed, may end up in the illicit market if not effectively controlled. In fact, three of the current main sources of supply of

SALW originate from the former stockpiles of countries from the Warsaw Pact,²⁰ the surplus weapons from the reduction of the military forces, and the remains of weaponry from the ending of armed conflicts.

Parliaments could therefore contemplate to monitor the measures undertaken with weaponry considered “obsolete” or surplus. Despite being old weapons, they are still lethal and may end up in the wrong hands. The only way of ensuring that obsolete or surplus weaponry ceases to be a possible source of insecurity is through its controlled destruction. Parliaments could, in this sense, consider promoting destruction to accompany the reduction and control of governments’ stockpiles.

Monitor police reform processes and possible DDR-programmes to ensure they include arms control:

Security sector reform (SSR) and programmes for disarmament, demobilisation and reintegration of former combatants (DDR) are both crucial measures in peace-building processes and for increasing the general level of security. However, paradoxically enough, these initiatives do not always include comprehensive arms control schemes. Some measures, such as the training of police and security officials in the appropriate use of force, the improvement of police and military arms storage facilities, the development of accountability or the correct collection of weapons following the end of an armed conflict, are all basic tools that should be included in such

20 Many of these countries have chosen to join NATO, and this has led to the conversion of systems of weaponry, generating a large amount of “obsolete” weaponry that has been placed on the market. Only too often, this weaponry has gone to countries in armed conflict.

programmes. Parliaments could take upon themselves to ensure that these and other measures are integrated into SSR and DDR policies.

Monitor the correct implementation of arms collection and destruction programmes:

Arms recollection and destruction programmes are, essentially, confidence building measures. This type of initiatives rarely withdraws the totality of illicit weapons, but, nevertheless, can contribute very positively to reduce armed violence.²¹ Parliaments can play an active role in supervising the transparency of these measures, and assuring the public that weapons collected in this type of programs really are destroyed and removed from circulation.

Ensure that public budgets allocate sufficient resources for the effective implementation of arms control measures:

All the above mentioned measures require, naturally, human and financial resources, calling for sufficient allocations in the public budget. Considering that the priorities of the State budget divulges the political agenda of the government, Parliaments could – in their capacity as responsible for approving the budget – ensure that arms control is duly considered. Through effective arms control, confidence, social adhesion and public security is obtained, equivalent to development. Investing in arms control therefore implies an investment in social and economic progress.

21 Godnick, William: *Transforming Attitudes Towards the Tools of Violence*, University of Bradford, 2003

Ensuring that arms control forms part of the development cooperation policy:

In many countries, the political will to advance on arms control is prevented by the lack of economic resources. Parliaments in developed countries could therefore take into consideration that arms control should, preferably, constitute a chief component of the international development cooperation policies.

Different institutions such as the World Bank or the OECD Development Aid Committee have already acknowledged that measures aimed at arms control should be considered as development measures. However, the number of countries supporting arms control through their international cooperation policies still remains low. This assistance can be provided at economic and technical level, but should, first and foremost, be included into strategic plans and designs of international cooperation policies. Parliaments could play a key role in ensuring that such initiatives for arms control appear and are supported by strategies for international cooperation.

CREATION OF AWARENESS AND SENSITISATION

Promotion of a Culture of Peace:

The forging of a culture of peace and security is a collective task. Parliamentarians have a specifically advantageous position in this regard, considering the possibility to pass legislation and promote initiatives along these lines.

The basis of arms control is within the people: only the perceptions of people can generate security or insecurity. Promoting a culture of peace – particularly from Parliaments – would, undoubtedly, be a very positive means of intervention for preventing violence and achieving peace and stability.

Institutionalised participation of Parliaments in experience exchange and learning fora:

The exchange of experiences, lessons learned and initiatives constitutes a continuous way of vital learning. Parliaments as institution, as well as their members, should participate in forums and spaces of information exchange on a regular basis. Apart from the Parliamentary Forum on SALW, various institutions and interparliamentary agencies already exist for this purpose.

The participation should, nevertheless, be made more systematic. Learning and findings should be shared and transmitted to other parliamentary members, generating a knowledge pool that goes beyond mere individual participation.

Engaging in NGO campaigns:

NGOs can be very important and active actors in the struggle against the proliferation of SALW. Many of them have extensive experience from the subject, counting with specialized publications and materials, people dedicated exclusively to the study of the problem and how to intervene, as well as practical intervention tools. The engagement of parliamentarians with NGOs may therefore be a very useful strategy, for example to learn more about the subject and possible campaign and intervention measures.

The *raison d'être* of almost all NGOs is to advocate for policy change. This implies that they are normally willing to work extensively in support

of parliamentarians, using political or ideological alternatives for arms control as an efficient meeting point.

Sensitisation and awareness campaigns:

Sensitisation and awareness campaigns are not exclusive to NGOs. Media, Governments and Parliaments may also produce such campaigns in favour of arms control. Parliamentarians could consider being active actors in this type of initiatives either by inciting campaigns at government level or through direct participation in international campaigns.

As public and social references, parliamentarians have a unique possibility of setting good examples for the rest of the society, as well as for the international community.

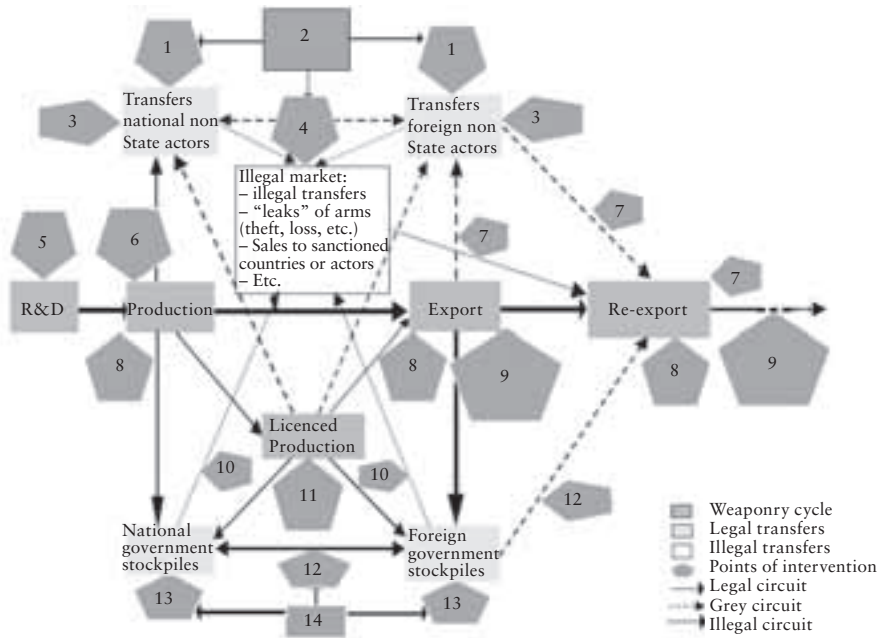
Incorporation of arms control rhetoric in media performances:

The media pays, on a regular basis, special attention to parliamentarians. This facility and ability to access mass media could be used to ensure wider dissemination of messages that favour effective arms control. The incorporation of such messages in media interventions would decisively contribute towards an improvement in public opinion on this matter.

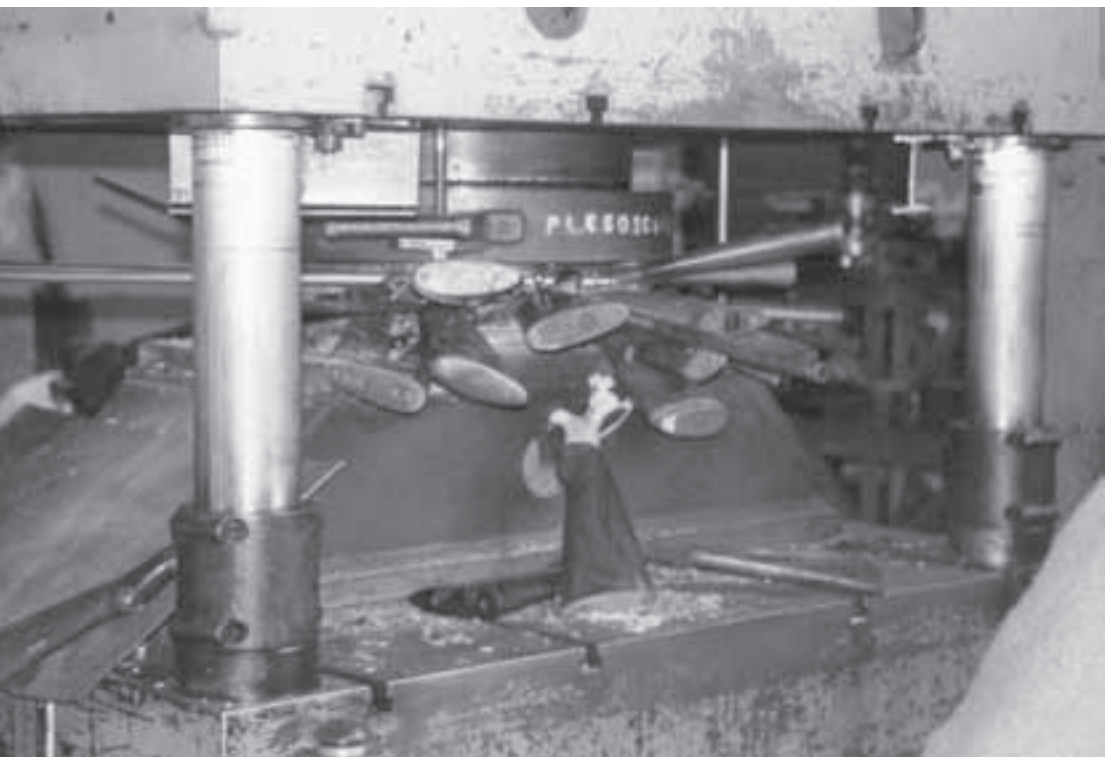
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The proliferation of SALW is indeed a very complex process, but a lot can be achieved to prevent it. There exist many points of intervention (only a few have been mentioned here) that can be promoted – especially from a parliamentary perspective. These points of intervention are not exclusive, but should rather be undertaken in a comprehensive fashion. The following map of intervention points highlight where in the proliferation process these interventions may be required, and thus serve to illustrate graphi-

cally how an individual measure can, in itself, be used to help remedy the proliferation of SALW:



- | | | | |
|---|---|----|---|
| 1 | Amnesties, collection programmes, destruction | 8 | Transparency, marking, registration |
| 2 | Culture of Peace | 9 | Export pol., Codes of Conduct, embargoes, moratoria ... |
| 3 | Arms possession legislation | 10 | Registration control |
| 4 | Reduction in demand | 11 | Production restrictions, reduction |
| 5 | International Humanitarian Law (IHL) restrictions | 12 | Transparency |
| 6 | Production restrictions, reduction | 13 | Stocks reduction |
| 7 | Control on brokering agents | 14 | Culture of Peace |



ANALYSIS OF PARLIAMENTARY ACTIVITY IN TERMS OF SMALL ARMS AND LIGHT WEAPONS CONTROL, BY REGION

If the previous chapter presented some of the points of intervention that may be carried out by Parliaments, the purpose of this section is to illustrate what is being done in practice. As indicated in the methodology section of this study, three basic criteria have been established for the geographic analysis of parliamentary activity on SALW control in order to select the countries subject to the study:

- Members of Parliament who have previously taken part in the activities of the Forum
- The national Parliament is considered active and with jurisdiction in arms control issues
- Members of national Parliaments are active and motivated by arms control issues

After this selection, and as indicated above, the countries analysed pertain to Sub-Saharan Africa, Latin America and Western Europe. Of course, the problems and issues of interest vary greatly between these three regions, generating different parliamentary agendas of action.

On the one hand, in Sub-Saharan Africa the arms control agenda must inevitably include the impact and scourge of armed conflicts and the subsequent post-war rehabilitation – with its different ingredients – in terms of disarmament: DDR-programmes, reform of the security sector, arms collection, etc.

Notwithstanding that only Colombia and Haiti are considered as being in armed conflict, Latin America is the continent with the highest rate of armed violence worldwide. The legacy of different wars with inadequate rehabilitation processes – particularly in Central America – and the democratic and institutional weakness derived from recent authoritarian systems, combined with a mass presence of SALW, are considered as the main contributing factors generating this situation.

	Main Item on the Regional Agenda	Main Causes	Level of parliamentary involvement in the item
Sub-Saharan Africa	Humanitarian impact of SALW on civilian population	Presence of many armed conflicts	Low
Latin America	Small arms possessed by the civilian population	Wide availability of SALW	High
Western Europe	Arms and ammunition exports control	Presence of a significant arms industry	Intermediate

In Western Europe, however, concern has traditionally focused on measures of transparency and export controls of military equipment. Despite this, a particular alarm is emerging in European countries due to the growing levels of crime and armed violence, particularly linked to domestic violence.

SUB-SAHARAN AFRICA

In Sub-Saharan Africa, many advances have been made at the government level since the United Nations Conference on Small Arms in 2001. Despite this, a lot remain to be done in the African region, considering that approximately half of all current wars are fought on this continent. The large number of arms in circulation and their easy availability – going from conflict to conflict – is continuously feeding these armed conflicts, as well as armed crime. One of the main challenges of the African continent is therefore the need to build government capacity. However, this reinforcement of Government institutions unavoidably also requires co-ordinated parliamentary action.

Different regional institutions are playing an increasing role in the efforts to build peace and security for Africa. The African Union (AU) created the Peace and Security Council on 25 May 2004 with a specific mandate to promote and encourage the implementation of international agreements on arms control and disarmament.

All of the work carried out by the ECOWAS, through the establishing of a Moratorium on the import, export, manufacture and distribution of SALW and the recently adopted Protocol, place this region at the forefront worldwide in the struggle for arms control. In fact, the subregional organisations of Africa, such as the SADC, have progressed significantly in terms of arms control.

However – and despite this subregional progress – these advances does not seem to be reflected in political will at the national level. In comparison with the continent's problem, the level of national implementation is limited. For example, National Plans of action are only developed in Senegal, Botswana and Namibia. In some cases, such as Ethiopia, Kenya,

Mali, Malawi, Ghana, Guinea, Nigeria, DRC, Sudan and Uganda, national focal points²² or national commissions have been created, which means progress towards SALW control, although still limited.

One example of this is the aging of many of the regulations in different African countries. As an example, the arms control legislation in Kenya dates back to the 50s and 60s. This shows how many African countries, despite leading the work to control SALW on an international level, still lack efforts to apply the same politics in their own countries. The adequate adaptation of the regulations and, even more important, their application, is an urgent issue for the African continent.

BEST PRACTICE:

New arms control legislation in South Africa

The Firearms Control Act, which entered into force on 1 July 2004, restricts the possession, sale and manufacture of SALW in South Africa. Any possession, sale or production of arms requires a licence that is obtained based on a series of criteria, such as criminal record, mental and physical condition or guarantees by the applicant to keep the weapon safe. The sentences for illegal possession, production and sale of arms have also been increased (to up to 25 years in prison).

This legislative review was promoted by the South African police force, which considered that the levels of arms control in the country were insufficient. Some aspects of the new legislation worth emphasising include:

22 However, it must be noted that 26 African countries have established an official point of contact that acts as a liaison between countries in compliance with the UN PoA.

- An increase in the minimum age to possess a firearm from 16 to 21
- Declaration of certain public areas (schools and bars, etc.) as Gun Free Areas
- Introduction of an individual capability test to determine whether the firearm licence applicant can be responsible and use the firearm safely
- Limitation as to the amount of ammunition per person to 200 bullets per licence
- Expiry of licences for validity periods of between 2 and 10 years, depending on the category.

*

Due to the level of armed conflict in the African region, a correct management of these conflicts and, more particularly, of rehabilitation efforts, also constitute a cornerstone for adequate arms control.

However, the post-war construction strategies in terms of arms control through, for example, reforms in the security sector or DDR programmes, have not received great parliamentary attention – mostly due to the institutional weakness during the political transition.

A series of elements requiring subsequent parliamentary attention should arise from this. During the post-war disarmament stage, small arms and ammunition are normally collected and, very occasionally, major weapons. This weapons collection process is, in most cases, under the safekeeping of the Armed Forces or the police, although in some cases (for example Burundi, Ivory Coast and CAR), the weapons have been destroyed at public events. In most cases, however, there is a certain lack of control and scarce monitoring of the final destination of the arms collected, with the consequent risk of their diversion to illegal markets. Peace can become jeopardised without the effective monitoring of the final destination of these arms.

On several occasions following the disarmament stage, especially when few arms are handed over in relation to the number of demobilised combatants, governments have carried out voluntary weapon collection programmes using campaigns for the exchange of arms for goods or “arms for development”. These programmes encourage their handing over in exchange for aid for labour reintegration, educational programmes, micro-credits, etc. Unfortunately, these measures have been undertaken in almost total absence of parliamentary involvement and control.

In terms of the demobilisation of former combatants, one of the main problems noted is that the number of combatants to be demobilised is often unknown, either due to a lack of prior planning or the extortion of senior officers in the armed opposition groups. In different contexts, an exaggeration is seen in the number of declared combatants. Another consequence of this, for example in Burundi and Liberia, is the alarming lack of funds to compensate former combatants that, in turn, may lead to rebellion by the combatant sectors demanding to receive the promised payments. Furthermore, depending on the rewards established for demobilisation, the phenomenon of “ghost combatants” may arise, i.e. the appearance of actors who were not combatants, but that join the programme due to the incentives given (such as in the case of the DRC).

One of the most controversial aspects of the DDR-programmes is the amount of arms handed over by combatants during the disarmament stage. Although the popular opinion is that each combatant has a weapon, the truth is that this distribution is not the case in many armed groups. In fact, many members of armed groups do not go into direct combat and do not have guns, but should anyway be demobilised upon starting a DDR programme. It is also true, as the history of demobilisations has proven, that an undetermined amount of arms is normally hidden by ex-combat-

ants, or that only arms in disuse or in very bad condition are handed over. In the current processes in which there is information to this end – which is less than half – the average percentage shows that one weapon is handed over for every two combatants demobilised.²³

LATIN AMERICA

Latin America is the region with the highest rate of criminal violence in the world. Figures suggest that social violence and armed crime are growing generally in most of the countries in the hemisphere. The wide availability of SALW, despite not being the cause of high levels of violence, is contributing to this situation, increasing the levels of lethality of social violence.

A large number of arms entered Latin America through numerous sources in the 70s and 80s, particularly due to the Cold War tension. Nowadays, although an important part of arms come from the USA and Europe, most originate from regional circulation as a result of the significant illicit market. There are, however, other factors that must be taken into account:²⁴

23 Albert Caramés, Vicenç Fisas and Daniel Luz, *Análisis de los programas de DDR existentes en el mundo*, Escola de Cultura de Pau, Barcelona, 2006, available in Spanish at: www.escolapau.org

24 Edward Laurance and William Godnick: *Weapons Collection in Central America: El Salvador and Guatemala* en Faltas, Sami and Di Chiaro III, Joseph (eds.): *Managing the Remnants of War: Microdisarmament as an Element of Peacebuilding*, Nomos Verlagsgesellschaft, Baden-Baden, 2001

- The volume of legal imports remains high.
- The region’s geography is characterised by porous borders. There is a large number of clandestine airports and small ports that prevent the adequate control and monitoring of these activities.
- There is extensive demand for arms as a result of the proliferation of new actors – *maras*, crime gangs, drug dealers, etc. Many of these actors have large financial resources enabling them to finance the purchase of weapons.
- The countries in the region have a poor legal system, including a lack of judges, police officers and professionals in the judicial and security sector.
- These countries have a deeply-rooted arms-related culture.

The main concerns of this region are therefore associated with the fight against the illicit market, the widespread possession of arms and the need for greater customs control.

Many of the problems are embedded in the national policies and legislations themselves, as many of the laws of these countries are not providing an adequate response to the three aforementioned concerns. For example, several laws regarding civilian possession of arms contribute to their proliferation by allowing civilians to possess more than one weapon and by not placing a limit on the amounts of ammunition that can be purchased, thus enabling the law itself to promote the existence of illicit trafficking.

As well as inadequate national laws, it must also be taken into account that these sometimes have a limited capacity of implementation. Discrepancies between the national legislative frameworks on arms trade and the possession of arms facilitate the work of dealers and the trans-border trafficking of arms. As a result, armed violence is being exported to the entire region. Many of these countries have limited and even non-existent regulations regarding arms brokers. These actors operate sheltered by legal

loopholes in the grey area of legislation where there is a lack of government control on the arms transactions carried out by third parties, enabling them to operate with relative impunity.

Furthermore, it is worth noting that not all Latin American countries have clear, standardised regulations on the import, export and transit of arms. The existence of the OAS/CICAD Model Regulations offers a practical point of reference and a good guide for the countries in the Hemisphere, although unfortunately they have not been adopted by all the countries and their implementation is sporadic. The harmonisation of legislation according to existing regional instruments may help prevent the existence of discrepancies and variations in the region, although this depends on reforms that must be implemented in each country. Therefore, national legislation must be in line with international agreements, such as the *Inter-American Convention Against the Trafficking of Firearms* and the *United Nations Firearms Protocol*.

Although a high level of parliamentary activity has been undertaken in terms of legislation and reforms on civilian arms possession, the level of parliamentary involvement in terms of control of the Government is limited. Governments tend to concentrate almost all information to their own institutions, and do not count on the institutional contribution of parliamentarians. One exception to this panorama is Brazil. The Brazilian Parliament, thanks to the action of different civil society organisations such as Sou da Paz or Viva Rio, approved the so-called Disarmament Statute in July 2003 – subsequently ratified in December 2004 – which is considered as one of the best legislation worldwide on arms control.²⁵ One of the main challenges of this new legislation was the call of the popular plebiscite to ratify one of the specific aspects of the Statute – the prohibition of sale of arms and ammunition to civilians.

As well as adopting this new legislation, the Brazilian Parliament has gone even further by wishing to become more actively involved in the struggle against the illicit trafficking of SALW, as well as their ammunition. The institutionalisation of this will and this involvement was reflected in the creation of the Parliamentary Commission of Enquiry on Arms Trafficking.

BEST PRACTICE:

The Parliamentary Commission of Enquiry in Brazil



Image of the campaign in favour of restricting the arms trade

The Brazilian Parliamentary Commission of Enquiry on Arms Trafficking is a parliamentary initiative to investigate the routes and mechanisms used for the illegal trafficking of arms. Interventions have been carried out by members of the police force, specialist researchers and even prisoners who have taken part in criminal activities. Its work began in March 2005 and the vote on the final report is planned for June 2006.

With the assistance of INTERPOL and the ambassadors of different countries, the Commission seeks to create a task force that will travel to the countries of origin of the arms to hold meetings with those responsible for the arms trade to discover the routes and channels used in the illicit arms market in order

to locate the loopholes and points where control is lost and where greater monitoring is required. This Commission is chaired by MP Moroni Torgan.

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This initiative, as indicated, originates from the action of civil society organisations. It is not the only case in the region. In fact, a unique element of parliamentary action in Latin America is that, despite the modest attention parliaments receive from their Governments, parliamentarians have received a lot of input from NGOs. Not only in the area of the traditional parliamentary agenda, but in relation to cooperation for legislative production. Perhaps the most notable collaboration between parliamentarians and civil society organisations is that many of these organizations, such as Swefor, provide training and technical assistance to different national Parliaments.

Furthermore, it is also worth noting the assistance that Parliaments are being provided through the development of different national NGO networks. Besides Brazil, the experiences of Argentina, Colombia, Peru and certain Central American countries are worth highlighting. This combined advocacy work between national NGO networks and parliamentarians is undoubtedly contributing towards the creation of awareness and sensitisation of the civilian population.



Argentine network
for Disarmament

**BEST PRACTICE:
Young Argentines demand the commitment
of parliamentarians against arms trafficking**

From 17 to 22 March 2006, the Youth Parliament for Peace and Solidarity and the NGO Espacios, in support for the work of the Argentine Network or Disarmament, delivered letters to members of the national Congress and Senate in Argentina requesting they make public their support for an International Treaty on Arms Transfers and that they join the “Control Arms” campaign.

The Youth Parliament for Peace and Solidarity is a group of youngsters aged between 18 and 20 who were chosen by their peers in secondary education throughout Argentina. It is chaired by Mauricio Manubens and this work space was created one year ago through the initiative of the Solidarity Network, the Argentine Ministry of Education and the support of the NGO Espacios, in reaction to the killing of three students by a colleague at a school in the city of Carmen de Patagones.

Mauricio Manubens and members of other Argentine organisations have also started a campaign to visit the media targeting the youth audience, in order to get their support to the campaign to collect One Million Faces against the proliferation of arms around the world.

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WESTERN EUROPE

Although the attention of European Parliaments in terms of arms controls usually focus on arms exports control, there are several interesting elements arising from the questionnaires received from parliamentarians in the region.

First of all, a growing concern for covering arms control internally is clearly seen: i.e. the need to start paying greater attention to issues such as police reforms, domestic violence and crime. Although the levels of insecurity differ greatly from African and Latina American levels, a growth in the illicit market – linked to terrorist, transnational crime and drug trafficking – is perceived, mostly operating with hand-held guns. It would therefore be wise for European parliamentarians responsible for internal affairs to start revising the achievements of Parliaments in other regions in terms of customs monitoring, crime prevention and treatment and the fight against the illicit arms market.

However, certain loopholes in the central issue of controlling arms exports can be perceived. As shown in the following table, parliamentary action in this area is rather limited:

General overview of the parliamentary control systems in the EU²⁶

26 The 15 Member States of the EU have been used as a reference, as access to information and its harmonisation of the countries to have recently joined the EU remains a complex issue

EU Member States (15)	PARLIAMENTARY				
	<i>Prior control by a Committee</i>	<i>Subsequent control by a Committee</i>	<i>Debate on the Annual Report</i>	<i>Debate on Export Control Regulations</i>	
Austria	No	No	No	No	
Belgium	No	No	No	No	
Denmark	No, only sometimes	No	No	No	
Finland	No	No	No	No	
France	No	Yes	Yes	No	
Germany	No	Under consideration	Yes	No	
Greece	No	No	No	No	
Ireland	No	No	No	No	
Italy	No	No	No	No	
Luxemburg	No	No	No	No	
Netherlands	Yes, but limited	Yes	Yes	Yes	
Portugal	No	No	No	No	
Spain	No	Yes	Yes	Underway	
Sweden	Yes but only consultative role	Yes	Yes	Yes	
United Kingdom	Under consideration	Yes	Yes	Yes	

CONTROL

	<i>Comments (including Parliamentary questions)</i>
	Parliamentarians have sometimes asked questions to the government regarding arms exports, but the answers have not provided the required level of information
	Parliaments have effectively questioned the government and this has influenced the government's policy
	Parliamentary questions have sometimes been tabled. In exceptional circumstances, the government previously consults with the parliament on decisions relating to particularly sensitive licences
	Parliamentary questions have been asked on arms exports and detailed answers have often been received (the information on parliamentary questions is published on the internet)
	An increasing number of parliamentarians ask questions to the Government in Parliament. A committee recommended different improvements to control the government, such as regular debates and subsequent control by a committee
	Parliamentary questions are often asked on arms exports, although the answers are not often detailed but have sometimes provided quite a lot of information.
	The Parliament is not involved in the control of arms exports
	Parliamentarians often ask questions and the answers include a reasonable level of information
	Parliamentarians sometimes ask parliamentary questions on arms exports
	Parliamentary questions have sometimes been tabled on arms transfers, particularly in the early nineties
	Parliamentarians ask questions before the review of the annual report. Parliamentary questions are tabled. The Freedom of Information Act also enables citizens to obtain information on arms exports
	Parliamentarians seldom ask questions on arms exports
	Some parliamentarians have tabled written parliamentary questions to control the government's arms exports policy.
	Parliamentarians table parliamentary questions on specific arms exports
	Parliamentarians regularly table parliamentary questions on the decisions of arms exports and government policy

Only the Parliaments of the 6 EU countries with a large military industry (France, Germany, The Netherlands, Spain, Sweden and the United Kingdom) play a relatively active role in terms of arms exports control. Other countries such as Austria, Belgium and Italy also have a very significant SALW manufacturing industry, yet they have a lower level of parliamentary scrutiny and control, which is a reason for concern.

Furthermore, in all these aspects the leading role is almost exclusively played by government entities, as neither national export control committees nor the information management agencies involve national Parliaments.

Likewise, in most cases, this attention towards exports to other countries is limited exclusively to the area of security. The need for other parliamentary work “with an overseas focus” to include arms control, such as the International Development Cooperation Committees, has not been perceived to date.

However, the experience of the United Kingdom House of Commons may constitute a good practice to be imitated by other countries. On 15 March 2005, a Quadripartite Committee comprising members of the Defence, Foreign Affairs, International Development and Trade and Industry Committees met for the first time. The purpose of this committee is to oversee the action of the Government in terms of arms exports, now with the added value of including a variety of viewpoints.²⁷

BEST PRACTICE: United Kingdom Quadripartite Strategic Export Control Committee



This Quadripartite Committee – Defence, Foreign Affairs, International Development and Industry – was created in 1999 to examine the government policy on strategic export controls. Access to Government information was extremely limited at the start, although this has been partially corrected more recently.

Full access to information remains one of the main reasons for concern, although ensuring the organisations responsible for arms control have sufficient financial and human resources to efficiently undertake the job is also on the committee's tasks.

The Committee has also offered the Government important recommendations, such as the need to expand export controls extraterritorially or the opportunity for the UK Government to join and lead in the adopting of an International Arms Trade Treaty.

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Another good example in this area is the commitment of the Swedish Government to subject the report on its arms exports to parliamentary debate. This commitment dates back to 1984, when an Advisory Board on Military Exports (now the Export Control Council) was established in Parliament. Although this body is advisory, its recommendations are very much taken into account by the Executive. More recently, another independent body has been established, the National Inspectorate of Strategic

Products, to monitor export licences depending on the decisions adopted by the Export Control Council.

Another good practice that European Parliaments can take on board is the traditional cooperation with civil society organisations and specialist centres. NGOs have years of experience in the study and analysis of questions related to arms control, which has been made available to both national Parliaments and the European Parliament.

In Spain, for example, cooperation between parliamentarians from all parliamentary groups and different NGOs dates back to over ten years ago.²⁸ Different civil society campaigns have sought the complicity of parliamentarians, enabling the adopting of a series of measures that have contributed towards a substantial improvement in the information transparency mechanisms and export control. The most important feature of these measures is that, in every case, they have been adopted unanimously by the members of the Congress of Deputies, proving the firm commitment of all parliamentary groups.

28 In 1994, Amnesty International, Greenpeace, Intermon Oxfam and Médecins sans Frontières together with the UNESCO Chair on Peace and Human Rights from the Universitat Autònoma in Barcelona (now the School of Culture of Peace) began a series of campaigns (Killing Secrets, Farewell to Arms and, at present, Control Arms) for reform of the legislation and administrative practices in terms of arms exports.

BEST PRACTICE: A Mr. SALW for the European Parliament?

Every year, the European Parliament mandates one MEP with the preparation of a report – in accordance with provision 8 of the Code of Conduct on arms exports – on the level of implementation of and compliance with the Code of Conduct. This is an important tool for supranational supervision and the harmonisation of the practices of the EU Member States.

At present, the EU plays an increasing role as an international actor of technical and economic cooperation in arms control. Therefore, some civil society organisations are calling European Institutions for the creation of a figure in the European Parliament to centralise all this work. Just as there is a “Mr CFSP” – a kind of EU Minister for the common foreign and security policy – the creation of a figure (Mr or Ms) is sought to contribute towards driving and increasing the role and the involvement of the European Parliament in arms control issues and the prevention of armed violence.

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To conclude, despite the different agendas and concerns, the experience and lessons learnt in each of the regions can contribute towards the learning of others. Latin America is discovering how to handle situations with high levels of armed violence, which might be very useful for African and European Parliaments. Africa is dealing with programmes regarding the demobilisation and reinsertion of armed actors, which could be useful for the treatment of groups of youngsters involved in organised armed violence in Latin America. Moreover, the experience of European countries in export control could also be applied to Latin American and African countries (such as Brazil or South Africa), which have significant arms industries and arms export policies.



GENERAL RECOMMENDATIONS:

This report is designed as a tool for the promotion of activities in favour of a better and greater arms control, seeking to stimulate an increase in parliamentary activity. The following series of recommendations can be done:

- The international process that has been trying to remedy the proliferation of SALW for several years primarily involves Governments, NGOs and UN agencies, while the role of Parliaments has been relegated almost exclusively to the national level. However, one of the main measures requested worldwide is the harmonisation and adaptation of legislations. This is included in the UN PoA and in other international instruments. Therefore, Parliaments – and parliamentarians on an individual basis – must demand a more significant role in this global process.
- The reasons originating and constituting the roots of arms proliferation and armed violence are multiple. An efficient policy must therefore have a multidimensional approach. Traditionally, arms control has been considered as part of national defence. This must, however, not exclude other approaches of a more social nature, which could provide vital elements for an effective arms control policy.
- One of the specific measures that the UN PoA suggests for efficient arms control is the establishing of national commissions. The adoption of an institutional structure for the control of small arms is undoubtedly a crucial measure, which is why Parliaments should be systematically present in these National Commissions.

- In many countries, the issue of arms control still forms part of the national defence agenda. Although there is no doubt that the present extent of armed violence partly requires such a perspective, this vision should not be exclusive. Evidence shows that a wide approach is necessary to prevent and deal with arms proliferation, calling for a multidimensional approach including education, social policies, youth policies and development cooperation policies. Therefore, the parliamentary arms control agenda should be expanded to include all fields related to broader arms control.
- Legislative work regarding public security, such as police reforms or the regulation of private security companies, should also contemplate the issue of arms control. All parliamentary initiatives that could strengthen arms control would gain from including this matter as a basic pillar.
- This expansion of the agenda should also be accompanied by greater involvement of other Parliamentary Committees that have not traditionally worked on the subject. The inclusion and greater institutional coordination with other areas, such as education, gender discrimination, health, justice and ethics committees, would contribute substantially towards better arms control. There is, for example, extensive awareness that education should be one of the main forms of intervention, and that the issue of arms should be included in the educational agenda. Furthermore, the human cost of arms pose serious health care problem in many countries, which is why the issue of armed violence should be approached also from a health care point of view. The gender dimension also suffers the impact of armed violence, and measures aimed at pro-

protecting women should therefore also include measures to control arms. The justice sector could be another essential area included in the strive for improving arms control mechanisms. The ethics committees that exist in several parliaments, seeking to combat corruption, could also include measures to increase accountability and transparency on arms as another item in their agenda.

- There are different positive lessons that could be spread to other Parliaments. One is the establishing of Commissions of Enquiry. In Brazil, for example, where this measure already exists, this Commission could be used to provide information on the illicit circuits of arms trafficking and to combat the corruption that enables the illicit flow of arms. In the United Kingdom, however, a multidimensional Committee has been established among different Committees (Defence, Foreign Affairs, International Development, Trade and Industry) to review and monitor the role of trade in arms export control in an extensive and inclusive manner. More awareness and publicity should be created around these measures in order for them to be considered by other Parliaments.
- The involvement of parliamentarians in extra-legislative events in favour of arms control is often well perceived and valued, not only as an example of proximity with NGOs, but also on behalf of the media and the population as a whole. This serves to create personal political profiles in support of specific subjects, for example arms control.
- The actions, opinions and appearances of parliamentarians are often monitored and supervised by the public opinion. This could be used by parliamentarians to establish themselves as public references in favour

of arms reduction and greater arms control. The inclusion of this matter in public statements, in campaign events and in daily parliamentary encounters may undoubtedly contribute to creating a positive and constructive public and social awareness.

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SELECTION OF PARLIAMENTARY ORGANISATIONS

Global

Inter-Parliamentary Union
Arab Inter-Parliamentary Union
Asia Pacific Parliamentary Forum
Parliamentary Assembly of the Francophonie
Commonwealth Parliamentary Association
European Parliamentarians for Africa
NATO Parliamentary Assembly
Parliamentarians for Global Action (PGA)

Africa

African Parliamentary Union
South African Development Community

America

Latin American Parliament (Parlatino)
Latin American Parliamentarians Against Corruption (PLACC)
Confederation of American Parliaments
Parliamentary Summit for Hemispheric Integration
Andean Parliament
Amazonian Parliament
Centroamerican Parliament
MERCOSUR Joint Parliamentary Commission
Forum of Presidents of the Legislative Branch of Central America
Assembly of Caribbean Community Parliamentarians
Indigenous Parliament of America
Association of Caribbean States (ACS)

Europe

European Parliament
Assembly of the Western European Union
Baltic Assembly
Nordic Council
OSCE Parliamentary Assembly
Council of Europe Parliamentary Assembly

PHOTOGRAPHS

- p 12 The award-winning Argentine sculptress, Eliana Molinelli, created her work of art from arms recollected within the disarmament programme "Arms Recollection Plan" in Mendoza, Argentine.
- p 18 The government of Rio de Janeiro, Brazil, carried out public arms destruction events with the accompaniment of civil society organizations like Viva Río.
- p 28 The Colombia musician César Lopez has developed a working method to confront violence with art. The most well-known result is the so called "escopetarra", a shotgun ("escopeta" in Spanish) transformed into a guitar, which is now used by famous artist like, for example, Juanes and Fito Páez.
- P 58 The periodic destruction of arms is one of the measures recommended to avoid leakage of arms to the black market.
- P 78 Poor quality arms deposits have frequently contributed to a recirculation of arms into the black market.

